



THE MAKING OF THE GRAND OLD PARTY:  
THE PRESIDENCY OF RUTHERFORD B. HAYES

by

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## ABSTRACT

This study attempts to show that the Hayes administration had a significant impact on the future of the Republican party. It begins by setting the background for the Republican National Convention of 1876. It then highlights the Hayes administration and proceeds to a very brief analytical discussion of Hayes as president. The last portion treats the Republican National Convention of 1880. By contrasting the two conventions, and showing the effects of President Hayes' administration on the later one, the study attempts to give some impression of the change which Hayes succeeded in bringing into national politics.

The Hayes administration followed twelve years of weak executive leadership during which time powerful Republican Senators assumed a dominant position in the national government. The corruption and laxity of political morals in Grant's administration caused civil service reform to become the principle issue before the Republican National Convention in 1876. Other issues of importance at the time were Southern Reconstruction and currency reform. The Republican party entered the election of 1876 with a weak record in public eyes on all three issues, and were threatened by a revitalized Democratic party with losing the election. Both parties at this time were evenly balanced. This study shows that Hayes responded to the issues when his party was reluctant. He exhibited strong, independent leadership which strength-

ened the Executive. Although Hayes split the Republican party, his administration helped it develop a new class of leaders willing to cope with new issues. By serving his country well he served his party.

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## INTRODUCTION

Clinton Rossiter in his book, The American Presidency, asserts that "the outstanding feature of American constitutional development has been the growth of the power and prestige of the Presidency." A major factor in that growth was the development and professionalization of political parties. With the development of parties in American politics the president acquired a vast, complex network of loyalties and obligations capable of reaching an entire population at the "grass roots." These organizations possessed the ability to bridge the natural social barriers of city, county, and state lines and to coordinate the various branches of our government on all levels. The result was a more intensified interplay between the president and the electorate. On the one hand, the president was able to execute the functions of government and initiate changes of policy among the people more effectively than before. On the other hand, the electorate possessed a more direct recourse to the chief-of-state.

The system functions well as long as the president is the recognized head of his party and always keeps in mind that the political organization is a means of more effective government for the people. To this end it is important that the political machine be kept "well-oiled." This is the function of the spoils system which Andrew Jackson introduced. The chance for recognition of services performed by re-

ceiving a government office is sufficient incentive to motivate people's activity. The spoils system also allows the president some control over the leadership of his party. By a careful, selective use of the patronage he can advance the men and the policies which, in his mind, would be most valuable to the nation.

The party system of government has two possible pitfalls, however. If the president is reduced to the position of titular ruler in his party, he can no longer initiate policies which are unpopular with the managers of the great human machines. In such a case the managers may even be able to prevent the chief executive from carrying out the routine functions of government, for the same party loyalties which so effectively connect the president to the rank-and-file can be cut by skillful chieftains and used to create opposition to the man at the top. This occurrence is serious enough, but not irreparable if the president controls the patronage, for then he can always discriminate against such tendencies. But, if party loyalties should become so strong that the man in the White House can no longer reinforce his leadership by selecting the men he wishes to serve him, the nation is in danger of losing all trace of responsible government. Should these two aspects of the system break down, that is, the president's position as a real leader in his party and his ability to use the spoils system effectively, the vast machinery of the political party would become one of the greatest impediments to responsible government the United States has known.

Such a breakdown of the party system did, in fact, occur in the post Civil War period. Throughout the 1840's and 1850's the significant development in our political evolution was the professionalization of the parties and the growth of the spoils system. Twelve years of weakness in the White House after the Civil War allowed the nation's leadership to pass to the party managers. The most powerful of these were the Senator-bosses, those who controlled well disciplined organizations in their home states. With the aid of these machines the Senator-bosses acquired control of the local, state and Federal patronage, which in turn nourished the machines again. With the aid of these organizations the party bosses secured election to the Senate, from which they dominated the national government. Had their leadership been responsible during this period of their ascendancy, later political history might have been quite different than what we know today. But their leadership was not responsible. In reality, it could not be, for the central issue which these Senators should have confronted, that is, an irresponsible conduct of the civil service, could only be corrected by changing the structure on which their whole power rested.

The restoration of the proper balance between the president and the political parties began in 1876. The process took over twenty-five years of gradual progress. The issue was raised and fought almost wholly within the Republican party, merely for the reason that this party dominated the national government from the Civil War to the



turn of the century. It is a credit to the vitality of the presidency as an institution that was able to survive the ordeal. The Constitution supplied the nation's presidents with powers sufficient to pull the presidency out of the imbalanced situation. But just as important, it is a credit to Rutherford B. Hayes that he knew how to use them to turn the tide.

## CHAPTER ONE

### NO THIRD TERM FOR GRANT

When the Republican National Convention opened on June 14, 1876 one person was not among the possibilities mentioned for the presidential nomination. He was Ulysses S. Grant, then in his second term. It was not a third term issue which prevented him from renomination. Grant was still the shining symbol of Union victory. He was a national hero, idolized by millions, especially those who served in the Grand Army of the Republic. Ten years after the war, in spite of eight years of political erosion, he still held something of his wartime magnetism. Even by 1880 the nation would see his name before the Republican Convention again as its leading contender for the nomination..

It cannot be said that Grant did not want the nomination, for as the convention approached he did nothing to discourage it. As convention time neared, in fact, there were some murmurings of a third term movement for the General, but somehow the movement just never got off the ground. It seemed to peter out quietly and was soon forgotten.

Instead, there was serious concern among the politicians about the effect of Grant's two administrations, especially the last, on Republican chances for victory. Not only were the delegates to the convention ignoring any movement for a third term, but also they even shied away from men most closely associated with the President during his eight year career. Two of the leading contenders for the presidential nomination, Oliver P. Morton, the senior Senator from Indiana,

and Roscoe Conkling, the senior Senator from New York, faced strong opposition in their home states largely because of the leading roles these men played in President Grant's administration. This was in spite of the fact that both these men looked back on highly distinguished records in public service over the last twenty years.<sup>2</sup>

Morton had been the war governor of Indiana. Originally a Democrat, he followed the lead of Stephen A. Douglas when the Southern States seceded in 1860-61 and supported President Lincoln. Laying aside partisan objectives in a war in which "there can be no neutrals... only patriots...or traitors," he was the primary force in bringing Indiana wholeheartedly into the war effort. When the Democratic party began to resist the war, he broke with it and determined to stay in the Union party. When the Union party split during the clash with President Johnson, Morton entered the Republican fold. He entered the Senate in 1867 as one of its most distinguished members. He kept in step with the political currents of the sixties, and did so prominently. He was a born political organizer and a superb speaker.<sup>3</sup> Although a partial invalid, paralyzed from the waste down, he was in excellent health at the time of the convention. His normally vigorous mind was still in full flower, and his naturally aggressive personality made men soon forget about any ideas that his physical health affected his political competence. Yet it was precisely his prominence over the previous eight years, and the confidence which the Grant administration held in him that most hindered his chances for the nomination. He was one of the Grant men.

Roscoe Conkling was perhaps the staunchest supporter of President Grant. His association with the administration had been of the most confidential kind. Conkling was recognized as the leading exponent of the executive policy in the Senate. Grant's administration marked the height of Conkling's political career which began in 1859. His early years in Congress were active, but undistinguished. He was a close associate of Thaddeus Stevens, a strong advocate of Negro abolition and, later, Negro suffrage. He entered the Senate in 1866 and took a prominent position within Republican ranks. The dispute between President Johnson and the Congress in 1866-67 caused a crisis in the Republican party in New York. Conkling emerged from the situation as one of the leading figures in the state.

Conkling's success in politics was due to his prominent activity both before the public and behind the scenes. He did not possess great personal appeal, but he was a very skillful political organizer. His speeches and actions reflected a man who was motivated more by his own likes and dislikes of people rather than by any intellectual analysis of issues. He was noted for his oratory which was famous as much for its invective as for its flower.<sup>4</sup> Shortly after Grant entered the presidency Conkling gained his favor. He acquired control of the Federal patronage in New York, and became the most powerful figure in the state.<sup>5</sup>

Through his confidential relationship with the administration and with the political security of his home state Conkling was very influential in the Senate. Much to his gratification he became Grant's

choice for the presidential nomination in 1876.<sup>6</sup> Ironically, however, this was Conkling's worst liability. Because he was the Senator most closely associated with Grant's administration, his chances for the nomination were highly unlikely. On the other hand, his absolute control of New York's large block of convention votes meant that he could not be ignored.

Only two months before the convention, the man thought of as most likely to obtain the nomination was James G. Blaine. One of the original organizers of the Republican party in 1856, this man from Maine displayed an extraordinary amount of "practical intelligence" in politics. He slowly rose to prominence throughout the war years. During President Grant's administration he distinguished himself as one of the better speakers of the House of Representatives. He showed great skill in guiding legislation through that body. Under his leadership the House attained a good degree of legislative efficiency.<sup>7</sup>

Blaine's greatest asset was his personal magnetism. He was well liked by almost all he associated with, and by 1876 he had acquired a very large personal following. In fact, for about a quarter of a century this man almost dominated the American political scene. Blaine's most serious deficiency, however, was his failure to become identified with any large issue or set of principles. He was a very clever politician, but he seemed to be fascinated and preoccupied by the mechanics of politics and government.<sup>8</sup>

As momentum gathered for his candidacy, one of the strong points in his favor was his failure to become associated with the inner circles

of Grant's administration. However, just two months before the Republican convention met, Blaine became implicated in a railroad scandal known as the Mulligan Letters. With this event Blaine's campaign received a serious check. It caused him to be associated with the political atmosphere of the Grant administration. Although he temporarily turned the incident to his favor and entered the convention still the man expected to receive the nomination, the notoriety of the event had consolidated the opposition against him. When the convention opened on June 14th the "Stop Blaine" Movement was well organized and the danger of a deadlock appeared likely.<sup>9</sup>

The only other candidate with an ardent following was Benjamin H. Bristow. His popularity was earned during his competent service as Secretary of the Treasury. He was "shrewd, experienced, and conscientious." He showed himself to be an adept businessman and a good administrator. Soon after his appointment as Secretary in the summer of 1874 he uncovered the Whiskey Ring, a large corrupt organization designed for the purpose of evading Federal taxes. His well publicized and vigorous prosecution of the ring won him the admiration of the public.<sup>10</sup>

Bristow's reputation appealed to certain Republican politicians who sought a refreshing change in party leadership. The Secretary displayed strong independent leadership and an unimpeachable political integrity. These were qualities which a significant part of the party and a large part of the press felt the current administration had not shown. However, this faction of the party was not in control. Bristow's

candidacy was unacceptable to the party managers. He was too much of a reformer to suit their taste. So, although he controlled a major block of votes, his nomination was unlikely.<sup>11</sup>

Only one other major candidate presented himself before the Republican National Convention in 1876. He was Governor Rutherford B. Hayes of Ohio. Hayes became a national figure in 1875 when he won the governorship of his state for the third time. In his first two terms of office, from 1868-1872, and since 1875 he displayed strong independent leadership. He conducted his administration in a relatively non-partisan manner. During his years of service the government of Ohio exhibited high moral standards and stood for a conservative fiscal policy.<sup>12</sup>

The election of Hayes to his third term attracted the interest of Republican party managers. Hayes ran against a Democratic incumbent whose administration was a credible one. The main issue concerned the financial policies of the nation. Hayes took a firm conservative stand in a state which strongly favored inflationary currency policies. The success of his campaign was therefore an impressive display of his vote-getting ability.<sup>13</sup> His party record, though undistinguished, was unimpeachable. As convention time neared the press considered him a definite presidential possibility. His campaign for the nomination was being rather cleverly conducted. Hayes' major asset was his relative obscurity. He had alienated none of the major factions in the party. Therefore, his managers, realizing the possibility of a deadlocked convention, were quietly gaining

support for their man as an acceptable compromise candidate.

It was evident to many Republicans by 1876 that President Grant was not a successful party leader. He failed to give the party strong positive direction at a time when it most needed it. The Republican National Convention of that year followed a period in which the party faced many serious difficulties. It lacked the great degree of harmony which carried it through the war years. Conflicts between internal factions drained much of the strength which it required to face the larger questions of government. Twelve years of weak leadership in the Executive branch of the national government had deprived the party of its most valuable means of winning popular support. Andrew Johnson had alienated his party; Ulysses S. Grant did not know how to use it. Faction among Republicans in Congress impeded the party's legislative activities. As a result, a growing disparity between Republican ideals and Republican accomplishments caused many people to lose the confidence they once had in the organization.

The lack of unity within the Republican party was a serious problem by 1869. The Civil War served merely to suppress a great tendency toward factiousness. It was a new party and lacked much of the binding strength which years of experience and common tradition develop. Its experience lay wholly in the party's role in the Civil War. Its common tradition was a sense of the liberal spirit of the day. "It is not the party of 'equal suffrage,'" the Nation commented, "or of any other political pill or tonic; it is the party of good government, of virtue, of knowledge, and understanding."<sup>14</sup> But this same spirit had its more zealous side. Its "somewhat Puritanic spirit"



was capable of working "mischief" as well as good. Party managers considered it undesirable as a permanent spirit in politics.<sup>15</sup>

Furthermore, the Republican party was not so strong that it could easily tolerate a weak Executive. It was just barely a majority party, and it could hardly afford to be overconfident. The organization was still in its youth. Its foothold in several of the states and many local governments was tenuous. The party suffered great losses in the local election of 1867.<sup>16</sup> Even with General Grant's tremendous popularity just after the war, his election in 1868 was very close. The states of Ohio, Pennsylvania, and Indiana, later to become secure Republican ground, were then doubtful. Internal division within Republican ranks did not improve its image as an effective governing party.<sup>17</sup> Without a strong president the tendency of the party was to suppress new issues for fear that they would create greater disunity than already existed.

At the same time many people sincerely believed, not without good reason, that the Republican party was the only group which promised to meet contemporary problems dynamically and intelligently. It undertook the solution of the slavery problem which many believed was the root evil of a degenerating moral and political atmosphere. It successfully preserved the Union. It brought into Congress a new dynamic program of legislation designed to cope with the growing forces of industrialization. Protective tariffs, Federal subsidies to railroads, homestead acts and a host of other policies, geared to fulfill the promise of the age, passed through Congress and were signed into law.<sup>18</sup> The progressive thinkers of the day, the leading

educators, intellectuals and professionals, in the large, were becoming Republicans. As yet, however, the party possessed more latent potential than clear policy. It still lacked the experience of years through which ideas and ideals are translated into sound pragmatic platforms for action.

The Republican party needed firm leadership to effect the transition from principles to programs. Presidents Johnson and Grant did not succeed in fulfilling this role, however. The liberal elements of the party became increasingly impatient. By the convention of 1876 they were on the verge of revolt. Their party failed to meet the leading issues of the day. For over eight years the problems of reconstruction and civil service reform dragged on without a successful solution. An indecisive fiscal policy was unsatisfactory to many conservatives. The nation was in the depths of a depression in 1876 and the Federal government failed to take action which sought to restore the confidence of businessmen.<sup>19</sup>

The leading issue before the Republican National Convention in 1876 was civil service reform. A series of notorious scandals throughout the two terms of Grant's administration, especially since 1874, aroused the people to the need for changing the existing conditions. A great deal of incompetence was finding its way into the offices of the national government. Officeholding became a pursuit of designing and crafty men. Business attitudes in the civil service were rare. It was not a place for a family man to earn an honest living.<sup>20</sup> Reports circulated that one-quarter of the Federal treasury was being plundered each year.<sup>21</sup> Government personnel participated

actively in party intrigues to the detriment of their responsibilities to the public. In short, a competent and publicly responsible functioning of the minor cabinet did not exist.<sup>22</sup>

A great deal of resistance was encountered in attempting to reform the civil service, however, and this served to clarify a related, but more basic problem in the national government. By Andrew Johnson's administration the president was no longer able to exercise his appointive power independently. It was apparent to Henry Adams soon after Grant assumed office that there was really little the new president could do about corruption in the Executive department. He was only one man in a position which no longer retained the independence envisioned for it in the Constitution.<sup>23</sup> Through its relationship to the spoils system the power over the patronage fell into the hands of the leaders of Congress who, in these days, largely held the leadership of the party. The spoils system greatly increased the personal power of President Jackson, but did so at the expense of the Presidency as an institution. Over the years, through weakness and abuse of the appointing power, the spoils system became a weapon of the party, not the president. Pressure mounted on the Chief-of-State to use more and more of the offices at his command to please his supporters. Finally, under President Buchanan, the system involved the whole of the civil service, and was getting out of hand. It became the right of a party faithful to expect a government appointment for good service rendered.<sup>24</sup> By the practice of "Senatorial courtesy" the president could not exercise his appointive power independently, but had to seek approval from the appropriate local Congressmen or Senators. These obligations to the

political party blurred the lines of presidential responsibility until he could hardly be held liable for the ineffective functioning of his minor cabinet.

It was the challenge of the Republican party to take up the issue. The consensus of the press sanctioned reform. A number of newspaper and magazine articles on the subject began to appear in the late 1860's shortly after Congressman Jenckes of Rhode Island introduced the first civil service bill in the House of Representatives. The faults of the service were actively debated throughout the early seventies and the proposals discussed. But Congress and the Executive balked. The leaders of Congress were divided, and largely apathetic. The press was becoming increasingly impatient of the sluggish action of the Republican party with regard to this issue. The Nation warned that the number of men were increasing who were

so alarmed and disgusted by the prevailing political corruption, (and) so convinced that unless we can bring more purity of character to bear on the work of politics neither universal suffrage nor any other arrangement of the political machinery will save our system of government. 25

The notorious scandals of Grant's administration brought the issue of civil service reform to the forefront of the Republican National Convention. A month before the convention a small, but influential group of reform conscious Republicans gathered in New York City to discuss the issue. They formally agreed to a resolution not to support any candidate "however conspicuous his position or brilliant his ability, in whom the impulses of the party manager have shown themselves predominant to those of reformer," or who "is not publicly known to possess

those qualities of mind and character which the stern task of genuine reform requires." The group carried great influence with the Republican press, with many of the delegates to the convention, and with the voters. Though they refused to formally state a preference for any candidate, many of them preferred to see Bristow obtain the nomination. The Nation, Harper's Weekly, and the New York Tribune all kept a close eye turned to the stand the convention would take on civil service reform. It was evident that it would be unwise for the party to side-step the issue.<sup>26</sup>

"The heart of the evil," Henry Adams said of the civil service, lies in the lack of Executive independence from Congress.<sup>27</sup> But to restore his constitutional independence the president had to be a man who could give the office the personal strength which the writers of the Constitution envisioned for it. Neither Andrew Johnson nor Ulysses S. Grant were fit for this task.

Though Andrew Johnson brought unprecedented organization to the presidency he lacked some vital talents for the position. He was not a party leader. He could not direct power, but he frequently stood in opposition to it. He was an outsider, as McKittrick put it. He could not divide and entice his potential support, and thus mold it to his liking as Lincoln did so effectively.<sup>28</sup> In short, he was not a good politician. He was also stubbornly independent. He could not yield his position slightly on an issue in order to gain partial success. He was indecisive. Faced with conflicting viewpoints he had difficulty determining in which sources to place his confidence. At

such times he frequently did nothing, rather than act with some insecurity.<sup>29</sup>

Congress was in a defiant mood during Johnson's administration. A reaction was growing to the extensive war powers collected by Lincoln. Congress sought to regain some of the influence over national policy which Lincoln denied them through his interpretation of "war powers."<sup>30</sup> Johnson's independent, tactless course during his differences with Congress over reconstruction policy brought out the full strength of this defiance. Furthermore, he occupied the presidency from a difficult position. He was a Southern Democrat. The effectiveness of his voice depended on its acceptance by the Congress, for they controlled the party machinery on the state and local levels and carried a dominant influence with the press. Thus, Johnson's firm resistance to the Congressional plan for reconstruction eventually led to his isolation from a large part of the Northern electorate. When the election of 1866 returned the two-thirds Republican majority to Congress, compromise became unavoidable. But Johnson did not seem to know the meaning of the word. He would rather go down fighting.<sup>31</sup> In the process, however, he took the independence of the Executive with him.

Johnson's war with Congress fomented over his use of the patronage. When it became clear that Johnson faced a two-thirds Republican majority after the election of 1866 he decided to forge the full power of the Executive and stand against the Congress. He began to use his patronage power as a political vendetta against his enemies,

throwing out all those opposed to his policies and retaining and appointing all who would support.<sup>32</sup> The Congress felt betrayed, and soon the majority of the North felt the same way. With the full consent of public opinion, the enraged Congress moved to subordinate the recalcitrant President. The Tenure-of-Office act was passed in 1867 which limited the appointing power of the Chief Executive. It made all removals dependent on Congressional approval. Thus, with the insurance that all the president's subordinate officers could be forced to meet its approval, Congress assumed a superior position to the president. Since most of the lines of party influence led to the Capitol, this was equivalent to saying that the president was now forced to serve his party, not his country.

Andrew Jackson gave the nation a sense of strong leadership which the people ever since have expected from the presidency. Thus, the impeachment proceedings of Andrew Johnson suddenly awakened the public to the depths in which their sacred institution had fallen. Though most people did not care for Johnson as a president, they could differentiate between the man and the office. But the fact of impeachment could not be dissociated with the Jacksonian nature of the presidency. Executive independence quickly became a sensitive topic to political-minded contemporaries. These men soon saw that the matter of civil service reform was unavoidably related to the Tenure-of-Office Act. As long as the law remained in full force a president could not be made responsible for the conduct of his civil servants. Certainly Senators would not respond to the desire for increased competence in

the Executive offices, since they were directed by the greater need of maintaining the harmony of their local party machinery. The choice of the right man for government office, even if he was totally unfit for his job, could insure a Senator's political support at home. After one year of operation the Nation concluded that the Tenure-of-Office Act aggravated "that division of responsibility which is one of the great political evils of the day." It continued:

The curse of the present system is that the President is no more responsible for the condition of the civil service than for the general prevalence of sin. The party which elects him is responsible, but where is the party to be found?<sup>33</sup>

Henry Adams wrote in the North American Review that until the president obtains his independence from Congress "reform must be imperfect and may be mischievous."<sup>34</sup> But the administration of Johnson put national leadership into the hands of Congress. A strong president was required to reverse its growing dominance in the Federal government.

There was no person the people thought better suited to restore the independence of the Executive in 1868 than General Grant. "If there was any moral in his career," it was that there was no one "from whom the public might expect a more resolute adherence to purpose once fixed."<sup>35</sup> But Grant had no conception of the presidency in history, or as an institution in civil society. He lacked a basic understanding of political forces and possessed great ignorance of the customs and traditions of his office.<sup>36</sup> He did not know how to select his Cabinet, let alone use it as an effective instrument of policy. He rather accepted the philosophy that it was the responsibility of Congress to make policy. He felt his duty lay merely with the administration of



Congressional desires. Thus, at a time when firm independent leadership in the White House was necessary to stem the growing acceptance among Senators and Representatives that the Executive was subordinate to the Congress, a president assumed office who allowed them eight years to put their ideas into practice.<sup>37</sup>

President Grant was ineffective in furthering the cause of civil service reform. Due to the national concern over the condition of the service Grant originally expressed a favorable attitude toward reform. But he lacked the strength and perseverance to accomplish anything significant. In his message to the nation in December 1870 Grant requested that Congress take action. The national legislature passed a provision in 1871 which called for the establishment of a Civil Service Commission to examine the condition of the service and set rules appropriate to the conduct of the government. From the first, however, the commission did not receive the necessary support. The regulations it established were frequently disregarded. Grant's Cabinet generally considered it an inconvenience. It failed to receive the necessary appropriations from Congress to pursue its investigations. Grant himself began to look on reform as impractical because of the opposition to it.<sup>38</sup> Finally, in his annual message in 1874 he said, "I announce that if Congress adjourns without positive legislation on the subject of civil-service reform, I will regard such action as a disapproval of the system and will abandon it."<sup>39</sup> So ended his pretence of support for reform.

The least that people expected of Grant was an efficient and conscientious conduct of his administration.<sup>40</sup> But even these hopes sank into great dissolution. In the absence of strong leadership from

their chief the Cabinet was not a well coordinated and harmonious group. The great differences in the background of its constituents and conduct in office produced distrust and suspicion among them. Grant drove respectable, competent people from his administration. Many others eventually resigned in disrepute. Far from reflecting Executive policy in his appointments Grant's choices were usually personal. They were friends, or recommendations of his friends, or those who had performed favors for him. All too often disreputable or incompetent men found their way to his administration. Several major scandals involving officials high in the ranks of government occurred during his two terms which greatly disturbed the confidence of the people. The great promise which Grant's military career showed had its more passionate side. In his anxious desire to annex Santo Domingo he traded various offices to secure the requisite Senate votes for passage and engaged in the most common lobbying methods. Even the well-respected Attorney-General Ebenezer Rockwood Hoar was disposed of for this controversial scheme. Thus, Grant engaged in the very political practices above which the people so hoped he would rise. With so many people concerned about the future of the Executive in the Federal government not only was Grant's leadership weak, but his example showed that he did not deserve the independence which the Constitution set for the presidency.

In the absence of strong leadership from the Executive, Republicans in Congress assumed the responsibility of maintaining a dynamic legislative program and the good image of the party. But, although both houses of Congress were in Republican hands until 1874 the party failed to fulfill this responsibility. Republican leadership

centered in a group of the most influential Republicans: Oliver P. Morton, Roscoe Conkling, Simon Cameron, a powerful party boss from Pennsylvania, and Zach Chandler, a sagacious party manager from Michigan. But the Senatorial clique, as it was called, was more concerned with insuring the dominant position of the Republican party than coping with any issue which it feared would endanger the harmony of the group.<sup>41</sup> It avoided taking any effective action on civil service reform. When the more liberal-minded Republicans introduced a bill in 1871 based on Representative Jenckes' proposal of 1865, the Senatorial clique opposed it. The group pursued a policy of reconstruction in the South which led to serious outbreaks of disorder and violence in 1872 and 1874. Yet, as long as they felt that their respective constituencies condoned this policy the Senators declined to consider any alternatives. In fact, many Northerners began to desire a more moderate policy, but the Senatorial clique remained oblivious to the damage which Reconstruction was imposing on the nation as well as on the South. With the advent of hard times after the panic of 1873 and the clamor for an inflationary currency, the leaders of the Senate equivocated and even split over the money issue.<sup>42</sup> The twelve years of Congressional government showed more effectively than anything else could have, the dangerous implications of a declining Executive. The ineffective leadership of the Congress was due not so much to incompetence or to narrowness among its members as it was due to the inherent make-up of the legislative body. Responsible primarily to localized sections of the country the members of Congress could not

plan and coordinate policy in the national interest as well as a strong Executive.

Dissatisfaction with the leadership from the White House and in Congress was certainly not absent, but until Grant's second term it failed to produce the kind of effective political organization required to win elections. Opposition to the renomination of Grant in 1872 resulted in a split in the Republican party and produced the Liberal Republican movement of that year. For a while the organization showed much enthusiasm and promised to give the regular Republican organization a hard fight. But when the new group failed to nominate a strong candidate the movement fizzled. Prominent Republicans, such as Senator Carl Schurz of Missouri and Senator Lyman Trumbull of Illinois, who gave the <sup>Liberal</sup> Republican party its original practical organization, returned to the regular fold, although they lost all their influence with the Senatorial clique.<sup>43</sup>

For many years the Democratic party failed to challenge Republican leadership effectively. It resisted the Civil War and, after the victory of the Union, became identified as the party of treason. Everything Democratic was affixed with the ignominious label of "Copperhead." The party lost the public confidence and was thoroughly discredited. The politics of "waving the bloody shirt" made its entrance on the American scene by which the public was constantly reminded of the role which the party played during the war. Although Democrats showed a surprising vitality at the polls by 1868, their policies were largely negative. They failed to attract the dissat-

isfied elements of the Republican electorate.

But the Democratic party of 1876 presented a serious threat to Republican control. It squarely faced the issue of reform in the civil service. Centered around the dynamic and shining image of Samuel J. Tilden it offered the first alternative to Republican administration since the war issues faded into the background. The "new" Democratic party grew out of Tilden's remarkable reform activities in New York State. He combined with businessmen and liberals of the state in 1871 to overthrow the tight grip which William M. Tweed and his Tammany machine had upon the government of New York City. The abuses of the "Tweed Ring" shocked the nation and earned Tilden a national reputation. The Democrats lost heavily in New York that year, but afterward Tilden rebuilt the party around himself, his national reputation and the issue of reform. Largely as a result of Tilden's genius for organization, the Democratic party became a new dynamic movement on a national scale. It swept the Congressional elections of 1874 and won control of the House of Representatives. As time for the Democratic National Convention of 1876 neared, Tilden himself appeared likely to capture the presidential nomination. Thus, Republicans found themselves faced with a sound, responsible political organization as <sup>capable as</sup> any of theirs in winning elections. <sup>44</sup>

The Republican convention of 1876 was the scene of factious conflict. The Senatorial clique and its supporters would have liked to turn to Grant again. But in view of the intensity of the political

situation, and the strength of the Democratic party, Grant's record stood as a political bombshell. Popular sentiment was weighted against Grant's record on each of the major issues: the reconstruction issue, the currency question and especially civil service reform. Without Grant's candidacy, however, the convention turned into a battle for party control. Issues played a part only in so far as it was necessary to win the election. Morton, Conkling, Cameron, Chandler and the rest of the Grant faction controlled the party. At the convention they were prepared to throw their weight to the man would be most likely to maintain their influence.<sup>45</sup> Blaine and his supporters were as much the opposition as the Democrats at convention time.<sup>46</sup> Bristow's record in the Cabinet showed that he could not be kept in line. Hayes, on the other hand, was a strong winning possibility. His record in the party was totally faithful. He was a quiet, reserved man who never broke a political commitment. It seemed possible, perhaps even likely, that they could control Hayes just as they had Grant. So the convention turned to Governor Hayes on the seventh ballot.

Two weeks later the Democrats met at St. Louis and nominated Tilden. The Democratic platform was considered strong and Tilden wore "the mantle of reform."<sup>47</sup> The Republican platform, on the other hand, was weak. Comparing the two E.L. Godkin, editor of the Nation commented,

it must be admitted that the small knot which prepared the platform at St. Louis had apparently more sharply defined convictions about public questions, and a deeper appreciation of the needs of the hour, than the small knot which prepared the platform at Cincinnati.<sup>48</sup>

Hayes' acceptance speech was some consolation ~~was some consolation~~ to the liberal Republican press.<sup>49</sup> Hayes advocated civil service reform and pacification of the South. He desired to pursue a policy which would wipe out section differences. To best facilitate a reform of the civil service he declared his intention not to run for a second term. But many were still skeptical. It was evident that the Grant men controlled the convention and would continue to control the campaign. Zach Chandler, then Secretary of War for Grant, was to be chairman of the National Committee. Hayes had no influence in selecting the national chairman; he was not even consulted on the choice.<sup>50</sup>

People were dissatisfied with Republican government. They sought a change of leadership, but not necessarily a change in party. People remembered the role the Republican party played in the preservation of the Union and in freeing the Negroes. They remembered the liberal, dynamic spirit of the new legislative program which the party brought forth. In many ways they could see that these basic qualities of the party were still there. But these meritorious qualities were overshadowed by the issues of the moment. The public did not really desire a change in party, but a thorough change in Republican leadership.<sup>51</sup> They needed reassurance that the party was still capable of producing strength in the White House. E.L. Godkin ~~finally~~ understood the situation and was not at all confident of Republican chances in the fall. Shortly after <sup>the Republican convention</sup> the Nation carried the following comment on the coming campaign:

The impression made on the public mind by the recent exposures of corruption and by the inability of the Republican Party to deal with any of the leading

problems left by the war, have produced a readiness or widespread desire for change which will tell against the Republicans and will probably grow during the canvass.<sup>52</sup>

In this situation Hayes took his place as the nominal head of the Republican party.



## CHAPTER TWO

### THE BREACH OF INDEPENDENCE

In the government of this Commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

Henry Adams cited this passage from the Massachusetts Constitution in his article in the North American Review in 1869.<sup>1</sup> In it he argued that the first step in the reform in the Civil Service must be the return of Executive independence. But much more was at stake than just civil service reform. The integrity of the Executive, its ability to function as an originator of policy, and its place as an equal partner with the legislature was of central concern in these years. Adams' article reflects his disappointment with Grant. The war hero was presented with the "opportunity" to set valuable precedents in the operation of the national government which public opinion might have been roused to sustain in future administrations. However, "before a week had passed it had become clear that the President's perseverance in his attempt would provoke a personal rupture with so many members of the legislature, and secret hostility in so many more, as to endanger the success of the administration."<sup>2</sup> Faced with this in 1869 Grant slowly receded from his positions on the South and on civil service reform.

Eight years later Hayes entered the presidency and was presented with the same "opportunities" which Adams saw for Grant. Unlike his predecessor, however, Hayes took full advantage of them. He forged the Executive into a positive force capable of strong leadership and clear direction. He assumed the initiative and began firmly to carry out the policies which the needs of the hour demanded. In doing so, he met fierce resistance from many Republicans in Congress who stubbornly attempted to maintain their dominant position. By the end of the first year in office Hayes lost the support of most of his party, but the White House was again the center of government activity, not the Congress.

Republican campaign tactics in 1876 reflected the dominant position which the leaders in Grant's administration held. The politics of the "bloody shirt" raged as great as ever in an effort to suppress the real issues of the campaign: the currency question, good government and the hard times of the depression.<sup>3</sup> Civil service reform was little mentioned, if at all. Hayes condoned these basic two strategies in part because he wished to avoid any threat to party unity at such a critical time. But Hayes had little to say about the conduct of the canvass. His suggestions were ignored, sometimes even resented.<sup>4</sup> Skepticism over the prospects of civil service reform from the party which put Zach Chandler at the head of its campaign was fully justified. Chandler raised money for the canvass through political assessments on Federal office-holders, a practice which was flagrantly inconsistent with Hayes' letter of acceptance. Many

other disreputable means seem to have been employed, most of which Hayes never learned of. Hayes was a hard campaigner, but he wished to keep his hands clean, even if that meant defeat.<sup>5</sup> However, he was little more than a figurehead during the election canvass.

The firm control which the Senatorial clique held over the campaign certainly betrayed no hint that they would have any less influence in the coming administration than in the previous one. The events following the election served only to reinforce its position. The immediate results of the election were inconclusive. The states of Florida, South Carolina, Louisiana, and Oregon submitted returns which were contested by the Democrats. If all four states went for Hayes the electoral count was 185 to 184 in his favor. The political atmosphere was extremely tense. The Constitution was unfortunately ambiguous in such a circumstance. The four months between the election and the inauguration of the president were spent in protracted debate over the means of settling the election. The Democrats wished to have the House of Representatives decide the dispute, undoubtedly because it was Democratic and would be in their favor. The Republicans wished to have the president of the Senate count the votes, a move which was in their favor because he was Republican. Each side found constitutional justification for its solution. Ultimately, an extra-legal compromise was resorted to. An electoral commission of fifteen members was established: seven Democrats, seven Republicans and one independent in whom each side placed its confidence. In addition, five of these men were from the House of Representatives, five from the

Senate, and five from the Supreme Court. The commission eventually split purely along partisan lines and settled none of the doubts, but it was a result which both sides were pledged to accept. The controversy served to strengthen the political ties among Republicans, however. For the moment party division was forgotten. Prominent Republicans were required to exert their greatest efforts to influence the outcome of the dispute. As each day of the contest wore on, Hayes' commitment to the major figures in his party grew. To a greater degree than ever before Rutherford B. Hayes assumed the presidency due to the efforts of significant men in his party.

The controversy over Hayes' title was not a serious impediment to his stature as Chief Executive. Though he was personally sensitive to criticism concerning the legitimacy of his election, Hayes clearly could not act as if the result were doubtful. In any event, the great majority of the electorate accepted the decision of the electoral commission. If large portions of the population showed their doubts, they also showed a sense of relief that some solution to the crisis had been reached.<sup>6</sup> From the first moment that Hayes felt he had been elected by the compromise commission, he acted firmly and consistently in all official capacities.

On the other hand, the controversy over the election presented Hayes with an unusual opportunity to fulfill one of the promises of his acceptance speech. Hayes desired a more moderate Southern policy. He felt the Republican plan of Reconstruction was not successful, and was receptive to new approaches. During the debate on the electoral

commission, men close to Hayes discovered that the South was not as solidly Democratic as they had supposed. Conservative feeling similar to that of the Northern industrialists was significantly strong. Furthermore, Northern Democrats were unresponsive to Southern needs for internal improvements.<sup>7</sup> Highly secretive consultation between Hayes men and conservative Democrats uncovered areas of common feeling. Hayes always felt that the use of Federal troops to maintain the legislatures of the Southern states was wrong, and he indicated a willingness to end this practice. Also, he showed himself receptive to the idea of putting a Southerner in his Cabinet. Moderate Southerners, in return, were willing to abide by the decision of the electoral commission whether their Northern friends did so or not. They also felt inclined to guarantee the civil and political rights of the Negroes in their states.

The arrangements were formalized at the Wormley conference on February 26, 1877. The significance of the conference, with regard to this study, is not the "deal" itself, but the fact that Hayes submitted to a binding commitment which trespassed the bounds of the Congressional policy of Reconstruction. No Grant men attended the conference, only Southerners and moderate Republican supporters of Hayes.<sup>8</sup> The Ohio governor acted without consulting the organizers of his campaign. It was the first positive indication that Hayes was strong enough to tread an independent path.

The first task of the new president was to select a Cabinet. His desire to display a clean break with the eight years of Grant's administration was clearly reflected in his choices for the heads of

the Executive departments. For Secretary of State he selected William M. Evarts, a prominent lawyer from New York who had become an open critic of the Grant administration in its last few years. He was an Independent in New York politics by 1876. He took a prominent part in the administration of Grant's first term. Evarts possessed a keen mind and a great wit which provided a continual source of levity at Hayes' Cabinet meetings. He proved to be one of the three leading men in the new administration. He was sympathetic to civil service reform, and a well known and capable defender of a conservative currency system. Most important of all, perhaps, was Evarts' popularity among the reform groups in New York State. In this appointment, Hayes found a man who would serve admirably in his attempts to bring reforms into Conkling's home territory.<sup>9</sup>

The second leading figure of the new Cabinet was Carl Schurz. Schurz was also an outspoken critic of Grant's administration. His role in the Liberal Republican convention of 1872 was well known. He was a popular speaker around the nation, and could articulate a good defense against inflationary currency. He was a staunch civil service reformer and planned to bring many changes into the Interior department. But Schurz was to play a controversial role in the Cabinet due to the intense distrust which the elder statesmen in the party held for him. They saw him as too much of a reformer, and far too little of a faithful Republican.<sup>10</sup>

The political strongman of the Cabinet was John Sherman from Ohio. Hayes long ago determined to have Sherman occupy the Treasury department. Both men were from the same state, and had long been close

friends. Sherman played major roles in the campaign to re-elect Hayes for a third term as governor of Ohio and in planning for Hayes' presidential candidacy at the Republican convention of 1876. He was without a doubt the most capable financier in the Senate, and well respected by conservatives everywhere for his monetary views. He had long been influential in guiding financial legislation through the Congress. Sherman was a cold undramatic man, intensely partisan, and holding ambitions for the presidency himself., a fact which was to keep him on his best political behavior throughout the Hayes administration.<sup>11</sup>

Evarts, Schurz and Sherman were the core of the Cabinet under Hayes. Another appointment attracted much attention, however. That was the nomination of David M. Key of Tennessee for the Post Office department. This was Hayes' first step in his policy of reconciliation. Key was an influential figure among the old Douglas Democrats and conservative elements in his state. Recently, Tennessee showed a rejuvenation of Whiggish tendencies.<sup>12</sup> If the state could be swung for the Republicans, Hayes felt that other Southern states would be influenced. It was the beginning of his attempts to rebuild the Republican party in the South.

The other men of the Cabinet were equally fitted for their posts. The Attorney-General was Charles Devens. He served admirably during the Civil War, and acquired great distinction as an associate justice on the Supreme Court of Massachusetts. For Secretary of War Hayes chose George W. McCrary, who had been in the House of Representatives during the electoral dispute. It was he who authored the electoral commission plan. Finally, Richard M. Thompson took the

portfolio of Secretary of the Navy. He was the oldest of the group. He had been prominent in politics since the days of President Harrison, and was author of the Republican National Platform in the election of 1860. Hayes appointed Thompson at the recommendation of Senator Morton, largely as a favor to his Indiana colleague. Morton was a figure whose influence in the Senate Hayes meant to rely on heavily during his administration. Thompson was the weakest man in the Cabinet, but by no means inefficient.<sup>13</sup>

The Hayes Cabinet stood in striking contrast to the original one selected by President Grant. Grant's Cabinet reflected no clear policy, no consistent reputation and no definite set of principles.<sup>14</sup> A few of his original members were totally unknown to the public. The Hayes Cabinet, on the other hand, was considered one of the most competent in history. It was not the work of an amateur, but was carefully and conscientiously composed to meet public hopes and expectations. His men were selected to reflect clear and consistent good government. Conservative businessmen were able to place their full confidence in the financial views of Sherman, Evarts, and Schurz. The sight of Schurz and Evarts gave great reassurance to the advocates of civil service reform. The presence of Key was a plain indication that the administration planned to pursue a different attitude toward the South than had hitherto been the case. All the men were well known and respected figures in their home areas. To the nation at large the new Cabinet meant that Hayes was firm in the convictions stated in his letter of acceptance and in his inaugural address.<sup>15</sup>



The prominent members of Congress were far from pleased with the Cabinet, however, for, with the exception of Morton, Hayes disregarded their wishes. He wished no dictation from the old Grant men. Hayes' choice of Thompson was not inconsistent with this desire. The president greatly respected Morton's political sagacity and notified the Senator that he wished one of his recommendations to be in the Cabinet. But Blaine, Conkling and Cameron showed bitter disappointment. They considered it a matter of their prerogative to be able to dictate such appointments. When the new Cabinet was made public, therefore, the Senate resorted to an unprecedented action. It immediately decided to submit the nominations to committees of investigation. The unprecedented action aroused the nation, however, and the response from letters, from the press, and from independent groups was firmly behind the president.<sup>16</sup> Finally, under the pressure of public opinion, Republican Senators fell into line and overwhelmingly approved the entire slate. Hayes met the first resistance from his party in Congress and won the full approval of the electorate. He showed that the right of the members of Congress to dictate the major appointments was untenable. He succeeded in molding the Executive to his liking. As he stated in his inaugural address, Hayes intended to serve his party best by serving his country first.<sup>17</sup>

Immediately after his inauguration President Hayes proceeded to carry out his moderate Southern policy. The Reconstruction policy of the Republicans in Congress was based on force, and therefore, he realized, eventually doomed to failure. Even Schurz, a once Radical Republican, felt this way and encouraged the President to change.<sup>18</sup>

One by one the governments had fallen to the Southern Redeemers, and carpetbaggers fled. Only Louisiana and South Carolina remained in Republican hands by the time Hayes took the oath of office. These were doomed to fall at the next election unless Federal troops were again supplied. This Hayes refused to do. He wished to end the atmosphere of war, even if it meant the Republican party would face a solidly Democratic South at the next election.<sup>19</sup>

There was much opposition to Hayes' reconciliation policy from within the Republican party. The old line Republicans, especially the prominent members of the Senatorial clique and James G. Blaine, and even some of the more moderate members of the party felt that the South could not be trusted. They believed that as soon as the Federal troops withdrew from these states (even if it were just Louisiana and South Carolina) the Negro would be denied his vote and the recently rebellious states would return solidly Democratic in national elections. These men would not sit idly by while, in their opinion, Hayes gave up the Negro cause and endangered Republican control of the government. The Republican minority leader in the House, James A. Garfield was particularly worried. Although he pledged his support to Hayes, and "insisted...the (Republicans) should give the policy a fair trial," he feared that Hayes "is not quite up to the heroic method." Garfield's journal contains an entry in March 1877 which reflects his apprehensions on the president's Southern policy.

It is clear that below the surface of approval there is much hostile criticism and a strong tendency to believe that Hayes will be a failure. Blaine thinks the differences between the North and South are too deep to be bridged over by the proposed methods.<sup>20</sup>

But Hayes was not a man to give up a policy which he considered worthwhile until it had undergone a good trial. Certainly, he would not, as president, succumb to party pressures without such a trial. With the full support of his Cabinet Hayes was determined to carry out the measures decided upon in the Wormley conference. "My policy is trust, peace, and to put aside the bayonet. I do not think the wise policy is to decide contested elections in the States by use of the National army."

The appointment of Mr. Key as Postmaster-general was the first step in the plans. Mr. Key administered his novel position with a great sense of tact. He induced James N. Tyner, the previous Postmaster-general, to stay on as Key's first assistant with the understanding that Tyner would control patronage in the North. This and a general conservatism in the administration of his department did much to smooth ill-feelings over his appointment to the largest patronage dispensing department in the Federal government.<sup>22</sup>

The president's next step was less easy for the party managers to accept, however. The withdrawal of the troops from the state houses of South Carolina and Louisiana was undertaken with a great deal of caution. Each state had two factions, each of which claimed to have a legally constituted legislature and governor. Hayes desired to determine that faction in each state which appeared to command the general acceptance of the people, regardless of what "legal" claims each of the parties had. In the case of South Carolina Hayes invited the two rival governors to the White House and attempted to settle the matter with the aid of his Cabinet. For Louisiana he dispatched

a commission "to accomplish the recognition of a single Legislature as the depository of the representative will of the people."<sup>23</sup> In each case the Democratic faction was the one Hayes supported. In both cases the carpetbag governments fell as soon as the troops were withdrawn. The immediate resumption of normal relations among citizens and officials of both states followed a period of great tension and unrest, and seemed to vindicate the president's policy.

Opposition to the president's course broke out within Republican ranks immediately upon withdrawal of the federal troops. Blaine had earlier refused to believe that the president could contemplate such an action since his title to office depended on the maintenance of the carpetbag governments. "I know that there has been a great deal said...that some arrangement had been made by which (the carpetbag governments were) not to be recognized and upheld...I deny it for him, and shall find myself grievously disappointed, wounded and humiliated if my denial is not vindicated in the policies of the Administration..."<sup>24</sup> The speech was a move to rally the Maine Senator's support in opposition to Hayes and force him to recede from his position. Senator Conkling was more direct and to the point. He felt that Hayes' Southern policy "was utterly at variance" with the Reconstruction policy which the party had maintained, and he held no sympathy with it.<sup>25</sup> When Hayes finally withdrew the troops he succeeded in taking Southern policy out of the hands of Congress. This was the crux of the matter. For twelve years Republicans controlled the issue, and suddenly a president came along with the strength and the

wisdom to place that authority where it belonged -- with the Executive.

Thus, for the second time within the first two months of his administration Hayes successfully opposed the party will. Many of the more moderate Republicans supported the president's stand. But the old-line Grant men and those Republicans who had been in the Congress since the days of Andrew Johnson quickly felt their influence over the Executive ebbing away. It is no wonder that they felt betrayed, but they could not discredit Hayes as they did Johnson. The president was too familiar with the powers of his office, too shrewd a politician, and too well known as a Northern Republican to fall prey to such a fate.

Only time was able to show the full wisdom of President Hayes' Southern policy, for much of the Northern electorate was unsure of the president's judgment at the time he withdrew the troops. But the stand of the administration on the money issue resulted in immediate gains <sup>with</sup> ~~among~~ the conservative electorate. Most importantly, however, the administration chose a course which added strength and prestige to its leadership.

During the first year of Hayes' presidency the clamor for the coinage of silver reached a climax, and threatened to further dilute a divided Republican leadership. The end of the Civil War left the nation with a greatly expanded currency system. Much money had been issued in the form of greenbacks in order to finance the war effort. The currency was inflated and the fluctuations in value were greater than a stable money system required. Thus, one of the first acts of

Grant's administration was to strengthen the public credit. Congress passed a law in 1869 which guaranteed that all government debts would be paid in coin. This was followed in 1873 by the Coinage Act which terminated the minting of silver coins. These accomplishments were well received by the business community.

The panic of 1873 upset any clear Republican policy, however. With the advent of the depression most of the population began to call for an inflationary currency. In the face of great pressure from the electorate Grant equivocated. Grant's Cabinet reflected no clear financial attitudes and took no positive action to alleviate the crisis.<sup>26</sup> Congress also straddled both sides of the issue. The Republicans were badly split over it. Prominent men such as Morton and John Logan of Illinois advocated inflationary policies. Others such as Blaine and Conkling were hard money men and desired to remain on the gold standard. The party's equivocation cost them many votes in the election of 1874. The victory for the Democrats in that year was interpreted as a mandate for inflationary currency policies, such as the reissue of greenbacks and the coinage of silver.<sup>27</sup> Frightened by the election of 1874 the Republicans decided to redeem themselves. Piloted by Sherman, who was then in the Senate, Republicans settled upon the Specie Resumption Act of 1875. The bill called for an immediate expansion of the greenback supply and the resumption of specie payments by 1879. It was a clever bill designed to please both expansionists and contractionists.<sup>29</sup> It again served to put off a clear formulation of Republican fiscal policies.

A great amount of dissatisfaction arose over the Resumption Act during the Congressional session of 1877-78. Faced with the Democratic victory of 1874 and the doubtful returns of 1876 the Republicans in Congress were inclined to succumb to the popular pressure. But at a critical time, when much of the support from business interests may have been seriously weakened, Hayes stood firm on his campaign pledges. The main reason for the clamor during the Congressional session of 1877-78 was that the Resumption Act did not face the question of silver coinage. Thus, in November 1877 Mr. Bland of Missouri introduced a bill providing for the free coinage of silver. After receiving amendments in the Senate the proposal was finally passed as the Bland-Allison Silver Act and sent to the president. Conservative financial interests raised some major objections. The act created a concrete basis for fears that resumption would never be carried out.<sup>29</sup> Also businessmen feared that the ratios of silver to gold were improperly set, and would cause gold to disappear as a common medium of exchange in a short period of time. Finally, the bill was unpopular with the nation's creditors, notably Britain.<sup>30</sup> The Bland-Allison Silver Bill was widely demanded by all segments of the population, more than two-thirds of the Congress were for it and passage was almost certain even if Hayes threw a veto.

But at this crucial time, when much of the support from business interests may have been seriously weakened, Hayes stood firm on his campaign pledges. Both Hayes and Sherman feared the bill was not wisely constructed. However, Devens feared that if Hayes vetoed the bill and Congress failed to acquire the necessary two-thirds to

override it, the popular opposition to the action would be so great as to put the Democrats in control at the next election.<sup>31</sup> In this view he shared the thoughts of most of the Republicans in Congress. After much discussion among the Cabinet members the consensus was to stand firm on conservative principles and veto the bill. The president acted with the full support of his cabinet: "For a veto decidedly Evarts, Key, Schurz, Devens -- 4. For a veto with some doubts Sherman and McCrary -- 2. Opposed to a veto, Thompson."<sup>32</sup> Sherman and McCrary based their doubts mainly on fears of the consequences of a veto. Most of the Republicans in Congress voted for passage of the bill, but it is most significant to notice who voted to uphold the president: James A. Garfield, James G. Elaine, and Roscoe Conkling. Republican leadership fell behind the financial views of the Administration. Elaine, furthermore, noted that New England, New York and New Jersey "supplied the principle part of the negative vote."<sup>33</sup> The conservative Northeast knew where its interest lay. Thus, even though the Bland-Allison bill was subsequently passed over his veto, Hayes' firm stand lent meaning and conviction to a party principle which previously was nothing more than a marked tendency.

President Hayes was normally an undramatic politician. But his stand on civil service reform led to a series of events which reads like a theatrical production, and gave greater testimony to the renewed strength of the Executive than any other event. His attempt to bring good government into the New York Customhouse resulted in a direct confrontation between the president and the Congress. The issue was



squarely and unavoidably raised: Who was the leader of the nation? In the ensuing contest the full force of the Executive was actively wielded in an effort to sway the Congress. In pressing the contest to its successful conclusion Hayes won the overwhelming approval of the electorate, and served to greatly further the strength of his administration, his party and the cause of reform in the eyes of the public.

Hayes was pledged to civil service reform by his letter of acceptance. In his inaugural he added further strength to his campaign promise:

I ask the attention of the public to the paramount necessity of reform in our civil service...a change in the system of appointment itself; a reform that shall be thorough, radical, and complete; a return to the principles and practices of the founders of the Government.<sup>34</sup>

These words were no comfort to those who built their local and state organizations on the basis of patronage. The idea was a direct reversal of the attitudes of the political leaders of the day who felt that such reform would shake the very foundation of the parties. They were held together by the bonds of expectant office; party bosses felt that to eliminate partisan patronage would cause the parties to crumble.

Senator Conkling was the first to feel the results of such policy in action. As soon as Hayes took office he appointed a set of commissions to investigate the conditions at the various customhouses throughout the nation. John Jay headed the commission to investigate the customhouse of New York City. Conkling immediately felt that the

investigation of the New York Customhouse was unjustified and an attempt to invade his rightful territory, Since 1870 President Grant had allowed him to control the patronage in New York, a privilege he considered a right by 1877. Furthermore, Conkling's extreme partisanship could only interpret Hayes' actions as an attempt to put an opposing faction in power in New York State. With the advent of Hayes to the Presidency, a new element had taken control of the Executive and just barely controlled the party. Conkling felt that the customhouse investigations were merely an attempt to extend that control into New York State.

The New York customhouse was the prize patronage plum in the federal government. Two-thirds of the nation's revenue passed through its hands. Its staff was relatively large. The chance for profit was good. For years, even before the Civil War, the customhouse frequently became involved in questionable practices. Conditions reached a climax during Grant's administration when the customhouse became the home ground for the Leet & Co Warehouse scandal in 1872. The subsequent Congressional investigation, and another conducted a year before, had done much to inform the public of the state of the civil service in the United States. Coming at the same time as Tilden's notorious exposures in New York City, the two events were largely responsible for making the general public "reform conscious." The customhouse became a symbol for the political practices which reformers wished to correct.

Criminal practices in the civil service was not really the primary target of the reformers. Such practices would always be con-

demned under the law, and legal action could always be taken. Even such machine politicians as Roscoe Conkling openly condemned corrupt practices in government. The real concern was the entire structuring of the service and its relationship to professionalized political parties. It concerned the matters of loyalty and efficiency in an age which was becoming increasingly sensitive to the conditions under which it functioned. The New York customhouse was a model of these deficiencies, and it became the workshop of Hayes' reform activities.

All the abuses of the civil service were firmly established there. The payroll list was frequently expanded in order to increase the patronage power of the customhouse. Usually this meant that too many men were employed for the amount of work to be done, and the inefficiencies increased. The customs officers themselves were voluntarily and involuntarily obligated to serve the party which gave them their jobs. Many officers, notably the Naval Officer, Alonzo B. Cornell, were also officials in the party. Cornell was the Republican State Chairman for New York. All officials were required to give a percentage of their payroll to the party treasury. These assessments were openly declared to be voluntary, but effectively were not. Because the primary loyalty of the customhouse employees was to the party and not to the government and the public, the department became a nest of incompetence and ignorance with respect to its ostensible function. Employees were frequently sent on party errands around the state. Experienced personnel were dismissed for political advantage. So bad did this situation get that the report of the Congressional investigations committee in

1872 stated that the Collector, then Mr. Murphy, was to a shocking extent ignorant of the legal structure and proper routine in the operation of the customhouse. He instead let his assistant handle the technical phase of the department. The report further states:

We might multiply instances to show that Mr. Murphy treated the official positions in the customhouse as so much merchandise, to be bartered and sold in what he might choose to regard as the interest of his political party.

His influence, however, in this regard seemed to extend beyond the customhouse departments...<sup>36</sup>

It was to these practices that Hayes directed his attack.

The federal offices in New York, together with those of the state, laid the basis of the Conkling political machine. Frequently, these positions were used to bind the support of key influences in New York. Through the effective use of the patronage Conkling was assured of an efficient machine ready to influence the passage of state legislation, to handle innumerable details and coordinate the many activities required of an election campaign, and to enter a Republican state convention with the ability to name his slate of nominees. His following was not personal, it was rather a following out of fear and gain. Punish thy enemies and reward thy friends! That was the way Conkling operated. He was fascinated with, and pre-occupied by the art of maintaining a winning political organization. With the accession of the Democrats to the control of the state in 1874, the federal patronage in New York became the only basis for his political machine. Thus, when Hayes tried to reform the customhouse, Conkling knew the stake was all his influence and power.<sup>37</sup>

The removal of Mr. Murphy as Collector of the New York customhouse, and his replacement by Chester Arthur led to the elimination of many of the flagrantly abusive practices of the department. Arthur was bred in the intrigues of New York politics, however. Thus, the involvement of the customhouse in state political activities was as great as ever. When the investigations conducted by Jay were reported to the President, they revealed that the payroll was at least 20% larger than need be, and that reforms in the department were highly desirable. Thus, on May 26, 1877 Hayes wrote to John Sherman a letter instigated by the results of one of the investigations:

It is my wish that the collection of the revenues should be free from partisan control, and organized on a strictly business basis, with the same guarantees for efficiency and fidelity in the selection of the chief and subordinate officers that would be required by a prudent merchant.<sup>38</sup>

At first no removals of personnel were contemplated, but after the Jay report of August 1877 it became apparent to Hayes and several members of the Cabinet that the desired reforms would not be undertaken by the present personnel.<sup>39</sup> Therefore, at the special session which convened in October Hayes submitted the names of Theodore Roosevelt, Sr. for Collector, LeBaron Bradford Prince for Naval Officer, and Edwin A. Merrit for Surveyor.

Roscoe Conkling began his active opposition at the state Republican Convention in Rochester on September 26, 1877. The Convention appears to have been carefully planned to impress the president that his reform policies were not supported in New York State. George Curtis was present at this convention. Curtis was prominently engaged

in activities at the Republican National Convention during the previous year in Cincinnati designed to defeat Conkling's chances for the presidential nomination. He was a strong supporter of the president. He introduced a resolution on the floor which expressed a firm recognition of Hayes' title to the presidency and a strong approval of his policies. Conkling and his supporters were in charge of the convention, however. After Curtis spoke for the resolution, Conkling delivered an hour-long speech which was strongly abusive, and revealed his lack of support for President Hayes and a personal dislike of Mr. Curtis. The convention openly displayed the division between Senator Conkling and President Hayes.<sup>40</sup>

When the special session of Congress opened on October 15 Hayes submitted the new appointments. They were referred to the Committee on Commerce which was stacked with supporters of Senator Conkling. The Committee reported adversely on two of the appointments. The following floor debate led to a vote which defeated the nominations. The press interpreted the event as a great victory for the New York Senator. But Hayes reacted in striking contrast to the lack of conviction displayed by President Grant in previous years. In his diary Hayes recorded just after the Senate action that "the end is not yet. I am right, and shall not give up the contest."<sup>41</sup> Hayes was patient; he could afford to wait. He waited a full six months. Then just after Congress adjourned in July 1878 the president used his interim powers to dismiss Arthur and Cornell. He promoted Merritt to the Collector's position and appointed Silas W. Burt as Naval Officer. However, these

nominations had to be confirmed as soon as Congress reconvened in December 1878. In the meantime John Sherman and William Evarts used their influence to gain support for the administration. When the Congress convened Sherman became more aggressive even intimating that he would resign if the Senate did not let the president have his way.<sup>42</sup> Most of the Republican party was against the appointments. Some were opposed on the grounds that the Tenure-of-Office Act was at stake, while others felt that Senatorial courtesy was being violated.<sup>43</sup> Finally, a long irritating speech by Senator Conkling caused the Democrats to join Hayes' supporters and approve the appointments. The Republicans voted 23 to 15 against confirmation, and clearly showed that the president was without a party. But the war was won. The Tenure-of-Office Act was subsequently a meaningless piece of paper. Senatorial courtesy had been dealt a death blow. It remained only for President Garfield two years later to bury the issue by appointing an anti-Conkling man as Collector of the New York Customhouse for his administration. Hayes thus regained the full appointing power of the president.

The first year of President Hayes' administration came as a great shock to the Republican leaders in Congress. For a full three terms the Congress dominated the national government, and seemed to have grasped a secure position by the end of Grant's second term. The party leadership in Congress expected to play a similar kind of role in the administration of President Hayes. The firm independent policies of a unified, well-coordinated Executive came as a great surprise to even the moderate element of the party. Garfield stated in one of his letters

that he was "inclined to believe that his election has been an almost fatal blow to the party."<sup>44</sup> But Garfield misunderstood the motives of the president. Hayes meant to lead the nation in spite of the party leadership in Congress, if he had to. He meant what he said in his inaugural that "the President of the United States of necessity owes his election to office to the suffrage and zealous labors of a political party;...but he should strive to be always mindful of the fact that he serves his party best who serves the country best."<sup>45</sup> Hayes' course of action incurred much opposition. By the end of the first year even Hayes' optimistic spirit was somewhat penetrated by the rounds of criticism being constantly fired upon him, especially from his own party. On the first anniversary of his rise to the presidency Hayes recorded<sup>in</sup> a very trying tone the following stern note:

A year ago today we left Columbus to come to Washington...I have tried to do my duty. The crowd of business, the urgent misrepresentations poured into my ears by men who ought to be trustworthy have led to mistakes -- serious mistakes, mainly in appointments, but the general course has been right. I have been firm and self possessed on the most difficult and trying occasions. I am not liked as a President by the politicians in office, in the press or in Congress.

He was quick to add, however, that his administration would not degenerate as did the previous one. He would let the people judge, but not with their immediate reactions. Hayes was "content to abide the judgment -- the sober second thought of the people" would have the last word.<sup>46</sup>

In spite of the great opposition to his leadership at the early stages of the presidency, Hayes accomplished his most important objec-



tive. He seized the initiative and wrested control of the policies of the Federal government. His party in Congress was left with the choice of supporting or opposing his lead, and they settled down to wait out his term. They accepted his dominant position for the moment. He could do whatever he was able to do as long as he expected little cooperation from the Congress. But even this was a big step out of the gutter to which Grant had taken the presidency, and the following years showed how much influence an American president could assume in such a position. The public grew to speak of Hayes with increasing respect. The support he received from his party grew in strength and by 1880 had crystallized into a new leadership. In this story of the latter phase of Hayes' administration the Democrats played an important role.

## CHAPTER THREE

### SIGNS OF SUCCESS

Patting himself on the back at the close of his administration President Hayes noted in his diary, "My closing days are full of satisfaction...The burden of the talk on all sides is a clean, honest, independent and successful Administration."<sup>1</sup> During the years after his service in the presidency Hayes felt that he made significant strides in strengthening the Republican party. In serving his country he served his party. A broad, high-minded vision of the nation's future together with a deep feeling for progressive Republican principles and virtue never allowed him to feel that what is good for all the people may not be good for his party. The events at the Republican National Convention of 1880 was a strong indication that he was right. Although Hayes himself was not a possible candidate, by open declaration or by a convention draft, his administration had a marked impact on the events and attitudes of the delegates. The party left the convention with a bright prospect for victory. Though deep divisions were apparent, Republicanism was at one of the high points in its history.

The factious intra-party conflict which characterized the first year of President Hayes' administration diminished during the remaining three years of his term. Subjected to partisan attack from a Democratic House in 1877 and 1878, then from Democratic majorities in both Houses of Congress in 1879, the Republicans pulled together behind the strong leadership shown by the president. Hayes emerged

from the crisis in 1879 as the real head of a revitalized party. A Congress in the hands of the opposition gave Hayes an opportunity to acquire a renewed sense of integrity for the Executive. The administration increasingly gained the respect and the confidence of the people. The efforts at civil service reform achieved only partial success by the latter part of his administration. The extent of Hayes' accomplishments in the service disappointed many, but the impatience of his critics, in some measure, betrayed their ignorance of the immensity of the task. Behind the scenes the administration of President Hayes became a living example of progressive principles and good government which did not fail to impress the nation at large.

No incident during the Hayes administration so united the Republican party, and so greatly restored the integrity of the Executive branch of the national government as the attempt of the Forty-sixth Congress, 1879-1881, to repeal certain federal legislation repugnant to the Democratic party. The technique used to repeal these provisions consisted of the attachment of riders to the major appropriation bills. Subjected to effective "coercion of the Executive" Hayes took a firm Constitutional stand behind which his whole party was able to unite.

The Forty-fifth Congress created the crisis by adjourning without passage of the two major appropriation measures upon which the functioning of the three branches of the government depended. The situation arose when the Democrats in the House of Representatives attached riders to the major appropriation bills which effectively

prohibited any Federal interference at election polls, in election laws and in the composition of juries. These measures had all been abused in one way or another during the reconstruction period and the Democrats therefore desired their repeal. However, the abuses had been recently checked through additional legislation and there was little danger of any recurrence. Furthermore, Hayes was ill-disposed to the use of troops at the polls, a fact which the Democrats fully realized. But the real issue involved the Constitutional place of the Executive. In attempting to have their own way, the Democrats claimed that the House of Representatives was the true representative body of the people. Therefore, if they could not have their way, they would withhold appropriations from the government. They claimed that "the right of the representatives of the people to withhold supplies is as old as English liberty," and traced their stand back to precedents set by the House of Commons.<sup>2</sup>

President Hayes took full advantage of this opportunity to simultaneously strengthen the Executive and his party. He returned every appropriations bill with a carefully worded veto message. To Democratic claims that according to English liberty it is the House of Representatives which truly speaks for the people, Hayes replied in his veto message that in the American system "no single branch of the Government has exclusive authority to speak for the American people. The most authentic and solemn expression of their will is contained in the Constitution of the United States...The enactment of this bill into a law will establish a precedent which will tend

to destroy the equal independence of the several branches of the Government."<sup>3</sup> His firm stand gained the admiration of the large majority of the people.

The Democrats soon realized that their position on the appropriations riders was being severely criticized, even in some of the Democratic press, and that it did much to enhance the popularity of the president. They therefore began to retreat from their stand. First, the party removed the objectionable rider from the army appropriation bill, and the president signed it into law. The Democrats then split the legislative, executive and judicial appropriations into two bills, one without riders. The second bill contained a prohibition on the use of marshalls to maintain peace at the polls. Hayes signed the first and vetoed the second. Finally, at the beginning of the next session in December 1879 the Democrats resubmitted the second bill with the rider concerning Federal marshalls, which Hayes again vetoed. At last, thouroughly weary of the contest, the Democrats removed the last rider. In the end Hayes had not conceded a single point. The stature of the Executive was greatly enhanced, and the position of the president was stronger than at any other time since the Civil War.<sup>4</sup>

The benefits of the issue to the Republican party were also very great. Dissention ceased momentarily and factions closed behind the president. The issue was of great importance to the coming election. All Republicans quickly sensed that. Garfield conferred continually with Hayes during these months. Frequently, he discussed the veto

messages with the president and offered some constructive suggestions. The administration and the Republican minority in the House were in direct accord. In his diary Garfield records that he "never had so much intellectual and personal influence over Hayes as now. He is fully in line with his party." And later he wrote that "the extra session has united the Republican party more than anything since 1868 and it bids fair to give us 1880." <sup>5</sup>

Of course, dissention was still present. When the Democrats finally began to retreat from their original position, they passed an army appropriation bill with seriously objectionable riders removed. The bill retained one rider, however, which was consistent with Hayes' policies as he stated them in his veto messages, but contrary to previous Republican policy. Garfield and Hayes conferred on the bill and decided that Hayes should sign the measure. House Republicans, following Garfield's strong leadership, fell in line and voted for passage. But "Conkling and his set" would only cooperate with the administration under extreme circumstances. Garfield felt that they preferred to quarrel with Hayes. Conkling and his supporters in the Senate therefore stubbornly withheld their support of the measure. <sup>6</sup>

Only men close to Conkling and Blaine were seriously separated from the administration after the appropriations fight. But as 1880 approached Blaine was forced to choose between supporters of the administration and those of the New York Senator. The rift between the president and Roscoe Conkling remained throughout Hayes' term of office, and became a polarizing force for the next national convention.

Blaine did not take sides and was relatively inconspicuous in the Senate these four years. As the elections of 1880 neared, his personal animosity for Conkling exceeded his dislike of Hayes as president. Blaine slowly dropped his partisan stand against the administration, and joined the more moderate Senators who felt that the president meant well and in some respects did well for the nation and the party.<sup>7</sup> Thus, a decided majority of the Republican party prepared to enter the national convention willing to stand on the president's record. The consensus of the Republican press after the appropriations issue was that President Hayes emerged from the crisis as the real leader of his party, and that "the great body of Republican Representatives" stood behind him.<sup>8</sup>

The record President Hayes created was most distinguished and largely responsible for the strong position in which the Republican party found itself at the next presidential election. His term of office stood as a model of good government in an age which desperately needed reassurance that the party system of government was capable of producing sound leadership. His appointees were usually competent men, even in the minor Cabinet. The general atmosphere in the various departments of the civil service improved. There were bad appointments and inconsistencies in practice of which part of the press was very critical.<sup>9</sup> But Hayes could deal adequately with only one matter at a time. The fact was that, although reform was the overriding issue at the convention of 1876, it was soon dominated by the electoral crisis,

the Southern problem, the inflation issue, and finally his contest with the Forty-sixth Congress over the appropriation riders.<sup>10</sup> Under these circumstances what he did accomplish was a great achievement. Hayes' biographer, C.R. Willimas, recorded that "taken as a whole the civil service under Mr. Hayes was made far more efficient and conscientious in doing the work of the Government, was freer from favoritism, and was far less involved in politics than it had been since the early years of our national life."

Throughout his term of office Hayes had difficulty in obtaining legislation from the Congress. Partially, this was due to the fact that he faced an opposition Congress. But even if the Republican party controlled both houses it is probable that Hayes would still have experienced much resistance. His firm and independent stature caused a natural rift between even his supporters and him. He was an undramatic man who did not envelop others with exuberance, such as James G. Blaine possessed.<sup>11</sup> Thus, although his conduct caused many people to build up a great deal of respect for him, he never attracted a party of followers. He disliked the idea of becoming overly involved with the machinery of politics and avoided it. He could not work with the Congress effectively without compromising his sense of modus operandi in politics. Hayes absolutely depended on men such as Garfield and Morton to bridge this deficiency in his political armor. With Garfield as minority leader, Hayes was able to obtain the complete support of House Republicans by the end of his administration. But when Morton died at the beginning of his administration Hayes suffered a serious loss.<sup>12</sup> Without Morton the president was unable to obtain the cooperation



of Senate Republicans. However, Hayes' independence, his lack of concern with political machinery, and his lack of aggressiveness, though definite faults in the president, were increasingly refreshing to the nation at large which had seen so much of the other extreme.

In spite of the great difficulties Hayes experienced in dealing with his fellow Republicans in Congress, as head of his party he labored conscientiously to improve the stature of Republicanism. His strong independence could never be interpreted as a show of disloyalty. There was a curious sort of dualism in his attitudes. On the one hand, he possessed a great sense of duty which allowed him to disregard much political influence. This made him unpopular among the spoilsman., and often among more liberal-minded Republicans. On the other hand, Hayes possessed an almost melodramatic faith in the Republican party. He believed it to be progressive, with sound leadership and principles which were important to the future of the nation. He thus conducted a firm and and relatively non-partisan administration. Hayes felt that if he responded to the people they would respond in turn by voting Republican.

President Hayes greatly distrusted the Democrats and felt that all his work would be lost if they succeeded him.<sup>13</sup> When the state elections in New York for 1879 were to be held, therefore, he actively participated in the canvass through his Cabinet secretaries, Evarts and Sherman. Hayes realized that New York would be a key state in the presidential election of 1880, and that Republican power there was

waning. Conkling incurred serious opposition from Liberal Republicans when he succeeded in forcing through a slate of his supporters at the state convention. Chief among them was Alonzo B. Cornell as the Republican candidate for governor, whom Hayes removed from the New York Customhouse in the previous year. Liberal Republicans threatened to bolt. To preserve party unity for the election of 1880, Hayes allowed Sherman and Evarts to give Conkling the support of the administration. Due only to their efforts the reformers threw their support behind the Conkling candidates. Hayes was loudly criticized for his activities in New York. They seemed terribly inconsistent in the eyes of the public. Henry Adams felt that Evarts was turning the state back to Grant. But the apparent inconsistencies did not really exist. The course of the administration was vindicated a year later with the election of Garfield to the presidency.<sup>14</sup>

The Republican National Convention of 1880 stands in striking contrast to the convention of 1876. The Senatorial clique no longer existed, and the Grant men lost much of their influence.<sup>15</sup> Gone from the scene were Oliver P. Morton, Zach Chandler, Simon Cameron, and Benjamin Butler. The first three were dead, the last was in total disrepute within the Republican party. Only Conkling and John Logan, the Senator from Illinois, remained of the powerful group that so dominated the convention four years before, while Don Cameron assumed his father's role holding the influence of the still powerful Pennsylvania machine in his grasp. These three now led the Grant men and attempted to regain their losses.

The strategy of the triumvirate, Conkling, Logan, and Cameron, was to capture the nomination for a third term for Grant. Privately the Grant men conceded that only a restoration of a popular war hero would yield them their former position in the party.<sup>16</sup> The plans had been carefully laid. Grant was away until just before the convention on a world tour. His trip was well publicized. He was received everywhere with much enthusiasm. The tarnished symbol returned shining with every bit of his original grand luster, so it seemed. He entered the convention with the strongest block of votes -- "the loyal 306" as they were called.<sup>17</sup> Grant needed only 72 more votes to capture the nomination. The skillful organizational ability of Roscoe Conkling insured that his supporters would be well led. The chances of an early ballot victory were good.

The majority of the delegates, however, sought a leader who would be a tower of Republican strength in the White House. President Hayes' administration was a credible one, and his record colored the outlook of the convention. But Hayes himself did not have the support of the convention. The serious divisions within the party during his administration, especially over his patronage policies, made the delegates generally reluctant to seek his leadership for another term. The party faced a difficult campaign. The Congressional elections of 1878 showed that the Democratic strength had grown since 1876. In spite of the increased popularity of the Republican party during the previous session of Congress, for the first time in a presidential election there was a solidly Democratic South to contend with. Shrewd

observers felt the election would be close. It was necessary, therefore, for the Republicans to bring a united party into the campaign. The nomination of Hayes would certainly mean the loss of essential cooperation from the key states of New York, Pennsylvania and Illinois.<sup>18</sup>

The party required a moderate Republican who could unite their strength and yet move the Grant forces to campaign actively in the fall for the party. The chances for defeating Grant seemed good. The only fear was that the anti-Grant forces would be outdone through sheer organization.<sup>19</sup> They needed a leader. James G. Blaine was the obvious choice, and entered the convention with the second largest block of votes. Yet, Blaine was reluctant to take the helm. His personal leadership was necessary to unite the anti-Grant forces behind him, yet he declined to appear at the convention. In fact, he did not really seek the nomination, and only barely allowed his name to be entered as a candidate. Seeing that Blaine would not take the necessary action, Garfield took the responsibility. Garfield's position, therefore, was very delicate. He was managing John Sherman's candidacy for the nomination and felt bound through personal friendship, as well as political propriety, to give his colleague full support. Yet he was also the self-appointed leader of the anti-Grant forces.<sup>20</sup> Should he fail to consolidate the opposition, Grant was sure to obtain the nomination.

During the manoeuvring behind the scenes the impact of President Hayes' administration was clearly in evidence. The president's policies colored the outlook of the delegates. Administration supporters

dominated the key committees. In the three major committees, the Committee on Credentials, the Committee on Permanent Organization, and the Committee on Rules, the chairmanship was held by anti-Grant men. The Committee on Rules was led by Garfield. Don Cameron headed the Committee on Permanent Organization, but was induced to yield to the wishes of the majority of the delegates and appoint Senator George Frisbie Hoar, an administration supporter, as temporary chairman.<sup>21</sup>

The manoeuvring on the convention floor showed that the policies of President Hayes became a rallying force for anti-Grant delegates. When the platform was reported out of committee it was silent on the issue of civil service reform. Administration supporters raised an amendment from the floor "that the Republican party adopts the declaration of President Hayes, that the reform in the civil service shall be thorough, radical, and complete, and to that end demands the cooperation of the Legislative with the Executive Departments of the Governments."<sup>22</sup> The amendment carried. All major disputes were decided in favor of the anti-Grant forces, notably those measures pertaining to the protection of the voices of the individual delegates. This insured that the powerful state machines, in the hands of Grant men, would not be able to force unanimity into the block of votes within their area of influence. The defeat of the unit rule, as it was called, insured that an early ballot victory for General Grant would not occur. It was the final blow to the General's campaign.<sup>23</sup>

There was talk among a small group of delegates of turning to Garfield as a dark horse nominee. Nothing could be more pleasing to

Hayes. He frequently encouraged Garfield, while he was the administration spokesman in the House of Representatives, to seek the nomination in 1880.<sup>24</sup> No other man was so identified with the policies of the administration, with the possible exception of Sherman.<sup>25</sup> But Garfield hesitated and finally stepped aside to allow Sherman a chance to fulfill his ambition for the presidency. As the deadlock between Grant and Blaine became apparent, however, he did not attempt to stop the rising sentiment of support in his favor. Garfield had taken a prominent part on the convention floor in speaking for Sherman and against the parliamentary tactics of Roscoe Conkling. His eloquence had impressed all the delegates. Thus when the deadlock reached the thirty-fourth ballot and Sherman's chances did not improve, the anti-Grant forces consolidated behind Garfield. He received the nomination on the thirty-sixth ballot.

The Republican party could not have made a more appropriate choice than James Garfield, for the Democrats emerged from their convention strongly unified behind General W.S. Hancock, the Union hero at the Battle of Gettysburg. Hancock's candidacy insured that Union loyalty would not be an issue in the campaign.<sup>27</sup> It required all of Garfield's leadership ability to bring Conkling around to support the party. Logan and Cameron pledged their political strength with less effort on Garfield's behalf, and even Grant entered the canvass.<sup>28</sup> United during the campaign the Republican party managed to overcome their formidable opposition. The result of the electoral vote was 214 to 155 in Garfield's favor.

The election of Garfield meant that the basic policies of the Hayes administration would be carried into the new administration. Garfield was firmly in line with the fiscal policies of his predecessor. His inaugural address contained an explicit request for legislation on civil service reform. He was the leader of a new element of power within the Republican party.<sup>29</sup> It was an element seen in part at the Liberal Republican convention in 1872, and as the support for Benjamin Bristow at the national convention in 1876. It was also represented in part by the supporters of James G. Blaine. Both elements were nurtured and advanced during Hayes' term of office, and forged from the opposition to General Grant in 1880.

In the last analysis the administration of President Hayes helped accomplish a change of leadership from the men who led the Republican party through the Civil War to the men who would lead it through the "Age of Enterprise." In playing his role Hayes seriously split his party. But it was an unavoidable division during a period of transition. Writing at the time of Hayes' death in 1893, the first Secretary of the Interior under President Grant and a staunch advocate of civil service reform, Jacob D. Cox, said of his administration:

It began under a cloud of odium never paralleled in our history...It steadily silenced its detractors and gained upon their respect, till, when it ended, there was universal assent to the proposition that not only was President Hayes precisely the kind of man for which the presidency calls, but that he had given the country precisely the kind of administration that it needed. <sup>30</sup>

President Hayes succeeded in taking the leadership of the Republican party and of the nation out of the Congress and into the White House. Hayes entered the presidency as the titular leader of his party; Garfield entered as the real leader. The conduct of the Hayes administration did more than any other in the period 1865-1884 to usher in a new era. The war and reconstruction issues finally faded into the distant past. A new age, dependent on competent government and sound finances, soon dominated public attention.



## FOOTNOTES

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  22. James Gillespie Blaine, Twenty Years of Congress: From Lincoln to Garfield (2 vols.; Norwich, Connecticut: Henry Bill Publishing Company, 1958), II, p. 597.
  23. Williams, II, p.55.
  24. Muzzey, pp. 130-131.
  25. Alfred Ronald Conkling, The Life and Letters of Roscoe Conkling (New York: C.L. Webster & Company, 1889), p. 555.
  26. Josephson, p. 188.
- see also,
- E. Benjamin Andrews, The History of the Last Quarter-century in the United States (2 vols.; New York: Charles Scribner's Sons, 1895), pp. 259-60.
  27. Josephson, p. 194.
  28. Burton, p. 249.
  29. Ibid., p. 266.
  30. Charles Edward Russell, Blaine of Maine (New York: Cosmopolitan Book Corporation, 1931), p. 346.
  31. Williams (ed.), February 26, 1878.
  32. Ibid.

33. Blaine, p. 609.
34. Richardson, p. 444.
35. Barrows, p. 327.
36. U.S. Congress, Senate, Committee on Investigations and Retrenchment,  
Alleged Frauds in the New York Custom-House, Report No. 227,  
42nd Cong., 2d sess., 1872, vol I, p. ccvi.
37. Shores. pp. 268-70.
38. Richardson, p. 450. On June 22, 1877 Hayes made this letter applic-  
able to all departments by executive order.
39. Shores, p. 221.
40. Josephson, pp. 242-251.
41. Williams (ed.), December 13, 1877.
42. Burton, p. 295.
43. Shores, p. 263.
44. Smith, II, p. 664.
45. Richardson, p. 445.
46. Williams Ed.), March 1, 1878.

### Chapter III

1. Williams(ed.), March 2, 1881.
- 2, Williams, II, p. 191.
3. Ibid, p. 193.
4. Ibid, pp. 199-207.
5. Smith, II, p. 687.  
see also,  
Williams, II, p. 206.
6. Smith, II, p. 686.
7. Russell, p. 357.

8. Williams, II, p. 205n.
9. The Nation, March 3, 1881.
10. Williams, II, p. 109n.
11. Eckenrode, p. 281.
12. Barnard, pp. 416-417.
13. Williams, p. 109.
14. Barrows, pp. 329-32.
15. Muzzey, p. 159.
16. Josephson, p. 279.
17. Fuess, p. 271.
18. Smith, II, p. 1000.
19. Muzzey, p. 165.
20. Smith, II, p. 661.
21. Blaine, II, p. 661.
22. Ibid., p. 665.
23. Howe, p. 104-105. The unit rule was first challenged at the convention of 1876. At that time the delegates decided by a vote of 353 to 395 to allow four members of the Pennsylvania delegation to vote contrary to the instructions of their State convention. In 1880 a vote on the same question was 479 to 276 against the unit rule.
24. Smith, II, p. 945.
25. Williams, II, p. 238.
26. Blaine, II, p. 666.
27. Muzzey, p. 175.
28. Howe, p. 114.
29. Blaine states in Twenty Years of Congress that "He represented the liberal and progressive spirit of Republicanism without being visionary and impractical." Although Blaine definitely betrays a natural party bias in statements of this type, nevertheless it appears that he sincerely felt that

no other person in the Republican party better represented this spirit than James A. Garfield. p. 666.

30. Jacob D. Cox, "Administration of Rutherford B. Hayes," Atlantic, vol. 12, p. 831.



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