

Reviews

James A. Hodges	587
Richard W. Sheehan	588
Ferguson	589
Israel G. Hall	590
<i>Seaside in the Seventeenth Century</i> , by	592
<i>French Louisiana</i> , by Henry S. Marks	594
<i>Policy</i> , by Warren M. Billings	595
<i>War</i> , by Robert M. Weir	596
William L. Shea	597
<i>Acts</i> , by James M. Morrill	598
<i>the House of Representatives</i> , by Clarence	599
<i>Maryland</i> , by Norman K. Risjord	600
<i>Louisiana</i> , by Gilbert C. Din	601
Turtis Skaggs	602
<i>Otherland</i>	604
<i>Rebellum South</i> , by Donald M. Rawson	605
by Thomas L. Karnes	606
<i>ation</i> , by John H. Schroeder	607
<i>is Fork</i> , by Mark A. Keller	608
Baker	609
L. Sunseri	610
<i>Lloyd Garrison</i> , Vol. V, by Merton L.	612
by Carl H. Moneyhon	613
<i>of Civil Liberties</i> , by Robert L.	614
<i>Society</i> , by Paul E. Isaac	615
by Franklin D. Mitchell	616
A. Elizabeth Taylor	617
<i>Liberalism</i> , by Walter Johnson	619
Walter B. Weare	620
Donald L. Grant	622
t-Brown	623
<i>Carolina History</i> , by Daniel W. Hollis	624
n, by Robert Erwin Johnson	626
by David R. Goldfield	627
<i>or Movement</i> , by Melton A. McLaurin	628
<i>to the South</i> ", by Steven G. Hertzberg	630
ald M. Roper	631
George C. Osborn	632
<i>rapeutic Revolution</i> , by Kenneth F. Kiple	633
Harry D. Holmes	635
<i>Plains</i> , by Garry L. Nall	637

Southern Democrats in the Crisis of 1876-1877: A Reconsideration of *Reunion and Reaction*

By MICHAEL LES BENEDICT

IN 1951 C. VANN WOODWARD PUBLISHED TWO BOOKS THAT established him as one of the premier historians of the American South, a position confirmed by his continued accomplishments. In one of these, *Origins of the New South*, Woodward exploded the myth of southern Bourbonism after Reconstruction. The so-called Redeemers, he demonstrated, were not the diehard planter reactionaries depicted by Populist and Progressive enemies at the turn of the century and by historians since that time. Rather, they were entrepreneurs who shared the values and interests of their northern counterparts and who opposed the anticapitalist reforms championed by such radical dissidents as Thomas Edward ("Tom") Watson, the Georgia agrarian whose life Woodward had chronicled earlier.¹ Looking backward from the 1880s and 1890s when these conservative capitalists were ascendant, Woodward discerned a new meaning in the end of Reconstruction, one that confirmed the predominant historical understanding of the 1940s that Reconstruction embodied an effort by northern capitalists to secure their interests against renascent western and southern agrarianism.

These earlier historians had suggested that Republicans had abandoned their pretense of concern for ex-slaves' well-being when it became apparent that southerners no longer threatened the economic supremacy of the industrial interests they represented.² In *Origins of the New South* and more fully in his second 1951 volume, *Reunion and Reaction: The Compromise of 1877 and the End of*

¹ Woodward, *Origins of the New South, 1877-1913* ([Baton Rouge], 1951); Woodward, *Tom Watson: Agrarian Rebel* (New York, 1938).

² Howard K. Beale, *The Critical Year: A Study of Andrew Johnson and Reconstruction* (New York, 1930); Charles A. and Mary R. Beard, *The Rise of American Civilization* (2 vols., New York, 1927), II, 98-213; James G. Randall, *The Civil War and Reconstruction* (Boston, 1937); William B. Hesseltine, "Economic Factors in the Abandonment of Reconstruction," *Mississippi Valley Historical Review*, XXII (September 1935), 191-210.

MR. BENEDICT is associate professor of history at Ohio State University.

THE JOURNAL OF SOUTHERN HISTORY
Vol. XLVI, No. 4, November 1980

Reconstruction, Woodward bolstered the thesis by presenting evidence that Rutherford Birchard Hayes's emergence as President in the crisis following the disputed election of 1876 resulted from a definite bargain between northern Republicans and Whiggish southern Democrats over primarily economic issues. In return for southern Democratic support for his inauguration, Hayes agreed to end the interference in southern states that was now irrelevant to northern Republican industrial interests. More important, he promised to support economic legislation beneficial to the South—especially national help in building the Texas and Pacific Railroad, which would link the South to the Pacific Coast, and in repairing the war-wrecked Mississippi River levees. With such an economic alliance cemented, the southerners would desert the Democratic party and join the Republican, the vehicle of triumphant American capitalism.³ Thus, *Reunion and Reaction* was one of the last, most important, and most sophisticated works of the Progressive school of history. Informed by the assumptions of economic determinism, Woodward took for granted “a class, or at least an economic, basis for our major parties,” as David Herbert Donald observed in 1970. Appropriately, Woodward specially acknowledged his debt to Charles Augustus Beard in the preface to his book.⁴ But Woodward went beyond the simple assertion, so common to the genre, that key historical events were determined by economic factors; he offered compelling evidence from the papers of the actors themselves. Thus, he fashioned a work that could survive the demise of economic determinism as an interpretive framework for American history.

Although some reviewers were dubious, the force of Woodward's prose, his ability to marshal evidence from eclectic sources, and perhaps the existence of the *de facto* southern Democratic-northern Republican congressional alliance that scut-

³ Woodward, *Origins of the New South*, 23–50; Woodward, *Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction* (Boston, 1951). Woodward carefully clothed his conclusion with caveats, on occasion conceding he was building his case on suppositions (see for example pp. 117–18 of *Reunion and Reaction* on Hayes's attitude toward the Texas and Pacific Railroad; p. 121 on Watterston's acceptance of the Electoral Commission bill) or acknowledging that purely political understandings may have been equal in importance to economic ones (see pp. 117–18, 183), but the total effort clearly left the impression that that Compromise of 1877 was supposed to establish an alliance between sectional representatives of the new business elite.

⁴ Donald, “Reconstruction,” in John A. Garraty, ed., *Interpreting American History: Conversations with Historians* (New York, 1970), 363. Woodward, *Reunion and Reaction*, [ix]. Paul M. Gaston noted the Beardian origins of *Reunion and Reaction* in “The ‘New South,’” in Arthur S. Link and Rombert W. Patrick, eds., *Writing Southern History: Essays in Historiography in Honor of Fletcher M. Green* (Baton Rouge, 1965), 330, as did Sheldon Hackney, “Origins of the New South in Retrospect,” *Journal of Southern History*, XXXVIII (May 1972), 196–97.

tled so much progressive legislation in the 1940s and 1950s convinced most historians.⁵ A greater tribute to Woodward's ability than the acceptance of his account, however, has been its endurance. For, while historians have abandoned the postulates of economic determinism, while they have exploded the notion that Reconstruction-era Republicans fronted for northern capitalists, while they now agree that racial rather than economic issues determined the course of Reconstruction, Woodward's thesis seems to have weathered the storm.

Woodward's interpretation has been questioned in several scholarly works, but Allan Peskin leveled the most direct and powerful attack upon it several years ago in the *Journal of American History*. He urged that the claim of a bargain of which none of the terms were fulfilled must be suspect. The weakness of the Democratic position forced them to support the Electoral Commission bill, Peskin argued, and the Electoral Commission seated Hayes. In his response Woodward conceded that the bargain over home rule was more important to both sides than “the lesser parts.” But he insisted upon the relevance of economic bargains and the crucial peaceful role played by “Whiggish” southern Democrats. The fulfillment of terms is not the test of whether there has been a bargain, Woodward urged, effectively pointing out that the terms of the Compromise of 1850 were not fulfilled either. Conceding that the Electoral Commission secured Hayes's victory, Woodward still maintained that it was the southern Democrats, in pursuance of their bargain with Hayes's supporters, who guaranteed that Hayes would be peacefully inaugurated and thereby exorcised the specter of civil war. Keith Ian Polakoff's mildly worded reservations about the centrality of the economic bargain also seems to have failed to shake the hold of Woodward's thesis, especially as modified by his response to Peskin. It persists in textbooks and is repeated in new scholarship.⁶

⁵ See Jeter A. Iseley's review in the *American Historical Review*, LVII (October 1951), 178–79; Arthur E. Kooker in the *Mississippi Valley Historical Review*, XXXVIII (March 1952), 717–19; Robert H. Woody was more reserved in his review of *Reunion and Reaction* for the *South Atlantic Quarterly*, LII (January 1953), 129–31, while Dan M. Robinson was unconvinced, *Journal of Southern History*, XVIII (February 1952), 93–95. Allan Peskin found nine leading college history textbooks published in the mid-1960s reflecting Woodward's interpretation. Peskin, “Was There a Compromise of 1877?” *Journal of American History*, LX (June 1973), 64n.

⁶ Peskin, “Was There a Compromise of 1877?” 63–75; Woodward, “Yes, There Was a Compromise of 1877,” *Journal of American History*, LX (June 1973), 215–19; Polakoff, *The Politics of Inertia: The Election of 1876 and the End of Reconstruction* (Baton Rouge, 1973), 232–314. For acceptance of Woodward's thesis in recent college textbooks see Thomas A. Bailey, *The American Pageant: A History of the Republic* (Lexington, Mass., 1975), 528; Bernard Bailyn et al., *The Great Republic: A History of the American People* (Lexington, Mass., 1977), 811; John M. Blum et al., *The National Experience: A History of the United*

But a direct assessment of Woodward's evidence, of the actual voting patterns of southern Democrats in the electoral-count controversy, and of southern opinion during the crisis indicates Woodward described accurately a Republican effort to break down Democratic unity in the South, but that effort was not the determining factor in Democratic acquiescence in Hayes's inauguration. Moreover, he greatly overestimated both the role southerners played in moderating Democratic opposition to Hayes and the part the railroad played in influencing the southerners.

Woodward opened his argument by delineating the large influence pre-Civil War Whigs had in the Reconstruction-era southern Democratic party. In two beautifully crafted chapters, Woodward argued that the economic notions of these old Whigs resembled those of probusiness Republicans more than they did those held by Jacksonian, antigovernment northern Democrats. The practical expression of the attitudes of these southern conservatives was their support for government aid in building a new transcontinental railroad to connect the South with the Pacific coast. Most of them favored Pennsylvania Railroad president Thomas Alexander Scott's Texas and Pacific Railroad scheme, which was lobbied throughout the South and in Congress in the 1870s. This support was only representative, Woodward wrote, of demands for aid in rebuilding the Mississippi levees and other improvements.⁷

States (New York, 1977), 380-83; Richard N. Current et al., *American History: A Survey* (New York, 1974), 442-43; John A. Garraty, *The American Nation: A History of the United States* (New York, 1975), 453; Norman A. Graebner et al., *A History of the American People* (New York, 1975), 444-45; Richard Hofstadter et al., *The United States* (Englewood Cliffs, N. J., 1976), 332-33. For its acceptance in monographic and synthetic works see James G. Randall and David Donald, *The Civil War and Reconstruction* (Lexington, Mass., 1969); Avery O. Craven, *Reconstruction: The Ending of the Civil War* (New York and other cities, 1969), 302-304; John H. Franklin, *Reconstruction: After the Civil War* (Chicago and London, 1961); Rembert W. Patrick, *The Reconstruction of the Nation* (New York and other cities, 1967); Kenneth M. Stampp, *The Era of Reconstruction, 1865-1877* (New York, 1965); Allen W. Trelease, *Reconstruction: The Great Experiment* (New York, 1971); Forrest G. Wood, *The Era of Reconstruction, 1863-1877* (New York, 1975); Sidney I. Pomerantz, "Election of 1876," in Arthur M. Schlesinger, Jr., and Fred L. Israel, eds., *History of American Presidential Elections, 1789-1968* (4 vols., New York and other cities, 1971), II, 1379-1435; William W. Rogers, *The One-Gallused Rebellion: Agrarianism in Alabama, 1865-1896* (Baton Rouge, 1970); Jerrell H. Shofner, *Nor Is It Over Yet: Florida in the Era of Reconstruction, 1863-1877* (Gainesville, Fla., 1973); Joe G. Taylor, *Louisiana Reconstructed, 1863-1877* (Baton Rouge, 1974); Carl V. Harris, "Right Fork or Left Fork? The Section-Party Alignments of Southern Democrats in Congress, 1873-1897," *Journal of Southern History*, XLII (November 1976), 471-506 (challenging Woodward's description of post-1878 southern Democratic behavior but accepting his view of the events of 1876); William C. Harris, *The Day of the Carpetbagger: Republican Reconstruction in Mississippi* (Baton Rouge and London, 1979), 548. A few scholars have expressed reservations: Joseph F. Wall, *Henry Watterson: Reconstructed Rebel* (New York, 1956); Donald, "Reconstruction," 363-64. Thomas B. Alexander expressed surprise to find so few references to economic compromises in the Rutherford B. Hayes papers but did not comment further in his classic "Persistent Whiggery in the Confederate South, 1860-1877," *Journal of Southern History*, XXVII (August 1961), 324-25.

⁷ Woodward, *Reunion and Reaction*, 22-50, 68-100.

However, in stressing southern Democratic support for the Texas and Pacific Railroad Woodward ignored economic issues of far greater moment to most Americans. As Carl V. Harris recently demonstrated, on financial issues, the tariff, taxation, and business regulation southern Democrats in Congress voted more like western radicals than northeastern conservatives.⁸

Moreover, although Woodward cited evidence that Republicans hoped to capture the old Whig vote, the link between southern Whiggishness, if it existed, and the broad compromise Woodward outlined lay almost entirely in the correspondence among three men. The first of these was Hayes's close adviser William Henry Smith. The two others were the men Woodward identified as the chief agents in the southern Democratic-Republican negotiations, Henry Van Ness Boynton and Andrew J. Kellar.⁹

In Woodward's account Kellar emerged as the prototypical southern conservative with whom Republicans reached their understanding—a prewar Unionist, though a Democrat, now "aligned with the Whig-industrialist wing of the Democratic party led by Colonel Arthur S. Colyar of Nashville and opposed to the state rights-planter wing led by Isham G. Harris, unreconstructed Confederate."¹⁰ However, Woodward seriously misconstrued Kellar's position in Tennessee politics, imposing the alignments of the 1880s upon the 1870s.¹¹

Kellar was hardly a "Whiggish" conservative Democrat. In fact, he was barely a Democrat at all and certainly did not symbolize a new southern Democratic identity of interests with Republicans. As the Memphis *Ledger* noted, he had "been consistent in the efforts to disintegrate and break up the Democratic party ever since Grant was elected in 1868."¹² Editor of the Memphis *Avalanche*, Kellar wrangled incessantly with his chief local competitor, the orthodox

⁸ Harris, "Right Fork or Left Fork?" *passim*. See also Irwin Unger, *The Greenback Era: A Social and Political History of American Finance, 1865-1879* (Princeton, 1964), 340-46; Hannah G. Roach, "Sectionalism in Congress (1870 to 1890)," *American Political Science Review*, XIX (August 1925), 520-21.

⁹ Woodward drew upon a wide range of sources that described contacts between southern Democrats and Republicans as well as general developments during the electoral crisis. But his interpretation of those sources is compelling only in light of the Boynton-Kellar-Smith correspondence, located in the William Henry Smith Papers (William Henry Smith Memorial Library, Indiana Historical Society, Indianapolis)—the only source but one that documents the "economic side," as Woodward called it, of the compromise. It will be cited hereinafter as W. H. Smith Papers Ind. A few letters that apparently corroborate the role of Texas and Pacific lobby are in the General Dodge letterbooks, Grenville Melien Dodge Papers (Iowa State Historical Department, Des Moines, Iowa).

¹⁰ Woodward, *Reunion and Reaction*, 28.

¹¹ Woodward interpolated 1870s Democratic factional divisions from Daniel M. Robison's *Bob Taylor and the Agrarian Revolt in Tennessee* (Chapel Hill, 1935). See Roger L. Hart, *Redeemers, Bourbons, & Populists: Tennessee, 1870-1896* (Baton Rouge, 1975), 25, which notes Woodward's mistake.

¹² Memphis *Ledger*, quoted in the Memphis *Daily Avalanche*, November 24, 1878, p. 1.

Democratic Memphis *Daily Appeal*, which received government patronage when regular Democrats were in power. Challenging regular Democrats first for being too quick to sacrifice war-related Democratic principles and then for being too slow to do so, Kellar's political zigzags were aimed primarily at dislodging the "Memphis ring of office-seekers" which persistently favored his competition. When Democratic leaders themselves endorsed the "New Departure" in 1872, as Kellar had been urging, he abandoned that line of attack and began to demand that the Democratic state administration repudiate a large part of the state debt. From this distinctly un-Whiggish position, Kellar's *Avalanche* joined former President Andrew Johnson's assault upon the regular party leadership, supporting Johnson's insurgent candidacies and sponsoring local bolts in the Memphis area, which sometimes succeeded with tacit Republican support. When Johnson's death in 1875 left dissidents leaderless his organization began to crumble, and by 1876 Kellar and the *Avalanche* had openly left the Democratic ranks. In that year Kellar backed the low-tax, anti-debt payment gubernatorial candidacy of Dorsey B. Thomas, who ran as an independent with some Republican support. In the presidential election he and the *Avalanche* supported the Greenback candidate Peter Cooper, hardly the favorite of Republican conservatives, and outspokenly promoted inflation and denounced eastern bondholders.

Far from representing the industrial Redeemer elite, Kellar worked assiduously in the 1870s to undermine its political power. Within the framework of Tennessee politics he belonged to the agrarian wing of the Democratic party led by Johnson in the early 1870s and Robert Love ("Bob") Taylor in the 1880s. In his relation to the Republicans Kellar was a precursor of the Virginia Readjusters and North Carolina and Tennessee Populists. Like them, he had his own interests to promote, and his goal was not to extend Republicanism in the South but to precipitate "a grand political smashup."¹³ To accomplish this, he wanted control of the federal patronage in Tennessee, impossible if Samuel Jones Tilden were President, and toward that end he pressed for the appointment of his new ally, former Senator David McKendree Key, to a Hayes cabinet.¹⁴

¹³ *Ibid.*, February 2, 1877, p. 2. There is no biography of Kellar, who well deserves one. His political course must be traced through the pages of his newspaper, the Memphis *Avalanche*, from 1868 to 1878. He referred regularly to the "Memphis ring of office-seekers," for example *ibid.*, December 3, 1869, p. 2.

¹⁴ Kellar to William Henry Smith, February 17, 1877, W. H. Smith Papers Ind. See also Kellar to Smith February 20, 21, March 15, 1877, William Henry Smith Papers (Ohio Historical Society, Columbus, Ohio, hereinafter cited as W. H. Smith Papers Ohio); David M. Abshire, *The South Rejects a Prophet: The Life of Senator D. M. Key, 1824-1900* (New

Boynton was the pugnacious Washington correspondent of the Cincinnati *Gazette*. Combining a preacher's son's hostility to corruption with a passion for political intrigue, Boynton—like most newspapermen of his era—was not above slanting his reports to reflect his views. "Boynton is universally regarded here as a liar and a libeller," John Sherman wrote his brother in December 1875, after one of Boynton's journalistic escapades—a book minimizing General William Tecumseh Sherman's role in the Civil War.¹⁵ Bitterly hostile to the Republican leaders sustained by the Grant administration, Boynton had hammered away at its corruption and promoted the reputation of Benjamin Helm Bristow, his paper's candidate for the Republican presidential nomination. Boynton recognized that the events of the winter of 1876-1877 were to determine both which party's candidate occupied the White House and which elements would control the Republican party if Hayes were successfully inaugurated.

Boynton was not certain that his wing of the party would emerge victorious in this infighting. Hayes had been nominated as a compromise among diverse Republican factions battling one another largely over the issues of reform within the party and in the national civil service. Such a reform would deprive the dominant factions of the patronage that welded their "machines" and made them so hard to dislodge. Bristow had been the candidate of the "reformers," and their shift to Hayes had made his nomination possible. But some of the established "machine" forces—especially Oliver Perry Morton's Indiana delegation—had played critical roles, and all the "machines" had worked hard for Hayes in the canvass. Now it was the regulars—Zachariah Chandler, William Eaton Chandler, Mor-

York, 1967), 110-11, 114-19, 145-56. For an understanding of Tennessee factional politics in the 1870s see Hart, *Redeemers, Bourbon, & Populists*, 1-55; Robison, *Bob Taylor*; Robison, "The Political Background of Tennessee's War of the Roses," East Tennessee Historical Society, *Publications*, No. 5 (January 1933), 125-33; Robert B. Jones, *Tennessee at the Crossroads: The State Debt Controversy, 1870-1883* (Knoxville, 1977), 1-115; augmented by the Memphis *Avalanche*, Memphis *Daily Appeal*, and Isham G. Harris's organ, the Nashville *American*. As Kellar himself is not often mentioned in these works, one must trace his career in the *Avalanche*. See also the Memphis *Daily Appeal*, November 11, 1876, p. 2.

Woodward misconceived Arthur S. Colyar's part in Tennessee politics in the same way he did Kellar's. Colyar was a persistent factionalist, declaring and then renouncing independent candidacies so often that the Nashville *Daily American* dubbed him "the Great American Withdrawer." He was until 1877, in the words of Isham G. Harris, "the most chronic case of independent candidate I have ever known." Like Kellar, Colyar allied with Andrew Johnson and became a radical proponent of a drastic readjustment of the state debt. Not until the 1880s did he play the role Woodward assigned him. Clyde L. Ball, "The Public Career of Colonel A. S. Colyar, 1870-1877," *Tennessee Historical Quarterly*, XII (March, June, September 1953) 23-47, 106-28, 213-38; quotations on p. 235.

¹⁵ Sherman to William T. Sherman, December 10, 1875, William T. Sherman Papers (Manuscript Division, Library of Congress, Washington, D. C.). Boynton's book was *Sherman's Historical Raid* (Cincinnati, 1875).

ton, and others—who were most active in saving the disputed states for Hayes, and Hayes was depending upon Grant himself to guarantee his inauguration against forcible resistance.

Boynnton also knew that if there was an issue besides civil service reform that separated “reformers” from “regulars” in the party, it was what to do in the South. Republican dissidents stressed the necessity for purifying the political system; regulars emphasized the issues on which the party had been founded and which still mobilized its rank and file. Although reform elements had gained ground since 1874, the Republican campaign of 1876 had been run largely on war issues. And Republican leaders and newspapers continued to describe southern antiblack and anti-Republican violence in lurid detail as they justified the rejection of Democratic votes in the disputed states.¹⁶ The more Hayes was beholden to the orthodox party regulars and the more Republicans stressed southern violence and rebelliousness in defending his claims, the more likely it seemed to dissidents like Boynnton that the same elements that controlled Grant’s administration would control Hayes’s.¹⁷ Nor could Kellar realize his dream of a general party realignment if Hayes sustained leaders who stressed sectional issues.

So both Kellar’s and Boynnton’s activities were aimed both at dividing southerners and at convincing Hayes and his advisers that they had succeeded in the accomplishment—that Hayes owed his inauguration not to the old Republican hardliners but to the party’s reform element and that continued reliance upon their advice on civil service reform and the southern question promised similar success in the future. As he kept William Henry Smith informed of

¹⁶ *Cincinnati Daily Gazette*, November 14, 1876, p. 4; November 16, 1876, p. 4; November 18, 1876, p. 4; *Washington National Republican*, November 22, 1876, p. 2; *Cleveland Leader*, November 30, 1876, p. 4; December 2, 1876, p. 4; December 4, 1876, p. 4; *New York Times*, November 12, 1876, p. 6.

¹⁷ There is no monographic work dealing with struggle between “regulars” and “reformers” for control of the Republican party organization between 1873 and 1876, and literature on the “reformers” themselves does not place their activities in the framework of intraparty factionalism, where much of it belongs. My forthcoming *Let Us Have Peace: Republicans and Reconstruction, 1869–1880* will discuss Republican factionalism in the 1870s in some detail. Ari Hoogenboom notes some of the ambiguities of “reform” in the 1870s in his “Civil Service Reform and Public Morality,” in H. Wayne Morgan, ed., *The Gilded Age* (Syracuse, N. Y., 1970), 77–95. For the evidence of the struggle between regulars and reformers for influence with Hayes see Frederic Bancroft, ed., *The Speeches, Correspondence and Political Papers of Carl Schurz* (6 vols., New York and London, 1913), III, 280–90, 339–409; Boynnton to Bristow, January 4, February 2, 1977; Boynnton to William Henry Smith, January 5, 1877 (copy); Murat Halstead to Bristow, January 14, 1877, all in Benjamin H. Bristow Papers (Manuscript Division, Library of Congress); Richard Smith to John M. Harlan, February 14, 1877, John M. Harlan Papers (Library of Congress); John D. DeFrees to Whitelaw Reid, February 19, 1877, Whitelaw Reid Papers (Library of Congress); and letters from William E. Chandler, Albert D. Shaw, James M. Comly, James H. Tyner, and others, Rutherford B. Hayes Papers (Rutherford B. Hayes Library, Fremont, Ohio).

his lobbying activities, Kellar pressed Hayes’s advisers to be wary of “Blaine & his class,” urging that “the old secession element and the ultra Radicals under Blaine & Butler ought to be together in the same party . . .”¹⁸ Boynnton’s letters manifest the same concern. At the same time that he worked to divide Democrats in Congress, Boynnton pressed Bristow’s claims for patronage and influence in the new Republican administration. Copies of his correspondence with Smith went to Bristow, and Boynnton noted, “You will see how I united the two things, and they *belong* together.”¹⁹

Close attention to the chronology of Boynnton and Kellar’s activities and the events of the electoral crisis makes clear the degree to which they—and through reliance upon them, Woodward—exaggerated the impact of their efforts to win southern acceptance of Hayes’s inauguration. For the fact is that Hayes owed his peaceful inauguration far more to the course taken by northern Democrats, particularly northeastern Democrats, than to that of the southerners.

Democrats were in a weak position from the beginning as they watched in frustration while the returning boards of Florida, Louisiana, and South Carolina overturned apparent Democratic majorities there. Republicans controlled the Presidency, the army, and the Senate, whose presiding officer was directed by the Constitution to open and count the vote of the electoral college. The legal argument that the presiding officer of the Senate, Senator Thomas White Ferry of Michigan, had to determine which electoral votes were certified by the appropriate state authorities was plausible enough to satisfy the Republican rank and file. Perhaps the Democratic counterargument that the framers of the Constitution could not have intended to permit one man to make that decision was just as plausible; but in the days before the Supreme Court was recognized as the ultimate arbiter of practically all such constitutional disputes, the Democrats had no tribunal to which to present it.²⁰

¹⁸ Kellar to Smith, January 2, 1877, W. H. Smith Papers Ohio. Blaine was not an “ultra radical,” of course, and cordially hated Butler; Kellar’s shaft was aimed at Republican regulars in general.

¹⁹ Boynnton to Bristow, January 5, 1877, Bristow Papers. See also James M. Comly to Hayes, January 8, 1877, Hayes Papers; Boynnton to William Henry Smith, March 17, 1877, W. H. Smith Papers Ohio. Later in 1877 Boynnton tried to blackmail Hayes into giving Bristow greater authority over patronage by threatening to publicize Boynnton’s activities during the electoral crisis; Boynnton to William Henry Smith, September 24, 1877; Smith to Hayes, October 3, November 11, 1877; Smith to Kellar, November 3, 1877; Smith to Richard Smith, November 19, 1877, *ibid.*; Ross A. Webb, *Benjamin Helm Bristow: Border State Politician* (Lexington, Ky., 1969), 269–74.

²⁰ There was no provision in the statutes defining the jurisdiction of the federal courts for adjudication of disputed electoral votes. In fact, an argument could be made that such a law would be unconstitutional on the ground that the Constitution specifically requires the presiding officer of the Senate to count the vote. There were suggestions to turn the matter over

Democrats had few alternatives. The Democratic House of Representatives could send committees south to gather evidence that the elections there were fair and that the returning boards had thrown out Democratic majorities for partisan reasons. If that evidence was compelling enough, Americans might recoil so violently from the fraud that Republicans would be forced by political pressure to abandon their program. In that event Democrats would object to counting the votes from the disputed states, the two houses of Congress would not agree on what to do with them, and they would be thrown out. Neither candidate would have a majority of the electoral vote, and the Democratic House would elect the President, as the Constitution provides in such a case.

But it soon became apparent that the situation in the South was not as clear as Democrats had believed. Tales of violence and terror affirmed the Republicans' determination, and they seemed committed to going forward. To put Tilden in the White House Democrats would have to refuse to accept the validity of Ferry's count and have the House elect the President despite it; but there would be no way to enforce the decision except through a popular revolt against Grant's army. Democrats did not have the stomach for this. Yet if they buckled Republicans would surely succeed in electing Hayes. So Democrats had to stand firm and hope that public fear of violence would become so great that Republicans would be forced to abandon their scheme and concede the House's authority.²¹

But in all this it was the course of northern rather than southern Democrats that would be critical. With the electoral crisis following a bitter campaign turning largely on sectional issues, southerners knew that they could not take the lead in resisting Hayes's inauguration. "Our opponents are eagerly hoping for some outbreak upon the part of southern Democrats in Congress," the *Memphis Appeal* warned in December. "Let them be disappointed."²² That advice was echoed throughout the South. ". . . it is for the northern people to consider the situation and do what they think is right. The South will not by impulsiveness increase her own sufferings nor in any way embarrass the northern people who are endeavoring to rescue the public places from the corrupt, dishonest, and cruel men

to the courts, but none got very far. Polakoff, *Politics of Inertia*, 265-67; David Dudley Field's *quo warranto* bill, *Congressional Record*, 44 Cong., 2 Sess., 2127 (March 2, 1877); Stanley Matthews to Hayes, December 15, 1876, Hayes Papers.

²¹ Polakoff, *Politics of Inertia*, 220-23, 234-38, 240-42; Paul L. Haworth, *The Hayes-Tilden Disputed Presidential Election of 1876* (Cleveland, 1906), 176-86; Henry Watterson, "The Hayes-Tilden Contest for the Presidency: Inside History of a Great Political Crisis," *Century Magazine*, LXXXVI (May 1913), 15, 17.

²² *Memphis Daily Appeal*, December 19, 1876, p. 2.

who have so long profaned them."²³ It was all up to the North. "Will Tilden, our president elect—will the hundreds of thousands of northern men who voted for him—stand it? The south waits for an answer."²⁴ Over and over again southern Democrats urged boldness upon their northern allies. "Men of the North, rise up and rescue the once fair name of this land from disgrace," the *Charles-ton News and Courier* declaimed. "To you belongs the task, and to you it should be a pleasing duty. . . . Military Despotism on one hand—Constitutional Liberty on the other. Choose this day between the two."²⁵ While the South could not take the lead in preparations for resistance, there could be no doubt where it would stand when the crisis came. If northerners "prefer a dangerous contest to submission, we think that we can promise that the South . . . will be found . . . ready to peril life for liberty," the *New Orleans Picayune* assured its allies.²⁶

But southerners were stunned to find little ferment among Democrats in the North. Many western Democrats echoed their calls for Democratic agitation in the North, but serious problems made most national Democratic leaders hesitate.²⁷ Despite Democratic charges that Republicans had promoted radical changes in American government and society, Republicans had at critical moments been able to label the Democrats as the real threat to American stability.²⁸

²³ *Richmond Daily Dispatch*, December 2, 1876, p. 2. See also the *Raleigh Sentinel*, November 16, 1876, p. 2; *New Orleans Democrat*, December 12, 1876, p. 1; *New Orleans Daily Picayune*, December 16, 1876, p. 4; *Charleston Daily News and Courier*, November 22, 1876, p. 2; *Nashville Weekly American*, November 23, 1876, p. 2 (the *Weekly American* was the weekly publication of the *Nashville American*, the leading Democratic newspaper in Tennessee); *Louisville Courier-Journal*, November 24, 1876, p. 2; November 27, 1876, p. 2; December 11, 1876, p. 2; *Atlanta Daily Constitution*, November 30, 1876, p. 2. Some Democrats began to hedge when Republican determination became clear, cautioning that Democrats were "for peace, but also for the preservation of liberty and constitutional government. Let the conspirators take warning in time. They may force upon the country the dread issue of war . . ." *Memphis Daily Appeal*, December 21, p. 2; December 23, 1876, p. 2. Earlier the *Daily Appeal* had insisted, ". . . no one proposes armed resistance to any infamy the Radicals may enact." *Ibid.*, December 10, 1876, p. 2.

²⁴ *Raleigh Sentinel*, November 16, 1876, p. 2. See also the *Memphis Daily Appeal*, December 29, 1876, p. 2; *Richmond Daily Dispatch*, December 16, 1876, p. 2; *Raleigh Sentinel*, November 30, 1876, p. 2; *New Orleans Democrat*, December 17, 1876, p. 8; *Louisville Courier-Journal*, December 11, 1876, p. 2; *Atlanta Daily Constitution*, December 15, 1876, p. 2.

²⁵ *Charleston Daily News and Courier*, December 6, 1876, p. 2. See also *New Orleans Democrat*, December 12, 1876, p. 1; *Nashville Weekly American*, December 14, 1876, p. 2. *New Orleans Daily Picayune*, December 16, 1876, p. 4.

²⁶ *New Orleans Daily Picayune*, December 16, 1876, p. 4.

²⁷ For western Democratic calls for firmness see the *Chicago Times*, December 26, 1876, p. 4; December 29, 1876, p. 4; *Cincinnati Enquirer*, December 4, 1876, p. 4; December 7, 1876, p. 4; December 8, 1876, p. 4; December 12, 1876, p. 4; *Cleveland Plain Dealer*, December 5, 1876, p. 2; December 14, 1876, p. 2.

²⁸ See for example the descriptions of the elections of 1866 and 1868 in Michael L. Bene-

With their large ex-Confederate constituency and their Copperhead heritage, Democrats were terribly vulnerable to attacks on their loyalty. The slightest indiscreet act "would do the Democratic party great damage," one of Tilden's advisers wrote. "It is so largely made up of the Southern States that nothing would please the Republican party better than to see it assume an attitude of war, or something that could be perverted into a threat against the Government. They would at once cry a new rebellion and endeavor to consolidate the North against the Democratic party, as being the rebel party, and with much show for success. . . ."²⁹ Moreover, conservative capitalists and businessmen, influential in the northern Democracy, could be relied on to repudiate measures that threatened economic stability. Throughout the crisis the northeastern Democratic leaders, who controlled much of the party apparatus, refused to take any step that might precipitate the feared reaction.³⁰ This caution was justified by the glee with which Republicans labeled every hint of resistance as "revolutionary."³¹ The Republicans' rejection in late November of Representative Clarkson Nott Potter's statement in the Democratic position on counting the vote was particularly instructive. Republicans universally denounced it as "Tilden's Revolution."³²

Democrats seemed to be in an impossible situation. "When Democrats . . . talk about resorting to legal and peaceful remedies to dict, *A Compromise of Principle: Congressional Republicans and Reconstruction, 1863-1869* (New York, 1974), 188-209, 322-24; and Charles H. Coleman, *The Election of 1868: The Democratic Effort to Regain Control* (New York and London, 1933), 286-90, 305-31, 375-76. The fear that Democrats were fundamentally hostile to the postwar status quo underlay much of the appeal of the "bloody shirt" issue to northerners.

²⁹ This letter, sent to John M. Fleming by an unidentified writer, November 11, 1876, was printed in the *Nashville Weekly American*, November 23, 1876, p. 2.

³⁰ *Ibid.*; George W. Morgan to Tilden, November 18, 1876; January 15, 1877; Morgan to W. C. P. Breckenridge [Breckinridge], January 16, 1877; Abram S. Hewitt to the National Democratic Committee, March 3, 1877, all in John Bigelow, ed., *Letters and Literary Memorials of Samuel J. Tilden* (2 vols., New York, 1908), II, 490-91, 524-26, 549-53; Bigelow, *Retrospections of an Active Life* (5 vols., New York and Garden City, N. Y., 1909-1913), IV, 288; Perry Belmont to James A. Bayard, December 31, 1876, Thomas Francis Bayard Papers (Manuscript Division, Library of Congress); George W. Biddle to Manton Marble, December 5, 1876, Manton Marble Papers, *ibid.*; William C. Hudson, *Random Recollections of an Old Political Reporter* (New York, 1911), 69-71; Irving Katz, *August Belmont: A Parisian: Manton Marble, 1834-1917* (Ames, Iowa, 1971), 196-97; Haworth, *Hayes-Tilden Disputed Presidential Election of 1876*, pp. 169-70; Alexander C. Flick, *Samuel Jones Tilden: A Study in Political Sagacity* (New York, 1939), 353-61; Allan Nevins, *Abram S. Hewitt: With Some Account of Peter Cooper* (New York, 1935), 330-34.

³¹ *New York Times*, November 14, 1876, p. 4; November 15, 1876, p. 4; *New York Tribune*, November 15, 1876, p. 4, for examples.

³² *Chicago Daily Tribune*, November 25, 1876, p. 4. See also *ibid.*, November 26, 1876, p. 4; *New York Times*, November 23, 1876, p. 4; *New York Tribune*, November 23, 1876, p. 4; *Cincinnati Daily Gazette*, November 24, 1876, p. 4; *Cleveland Daily Leader*, November 25, 1876, p. 4; November 27, 1876, p. 4.

prevent the actual consummation of a glaring infamy," they complained, "the Republicans and the hypocritical Independents rush into print and twaddle about 'war,' 'bloodshed,'"³³ But it worked. Boynton reported that the flurry seriously demoralized Democrats in Washington, a conclusion corroborated by the *Washington correspondent* of the Democratic *Chicago Times*, who quoted party leaders there as warning that, "If the democrats do not act with great prudence we will be again found on the defensive."³⁴

As Democrats drifted southerners grew more and more restive, worrying that "if we announce by our silence beforehand that we intend to acquiesce in any outrage. . . [Republicans] perpetrate, we only invite aggression from them and prepare our own friends for a degrading submission." "The bad men, who are conspiring against liberty, feel only contempt for those who whine about the obligation of law and the necessity of peace," they warned.³⁵

Although they enjoyed a brief moment of enthusiasm as the Democratic caucus selected hardliner Samuel Jackson Randall as Speaker when Congress convened early in December, it soon became clear that the firm leadership southerners wanted from the North was not forthcoming.³⁶ By mid-December those who urged an aggressive policy were thoroughly demoralized at the timid course of Tilden's advisers and northeastern Democrats generally. "Only the most prompt and determined resistance can avert the utter destruction of Constitutional government," incoming North Carolina governor Zebulon Baird Vance wrote a friend. "The South *cannot* make this resistance, for obvious reasons, and the North will not. They are too busy making money." Complaints flooded Tilden from throughout the South, whose Democrats, he was told, "feel more than ever that they are leaning on a bag of wind when

³³ *Memphis Daily Appeal*, November 24, 1876, p. 2.

³⁴ Quoted in the *Atlanta Daily Constitution*, November 25, 1876, p. 4; *Cincinnati Daily Gazette*, November 28, 1876, p. 1.

³⁵ John B. Gordon to Samuel L. M. Barlow, January 2, 1877, Samuel L. M. Barlow Papers (Henry E. Huntington Library, San Marino, Calif.); *New Orleans Democrat*, November 26, 1876, p. 4. (Where more than one source is quoted in the text, the sources will be cited in the order that they are quoted.) See also Gordon to Alfred H. Colquitt, December 24, 1876, quoted in the *New Orleans Daily Picayune*, January 10, 1877, p. 6. (Gordon's letter was widely reprinted in the southern press); Joseph E. Brown to L. N. Trammell, December 12, 1876, Leander N. Trammell Papers (Emory University, Atlanta, Ga.); *New Orleans Daily Picayune*, January 11, 1877, p. 4.

³⁶ For Democratic perceptions of Randall's firmness see his correspondence of November and December 1876, Samuel Jackson Randall Papers (University of Pennsylvania, Philadelphia, Pa.). Randall's rulings on procedure in the first days of Congress and the determination manifested in early caucuses reassured Democrats temporarily. See the *Washington National Republican*, December 5, 1876, p. 1; *Atlanta Daily Constitution*, December 5, 1876, p. 2; *Louisville Courier-Journal*, December 7, 1876, p. 1.

they look for aid and comfort from the North."³⁷

As the Democratic paralysis continued southern Democrats began to worry that the fruits of their apparent victory would be lost; in particular, they feared that if Democratic inaction led to Hayes's inauguration it would mean continued national government patronage and protection for the southern Republican party that they loathed and still feared.³⁸ "What the South has expected from Gov. Tilden's election, no man who does not live in the South can be made to know," wrote a despondent Alabama Democrat. "It was resurrection after burial. And what our disappointment will be at his failure is beyond the possibilities of language to express. It is to have been resurrected only to be re-interred."³⁹ Furious at their confused northern allies, some southerners likened their course to that of their "cowardice" of 1861 and began to warn, "If the Northern Democracy is too timid to uphold the right, or unequal to

³⁷ Vance to Cornelia Phillips Spencer, November 27, 1876, Cornelia P. Spencer Papers (North Carolina State Department of Archives and History, Raleigh, N. C.); C. Gibson to Tilden, November 28, 1876. See also George J. Michems to Tilden, December 13, 1876; J. Duncan Allen to Tilden, December 15, 1876; R. Carter Smith to Tilden, December 15, 1876; J. W. Dungee to Tilden, December 18, 1876; Richard Nugent to Tilden, December 22, 1876, all in Samuel J. Tilden Papers (New York Public Library, New York, N. Y.). Similar letters from the South and from dissatisfied northern Democrats were directed to Randall. Augustus H. Garland to Randall, November 17, 1876; Leopold Morse to Randall, December 11, 1876; Richard Vaux to Randall, December 8, 12, 1876; January 13, 1877; W. C. Watson to Randall, December 13, 1876; John J. C. Harvey to Randall, January 16, 1877; George Marble, December 11, 1876 (filed under Randall Papers. See also August Belmont to Manton, December 19, 1876, Marble Papers; J. S. Duckwall to James L. Kemper, December 14, 1876, James L. Kemper Papers (University of Virginia Library, Charlottesville, Va.); William M. Brown to Samuel L. M. Barlow, December 13, 18, 1876, Barlow Papers; Edwin Harris to John M. Palmer, December 12, 1876, John M. Palmer Papers (Illinois State Historical Library, Springfield, Ill.).

³⁸ Who controlled the national administration was of most immediate concern to the Democrats of Louisiana, South Carolina, and Florida, of course. But the campaign of 1876 and the electoral crisis had aroused sectional hostilities to the highest point since 1872. The Republican party remained strong both numerically and organizationally in North Carolina and in parts of Tennessee and Virginia; it probably had a numerical majority in Mississippi. Aggressive national support could threaten Democratic control in those states and certainly preserve Republican dominance in those regions of states—eastern Tennessee and western North Carolina, for example—where it was still paramount in 1876. For Republican strength in the post-Reconstruction South, even after national administrations slackened law-enforcement efforts there, see Vincent P. DeSanctis, *Republicans Face the Southern Question: The New Departure Years, 1877-1897* (Baltimore, 1959); Stanley P. Hirshson, *Farewell to the Bloody Shirt: Northern Republicans & the Southern Negro, 1877-1893* (Bloomington, Ind., 1962); J. Morgan Kousser, *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910* (New Haven and London, 1974); Verton M. Queener, "The East Tennessee Republicans in State and Nation, 1870-1900," *Tennessee Historical Quarterly*, II (June 1943), 99-128; Queener, "The East Tennessee Republicans as a Minority Party, 1870-1896," *East Tennessee Historical Society, Publications*, No. 15 (1943), 49-73.

³⁹ L. P. Walker to Manton Marble, December 19, 1876, Marble Papers.

the maintenance of victory achieved by our help, there is no tie to bind the South forever to defeat."⁴⁰ In *Reunion and Reaction* Woodward cited such criticism of the course of northern Democrats in 1861 as evidence of southern restraint in the face of northern Democratic warmongering in 1876.⁴¹ In fact, they were precisely the opposite—warnings to northern Democrats to adopt more aggressive measures. The Washington correspondent of the *Cincinnati Enquirer* explained the situation cogently: "... the Northern Democrats are not taking the firm course necessary to secure a unity of action with the South." From Washington an informant with close links to southern congressmen wrote Tilden urgently, "I am convinced if we fail to secure them the victory they have assisted us in obtaining they will make conditions with Hayes . . . [They will] abandon the democracy if there . . . [is] a failure to maintain every right in the present contest."⁴²

As southerners' fears grew, more and more of them began to sound out Hayes's intimates. By mid-December Cincinnati *Commercial* editor Murat Halstead, former governor William Dennison of Ohio, James Abram Garfield, and William Henry Smith all reported such overtures.⁴³ But, as Tilden's correspondent suggested, southern Democrats approached Hayes not because they sought economic benefits for their section, and least of all because they feared northern Democrats would drag them into war. They began to talk to Hayes's friends because they were afraid northern Democrats were going to fritter away Tilden's victory. As one of them explained, "We have got to see that, whatever horse loses, our horse wins."⁴⁴ So when William Henry Smith, Kellar, and other Hayes advisers met in Cincinnati on December 14 and "arranged a programme" to split enough southern Democrats from Tilden to guarantee Hayes's inauguration, they were taking advantage of a situation precipitated not by southern but by northern—especially

⁴⁰ Columbus (Ga.) *Times*, December [?] 1876, quoted in the *Memphis Daily Avalanche*, December 13, 1876, p. 2. See also the La Grange (Tenn.) *Monitor*, December 9, 1876, and the Richmond *Daily Enquirer*, December 8, 1876, quoted *ibid.* The anti-Democratic *Avalanche* put its own, rather twisted interpretation upon these excerpts.

⁴¹ Woodward, *Reunion and Reaction*, 31-32.

⁴² *Cincinnati Enquirer*, December 15, 1876, p. 2; R. B. Bradford to Tilden, December 18, 1876, Tilden Papers.

⁴³ Smith to Hayes, December 7, 1876; Halstead to Hayes, December 10, 1876; William B. Williams to Garfield, December 11, 1876; Garfield to Hayes, December 12, 1876; Dennison to Hayes, December 13, 1876, all in Hayes Papers; Harry J. Brown and Frederick D. Williams, eds., *The Diary of James A. Garfield* (3 vols., East Lansing, Mich., 1967-1973), III, 393-94 (December 11, 1876), 394-95 (December 12, 1876).

⁴⁴ William H. Roberts's testimony, *House Miscellaneous Documents*, 45 Cong., 3 Sess., No. 31: *Presidential Election Investigation* (5 vols., Serials 1864-65; I, Serial 1864, Washington, 1878), 878; cited hereinafter as *Presidential Election Investigation*.

northeastern—Democratic moderation.⁴⁵

To judge how much this "programme" contributed to Hayes's ultimate success, one must remember just what its purpose was. The goal of the operation Woodward described so beautifully was to convert southern overtures into commitments to oppose efforts in the House to recognize Tilden after Hayes was counted in by the presiding officer of the Senate. This would guarantee Hayes's inauguration. "Without the passage of resolutions which are essentially revolutionary the hands of the House are tied," Boynton noted. Thus "the practical question was to secure thirty-six democrats, who . . . will vote 'no' upon every proposition in the least revolutionary in its tendency."⁴⁶ Further, they hoped to make the breach irreparable. A new Republican southern policy following such an open division would break Democratic hegemony in the Solid South—and explode the influence of bloody-shirt bosses in the North. Kellar, Boynton, Garfield, Dennison, Stanley Matthews, Representative Charles Foster, and other Hayes representatives assiduously wooed southerners with assurances of his sympathy. Suddenly Republican newspapers announced that the threat to peace emanated from northern Democrats, expressed certainty that the South would oppose violence at all hazards, praised its restraint extravagantly, and openly announced that such a course would impose on Hayes and the Republican party "an obligation of the most binding kind to protect its interests to the utmost."⁴⁷

Such Republican propaganda was rendered plausible by the course of a few southern Democratic leaders, like Lucius Quintus Cincinnatus Lamar of Mississippi, Benjamin Harvey Hill of Georgia, and former Confederate Vice-President Alexander Hamilton Stephens of Georgia, who consistently reassured northerners that

⁴⁵ The chronology of the Smith-Kellar-Boynton relationship can be gleaned from Woodward, *Reunion and Reaction*, 27-28 (quotation on p. 28). Smith first mentioned Kellar to Hayes in a letter sent December 7, 1876. A letter from Boynton to Bristow, December 10, 1876, Bristow Papers, makes clear that he did not broach his ideas to Hayes's friends until at least December 11.

⁴⁶ Boynton to William Henry Smith, December 20, 1876, Hayes Papers.

⁴⁷ *New York Times*, December 21, 1876, p. 4. See also Cincinnati *Daily Gazette*, December 11, 1876, p. 4; December 13, 1876, p. 1; December 14, 1876, p. 4; December 18, 1876, p. 1; *Washington National Republican*, December 18, 1876, p. 1; Cincinnati *Commercial*, December 20, 1876, p. 4; December 22, 1876, p. 4; *Chicago Daily Tribune*, December 17, 1876, p. 4; December 19, 1876, p. 4; December 22, 1876, p. 4; December 25, 1876, p. 4. The prosouthern tone of the Republican press after December 15 or so contrasts dramatically with the opinions expressed up to that time and suggests an orchestrated effort to break down Democratic unity rather than an impartial recognition of the fact of southern restraint; the Democratic press certainly took it that way, as I indicate below. Reports of southern frauds and outrages, given front-page treatment through early December, diminished or disappeared from the pages of newspapers closely associated with Hayes. See the Cincinnati *Gazette*, Columbus *Ohio State Journal*, and *Chicago Daily Tribune* over the period.

the South intended no new rebellion. In an anonymous interview December 24 Kellar insisted that while Hill and Lamar were resisting Republican overtures, Memphis Representative Hiram Casey Young and about twenty-five other former Whig congressmen intended to support Hayes on crucial votes. At almost the same time an interviewer reported Hill's hints that Hayes would not make so bad a President.⁴⁸ But despite Kellar's enthusiastic, and self-serving, report that "The situation in Washington has changed immensely, from the warlike to the most peaceful" due to his efforts, southerners' real responses ranged from suspicion to denunciation.⁴⁹ "It is true that overtures have been made to Mr. Hayes by persons who gave him to understand they represented the South," the *Nashville Weekly American's* Washington correspondent reported, "but it is not a fact that any man or set of men of any prominence in the South have given ear or support to any such scheme." Probably referring to Kellar, whose past efforts to disrupt the Tennessee Democracy were familiar to his readers, he noted, "There is a set of plotters in the South who seek personal ends alone, and they are the class who made the representation to Mr. Hayes."⁵⁰ Democratic correspondents unanimously concurred. The Republican effort was designed to inspire northern Democratic distrust of their southern allies and thus make them even more reluctant to make a stand. From throughout the South came renewed assurances: "The Democrats of the South have not been demonstrative . . . because any exhibition of the sort would injure our northern friends by cementing the northern Republicans . . . But if war should be precipitated, it is useless [that is, unnecessary] to say that the northern Democrats would have the sympathy of a 'solid south,' and that a hundred thousand southerners would be found ready to join the northern Democrats battling . . . to preserve the rights bequeathed to us by our fathers."⁵¹

⁴⁸ The Kellar interview, which doesn't name him, is in the *New York Daily Herald*, December 27, 1876, p. 6. Hill's interview, *ibid.*, December 13, 1876, p. 7.

⁴⁹ Kellar to William Henry Smith, December 21, 1876, W. H. Smith Papers Ind.

⁵⁰ *Nashville Weekly American*, December 22, 1876, p. 2.

⁵¹ *Memphis Daily Appeal*, December 29, 1876, p. 2. The words were all the more significant coming from one of the journals in the South most opposed to violent resistance to Hayes's election. See also the reports of L. Q. Washington, one of the best-connected southern reporters in Washington. *New Orleans Daily Picayune*, December 27, 1876, p. 6; and the *Picayune's* editorial comment, December 16, 1876, p. 4; *Atlanta Daily Constitution*, December 15, 1876, p. 2; December 18, 1876, p. 2; December 22, 1876, p. 2; *Richmond Daily Dispatch*, December 18, 1876, p. 2; December 20, 1876, pp. 2, 3; *Louisville Courier-Journal*, December 24, 1876, p. 1; December 30, 1876, p. 2; *Charleston Daily News and Courier*, December 29, 1876, p. 2; *Richmond Daily Whig*, quoted by the *Chicago Daily Tribune*, December 23, 1876, p. 4; and the *Augusta Daily Constitutionalist*, the *Mobile Daily Register*, and the *Savannah Morning News*, all quoted by the *Chicago Daily Tribune*, December 27, 1876, p. 2.

As Democratic observers complained that Lamar, Hill, and other outspoken southern moderates had shaken Democratic confidence, these men hastened to recant. His only purpose was to promote a peaceful adjudication, Hill insisted. If Republicans spurned such overtures, he would sustain Tilden to the end. "I am brave enough to want peace, but not cowardly enough to accept dishonor," he wrote. Lamar, Stephens, and Young made similar denials.⁵² Southern interest in Republican overtures waxed and waned in direct proportion to their confidence in Democratic resolution, Democrats reported. "... but let the North show a bold front and assert its rights, and the South will not be found wanting."⁵³

But on December 30 newspapers published a letter to Hayes from Wade Hampton, assuring him that South Carolina would participate only in peaceful attempts to resolve the crisis; and Hill's explanation of his position—while denying any sympathy with Hayes—still seemed ambiguous about how to resist his inauguration.⁵⁴ Both appeared to corroborate Republican reports of southern irresolution, even if they scotched rumors of an actual bargain. Those who were convinced that only fear of resistance would dissuade Republicans from their course reported from Washington that "the letters . . . have fallen like a wet blanket on the Democrats here."⁵⁵

Convinced that only bold action would prevent further demoralization Democrats made one final effort to convince Republicans they would not submit sheepishly to usurpation—and, added the Washington correspondent of the *New York Times*, "to arrest the conciliatory feeling of the Southern Democrats, and . . . counteract the charge of pusillanimity made by the southern against the northern wing of the party."⁵⁶ Western and border-state Democrats called for nationwide protest meetings to be held on Jackson Day (January 8). Once again southern journals promised to follow any Northern lead, relieved that "the long silence of the Democrats . . .

⁵² Hill in the *Atlanta Daily Constitution*, December 24, 1876, p. 1. See also *ibid.*, December 17, 1876, p. 1 (Stephens); December 21, 1876, p. 1 (Hill); *Richmond Daily Dispatch*, December 20, 1876, p. 3 (Hill); *Louisville Courier-Journal*, December 23, 1876, p. 1 (Associated Press story of Lamar's and Stephens's denials carried in many newspapers); January 6, 1877, p. 1 (Lamar); January 10, 1877, p. 1 (Hill); *Memphis Daily Appeal*, January 2, 1877, p. 2 (Young).

⁵³ *New York World* correspondent George W. Adams, quoted in the *Atlanta Daily Constitution*, December 20, 1876, p. 1; *Cincinnati Enquirer*, December 14, 1876, p. 2; December 15, 1876, p. 2.

⁵⁴ Hampton to Hayes, December 23, 1876, published in the *New York Times*, December 30, 1876, p. 1; Hill in the *Atlanta Daily Constitution*, December 24, 1876, p. 1.

⁵⁵ L. Q. Washington in the *Louisville Courier-Journal*, January 1, 1877, p. 1. See also *New Orleans Daily Picayune*, December 31, 1876, p. 1; Perry Belmont to James A. Bayard, December 31, 1876, Bayard Papers.

⁵⁶ *New York Times*, January 9, 1877, p. 1.

will be broken in a few days."⁵⁷ With Tilden's secret approval, Representative Henry Watterson of Kentucky prepared an ominous call for 100,000 Democratic "petitioners" to converge on Washington February 14 and timed its publication to coincide with the Jackson Day meetings. But on the crucial day the Democratic meetings were smaller than anticipated. Resolutions were watered down. In several states the party refused to endorse the protests officially. The Washington rally failed to attract any nationally known Democrat except Watterson.⁵⁸ In the aftermath of the fizzle New York Representative Abram Stevens Hewitt, Tilden's confidant and hand-picked chairman of the Democratic National Committee, refused pleas to convene the committee to endorse formally Watson's mass protest. "He thinks the very first step to force by arms the inauguration of Tilden would deprive the Democratic party of its most valuable support in New York, Connecticut, and New Jersey," the *Richmond Daily Dispatch's* Washington correspondent reported. "The moneyed men of the Democratic party of those States of course desire the inauguration of Tilden, but they are a unit for peace at any price."⁵⁹

Throughout the sputtering Democratic offensive Boynton reported to his *Cincinnati Daily Gazette* readers that it was southern Democratic moderation that stood in the way of Tilden's nefarious designs, and when they finally broke down, he characteristically took credit for it.⁶⁰ But it is plain that he exaggerated his role. The

⁵⁷ *Richmond Daily Dispatch*, January 8, 1877, p. 3. See also *New Orleans Democrat*, January 15, 1877, p. 1; *New Orleans Daily Picayune*, January 6, 1877, p. 4; January 11, 1877, p. 2; *Jackson Daily Clarion*, January 7, 1877, p. 1; January 9, 1877, p. 2; *Atlanta Daily Constitution*, January 4, 1877, p. 2; January 10, 1877, p. 1; *Charleston Daily News and Courier*, January 3, 1877, p. 2.

⁵⁸ Woodward, *Reunion and Reaction*, 110-12, describes the Jackson Day rallies but exaggerates their size and ignores their context. Watterson, "The Hayes-Tilden Contest for the Presidency," 15, 17. The organization of the January 8 meetings can be followed in any newspaper of the period. For reports of the most important meetings see the *Louisville Courier-Journal*, January 11, 1877, p. 1 (Columbus, Ohio); January 9, 1877, p. 2 (Indianapolis); *Washington National Republican*, January 9, 1877, p. 1 (Washington, D. C.); *Richmond Daily Dispatch*, January 9, 1877, p. 1 (Richmond, Va.). For expressions of disappointment by leading Democrats in the meetings see the Diary of George W. Julian, January 21, 1877, George W. Julian Papers (Indiana Division, Indiana State Library); Richard Vaux to Samuel J. Randall, January 13, 1877, Randall Papers; *Louisville Courier-Journal*, January 12, 1877, p. 2; January 18, 1877, p. 1; *Chicago Times*, quoted in the *New Orleans Democrat*, January 13, 1877, p. 1; and in the *New Orleans Daily Picayune*, January 17, 1877, p. 6; *Cincinnati Daily Gazette*, January 12, 1877, p. 1.

⁵⁹ *Richmond Daily Dispatch*, January 13, 1877, p. 3; *New Orleans Daily Picayune*, January 11, 1877, p. 3; January 18, 1877, p. 2; *Louisville Courier-Journal*, January 11, 1877, p. 1; January 12, 1877, p. 1; January 18, 1877, p. 3; *Cincinnati Daily Gazette*, January 18, 1877, p. 1.

⁶⁰ "H. V. B." in the *Cincinnati Daily Gazette*, January 8, 1877, p. 1; Boynton to William Henry Smith, January 5, 1877, W. H. Smith Papers Ohio; Boynton to James M. Comly, January 25, 1877, Hayes Papers.

leading southern moderates—Lamar and Hill—had issued their cautious advice well before Boynton and Kellar went to work. Kellar had admitted in his anonymous interview that neither Hill nor Lamar were involved in his negotiations for southern Democratic support. When both Hill and Lamar came under attack from southerners and some westerners for their “demoralizing” position, Hewitt and other northern Democratic leaders informed the critics that their prudence reflected the strategy of northern leaders.⁶¹ Southerners were receptive to the blandishments of Hayes’s agents primarily because of the “timidity” of northeastern Democrats. And as of mid-January there was no real evidence, outside of Kellar’s and Boynton’s assurances, that southerners would not have stood solidly behind a firm northern Democratic front if there had been one.

Naturally, if there is little to indicate that Boynton and Kellar’s efforts were successful up to this time the Texas and Pacific lobby could not yet have had much effect. In fact, as of mid-January it had not even come into play. Boynton first broached the idea of enlisting Scott’s forces on December 20, proposing that if Hayes favored the project some “recognized friend” should tell Scott so. While Hayes assured Smith that he would be “liberal” with regard to southern internal improvements, it is not clear whether Boynton and Smith could consider that a strong enough endorsement to assure Scott of Hayes’s specific support of the Texas and Pacific. While the Republican press immediately began hinting that southerners were more likely to win Republican than Democratic support for such projects, it was not until *January 14*—after the collapse of the last Democratic offensive—that Boynton finally met with Scott and his lobbyist Grenville Mellen Dodge to propose their cooperation.⁶²

⁶¹ *Louisville Courier-Journal*, December 29, 1876, p. 1; January 1, 1877, p. 1; *Cincinnati Enquirer*, December 18, 1876, p. 1; December 28, 1876, p. 2; *New York Daily Graphic*, December 27, 1876, quoted in the *Atlanta Daily Constitution*, January 3, 1877, p. 1; *New York World*, quoted, *ibid.*, December 20, 1876, p. 1; public letters of Joseph E. Brown and John B. Gordon, *ibid.*, December 31, 1876, p. 2, and January 8, 1877, p. 2 (published while Hill was seeking election to the U. S. Senate, these letters were recognized as attacks upon him although not mentioning him by name); *New Orleans Daily Picayune*, December 15, 1876, p. 9; January 13, 1877, p. 2; Hewitt to George T. Fry, January 5, 1877; Henry B. Payne to Fry, January 5, 1877; Samuel S. Cox to Fry, January 7, 1877, quoted in the *Atlanta Daily Constitution*, January 14, 1877, p. 1; Haywood J. Pearce, *Benjamin H. Hill: Secession and Reconstruction* (Chicago, 1928), 289-90; Edward Mayes, *Lucius Q. C. Lamar: His Life, Times, and Speeches, 1825-1893* (Nashville, 1896), 301-302.

⁶² Boynton to William Henry Smith, December 20, 1876; Hayes to Smith, December 24, 1876. See also Smith to Hayes, December 22, 1876; Boynton to Smith, January 14, 15, 1877, *W. H. Smith Papers Ind.* Comly, Boynton, and Garfield discussed the effect endorsement of the Texas and Pacific would have on southern politics after Hayes’s inauguration early in January, lamenting the rigidity of Republican opposition to it, but no action was taken, and

Furthermore, Boynton grossly overestimated—or exaggerated—the strength of the Scott lobby. “It is as if an army had made a juncture with us,” he wrote Smith.⁶³ As Allan Peskin has pointed out, Scott was never even able to get his scheme to the floor of the House for a vote; his efforts were a catalogue of frustrations. The day before Boynton enlisted Scott in Hayes’s interest, General Richard (“Dick”) Taylor, the most influential southern lobbyist in Washington, wrote wirepuller Samuel Latham Mitchell Barlow that Scott’s bill was dead. “Out of seventy-three southern members,” he wrote, “forty will oppose it.”⁶⁴

Nonetheless, the Republican efforts might have borne fruit if Boynton, Kellar, Scott, Garfield, and others had had time to test them. But they did not. Only four days after Boynton finally met Scott, and in the immediate aftermath of the Democrats’ abortive Jackson Day offensive, the Electoral Commission bill was reported by a joint committee set up a month earlier to find a compromise. Just when it had become clear that Democrats could mount no effective opposition, Republican unity had collapsed. Unwilling to risk the odium of inaugurating their candidate by force, pressured by important business interests from throughout the Northeast, and in a few cases none too friendly to the “reform” factions gathering around Hayes, leading Republicans had abandoned their party’s hard line and agreed to submit disputed electoral votes to a fifteen-man commission during the count.⁶⁵

Most Democrats welcomed the Electoral Commission bill, perceiving that it provided Tilden’s only chance to be President. Given their desperate position, the compromise seemed “too good to be true,” an astonished southern newspaper editorialized, “one of those things hard to believe. The Democrats have everything to gain and nothing to lose.”⁶⁶ As the *Nation* reported, “The Democrats are much more disposed to . . . agree on some middle course . . .

Garfield still opposed it in the Pacific Railroad committee. Comly to Hayes, January 8, 1877, *Hayes Papers*; Brown and Williams, eds., *Diary of James A. Garfield*, III, 398 (December 20, 1876), 399 (December 21, 1876), 414 (January 11, 1877); Garfield to Whitelaw Reid, February 2, 1877, Reid Papers.

⁶³ Boynton to Smith, January 16, 1877, *Smith Papers Ind.*

⁶⁴ Peskin, “Was There a Compromise of 1877?” 69-70; Taylor to Barlow, January 13, [1877]. Taylor’s note is among the undated material in the Barlow Papers. Dated Saturday, January 13, there is no doubt about the year. See Woodward’s account of Scott’s efforts in Congress in *Reunion and Reaction*, 222-25, 230-37, which hardly resulted in what Woodward called “brilliant political victories” (p. 237). When Taylor himself took over the job of lobbying the Texas and Pacific through Congress in 1879 he had the same problems and pronounced Scott’s chief congressional agents incompetent to do the work. Taylor to Barlow, February 20, 27, March 9, 10, 1879, Barlow Papers.

⁶⁵ Polakoff offers a perceptive account of how Republicans divided in *Politics of Inertia*, 258-76.

⁶⁶ *Nashville Weekly American*, January 25, 1877, p. 2.

because they are at a disadvantage and know it. Their opponents . . . are in possession . . . they have the administrative machinery and the army in their hands, and are therefore able to do . . . lawless things, which if done by the other side would ruin it." Many Democrats saw it differently: the compromise provided Tilden's only chance because of "the backdown of Chairman Hewitt and other weak-kneed bondholding Eastern Democratic capitalists."⁶⁷ But despite the pressure for the bill, a higher proportion of Democrats from the South than any other region held out for total victory. Of the eighteen Democratic representatives who opposed the compromise, thirteen were from the South.⁶⁸

As Democrats united behind the bill Hayes and his closest advisers bitterly opposed it. "It is a clumsily constructed machine to allow timid or treacherous men to defeat your election," John Sherman wrote Hayes. ". . . the bill of surrender—the astute terms of capitulation to the rebel yell . . ." the disgusted national party organ characterized it. The reason for the opposition was simple: the measure was "a surrender of a certainty for an uncertainty."⁶⁹

⁶⁷ "The Difficulty of a Settlement," *Nation*, XXII (January 4, 1877), 4; "O.O.S." in the *Louisville Courier-Journal*, January 22, 1877, p. 1. See also the *Nashville Weekly American*, January 18, 1877, p. 2; *Memphis Avalanche*, February 16, 1877, p. 2; *Mobile Daily Register*, quoted, *ibid.*, February 28, 1877, p. 2; Quitman (Miss.) *Intelligencer*, *ibid.*, March 27, 1877, p. 2; Washington correspondent of the *Chicago Times*, quoted in the *Atlanta Daily Constitution*, February 22, 1877, p. 1; *Richmond Daily Dispatch*, February 20, 1877, p. 3; *New Orleans Democrat*, March 4, 1877, p. 1; Henry Watterson in the *Louisville Courier-Journal*, February 20, 1877, p. 1; and March 23, 1877, p. 4; Jesse J. Yeates to W. N. H. Smith, February 23, 1877, quoted, *ibid.*, March 5, 1877, p. 2; Henry W. Grady in the *Atlanta Daily Constitution*, February 21, 1877, p. 1; February 24, 1877, p. 1; John B. Gordon, *ibid.*, February 27, 1877, p. 1; Julian Diary, March 11, 1877, Julian Papers; Charles Gibson to Samuel J. Randall, February 25, 1877, Randall Papers. Among the southern newspapers that reluctantly favored the compromise after earlier urging firmness upon northern Democrats were the *Atlanta Daily Constitution*, January 20, 1877, p. 2; January 21, 1877, p. 2; *Richmond Daily Dispatch*, January 19, 1877, p. 2; January 20, 1877, p. 2; *New Orleans Democrat*, January 21, 1877, p. 4; *Louisville Courier-Journal*, January 18, 1877, p. 2; January 20, 1877, p. 2; *New Orleans Democrat*, January 21, 1877, p. 2; *Charleston Daily News and Courier*, January 20, 1877, p. 2; January 21, 1877, p. 2. The *Atlanta Daily Constitution* noted only one southern paper among its exchange opposing the bill; nineteen favored it; January 23, 1877, p. 2. Reports from Washington indicated that the overwhelming majority of Democrats in Congress accepted it in the same spirit. *Louisville Courier-Journal*, January 20, 1877, p. 1; January 21, 1877, p. 1; *Richmond Daily Dispatch*, January 19, 1877, p. 2; *Cincinnati Enquirer*, January 19, 1877, p. 1; *New Orleans Democrat*, January 19, 1877, p. 1; *New Orleans Daily Picayune*, January 20, 1877, p. 1. See also Richard Taylor to Samuel L. M. Barlow, January 18, 1877, Barlow Papers. Tilden's exact position has been a subject of controversy. He and close political allies later insisted that he had never endorsed the compromise; Hewitt insisted he had. Since Tilden had political reasons for denying responsibility, his account is suspect. See Nevins, *Abram S. Hewitt*, 386-99, for the best secondary account.

⁶⁸ Of the 154 Democrats voting for the bill, 25 were from the South. *Cong. Record*, 44 Cong., 2 Sess., 1050 (January 26, 1877).

⁶⁹ Sherman to Hayes, January 18, 1877, Hayes Papers; Washington *National Republican*, January 24, 1877, p. 2; Brown and Williams, eds., *Diary of James A. Garfield*, III, 419 (January 18, 1877). The evidence of Republican rejection is overwhelming. A New York

The Republican retreat was particularly galling for Boynton. His goal had been to win Hayes's gratitude by preventing House Democrats from recognizing Tilden; he thought his finally consummated alliance with Scott would guarantee success. The compromise frustrated those plans, bringing his efforts to a halt.⁷⁰ While Scott's ally Dodge worked to get the compromise through Congress and Kellar's *Avalanche* endorsed it, pretending to find it a victory for moderation against Tildenite extremism and Kellar's southern opponents, Boynton fumed that "In the pending compromise the Democrats have finally secured the only chance of success which remained to them after the results . . . became known" and bitterly detailed what his paper called the "Steps in the Surrender."⁷¹ William Henry Smith also commented disgustedly that "the crafty policy of Tilden is about to receive the aid of Republicans in Congress" and lamented that Hayes's only alternatives now were to try to persuade Republican Supreme Court justices not to serve on the commission or to challenge the constitutionality of the law itself.⁷²

However, by January 25, when it became known that Justice David Davis would not serve on the Electoral Commission and that Republicans would have an eight-to-seven majority on it, Boynton recovered his *élan*. He informed Hayes's friends of his conviction that their candidate had a good chance of winning before the commission and announced that the Electoral Commission bill had, after all, been passed because he and Kellar had broken Democratic

⁷⁰ *Times* newspaper survey found only seven major Republican dailies endorsing the compromise proposal and nineteen opposed. *New York Times*, January 21, 1877, p. 2; January 22, 1877, p. 1. The Hayes, Sherman, William E. Chandler, Garfield (Manuscript Division, Library of Congress) and Morton (Indiana Division, Indiana State Library) papers are filled with opposing letters. Although Republican Senators favored the proposal by a wide margin, Republican representatives ultimately voted 68 to 33 against it. *Cong. Record*, 44 Cong., 2 Sess., 913, 1050 (January 25, 26, 1877).

⁷¹ Boynton's letters indicate that he ceased his campaign to woo southerners when the compromise was accepted. As of January 25 he was concentrating on influencing the Republican personnel of the Electoral Commission. Boynton to James M. Comly, January 25, 1877, Hayes Papers. On February 11 he referred to "the plan we were at work upon before the compromise bill was passed." Comly to William Henry Smith, February 11, 1877, W. H. Smith Papers Ind. He did not mention southern-northern Democratic division again in his dispatches until February 11.

⁷² Smith to Hayes, January 23, 1877, Hayes Papers.

morale by wooing the South.⁷³

Boynnton, Smith, and Kellar were really rescued when outraged Democrats threatened to renege on the compromise after the commission voted along party lines to deliver the Florida and Louisiana electoral votes to Hayes. An angry minority of Democrats determined to delay the electoral vote count beyond the March 4 expiration of Grant's presidential term, intending to recognize Tilden at that time. When these filibusters failed to gain the votes necessary to carry out their plan Boynnton immediately claimed credit. "... the good seed we planted brings pleasant fruit," he wrote Smith. "Enough southern men stand in the way of filibustering to make it certain . . . the Democrats cannot beat Gov. Hayes by delay . . ." Scott and Kellar did the work, he announced happily. "It is difficult to distinguish between the comparative effects produced by the two elements—the purely political, and the Scott forces."⁷⁴

Indeed, both Kellar and Scott were hard at work.⁷⁵ But once again Boynnton overstated the influence of his efforts. There were far more compelling reasons for Democrats to accept the decision of the Electoral Commission than promises of railroad subsidies, or even of "home rule" for the South. A large majority of Democrats, northern as well as southern, recognized both the futility and danger of further resistance. Democrats had helped frame the Electoral Commission bill; they had given it overwhelming support when the Republicans had been badly divided. They could not repudiate it now that it had resulted in the victory of their opponents. This would simply allow Republicans once more to charge Democrats with incendiarism.⁷⁶ Indeed, Sherman was already counseling Hayes that "There is no cause now of doubt [as to the commission's decision] and every movement made by the Democrats to delay the count will be regarded as proof of a revolutionary intent, and need

⁷³ Boynnton to James M. Comly, January 25, 1877, Hayes Papers; Boynnton to Bristow, January 21, 1877, Bristow Papers.

⁷⁴ Boynnton to Smith, February 11, 18, 1877. See also Boynnton to Smith, February 22, 1877, W. H. Smith Papers Ind.

⁷⁵ Grenville M. Dodge to Thomas A. Scott, February 20, 1877, Dodge Papers; Kellar to William Henry Smith, February 21, 1877, W. H. Smith Papers Ind.

⁷⁶ Louisville *Courier-Journal*, February 12, 1877, p. 2; Nashville *Weekly American*, April 5, 1877, p. 2; James A. Bayard in the *Atlanta Daily Constitution*, February 13, 1877, p. 1; Charleston *Daily News and Courier*, February 19, 1877, p. 2; Benjamin H. Hill, Jr., *Senator Benjamin H. Hill of Georgia. His Life, Speeches and Writings* (Atlanta, 1891), 75-77; John R. Tucker to Henry St. George Tucker, February 25, 1877, Tucker Family Papers (Southern Historical Collection, University of North Carolina Library, Chapel Hill, N. C.); William R. Morrison to L. H. Hite *et al.*, March 4, 1877, quoted in *New York World*, March 5, 1877, p. 5.

not be carried much farther to justify us in finishing the count without their assistance."⁷⁷

Moreover, Democrats were in no better position to fight after the Electoral Commission decision than they were before the compromise had been framed. They had neither plan nor organization. Nearly all the state forces they controlled were in the South, leaving them vulnerable to charges of treason. "The Democratic members of the South who are members of the next Congress would be hustled out of their places, and their opponents sworn into office," one Democratic representative predicted. "We would lose the House, destroy our vantage ground in the Senate, and our party would be paralyzed and broken up throughout the length and breadth of the land, and the conspirators would . . . pass their force bills, and suspension of the *habeas corpus*, and reconstruct the States to suit themselves."⁷⁸

This general Democratic understanding led to the most crucial single action taken against the filibuster: Speaker Samuel J. Randall's decision on February 24 to enforce the electoral count resolution's ban on dilatory motions. Had this decision gone the other way, the filibusters would not have needed a majority to prevent completion of the count. But in quashing the Democratic extremists, Randall did not enforce his own will but that of the Democratic caucus. Randall himself favored the most extreme resistance in the caucuses that followed the commission decisions on Florida and Louisiana, but he and the filibusters had been voted down. Had he sustained the minority in the face of formal caucus resolutions that the count be continued, his ruling not only could (and probably would) have been overturned upon appeal to the House, but he would have sacrificed his chance for the speakership of the following Congress. Randall had only a tenuous hold on the speakership, having been elected to fill the term of Michael Crawford Kerr, who had defeated him for the place in 1875.⁷⁹

⁷⁷ Sherman to Hayes, February 24, 1877, Hayes Papers. Republicans enthusiastically renewed charges of Democratic irresponsibility and violence. *Washington National Republican*, February 13, 1877, p. 2; *New York Times*, February 24, 1877, p. 4; February 27, 1877, p. 4; February 25, 1877, p. 4; *New York Tribune*, February 24, 1877, p. 4; February 28, 1877, p. 4.

⁷⁸ Jesse J. Yeates to W. N. H. Smith, February 23, 1877, quoted in *Louisville Courier-Journal*, March 5, 1877, p. 2.

⁷⁹ Charleston *Daily News and Courier*, February 20, 1877, p. 1; *Washington National Republican*, February 20, 1877, p. 1; February 24, 1877, p. 1; *Atlanta Daily Constitution*, February 24, 1877, p. 1; *New Orleans Daily Picayune*, February 24, 1877, p. 8. Randall certainly was not influenced to break the filibuster by any relationship with the Texas and Pacific Railroad lobby. Although rumors, probably unfounded, suggested he had Scott's

514 THE JOURNAL OF SOUTHERN HISTORY 515 SOUTHERN DEMOCRATS IN CRISIS OF 1876

Chart One
Percentage of Democrats Voting With Republicans on Electoral Count Roll Calls*

*For description of roll calls, see Appendix I

Legend:
..... Northern Democrats
———— Southern and Borderstate Democrats

Southerners who opposed further resistance could not resist acid responses to the minority of northerners who now urged it. "The Eastern Democrats . . . should have had more backbone at the right time. A want of nerve made arbitration a necessity. It was proposed. It was properly accepted and the Democrats of the West and South are properly absolved from all blame," the more moderate observed. Others, like Henry Woodfin Grady, the Atlanta *Constitution's* Washington correspondent, were less kind: "The Tilden campaign received its fatal stab six weeks ago," he wrote, ". . . from the hands of Mr. Abram S. Hewitt. And he stabbed it with the same pair of shears that he uses for clipping coupons from his bonds."⁸⁰

support in his losing campaign for the speakership in 1875, Scott bitterly opposed him in 1877. Once again, the Scott lobby was ineffectual. Randall retained his position with no more than ordinary effort. Albert V. House, "The Speakership Contest of 1875: Democratic Response to Power," *Journal of American History*, LII (September 1965), 252-74; Chauncey F. Black to Randall, April 7, 15, 27, May 12, 1877; John S. Coyle to Randall, April 9, 1877; Morris K. King to Randall, April 9, 1877; J. M. Keating to Randall, June 4, 1877; Charles Nordhoff to Randall, September 26, 1877, Randall Papers.
⁸⁰ Nashville *Weekly American*, February 18, 1877, p. 2; "H. W. G.," in the *Atlanta Daily Constitution*, February 22, 1877, p. 1; New Orleans *Daily Picayune*, February 26, 1877, p. 2.

Chart Two
Percentage of Democrats Voting With Republicans on Electoral Count Roll Calls*

*For description of roll calls, see Appendix I

Legend:
..... Western Democrats
———— Southern Democrats
- - - - - Borderstate Democrats

Randall's decision meant that the filibusters could prevent the consummation of the electoral count only by overturning his ruling or by forcing continuous adjournments of the House. Either course required a majority of the votes. Boynton claimed credit for preventing the filibusters from securing the majority, but despite his claims, southern Democrats opposed the filibuster in no higher proportions than northern Democrats. As Chart I demonstrates, northern and southern Democratic voting patterns on the electoral count were almost identical, with southerners, if anything, a little more inclined to stopping the count. Moreover, if the filibuster votes are broken down by smaller regions, as in Chart II, it is clear that northeastern Democrats consistently opposed further resistance in greater proportions than southern or border-state Democrats. In fact a majority of southern Democrats opposed the filibuster on only twelve of forty-three roll calls, and on each of those occasions a majority of all other Democrats did the same. In contrast, a majority of northeastern Democrats voted with Republicans twenty-four times. Although southern Democrats made up 17 to 20 percent of voting representatives, on the median vote they constituted only 9.1 percent of the antifilibuster coalition. Boynton and Kellar had spoken of obtaining of twenty-five to thirty anti-

TABLE 1
DEMOCRATS AND THE ELECTORAL VOTE COUNT FILIBUSTER

Section	Antifilibuster	Profilibuster
Northeast	25	19
West	20	22
South	22	28
Border	14	13

Eta = .01

TABLE 2

PROSUBSIDY AND ANTISUBSIDY SOUTHERN AND BORDER-STATE DEMOCRATS AND FILIBUSTER ROLL CALLS

<i>Votes on Subsidies</i>	Antifilibuster	Profilibuster
Opposed to all subsidies	6	6
Voted for Holman Resolution;		
did not vote on levee subsidy	11	8
Voted for Holman Resolution		
and for levee subsidy	7	12
Did not vote on Holman Resolution;		
voted for levee subsidy	4	2
Voted against Holman Resolution;		
did not vote or voted for		
levee subsidy	7	8

Gamma = -.06

Tilden southern votes. But on the critical roll calls, only between eighteen and twenty-three of the forty to forty-eight southern Democrats voting sustained the Republicans. Over the whole series of delaying roll calls, the median number of southern antifilibuster votes was thirteen, while the median number of northeastern Democratic antifilibuster votes was seventeen, out of a smaller pool.

The antifilibuster coalition lost the majority only fourteen times on the forty-three votes dealing with the electoral count and only twice in the critical period between February 24 and March 1. If every southern Democrat voting against the filibuster had changed his vote, not once would they have changed the result. If every antifilibuster border-state Democrat had changed his votes as well the combined defection would have affected the outcome only twice.

Table 1 provides the result of Guttman scale analysis of the roll

calls dealing with the electoral count.⁸¹ Again, it is apparent that southerners made no disproportionate contribution to ending the filibuster. Moreover, the low value of the statistic *eta* indicates how little region had to do with the Democrats' positions on the filibuster.

As the foregoing suggests, there is no evidence that southern Democrats who supported subsidies for pet southern projects were more likely to oppose the filibuster than those who did not. Although congressmen never got the chance to vote on the Texas and Pacific Railroad subsidy directly, they did have the opportunity to vote for or against Representative William Steele Holman's well-known resolution opposing further subsidies of any kind.⁸² Moreover, statistical analysis indicates that the pattern of the vote on that resolution parallels closely the vote on the bill to subsidize the repair of the Mississippi levees. The two roll calls enable a researcher to rank representatives according to their attitudes towards subsidizing internal improvements in the South.

The resulting Table 2 demonstrates the ineffectiveness of Republican economic blandishments. Of the fifteen southern Democrats who voted both for the Mississippi levee subsidy and against the Holman resolution, only seven opposed the filibuster. Of the forty southern Democrats who favored subsidies to some degree, only 42.5 percent opposed the filibuster, a smaller proportion than one finds among those opposing subsidies. Once again the value of

⁸¹ Table 1 collapses three groups of antifilibusters of varying degrees into one "Antifilibuster" group and two groups of filibusters into a "Profilibuster" group. This process of combination did not affect the voting pattern in any way. *Eta*, the "correlation ratio," is an appropriate measure of correlation between categorical independent variables and dichotomous dependent variables. If the regional categories had no effect on voting patterns, then one would expect the same proportion of yeas and nays among congressmen from each category. In that case *eta* would equal 0. If region completely determined how congressmen voted, then those from some regions would have voted unanimously one way and those from others would have voted unanimously the other way. In that case *eta* would equal 1.00. See Charles M. Dollar and Richard J. Jensen, *Historian's Guide to Statistics: Quantitative Analysis and Historical Research* (New York and other cities, 1971), 73-79. For the roll calls on which the table is based see Appendix II.

⁸² The Holman resolution may be found in the *Cong. Record*, 44 Cong., 1 Sess., 227 (December 15, 1875); the vote to subsidize the repair of the Mississippi levees may be located *ibid.*, 2 Sess., 2232 (March 3, 1877). *Gamma* is a measure of association between ordinal variables—that is, variables whose values can be ordered from highest to lowest but not necessarily at identical intervals. *Gamma* varies from -1.0 to 1.0; the higher the absolute value, the stronger the association. A *gamma* of 0.0 would connote no association at all. For its computation, see Theodore R. Anderson and Morris Zelditch, Jr., *A Basic Course in Statistics with Sociological Applications* (New York and other cities, 1968), 152-55.

gamma indicates that attitude toward southern internal improvements had little impact on whether southern representatives supported or opposed the filibuster.

The voting patterns illustrated in these charts and tables suggest that whatever motivated Democrats to support or oppose the filibuster movement, it affected all of them—northern or southern—pretty much the same way. The simple fact was that most of them realized that the battle was lost and were determined not to make matters worse.

It is significant that there is no evidence of continued Republican-southern Democratic discussions while Tilden still had a chance to win through the decision of the Electoral Commission. Gone from Republican newspapers were references to southern moderation; Garfield recorded no visits from southern congressmen in his diary; Hayes received no letters from his Washington agents detailing negotiations. Not until the commission awarded Florida's electoral votes to Hayes on February 8 did southerners express renewed interest and not until its decision upon Louisiana on February 16 did negotiations begin in earnest. "My people . . . expected me to do all that I could to secure Mr. Tilden in his rightful possession, and I felt unwilling to hold any consultation [with Republicans] . . . so long as there was a hope or prospect of seating Tilden," explained Edward A. Burke, the principal Washington representative of Louisiana's Democratic gubernatorial claimant. "When that hope passed away (on the 16th of February) we were then ready to discuss the subject with Mr. Hayes's friends."⁸³ Democrats knew that there was not majority support for the filibuster. Any tactical maneuvers designed to convince Republicans otherwise were, in Burke's words, "a bluff game."⁸⁴

If the victory was already won, why did Hayes and his allies deal with the southerners in the waning days of February? Polakoff suggests that they were taken in by the Democrats' bluff, and there is certainly evidence to sustain his view.⁸⁵ But, as Polakoff also emphasizes, Hayes and his friends had their own reasons for reaching an understanding with the southerners. By February 1877 Hayes

had decided to commit himself to the reform wing of his party.⁸⁶ A new southern policy was inextricably entwined with that decision. If southerners reinforced the filibuster, even in a hopeless cause, Republican newspapers could be counted upon to renew their "bloody-shirt" attacks upon the Democracy, rekindling the sectional hostility upon which the Republican regulars thrived. Moreover, reports from Louisiana indicated that Democrats were determined not to submit to a Republican state administration and intended to precipitate a crisis by moving against it with force.⁸⁷ This would have brought matters to head during Hayes's first days in office, presenting him with equally untenable alternatives: to allow the Republican state governments to be overthrown by obvious violence and give Republican regulars the opportunity to solidify a shocked party against "reformers" who condoned such an outrage or to sustain the Republican claimants, alienate both southern whites and reformers, and be forced to turn to the regulars for support, just as Grant had done in 1871.⁸⁸ "We must go cautiously—slowly," Hayes had written Carl Schurz a few weeks earlier, and his Washington agents emphasized to southern Democrats the necessity of letting the southern Republican claimants down easily.⁸⁹

Thus, the anticlimactic negotiations which culminated in the "Wormley House Bargain" served the purposes both of Hayes's friends, who wanted time to carry out "by gradual process such methods as result in your full possession of the government . . . ,"

⁸⁶ This is clear from his considerations upon cabinet appointments. Conversing with Comly in January Hayes discussed appointing as secretary of state New York boss Roscoe Conkling's archenemy William M. Everts; Benjamin F. Butler's foe John Murray Forbes or Alexander H. Rice as postmaster general; and Bristow's chief lieutenant John Marshall Harlan as attorney general. Note of January 1877 in the James M. Comly Papers (Ohio Historical Society); T. Harry Williams, ed., *Hayes: The Diary of a President, 1875-1881* . . . (New York, 1964), 69 (January 17, 1877). Abandoning Butler's enemies and Harlan, by late February Hayes determined to appoint to the cabinet Carl Schurz, who, along with Bristow, was the symbol of reform Republicanism. *Ibid.*, 78-79 (February 27, 1877).

⁸⁷ T. F. Oliver to Ulysses S. Grant, February 17, 1877, Letters Received from the President, General Records of the Department of Justice, Record Group 60 (National Archives, Washington, D. C.); William H. Roberts's testimony, *Presidential Election Investigation*, I, 905-908; Edward A. Burke's testimony, *ibid.*, 959.

⁸⁸ Few historians have recognized that Grant undertook forceful intervention in the South only reluctantly and was perceived as pro-southern and independent of established Republican leaders until at least 1870, and by many until 1871. Roger D. Bridges makes part of this point in "President Grant and the Formation of a Southern Policy, 1869-1877" (unpublished paper presented at the conference "Ulysses S. Grant in Perspective," De Kalb, Illinois, April 1973). My forthcoming *Let Us Have Peace* will discuss Grant's relation to the Republican party in more detail.

⁸⁹ Hayes to Schurz, February 4, 1877, Bancroft, ed., *Speeches, Correspondence and Political Papers of Carl Schurz*, III, 387. See also William H. Roberts's testimony, *Presidential Election Investigation*, I, 901-903.

⁸³ Burke's testimony, *Presidential Election Investigation*, I, 962.

⁸⁴ *Ibid.*, 990 (August 16, 1978). See also Allan Nevins, ed., *Selected Writings of Abram S. Hewitt* (New York, 1937), 176-77; Watterson, "The Hayes-Tilden Contest for the Presidency," 18-19. Polakoff's account of the final maneuverings and negotiations is excellent. Polakoff, *Politics of Inertia*, 292-313.

⁸⁵ Polakoff, *Politics of Inertia*, 306-309; Brown and Williams, eds., *Diary of James A. Garfield*, III, 448 (February 25, 1877); Murat Halstead to Hayes, February 19, 1877, Hayes Papers; Grenville M. Dodge to Jay Gould, February 20, 1877, Dodge Papers.

as they promised Louisiana Democrats, and the southerners, who wanted definite, written assurance that Hayes would not double-cross them when he came under party pressure from regulars.⁹⁰ But it was not this bargain—and still less any deals involving patronage, the Texas and Pacific Railroad, or the Mississippi levees—that broke the filibuster and guaranteed Hayes's inauguration. "Hayes was already as good as seated," one of the Wormley House conferees wrote years later. "If the States of Louisiana and South Carolina could save their local autonomy out of the general wreck there seemed no good reason to forbid."⁹¹ As the leading southern newspaper correspondent wrote, rebutting "the silly charge of the bargain": "Southern Congressmen did not give away Mr. Tilden, nor could they do so. . . . the prize [was] . . . lost by the inaction and submission, or prudence—call it what you will—of our northern allies. They—not the South or her Congressmen—went back on Mr. Tilden. . . ."⁹²

One should not infer that economic factors played no role in the events in 1877. Fear of violence, or at least of instability, played a large role in moderating the belligerence of the Democratic businessmen whose influence predominated in the northeastern wing of the party as southern Democrats disgustingly recognized. Republican businessmen exerted similar pressure on their party.⁹³ But the outright bargain Woodward described did not take place, and this eliminates the only evidence yet presented that there was a "settlement" in 1877 designed to secure the economic fruits of the Civil War at the sacrifice of its human achievements.

APPENDIX I

ELECTORAL COUNT ROLL CALLS

NOTE: Data for these roll calls provided by the Institute for Social Research, University of Michigan, Ann Arbor, Michigan.

1. Resolution to notify Senate of the House's intent to meet for the counting of the electoral vote. *Congressional Record*, 44 Congress, 2 Session, 1665 (Feb. 17, 1877) (Hereafter only page and date will be recorded.) Yea = 152, Nay = 111. Southern Democrats (hereafter

⁹⁰ Edward A. Burke to Francis T. Nicholls, February 27, 1877, copy in William E. Chandler Papers (Manuscript Division, Library of Congress).

⁹¹ Henry Watterson, "Marse Henry": *An Autobiography* (2 vols. in 1, New York, 1919), I, 312.

⁹² Lucius Quintus Washington ("L. Q. W."), *Louisville Courier-Journal*, April 10, 1877, p. 3.

⁹³ Numerous petitions and memorials urging compromise from businessmen and organizations from Philadelphia, Boston, Chicago, Detroit, St. Louis, Kansas City, and other cities are in the House Petition and Memorial File, Records of the United States House of Representatives, Record Group 233; and the Senate Petition and Memorial File, Records of the United States Senate, Record Group 46 (National Archives).

- "SD") voting with a majority of Republicans = 0%, Border-state Democrats (BD) voting with a majority of Republicans = 3.4%, Western Democrats (WD) voting with a majority of Republicans = 16.7%, Northeastern Democrats (NED) voting with a majority of Republicans = 4.8%
2. To recess. 1665 (Feb. 17). Yea = 147, Nay = 107. SD = 0%, BD = 7.1%, WD = 11.8%, NED = 7.3%
 3. To recess. 1684 (Feb. 19). Yea = 140, Nay = 130. SD = 3.9%, BD = 16.7%, WD = 17.9%, NED = 23.8%
 4. That the Republican electoral vote from Louisiana not be counted. 1703 (Feb. 20). Yea = 173, Nay = 99. SD = 0%, BD = 0%, WD = 0%, NED = 0%
 5. To recess. 1705 (Feb. 20). Yea = 57, Nay = 192. SD = 62.2%, BD = 62.1%, WD = 48.6%, NED = 77.8%
 6. To recess. 1723 (Feb. 20). Yea = 97, Nay = 88. SD = 3.7%, BD = 11.1%, WD = 23.1%, NED = 20%
 7. To recess. 1884 (Feb. 23). Yea = 131, Nay = 108. SD = 0%, BD = 11.1%, WD = 16.2%, NED = 24.3%
 8. To amend a House electoral count resolution to notify the Senate that the House will meet the Senate today. 1886 (Feb. 23). Yea = 146, Nay = 87. SD = 17.5%, BD = 50%, WD = 36.4%, NED = 38.2%
 9. To table a motion to reconsider passage of the electoral count resolution as amended. 1886 (Feb. 23). Yea = 175, Nay = 74. SD = 47.6%, BD = 46.2%, WD = 41.7%, NED = 58.8%
 10. To recess. 1906 (Feb. 24). Yea = 112, Nay = 158. SD = 18.8%, BD = 33.3%, WD = 31.6%, NED = 45.2%
 11. To amend a resolution to count the Oregon electoral vote in conformity with the decision of the Joint Electoral Commission so as to reject a Republican elector. 1916 (Feb. 24). Yea = 152, Nay = 106. SD = 0%, BD = 0%, WD = 5.7%, NED = 2.4%
 12. To recess. 1919 (Feb. 24). Yea = 133, Nay = 122. SD = 0%, BD = 14.8%, WD = 13.5%, NED = 25.6%
 13. To recess. 1939 (Feb. 26). Yea = 84, Nay = 178. SD = 38.1%, BD = 44.8%, WD = 45%, NED = 57.5%
 14. To table a motion to reconsider the vote to recess. 1939 (Feb. 26). Yea = 182, Nay = 67. SD = 50%, BD = 50%, WD = 50%, NED = 65.8%
 15. To suspend the rules and pass a resolution recognizing Wade Hampton governor of South Carolina. 1984 (Feb. 27). Yea = 156, Nay = 93. SD = 0%, BD = 0%, WD = 0%, NED = 0%
 16. To suspend the rules and pass a resolution recognizing Hampton governor of South Carolina and Francis Nicholls governor of Louisiana. 1985 (Feb. 27). Yea = 127, Nay = 85. SD = 0%, BD = 0%, WD = 0%, NED = 0%
 17. To call the roll of the House to ascertain absentees before proceeding