WAR AND RECONSTRUCTION
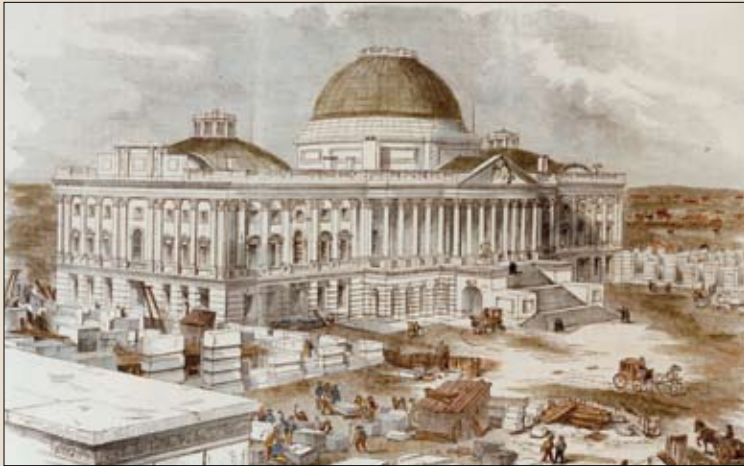
1851-1880

Capitol Cornerstone Dedicated

O n the Fourth of July, 1851, sunny and unseasonably mild weather attracted large crowds to the Capitol's east front plaza. The festive multitudes looked forward to a day of parades, speeches, and fireworks. These events were to celebrate the laying of a cornerstone as the beginning of a major Capitol construction project.

Five new states had entered the Union over the previous six years. This expansion added to the membership of Congress and strained the capacities of the Capitol's already overcrowded legislative chambers.

The recently enacted Compromise of 1850 had eased fears that the nation would soon break apart over the issue of permitting slavery in states created from the nation's western territories. The resulting burst of confidence in the future of the Union led Congress to authorize an expansion of the Capitol. These extensions would provide new Senate and House chambers and much-needed committee rooms.

Shortly before noon on July 4, 1851, a colorful parade reached the Capitol. It included President Millard Fillmore, several veterans of the Revolutionary War, and three individuals who had witnessed the placing of the building's original cornerstone 58 years earlier.

Into a specially fashioned granite block—believed to have been placed in the northeast corner of the new House wing—Capitol Architect Thomas U. Walter set current newspapers, documents, and $40.44 in new coins from the Philadelphia mint. Using the same trowel that President George Washington had employed in setting the 1793 cornerstone, a Masonic official performed a sealing ceremony.

Then all eyes turned to the east front steps for a view of the nation's foremost orator, former Senator Daniel Webster. In his two-hour address, Webster compared the United States of that day with the nation at the time of the first cornerstone laying. He also noted that he had placed a brief handwritten statement under the cornerstone. That statement included his message to future generations. "If it shall be the will of God that this structure shall fall from its base, that its foundation be upturned, . . . Be it known that on this day the Union of the United States of America stands firm, that their Constitution still exists unimpaired, and with all its original usefulness and glory; growing every day stronger and stronger in the affections of the great body of the American people, and attracting more and more the admiration of the world."

An artillery salute and fireworks on the mall concluded this most jubilant Independence Day.

The Capitol is shown under construction in Present State of the Capitol at Washington, *dated 1853.*

Further Reading

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June 5, 1852

First Senator Nominated as Vice President

What an imposing name: Senator King. Throughout the history of the Senate, four Kings have been senators. In June 1852, one of them—William Rufus Devane King of Alabama—became the first senator to gain a major party's nomination for the vice presidency. Several months later, he won that office, but then gained the dark distinction of becoming the only vice president to die before getting to exercise that position's responsibilities.

When William King received his party's vice-presidential nomination on June 5, 1852, he had served in the Senate for more than 28 years, making him at that time the second longest-serving senator in history. In those days, the Senate elected a president pro tempore to serve only during the absence of the vice president. King had been a frequent choice as president pro tempore. His Senate colleagues considered the warm-hearted and even-tempered King to be an excellent presiding officer. They saw him as a man of sound judgment and rich experience who could be stern "when public interests or his personal honor required it." At a time when the vice president's only significant duty was to preside over the Senate, King seemed to be the ideal man for the job.

Although King and his presidential running mate Franklin Pierce won the 1852 election, deteriorating health kept him from returning to the Senate Chamber in his new role. Describing himself as looking like a skeleton, the vice president-elect traveled to Cuba to seek a cure for his tuberculosis. There, by special act of Congress, he took his oath as the nation's unlucky 13th vice president. After several weeks, King returned to his home in Alabama, where he died just five weeks into his term and without ever reaching the nation's capital.

From William King to John Edwards in 2004, 25 incumbent Democratic and Republican senators have received their party's vice-presidential nomination. On four occasions, the candidates on both sides of the ticket were senators, such as the 1928 race that pitted Majority Leader Charles Curtis against Minority Leader Joseph Robinson. In the years since World War II, as the vice presidency has taken on wider responsibilities, senators have been increasingly willing to accept their party's nomination. Of the 25 senatorial candidates for vice president since 1852, 13 won the office. But only two—Harry Truman and Lyndon Johnson—continued directly to the White House, in each case because of the death of the incumbent president.

William R. King, senator from North Carolina (1819-1844, 1848-1852), served as vice president of the United States from March 24, 1853 until his death on April 18, 1853.

Further Reading

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Henry Clay Dies

Henry Clay died of tuberculosis in Washington on June 29, 1852. The 75-year-old Kentucky statesman had spent his lengthy public career setting records. He was the first of three senators who began their service under the constitutionally required age of 30. He won election as Speaker of the House on his first day in that body. He engineered the only Senate censure of a president. He built the Whig Party. He ran three times (1824, 1832, and 1844) as a candidate for the presidency. For successfully forging compromise solutions to issues that threatened to shatter the Union, at his death he became the first person to lie in state in the Capitol Rotunda.

By today's tenure standards, Clay's service in the Senate was relatively brief—a total of only 16 years between his first term in 1806 and his death in 1852. Yet he dominated American political life for much of that period and set a standard for what it means to be a successful United States senator. With Daniel Webster and John C. Calhoun, the other two members of the Senate's so-called Great Triumvirate, Clay excelled as an orator. Each of the three senators developed a unique speaking style. Webster's strength lay in his use of richly cultivated language. Calhoun succeeded on the power of his intellect, where substance took precedence over style. Clay's success grew not from language or substance, but from the personal style of his voice and mannerisms. One biographer reported that he "was more a debater than orator. Invariably dramatic, if not flamboyant, he regularly mesmerized his audience with his histrionics." Another wrote that Clay changed his "rhetorical costumes" depending on the occasion and location of his speaking engagements.

Alternatively haughty and captivating, Clay charmed even those who differed with his policies and principles. When he resigned from the Senate in 1842 to prepare for the 1844 presidential election, he apologized for the "ardor of temperament" that had led him, on occasion, "to use language offensive and susceptible of ungracious interpretation towards my brother senators." Perhaps John C. Calhoun had some of that language in mind when, setting a memorable definition for the nature of friendship among senators, he observed, "I don't like Clay. He is a bad man, an imposter, a creator of wicked schemes. I wouldn't speak to him, but, by God, I love him!"

This symbolic group portrait eulogizing recent legislative efforts to preserve the Union—notably the Compromise of 1850—features Henry Clay of Kentucky, Daniel Webster of Massachusetts, and John C. Calhoun of South Carolina.

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May 22, 1856

The Caning of Senator Charles Sumner

On May 22, 1856, the "world's greatest deliberative body" became a combat zone. In one of the most dramatic and deeply ominous moments in the Senate's entire history, a member of the House of Representatives entered the Senate Chamber and savagely beat a senator into unconsciousness.

The inspiration for this clash came three days earlier when Senator Charles Sumner, a Massachusetts antislavery Republican, addressed the Senate on the explosive issue of whether Kansas should be admitted to the Union as a slave state or a free state. In his "Crime Against Kansas" speech, Sumner identified two Democratic senators as the principal culprits in this crime—Stephen Douglas of Illinois and Andrew Butler of South Carolina. He characterized Douglas to his face as a "noise-some, squat, and nameless animal . . . not a proper model for an American senator." Andrew Butler, who was not present, received more elaborate treatment. Mocking the South Carolina senator's stance as a man of chivalry, the Massachusetts senator charged him with taking "a mistress . . . who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight—I mean," added Sumner, "the harlot, Slavery."

Representative Preston Brooks was Butler's South Carolina kinsman. If he had believed Sumner to be a gentleman, he might have challenged him to a duel. Instead, he chose a light cane of the type used to discipline unruly dogs. Shortly after the Senate had adjourned for the day, Brooks entered the Senate Chamber, where he found Sumner busily attaching his postal frank to copies of his "Crime Against Kansas" speech.

Moving quickly, Brooks slammed his metal-topped cane onto the unsuspecting Sumner's head. As Brooks struck again and again, Sumner rose and lurched blindly about the chamber, futilely attempting to protect himself. After a very long minute, it ended.

Bleeding profusely, Sumner was carried away. Brooks walked calmly out of the chamber without being detained by the stunned onlookers. Overnight, both men became heroes in their respective regions.

Surviving a House censure resolution, Brooks resigned, was immediately reelected, and soon thereafter died at age 37. Sumner recovered slowly and returned to the Senate, where he remained for another 18 years. The nation, suffering from the breakdown of reasoned discourse that this event symbolized, tumbled onward toward the catastrophe of civil war.

Frank Leslie's Illustrated Newspaper *depicted the dramatic assault on Senator Charles Sumner in the Senate Chamber.*
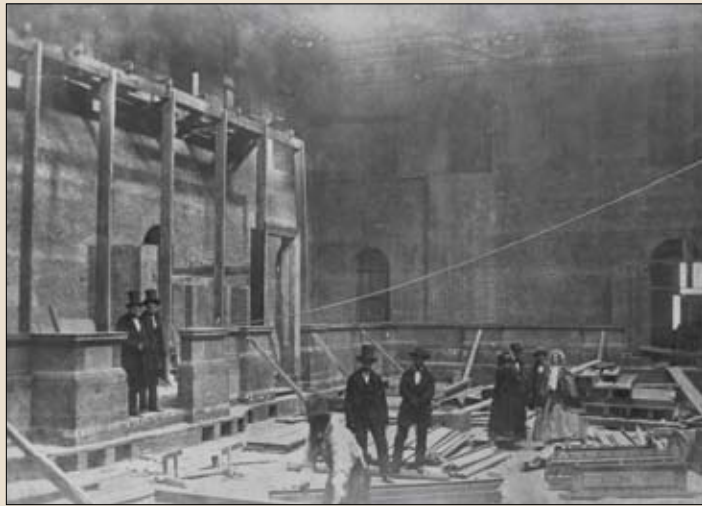
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January 4, 1859

The Senate's New Chamber

By 1820, long lines of interested observers began to form at the entrance to the Senate Chamber. That year's Missouri Compromise guaranteed an equal balance in the Senate between states that permitted slavery within their borders and those that did not. By contrast, representation in the House of Representatives, whose membership was apportioned according to population, was shifting to favor northern and western states against proslavery interests of the South.

Consequently, the Senate's theater-like chamber became the principal forum for debate over the issue of whether to permit the expansion of slavery into the nation's newly acquired territories and the states that would form in these areas.

The Senate Chamber under construction in 1857.

In an effort to accommodate its rapidly increasing number of visitors, the Senate authorized construction of a second gallery. Soon that gallery became packed and impatient visitors pressed for overflow space on the Senate floor. In the years ahead, the Senate alternately liberalized and tightened its regulations governing special access to the floor. Between 1845 and 1850, congestion on the floor grew worse as five newly admitted states contributed 10 additional senators. Long before the availability of separate office buildings, the Senate's 62 members spent much time at their chamber desks and resented the crowding.

In September 1850, as the space situation turned critical, Congress appropriated $100,000 to add new Senate and House wings. This massive project doubled the Capitol's original space. Lasting 17 years and employing 700 workers, this became one of the largest and most expensive construction projects in 19th-century America. No other building could compare in cost, scale, complexity, and richness.

On January 4, 1859, members of the Senate solemnly proceeded to their new chamber. The next day's *New York Herald* described the room as light, graceful, and "finely proportioned." The iron ceiling contained 21 brilliantly adorned glass panels that emitted light through a skylight in the roof or from gas jets placed just beneath it. A special heating and ventilating system was designed to offer year-round comfort. The spacious new galleries accommodated up to 600 visitors and for several years made that chamber a popular site for off-hours theatrical events and lecture programs.

Within months of their arrival, however, members began to complain about poor acoustics, inadequate lighting, chilling drafts, and the deafening sound of rain echoing on the glass-paneled ceiling. Only the looming crisis of secession and civil war stopped plans for an immediate reconstruction of that space—but the complaining continued for at least another century.

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September 13, 1859

Senator Killed in a Duel

Throughout the Senate's history, members have taken satisfaction from setting records. One exception was California Senator David Broderick. In September 1859, Broderick established a record that remains unbroken. He became the first sitting senator to die in a duel.

Broderick was born in Washington, D.C., in 1820, the son of a stonemason who worked on the Capitol. His family later moved to New York City, where Broderick worked as a stonemason and a saloonkeeper. He read constantly and became a shrewd student of human nature as he observed the superheated political culture of New York City's ward politics. An antislavery Democrat in search of a political future, he joined the 1849 gold rush to California. He settled in San Francisco, where he quickly made a fortune in real estate.

Elected to the California state senate, Broderick rapidly became a power broker within the Democratic Party's antislavery wing and set his eyes on a seat in the U.S. Senate. He used his power in the legislature to stall, for nearly two years, a vote on the reelection of Senator William Gwin, a member of his party's proslavery faction. Finally, in 1857, California's other Senate seat opened and Broderick negotiated a deal with Gwin under which Broderick would take that seat's full six-year term, leaving Gwin the four-year balance of the blocked seat. Broderick's price for supporting Gwinn was full control of California's federal patronage appointments.

California's 1859 state election contest deepened the antagonism between Gwin's proslavery and Broderick's anti-slavery factions. During the campaign, California Chief Justice David Terry, an ally of Senator Gwin, denounced Broderick as no longer a true Democrat. In Terry's opinion, Broderick was following the "wrong Douglas." He had abandoned Democratic Party leader Stephen Douglas in favor of "black Republican" leader Frederick Douglass. Broderick angrily responded that Terry was a dishonest judge and a "miserable wretch." For these words, Terry challenged Broderick to a duel.

The men met early on the morning of September 13 at a field south of San Francisco. After Broderick's pistol discharged prematurely, Terry coolly aimed and fired into Broderick's chest. The senator's death endowed a rough-and-tumble political operator with a martyr's crown and accelerated the downward spiral to civil war. Terry was acquitted of the crime and went on to serve the Confederacy. Years later, in 1889, he too was gunned down, by a bodyguard after threatening the life of a U.S. Supreme Court justice.
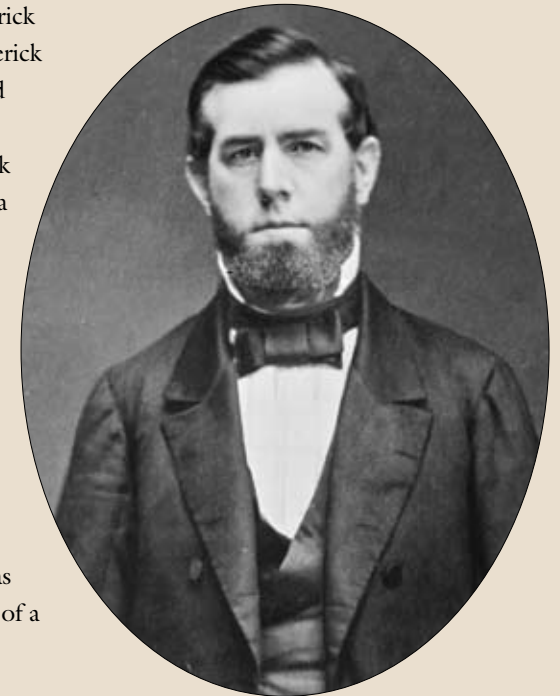
David Broderick, senator from California (1857-1859).

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Jefferson Davis Delivers Farewell Speech

By any standard, this scene has to rank as one of the most dramatic events ever enacted in the chamber of the United States Senate. Would-be spectators arrived at the Capitol before sunrise on a frigid January morning. Those who came after 9 a.m., finding all gallery seats taken, frantically attempted to enter the already crowded cloakrooms and lobby adjacent to the chamber. Just days earlier, the states of Mississippi, Florida, and Alabama had joined South Carolina in deciding to secede from the Union. Rumors flew that Georgia, Louisiana, and Texas would soon follow.

On January 21, 1861, a fearful capital city awaited the farewell addresses of five senators. One observer sensed "blood in the air" as the chaplain delivered his prayer at high noon. With every senator at his place, Vice President John Breckinridge postponed a vote on admitting Kansas as a free state to recognize senators from Florida and Alabama.

When the four senators completed their farewell addresses, all eyes turned to Mississippi's Jefferson Davis—the acknowledged leader of the South in Congress. Tall, slender, and gaunt at the age of 52, Davis had been confined to his bed for more than a week. Suffering the nearly incapacitating pain of facial neuralgia, he began his valedictory in a low voice. As he proceeded, his voice gained volume and force.

"I rise, Mr. President, for the purpose of announcing to the Senate that . . . the state of Mississippi . . . has declared her separation from the United States." He explained that his state acted because "we are about to be deprived in the Union of the rights which our fathers bequeathed to us." Davis implored his Senate colleagues to work for a continuation of peaceful relations between the United States and the departing states. Otherwise, he predicted, interference with his state's decision would "bring disaster on every portion of the country."

Absolute silence met the conclusion of his six-minute address. Then a burst of applause and the sounds of open weeping swept the chamber. The vice president immediately rose to his feet, followed by the 58 senators and the mass of spectators as Davis and his four colleagues solemnly walked up the center aisle and out the swinging doors.

Later, describing the "unutterable grief" of that occasion, Davis said that his words had been "not my utterances but rather leaves torn from the book of fate."
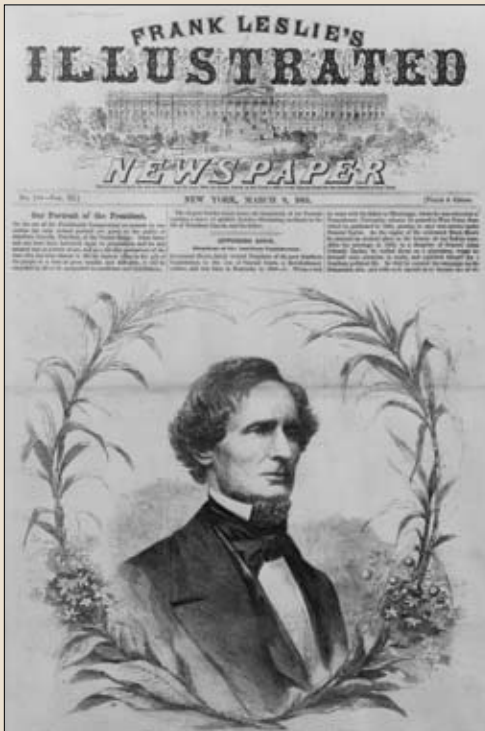
Jefferson Davis, senator from Mississippi (1847-1851, 1857-1861).

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March 4, 1861

Hannibal Hamlin Takes the Vice-Presidential Oath

March 4, 1861, was a sad day for Hannibal Hamlin. On that day, he gave up the Senate seat he had held for 12 years to become vice president of the United States.

At high noon, Hamlin called the Senate to order and swore in newly elected senators. Shortly after 1 p.m., he welcomed into the chamber outgoing President James Buchanan and President-elect Abraham Lincoln. Then the entire assemblage rose and proceeded to the Capitol's east front for Lincoln's inaugural.

Hannibal Hamlin owed his classical name to the influence of his grandfather, who loved the great military figures of ancient history. Tall, with piercing black eyes and olive-colored skin, the courteous and affable Hamlin proved to be a natural politician.

In 1860, as Republican Party leaders worked to arrange a successful presidential ticket, they decided that Hamlin, a former Democrat from Maine, would politically and geographically balance Lincoln, a former Whig from Illinois. When an excited supporter interrupted Hamlin at a card game in Washington to give him news of his nomination in Chicago, the irritated senator complained the distraction ruined the only good hand he had had all evening. With great reluctance, he accepted the offer.

After his election, Lincoln tapped Hamlin's experience as an influential senator for leads about suitable cabinet choices. Based on this early collaboration, some speculated that Lincoln might actually make effective use of his vice president. They were wrong. Hamlin's value to Lincoln was as a senior senator. Once Hamlin took up his vice-presidential duties, his usefulness ended. Although he hated being vice president, he again sought the nomination in 1864. Party leaders, however, dumped him—Maine was by then safely Republican—in favor of Andrew Johnson, from the politically crucial border state of Tennessee.

With little to do as vice president, Hamlin had enlisted as a private in the Maine state coast guard at the start of the Civil War. In 1864, his unit was called to active duty. Promoted to corporal, the vice president drilled troops, guarded buildings, and peeled potatoes. When his three-month tour ended in September, he rejoined the political ranks to campaign for the ticket of Lincoln and Johnson.

Abraham Lincoln once said, "Hamlin has the Senate on the brain and nothing more or less will cure him." On March 4, 1869, Hamlin happily resumed his old seat in the Senate and pronounced himself cured.

1860 campaign banner featuring presidential candidate Abraham Lincoln and vice-presidential candidate Hannibal Hamlin.

Further Reading

U.S. Congress. Senate. *Vice Presidents of the United States, 1789-1993*, by Mark O. Hatfield with the Senate Historical Office. 104th Congress, 2d sess., 1997. S. Doc. 104-16.

Soldiers Occupy the Senate Chamber

On April 15, 1861, the day after Fort Sumter fell, President Abraham Lincoln issued a call for 75,000 troops. Within three days, Washington swarmed with arriving volunteers to await a feared Confederate onslaught.

On April 19, 1861, the Sixth Massachusetts Regiment took up residence in the Senate Chamber following a bloody encounter in Baltimore with secessionist sympathizers. With the Senate in adjournment, a doorkeeper described the soldiers' arrival. "They were a tired, dusty, and bedraggled lot of men, showing every evidence of the struggle which they had so recently passed through. . . . Immediately upon entering the Capitol, they rushed into the Senate Chamber, the galleries, committee rooms, marble room, and wherever they could find accommodations." The doorkeeper continued,

Union troops at the Capitol.

"Everything that was possible was done to make them comfortable as the circumstances permitted. But it almost broke my heart to see the soldiers bring armfuls of bacon and hams and throw them down upon the floor of the marble room. Almost with tears in my eyes, I begged them not to grease up the walls and the furniture."

Upwards of 4,000 troops eventually occupied the building. This overwhelming human influx proved costly. The Senate Chamber—in use for just two years—was described as filthy and "alive with lice." There a marauding soldier took his bayonet to the desk that Confederate president Jefferson Davis had occupied as a senator just three months earlier. Other soldiers wrote letters home on Senate stationery and conducted raucous mock sessions.

In the basement, bread ovens belched sooty smoke that damaged books in the Library of Congress' adjacent quarters. Without adequate sanitation facilities, the Capitol had quickly become "like one grand water closet [with a] stench so terrible" that only the most strongly motivated would enter the building. Ten weeks later, as members returned for an emergency session in hastily cleansed chambers, the sounds and smells of nearby troops reminded all of the extraordinary challenges that lay ahead.

Further Reading
U.S. Architect of the Capitol, Office of the Curator. "Quartering Troops in the Capitol During the Civil War." November 1995.

July 11, 1861

Ten Senators Expelled

For what reasons should the Senate expel a member? The Constitution simply states that each house of Congress may "punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member." When the Senate expelled William Blount in 1797 by a nearly unanimous vote, it had reason to believe he was involved in a conspiracy against the United States.

Sixty-four years later, at the start of the Civil War, senators again turned to this constitutional safeguard. Between December 1860 and June 1861, 11 of the nation's 34 states had voted to withdraw from the Union. What was the status of their 22 senators at the beginning of the 37th Congress? Some were no longer senators because their terms had expired. Others sent letters of resignation. Still others, believing their seats no longer existed, simply left without formal notice. Several remained, despite their states' departure.

During a brief special session in March 1861, weeks before the start of hostilities, the Senate decided to consider these seats as vacant to avoid officially recognizing that it was possible for a state to leave the Union.

On the Fourth of July 1861, with open warfare in progress, President Abraham Lincoln convened Congress to deal with the emergency. With all hope of reconciliation gone, the Senate took up a resolution of expulsion against its 10 missing members. The resolution's supporters argued that the 10 were guilty, like Blount years before, of conspiracy against the government. In futile opposition, several senators contended that the departed southerners were merely following the dictates of their states and were not guilty of personal misconduct.

On July 11, 1861, the Senate quickly expelled all 10 southern senators by a vote of 32 to10. By the following February, the Senate also expelled four border-state senators for their open support of the Confederacy. Since 1862, despite considering expulsion in an additional 16 instances, the Senate has removed no member under this provision.

Map showing secession of the Southern states.

Further Reading

U.S. Congress. Senate. *United States Senate Election, Expulsion and Censure Cases, 1793-1990*, by Anne M. Butler and Wendy Wolff. 103rd Congress, 1st sess., 1995. S. Doc. 103-33.

Senator Killed in Battle

He was a skilled lawyer, a renowned orator, and a member of the president's inner circle. He was also the only United States senator ever to die in a military engagement.

By the 1830s, Edward Dickinson Baker had become one of Illinois' most prominent lawyers and a close friend of Abraham Lincoln. In 1844, he won a seat in the U.S. House of Representatives, defeating Lincoln for the Whig Party nomination. At the start of the Mexican War in 1846, Representative Baker raised a regiment of troops and led them to the front. To boost congressional support for the unpopular war, he returned to the House Chamber in full uniform, lobbied his colleagues, resigned his seat, and rejoined his troops. After the war, he returned to another Illinois congressional district and, although a resident of that district for only three weeks, easily won a House seat. By 1852, he had left Congress to take up a lucrative law practice in San Francisco. A highly regarded orator, he earned national fame with his eulogy in 1859 at the funeral of California's U.S. Senator David Broderick, who had been killed in a duel with a former chief justice of that state.

Senator Edward D. Baker of Oregon was killed by Confederate forces at the Battle of Ball's Bluff while serving as a colonel in the Union army.

By 1860, Baker had moved to Oregon and won a seat in the U.S. Senate. When the Civil War began, he again raised a militia unit and appeared before his legislative colleagues in full uniform. On October 21, 1861, with Congress out of session and Confederate forces closing in on Washington, Senator-Colonel Baker went off to war.

Lightly schooled in military tactics, Baker gamely led his 1,700-member brigade across the Potomac River 40 miles north of the capital, up the steep ridge known as Ball's Bluff, and into the range of waiting enemy guns. He died quickly—too soon to witness the stampede of his troops back over the 70-foot cliffs to the rock-studded river below. Nearly 1,000 were killed, wounded, or captured. This disaster led directly to the creation of the toughest congressional investigating committee in history—the Joint Committee on the Conduct of the War.

Eighty years later, during the early months of World War II, members of Congress began turning up in combat zones with their reserve units. Despite the appeal of having senators saluting generals, the War Department banned the active duty service of all members, preserving the dubious distinction of Senator Edward Dickinson Baker.

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February 5, 1862

Friendship or Treason?

He was a large man who walked with a swagger. Despite his limited formal education, he built a flourishing law practice and rose rapidly in the world of Indiana Democratic politics. Abrupt and hot-tempered, he was among the shrewdest of his state's political figures.

By 1845, Jesse Bright had become president of the Indiana state senate. Capitalizing on an opportunity to break a tied vote on the selection of a United States senator, he engineered his own election to that office.

In the Senate, Bright's knowledge of the chamber's rules and precedents won him the post of president pro tempore on several occasions. In the 1850s, however, he lost many of his natural political allies who were uncomfortable with his increasing support of legislation to protect slavery in the nation's territories. By 1860, his ownership of a Kentucky farm and 20 slaves led antislavery Indiana legislators to consider asking the Senate to declare Bright's seat vacant. As southern states began to leave the Union, Bright opposed the use of force against them, believing they would soon return.

The July 1861 Battle of Bull Run proved a disaster for Union troops—and for Jesse Bright. During the battle, Union forces captured an arms merchant as he attempted to cross into Confederate territory. They discovered that he carried a letter of introduction to Confederate president Jefferson Davis. The letter, highly deferential in tone, was signed by United States Senator Jesse Bright.

When the Senate took up the matter in January 1862, Bright explained that the captured arms supplier was a former client of his law practice. Although he claimed not to remember writing the letter, he asserted that it was only natural to introduce a friend to Davis, until recently a Senate colleague. Finally, Bright noted that the letter was dated March 1—before any fighting began. Aware that the Senate's Republican majority caucus had already determined his fate, Bright took the Senate floor on February 5, 1862, to state his case, if only "for posterity." He then gathered his belongings and walked solemnly from the chamber. Moments later, by a vote of 32 to 14, Bright became the 14th and final senator expelled by the Senate during the Civil War. No senator has been expelled since his time.

After a doomed Senate reelection bid, Bright served in the Kentucky legislature and went on to earn a fortune from his investments in West Virginia coal mines.

The United States Senate expelled Senator Jesse Bright of Indiana for disloyalty to the Union during the Civil War, despite his efforts to defend himself against the charges.

Further Reading

U.S. Congress. Senate. *United States Senate Election, Expulsion and Censure Cases, 1793-1990*, by Anne M. Butler and Wendy Wolff. 103rd Congress, 1st sess., 1995. S. Doc. 103-33.

Creating Another Senate

Anyone interested in the United States Senate might also be curious about another significant senate from our past—the Senate of the Confederate States of America. Early in 1861, as the southern states began to withdraw from the Union, their representatives established a Provisional Congress. That temporary single-house legislature drafted a constitution for the Confederacy that closely resembled the U.S. Constitution. It provided for a legislature consisting of a house and senate. Under this plan, the Confederate Senate was to operate like the U.S. Senate, with similar methods of election, terms of office, standing committees, rules of procedure, and legislative powers.

The Confederate Congress convened for the first time on February 18, 1862, at the Virginia state capitol in Richmond. Its House of Representatives claimed the ornate chamber formerly used by the Provisional Congress, leaving to the smaller Senate a dingy room on an upper floor. Unhappy with these inelegant quarters, Confederate senators appropriated the chamber of the state senate whenever that body was not in session.

Front view of the capitol building in Richmond, Virginia, 1865.

On its first day of operation, the Confederate Senate counted 20 of its 26 members present and elected Virginia's Robert M. T. Hunter president pro tempore. Hunter had served in the U.S. Congress as Speaker of the House and as a three-term senator. He was one of 10 former U.S. senators elected to the Confederate Senate.

Unlike the U.S. Senate, the Confederate Senate conducted many sessions behind closed doors and operated without formal political parties.

In its earliest months, under the pressure of wartime emergency, the Confederate Congress granted President Jefferson Davis most of what he requested. By the time the Second Confederate Congress convened in 1864, however, serious military reverses reawakened long-simmering political divisions. Factors such as former party affiliations, earlier levels of commitment to secession, and whether Union forces were occupying their respective states became increasingly evident in members' voting behavior. Deepening divisions among Confederate senators and representatives made it almost impossible for them to legislate constructively.

On March 18, 1865, as encircling Union forces tightened their grip on Richmond, the Confederate Senate held its last session, and hastily left town.

Because the Confederate Senate held many of its sessions in secret, did not use official reporters of debates to record public proceedings, and lost extensive records to the chaos of war, today we know very little about its operations.

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February 22, 1862

Washington's "Farewell Address"

No Senate tradition has been more steadfastly maintained than the annual reading of President George Washington's 1796 Farewell Address. In this letter to "Friends and Citizens," Washington warned that the forces of geographical sectionalism, political factionalism, and interference by foreign powers in the nation's domestic affairs threatened the stability of the Republic. He urged Americans to subordinate sectional jealousies to common national interests.

The Senate tradition began on February 22, 1862, as a morale-boosting gesture during the darkest days of the Civil War. Citizens of Philadelphia had petitioned Congress to commemorate the forthcoming 130th anniversary of Washington's birth by reading the Address at a joint meeting of both houses.

Tennessee Senator Andrew Johnson introduced the petition in the Senate. "In view of the perilous condition of the country," he said, "I think the time has arrived when we should recur back to the days, the times, and the doings of Washington and the patriots of the Revolution, who founded the government under which we live."

Two by two, members of the Senate proceeded to the House Chamber for a joint session. As they moved through Statuary Hall, they passed a display of recently captured Confederate battle flags. President Abraham Lincoln, whose son Willie had died two days earlier, did not attend. But members of his cabinet, the Supreme Court, and high-ranking military officers in full uniform packed the chamber to hear Secretary of the Senate John W. Forney read the Address.

Early in 1888—the centennial year of the Constitution's ratification—the Senate recalled the ceremony of 1862 and had its presiding officer read the Address on February 22. Within a few years, the Senate made the practice an annual event.

Every year since 1896, the Senate has observed Washington's birthday by selecting one of its members, alternating parties, to read the 7,641-word statement in legislative session. Delivery generally takes about 45 minutes. In 1985, Florida Senator Paula Hawkins tore through the text in a record-setting 39 minutes, while in 1962, West Virginia Senator Jennings Randolph, savoring each word, consumed 68 minutes.

At the conclusion of each reading, the appointed senator inscribes his or her name and brief remarks in a black, leather-bound book. In 1956, Minnesota Senator Hubert Humphrey wrote that every American should study this memorable message. "It gives one a renewed sense of pride in our republic. It arouses the wholesome and creative emotions of patriotism and love of country."
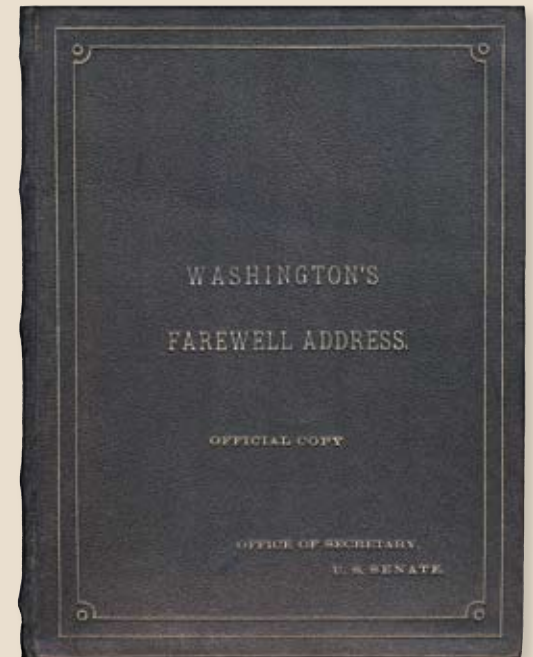
After the annual reading of Washington's "Farewell Address," senators inscribe their names and brief remarks in this leather-bound book.

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Senator Resigns to Protest Loyalty Oath

Oath-taking by newly elected members of Congress continues a constitutional rite that is nearly as old as the Republic. While this practice dates from a simple 14-word statement enacted by the First Congress in 1789, the current oath is a product of the 1860s—drafted by Civil War-era members of Congress intent on ensnaring traitors.

The original oath served nicely for nearly three-quarters of a century. By 1861, however, the outbreak of the Civil War gave particular urgency to the previously routine act of oath-taking. At a time of uncertain and shifting loyalties, President Abraham Lincoln ordered all federal civilian personnel to retake the 1789 oath. By 1862, members of Congress who believed the Union had more to fear from northern traitors than southern soldiers enacted the so-called Ironclad Test Oath. Added to the first oath, this text required civil servants and military officers to swear not only to future loyalty but also to affirm that they had never previously engaged in disloyal conduct.

Although Congress did not initially extend the 1862 Test Oath to its own members, many took it voluntarily. Angered by those senators who refused this symbolic act, such as Delaware Democrat James A. Bayard, Massachusetts Republican Charles Sumner engineered a January 25, 1864, rules change making the Test Oath mandatory for all senators.

Senator Bayard contended that the Test Oath ignored the president's pardoning power. Looking ahead to the postwar era, he warned that the Test Oath would block any southern senator-elect who arrived in the Senate with a presidential pardon and a certificate of election. If he took the oath, swearing no past disloyalty to the Union, he would perjure himself; if he refused the oath, he would not be seated. The Delaware senator also feared that this oath set a dangerous precedent, as future congresses could add other requirements related to past behavior that could limit membership eligibility. He believed Congress could require, for instance, that senators swear to their temperance, chastity, and monogamy. Bayard took the oath on January 29, 1864, and then immediately resigned in protest.

In 1868, Congress exempted southerners from the Test Oath by creating an alternate vow, the language of which was nearly identical to today's pledge. Northerners angrily pointed to the new law's unfair double standard of requiring loyal Unionists to take the harsh Test Oath while ex-Confederates were offered the less-demanding 1868 version. Finally, in 1884, a new generation of lawmakers quietly repealed the deeply inflaming wartime oath.

James A. Bayard, senator from Delaware (1851-1864, 1867-1869).

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Appropriations Committee Created

On March 6, 1867, the Senate established its Committee on Appropriations—51 years after creating its other major standing committees. Why did the body wait so long and why did the members choose to act in 1867?

In the Senate's earliest years, the Finance Committee handled most appropriations, but it did so in an increasingly haphazard manner. Agency heads, wishing to appear frugal, typically understated their funding needs to the House of Representatives and then, in a congressional session's hectic final days, quietly turned to the less-disciplined Senate for increases that generally survived conference committee review. When agencies ran out of money, the threat of suspended operations usually convinced Congress to replenish their coffers. When agencies ran a surplus, they spent it as they pleased. But the Civil War had vastly expanded and complicated federal spending. The lack of centralized control in the Senate, tolerable in an earlier era, now strongly played to the president's advantage. No less than the power of the purse was at stake.

By March of 1867, a newly strengthened Radical Republican majority in the Senate, determined to block President Andrew Johnson's lenient policies for readmission of former Confederate states, saw reform of the appropriations process as a potent weapon in that struggle. Following the House of Representatives' recent successful example, they created a separate Committee on Appropriations.

The seven-member panel rapidly became a Senate powerhouse. And just as rapidly, the large majority of senators who did not serve on it came to resent the appropriators' use of their funding power to shape policy. After tolerating the committee for 32 years—institutional change comes slowly to the Senate—members in January 1899 adopted a rule stripping Appropriations of seven major funding bills and awarding them to the respective legislative committees. Not until 1922 did the Appropriations Committee recapture the full jurisdiction that it exercises today.

Senate Appropriations Committee room, as it appeared early in the 20th century. The room was originally designed for the Senate Committee on Naval Affairs.

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The Senate Votes on a Presidential Impeachment

It is an old favorite among trivia-question writers. "Who was the only former American president to serve in the United States Senate?" The answer is identical to that for another popular civics question: "Who was the first president to be impeached in the House and tried by the Senate?"

Tennessee Democrat Andrew Johnson had first served in the Senate from 1857 to 1862. In the early months of the Civil War, Johnson—the only southern senator to remain loyal to the Union after his state seceded—was obliged to flee that state to avoid arrest. When federal troops conquered Nashville, he resigned his Senate seat in March 1862 to accept President Lincoln's appointment as military governor of Tennessee. In 1864, he won election as vice president and took up his duties the following March. Following Abraham Lincoln's assassination in April 1865, he moved to the White House to serve as president for the balance of the term.

Johnson's impeachment is a complex story, but one important issue related to a vital Senate prerogative—the confirmation of presidential nominations. In the eight decades since the 1787 framing of the Constitution, the question had repeatedly arisen, "If the Senate is responsible for confirming appointees, does it also have a role in removing them?"

In 1867, as President Johnson's relations with Congress rapidly deteriorated, the Senate and House passed, over his veto, the Tenure of Office Act. That act required officeholders confirmed by the Senate to remain in place until the Senate approved their successors. When Johnson subsequently defied Congress by firing Secretary of War Edwin Stanton, the House of Representatives impeached the president for violating the Tenure of Office Act.

On May 16, 1868, the Senate voted 35 to 19 to remove President Andrew Johnson from office—one vote short of the necessary two-thirds. For many of these 54 senators, this was unquestionably the single most difficult vote of their congressional careers. Seven Republican senators courageously defied their party's leadership and voted with the 12 Democratic senators to acquit the president—thereby saving him and, possibly, the institution of the presidency.

In January 1875, Johnson won back his former Senate seat after a hotly contested struggle that forced the Tennessee legislature through 56 separate ballots. On March 5, 1875, Johnson took his Senate oath before the same body that only seven years earlier had failed by a single vote to remove him from the White House. During the 19-day Senate special session, he delivered one major address—on political turmoil in Louisiana—and then returned to Tennessee, where he died four months later.

Spectators packed the Senate galleries to watch as the Senate voted on whether to remove President Andrew Johnson from office.

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# September 8, 1869

William Fessenden Dies

Today, the name "Fessenden" brings to mind no immediate political association. On September 8, 1869, however, it identified perhaps the most significant senator of the entire Civil War era—William Pitt Fessenden, Republican of Maine. When the 62-year-old Fessenden died on that day, his Senate colleagues genuinely grieved at the loss of a legislative giant.

Fessenden came to the Senate in February 1854, at the start of a bitter three-month debate over the Kansas-Nebraska Act. After only nine days in office, he delivered a powerful floor speech accurately predicting that if the measure were enacted, opening the nation's western territories to slavery, it would set the North and South on a course toward inevitable disunion.

During the Civil War, Fessenden chaired the Senate Finance Committee, which also served as the Senate's principal appropriating committee. Long hours under enormous pressure regularly brought him to the point of physical exhaustion as he worked to shape vital wartime funding legislation. He once said he was "content to work like a dog" while "leaving all the jabber to others." Fessenden's quick temper intimidated colleagues and lobbyists who appeared before his committee. To those whose expensive requests seemed at odds with his priorities for waging the war, he barked, "It is time for us to begin to think a little more about the money!"

When Fessenden reluctantly left the Senate in 1864 to serve as treasury secretary, he found the treasury nearly empty. After negotiating a bond issue that produced the revenue necessary to conclude the war, he returned to the Senate in 1865. As chairman of the Joint Committee on Reconstruction, he worked for a temperate plan to reunite the nation under congressional—not presidential—leadership. Although he disliked President Andrew Johnson, he opposed his 1868 impeachment and used his influence with six other Senate Republicans to gain the essential votes for Johnson's acquittal. In 1869, Fessenden became chairman of the recently established Committee on Appropriations, but died before he could place his mark on that panel.

As a practical and cautious behind-the-scenes senator who concentrated on fiscal and monetary policy, Fessenden failed to attract the attention that journalists and historians have given to the Radical Republicans, like Charles Sumner, who concentrated on slavery issues. Today, Sumner is remembered in the Capitol with an oil portrait and marble bust. Fessenden lies largely forgotten in an unmarked family grave in Portland, Maine.
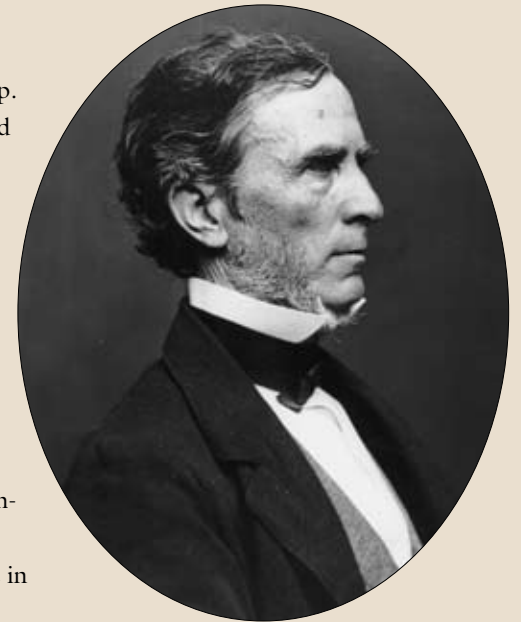
William Pitt Fessenden, senator from Maine (1854-1864, 1865-1869).

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February 25, 1870

First African-American Senator

O n February 25, 1870, visitors in the Senate galleries burst into applause as Mississippi senator-elect Hiram Revels entered the chamber to take his oath of office. Those present knew that they were witnessing an event of great historical significance. Revels was about to become the first African American to serve in Congress.

Born 42 years earlier to free black parents in Fayetteville, North Carolina, Revels become an educator and minister of the African Methodist Episcopal Church. During the Civil War, he helped form regiments of African-American soldiers and established schools for freed slaves. After the war, Revels moved to Mississippi, where he won election to the state senate. In recognition of his hard work and leadership skills, his legislative colleagues elected him to one of Mississippi's vacant U.S. Senate seats as that state prepared to rejoin the Union.
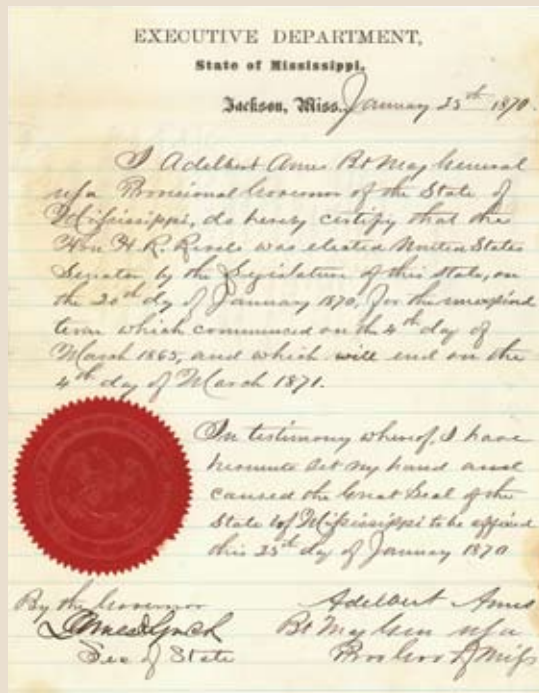
Revels' credentials arrived in the Senate on February 23, 1870, and were immediately blocked by a few members who had no desire to see a black man serve in Congress. Masking their racist views, they argued that Revels had not been a U.S. citizen for the nine years required of all senators. In their distorted interpretation, black Americans had only become citizens with the passage of the 1866 Civil Rights Act, just four years earlier. His supporters dismissed that statement, pointing out that he had been a voter many years earlier in Ohio and was therefore certainly a citizen.

Massachusetts Senator Charles Sumner brought the debate to an end with a stirring speech. "The time has passed for argument. Nothing more need be said. For a long time it has been clear that colored persons must be senators." Then, by an overwhelming margin, the Senate voted 48 to 8 to seat Revels.

Three weeks later, the Senate galleries again filled to capacity as Hiram Revels rose to make his first formal speech. Seeing himself as a representative of African-American interests throughout the nation, he spoke—unsuccessfully as it turned out—against a provision included in legislation readmitting Georgia to the Union. He correctly predicted that the provision would be used to prohibit blacks from holding office in that state.

When Hiram Revels' brief term ended on March 3, 1871, he returned to Mississippi, where he later became president of Alcorn College.

Hiram Revels' credentials presented to the U.S. Senate on February 23, 1870.

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The Battle of Three Brothers

There has never been a Senate election race quite like it. In January 1871, Delaware's Democratic Senator Willard Saulsbury notified his state's legislature that he wished that body to reelect him to the office he had held for two terms. He expected no serious opposition from that small and solidly Democratic body in gaining the 16 votes necessary for election. Yet, to his frustration, two other candidates emerged. Not only were these contenders from his own party, they were also from his own family—his two elder brothers.

Saulsbury's political difficulties stemmed from his abuse of alcohol. That problem had been evident in a dramatic scene played out in the Senate Chamber years earlier.

During an 1863 filibuster, Saulsbury angrily referred to President Abraham Lincoln as a "weak and imbecile man." When Vice President Hannibal Hamlin, as presiding officer, ordered him to take his seat, Saulsbury refused. Hamlin then directed the sergeant at arms to "take the senator in charge." Responding, "Let him do so at his expense," Saulsbury drew a pistol and threatened to shoot the officer. Days later, a more sober Saulsbury—facing a resolution of expulsion—apologized and the Senate dropped the matter.

By 1871, Delaware Democrats had had enough of Saulsbury's embarrassing outbursts. Party leaders quietly approached his brother, Gove Saulsbury, a physician who had just completed a term as governor. The ambitious Gove Saulsbury controlled 14 of the needed 16 votes. The other brother, Eli Saulsbury, a quiet and temperate man, counted three supporters, while 13 others remained loyal to Willard. If Gove could attract just two of either brother's allies, he would have the election.

After three deadlocked ballots, Willard —angry at Gove's betrayal—released his supporters to vote for brother Eli. With this switch, Eli Saulsbury won the election. He would remain in the Senate for the next 18 years.

From the 1850s to the 1880s, Delaware's two Senate seats were occupied under an informal political arrangement known as the "Saulsbury-Bayard Compact." With no significant Republican party to offer a serious challenge, the Saulsbury family controlled one seat as its personal right, while the Bayard family took the other. This kind of blatant political manipulation in the state legislature added force to a growing campaign for a constitutional amendment requiring direct popular election of senators.

As the historically unique 1871 election demonstrated, however, for the time being Delaware politics remained just family politics.
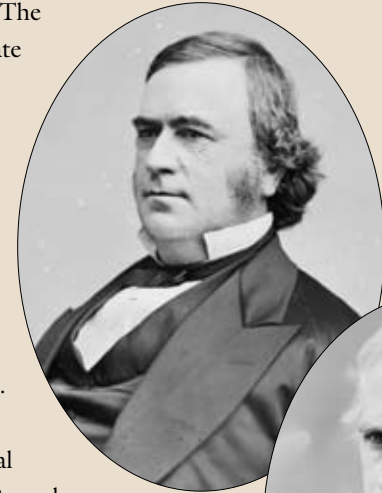
Willard Saulsbury, senator from Delaware (1859-1871).
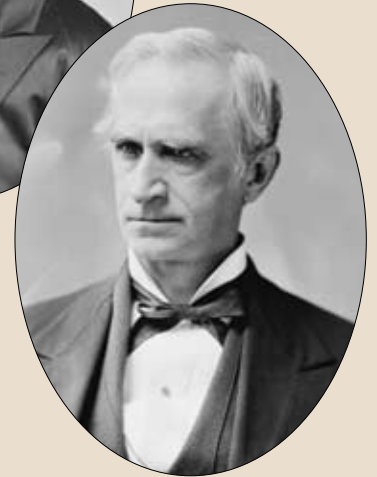
Eli Saulsbury, senator from Delaware (1871-1889).

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The Senate Ends Franked Mail Privilege

Franking privileges—the ability to send mail by one's signature rather than by postage—date back to the 17th-century English House of Commons. The American Continental Congress adopted the practice in 1775 and the First Congress wrote it into law in 1789. In addition to senators and representatives, the president, cabinet secretaries, and certain executive branch officials also were granted the frank. In those days, every newspaper publisher could send one paper postage-free to every other newspaper in the country.

Until the 1860s, members of Congress spent a great deal of time carefully inscribing their names on the upper right-hand corner of official letters and packages. One member boasted that if the envelopes were properly arranged, he could sign as many as 300 per hour. After the Civil War, senators and representatives reduced the tedium of this chore by having their signatures reproduced on rubber stamps.

Intended to improve the flow of information across a vast nation, the franking privilege lent itself to abuse and controversy. Stories circulated of members who routinely franked their laundry home and who gave their signatures to family and friends for personal use. Legend had it that one early 19th-century senator even attached a frank to his horse's bridle and sent the animal back to Pittsburgh. Critics accused incumbents of flooding the mails with government documents, speeches, and packages of seeds to improve their chances of reelection.

In 1869, the postmaster-general, whose department was running a large deficit, recommended that Congress and federal agencies switch to postage stamps. Responding to charges of governmental extravagance, the 1872 Republican Party platform carried a plank that demanded the frank's elimination. When Congress returned to session following the 1872 election, many senators decided to deliver on that campaign promise.

On January 31, 1873, the Senate voted to abolish the congressional franking privilege after rejecting a House-passed provision that would have provided special stamps for the free mailing of printed Senate and House documents.

Within two years, however, Congress began to make exceptions to this ban, including free mailing of the *Congressional Record*, seeds, and agricultural reports. Finally, in 1891, noting that its members were the only government officials required to pay postage, Congress restored full franking privileges. Since then, the franking of congressional mail has been subject to ongoing review and regulation.

A cartoon from Harper's Weekly, *1860, depicting a senator preparing to ship his laundry home using the franking privilege.*

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Charles Sumner Dies

Early in the morning of March 11, 1874, 63-year-old Massachusetts Senator Charles Sumner suffered a massive heart attack. The mortally ill senator said that his only regrets about dying were that he had not finished preparing his collected writings for publication and that the Senate had not yet passed his civil rights bill. He expired that afternoon. Not since the death of Abraham Lincoln in 1865 had the nation grieved so deeply at the loss of one of its statesmen.

From the time he first took his oath as a senator 23 years earlier, Sumner had eloquently campaigned against racial inequality. His first speech in the Senate attacked the 1850 law that allowed the use of federal resources to capture runaway slaves. Only three other senators joined him in that politically risky campaign—one that was as unpopular in his home state as it was in the South. In the mid-1850s, he helped found the Republican Party as a coalition of antislavery political factions.

Tall and handsome, Sumner was also pompous and arrogant. Those latter traits got him into deep trouble in May 1856. At one point in a three-hour speech attacking slavery in Kansas, he described South Carolina Senator Andrew Butler as "an ignorant and mad zealot." Several days later, a House member who was related to Butler entered the Senate Chamber and savagely beat Sumner for those remarks.

The attack transformed Sumner into a northern hero, solving his political problems at home, and effectively guaranteeing him a lifetime seat in the Senate. When he died in 1874, his funeral was conducted in the Senate Chamber and he lay in state in the Capitol Rotunda. Individual states competed for the honor of having his body displayed in their capitols.

Sumner would surely have been pleased to know that he has been memorialized on all three floors of the U.S. Capitol's Senate wing. Constantino Brumidi's portrait in Room 118 depicts Sumner as a senator of ancient Rome. That classical motif appears also in a third-floor marble portrait bust by noted 19th-century sculptor Martin Milmore. The grandest work, however, is located just outside the Senate Chamber. In the last year of his life, a tired and ill Sumner sat for a formal oil portrait by artist Walter Ingalls. In the finished work, Ingalls tactfully borrowed from a much earlier Mathew Brady photograph, leaving for posterity an image of a benevolent Sumner in his youthful prime.

Currier & Ives lithograph depicting the death of Senator Charles Sumner of Massachusetts (1851-1874).

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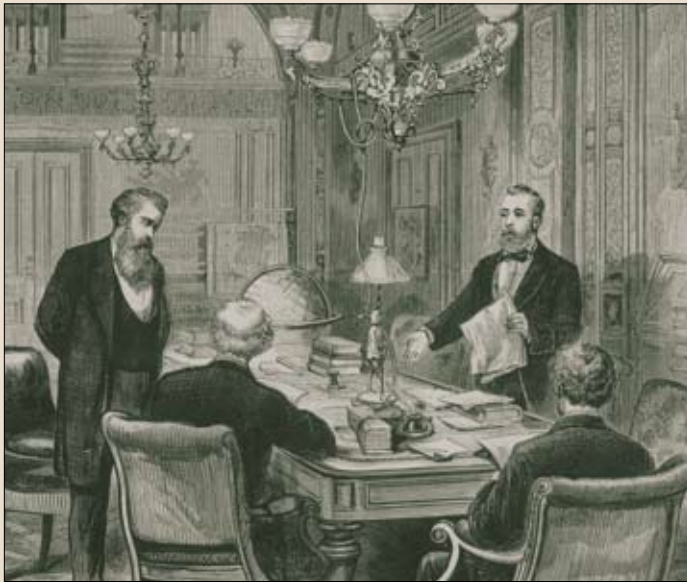
March 2, 1876

War Secretary's Impeachment

An impeachment trial for a secretary of war occupied much of the Senate's time during May 1876.

At issue was the behavior of William Belknap, war secretary in the administration of President Ulysses Grant. A former Iowa state legislator and Civil War general, Belknap had held his cabinet post for nearly eight years. In the rollicking era that Mark Twain dubbed the Gilded Age, Belknap was famous for his extravagant Washington parties and his elegantly attired first and second wives. Many questioned how he managed such a grand life style on his $8,000 government salary.

By early 1876, answers began to surface. A House of Representatives' committee uncovered evidence supporting a pattern of corruption blatant even by the standards of the scandal-tarnished Grant administration. The trail of evidence extended back to 1870. In that year, Belknap's luxury-loving first wife assisted a wheeler-dealer named Caleb Marsh by getting her husband to select one of Marsh's associates to operate the lucrative military trading post at Fort

Secretary of War William Belknap, standing left, appeared before a congressional committee to face corruption charges.

Sill in Indian territory. Marsh's promise of generous kickbacks prompted Secretary Belknap to make the appointment. Over the next five years, the associate funneled thousands of dollars to Marsh, who provided Belknap regular quarterly payments totaling over $20,000.

On March 2, 1876, just minutes before the House of Representatives was scheduled to vote on articles of impeachment, Belknap raced to the White House, handed Grant his resignation, and burst into tears.

This failed to stop the House. Later that day, members voted unanimously to send the Senate five articles of impeachment, charging Belknap with "criminally disregarding his duty as secretary of war and basely prostituting his high office to his lust for private gain."

The Senate convened its trial in early April, with Belknap present, after agreeing that it retained impeachment jurisdiction over former government officials. During May, the Senate heard more than 40 witnesses, as House managers argued that Belknap should not be allowed to escape from justice simply by resigning his office.

On August 1, 1876, the Senate rendered a majority vote against Belknap on all five articles. As each vote fell short of the necessary two thirds, however, he won acquittal. Belknap was not prosecuted further; he committed suicide in 1890.

Years later, the Senate finally decided that it made little sense to devote its time and energies to removing from office officials who had already removed themselves.

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February 5, 1877

The Florida Case

On the third floor of the United States Capitol, to the left of the Senators' Family Gallery entrance, hangs a large historical picture. This dramatic oil painting, in a richly gilded Victorian frame, bears the title: *The Florida Case before the Electoral Commission, February 5, 1877.*

On the night of the presidential election in November 1876, the headline of the *New-York Tribune* proclaimed "Tilden Elected." That verdict, of course, was premature. Although Democrat Samuel Tilden had won 250,000 more votes than Republican Rutherford B. Hayes, neither man gained an undisputed electoral-vote majority. To reach the 185 electoral votes necessary for election, Tilden needed one more vote; Hayes needed 20. Together, Oregon, Florida, South Carolina, and Louisiana controlled 20 disputed electoral votes.

Without statute or precedents to help it determine which sets of electors to count in these states, Congress set up an advisory commission of five senators, five representatives, and five Supreme Court justices. The commission's eight Republicans and seven Democrats met in the Capitol's Supreme Court chamber—currently restored as the Old Senate Chamber—for nine days at the beginning of February 1877. Commission members sat at the justices' bench; counsel for both sides occupied desks nearby; and members of the press jammed the gallery directly behind the seated commissioners. Each day, members of Congress, cabinet officers, and others forming a "who's who" of social and political Washington, packed every available inch of chamber floor space.

The painting on the Capitol's third floor brilliantly captures that epic scene. It is the work of Cornelia Fassett, a talented artist, Washington hostess, and mother of eight who specialized in portraits of notable government figures. During the summer of 1877, several months after the electoral commission rendered its party-line verdict in favor of Hayes, Fassett set up a temporary studio in the Supreme Court chamber. There she worked to capture the commission's architectural setting. She then filled her canvas with carefully detailed likenesses of 260 prominent Washington figures—some taken from private sittings, others from Mathew Brady photographs. Among these figures are 30 senators, Senate clerks, Senate wives and children, and Fassett herself, with sketch pad in the lower center of the picture.

Early in 1879, after heated debate, the Senate defeated a bill to purchase the picture on the grounds that the event was "so recent" and one "about which party passions are still excited." Several years later, however, with those passions cooled, Congress quietly acquired the painting.

The Florida Case before the Electoral Commission, *by Cornelia A. Fassett, 1879.*

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Senator for Three States
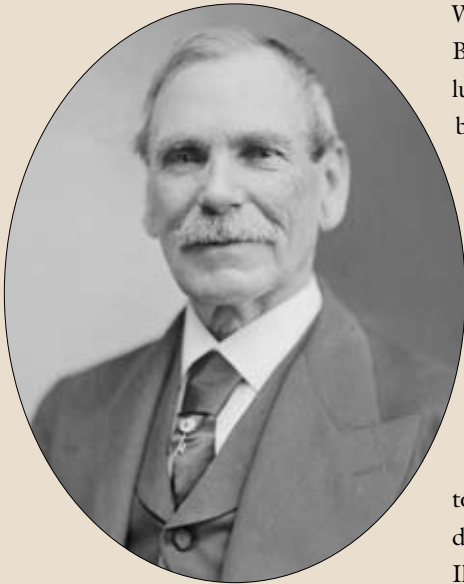
James Shields, senator from Illinois (1849-1855), senator from Minnesota (1858-1859), senator from Missouri (1879).

James Shields holds a Senate service record that no other senator is ever likely to surpass. He began his Senate career in 1849 representing Illinois. Shields had successfully turned a wound suffered several years earlier in the Mexican War to political advantage, defeating incumbent Senator Sidney Breese, a fellow Democrat. One political wag joked about Shields' lucky "Mexican bullet." "What a wonderful shot that was! The bullet went clean through Shields without hurting him, or even leaving a scar, and killed Breese a thousand miles away."

Supporters of the defeated Breese petitioned the Senate to refuse to seat Shields on grounds that he had not been a U.S. citizen for the required nine years. An Irish immigrant, he had filed naturalization papers eight and a half years earlier. This raised the question of whether the citizenship requirement had to be satisfied at the time of election or by the beginning of Senate service.

A coalition of Whigs and disaffected Democrats voted to invalidate Shields' election. The Whigs expected this would deprive the Democrats of a seat for more than a year. Under Illinois law, only the state legislature could fill a vacancy created by a voided election, and the legislature was not scheduled to convene for another 18 months. The Democratic governor foiled this plan, however, by calling a special session of the legislature. That body again elected Shields, who by then had satisfied the citizenship requirement.

Six years later, failing to win reelection, Shields moved to the Minnesota Territory, where he helped establish colonies for poor Irish immigrants. In 1858, he became one of Minnesota's first two U.S. senators. When Shields and his colleague drew lots to determine when their respective Senate terms would expire, Shields got the term with less than a year remaining. Failing to win reelection, he moved to California. During the Civil War, he served as a general in the Union army and later moved to Missouri.

On January 22, 1879, in failing health, 73-year-old James Shields won election to represent Missouri—his record-setting third state in the U.S. Senate. By then, he had become a beloved figure among Americans of Irish heritage and his election to an uncompleted term with only six weeks remaining served as an expression of that affection. He died soon after completing his final Senate service: the uniquely distinguished senator from Illinois, Minnesota, and Missouri.

Source

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February 14, 1879

A Former Slave Presides over the Senate

On February 14, 1879, a Republican senator from Mississippi presided over the Senate. In this instance, the Senate's customary practice of rotating presiding officers during routine floor proceedings set a historical milestone. The senator who temporarily assumed these duties had a personal background that no other senator, before or since, could claim: he had been born into slavery.

Blanche K. Bruce was born 38 years earlier near Farmville, Virginia. The youngest of 11 children, he worked in fields and factories from Virginia to Mississippi. Highly intelligent and fiercely ambitious, Bruce gained his earliest formal education from the tutor hired to teach his master's son.

At the start of the Civil War, Bruce escaped slavery by fleeing to Kansas. He attended Oberlin College for two years and then moved to Mississippi, where he purchased an abandoned cotton plantation and amassed a real estate fortune. In 1874, while Mississippi remained under postwar military control, the state legislature elected Bruce to the U.S. Senate. Several years earlier, that legislature had sent the Senate its first African-American member when it elected Hiram Revels to fill out the remaining months of an unexpired term.

Blanche Bruce's Senate service got off to a sour start when Mississippi's other senator, James Alcorn, refused to escort him to the front of the chamber to take his oath of office. As Bruce started down the aisle alone, New York Republican Roscoe Conkling moved to his side and completed the journey to the rostrum. The grateful senator later named his only son Roscoe Conkling Bruce.

Withdrawal of the military government in Mississippi ended Republican control of that state's political institutions and any chance that Bruce might serve more than a single term. That term, however, proved to be an active one as he advocated civil rights for blacks, Native Americans, Chinese immigrants, and even former Confederates. It was during a heated debate on a bill to exclude Chinese immigrants that Bruce made history at the presiding officer's desk.

After leaving the Senate, Bruce held a variety of key government and educational posts until his death in 1898.

Blanche Kelso Bruce, senator from Mississippi (1875-1881).

Source
Mann, Kenneth Eugene. "Blanche Kelso Bruce: United States Senator Without a Constituency." *Journal of Mississippi History* 38 (May 1976): 183-98.