

A Question of Succession, 1861–1889

A series of crises, brought on by the Civil War and its aftermath, significantly affected the office of the president pro tempore. No problem was as persistent and troublesome during these years as vacancies. Since its earliest years, the Senate assumed it should elect a president pro tempore only during the absence of a vice president. This system raised many concerns, particularly after the passage of the 1792 Presidential Succession Act which placed the president pro tempore directly behind the vice president. What should senators do at the end of a session or during a recess? Since Congress was customarily out of session for half of each year, what would happen if no one was designated president pro tempore? If the vice president succeeded to the presidency, who would preside at the opening of the next Senate session if a president pro tempore had not been elected? And what if both the president and vice president were to die or become incapacitated in the interim?

Rather than settle these problems by statute or rules changes, the Senate relied for many years upon an informal plan, begun by Vice President Adams, in which the vice president would voluntarily absent himself from the chamber in the final days or hours of the session. This gave senators an opportunity to elect a president pro tempore to serve through the recess period and be available to preside if necessary when they reconvened. If the president died and the vice president advanced to that office, this system assured that a president pro tempore was ready to succeed in the case of another presidential death. Without such a plan in place, the difficulty of travel or of assembling a quorum could mean a delay of weeks or months before

a president pro tempore would be available. Occasionally, some vice presidents who feared the political consequences of placing a senator opposed to the president's policies in the line of succession refused to perform this little courtesy. The resulting vacancies raised concerns about the ability of presidents pro tempore to fulfill their constitutional responsibilities.

Vacancies in the office of vice president raised additional issues of concern. The assassination of President Abraham Lincoln in 1865, and the elevation of Vice President Andrew Johnson to the presidency, resulted in a four-year vacancy in the vice presidency. When the House of Representatives impeached President Johnson in 1868, therefore, the Senate's president pro tempore was next in line of succession should the Senate decide to remove Johnson from office. This put President pro tempore Benjamin Wade in a delicate position. When Johnson's impeachment came



Had the Senate convicted Andrew Johnson at his impeachment trial, President pro tempore Benjamin Wade, seated here, would have succeeded him as president of the United States.

to trial in the Senate, Chief Justice Salmon Chase presided, as required by the Constitution in a presidential impeachment trial, but President pro tempore Wade stood next in line to become president. Wade's vote in favor of conviction struck some observers as improper, but President Johnson still won acquittal by the margin of a single vote, preventing Senator Wade from becoming president of the United States. Following the trial, President Johnson recommended legislation to remove the president pro tempore from the line of succession because of that officer's self-interest in producing a vacancy in the White House.

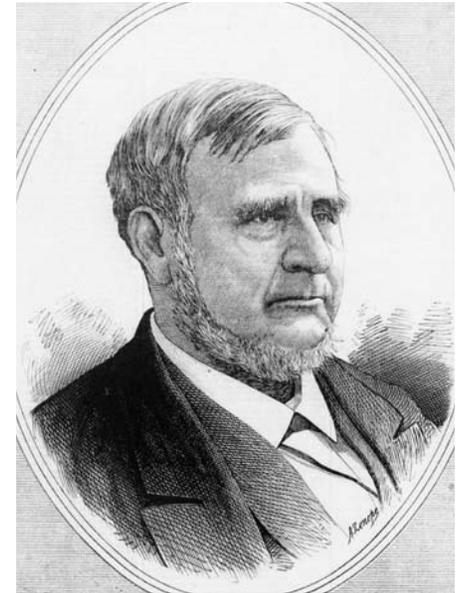
Another critical vacancy occurred in 1881. Senator Allen Thurman, a Democrat from Ohio, was in his third term as president pro tempore when he lost his race for reelection in 1880. When the Senate next convened in special session in March 1881, it was evenly divided between the two major parties—37 Republicans and 37 Democrats—with two Independent members. One of the Independent senators, David Davis of Illinois, announced that he would vote with the Democrats to organize the Senate.

This placed considerable pressure on the remaining Independent, Senator William Mahone of Virginia. Senate Democrats had high hopes that Mahone would vote with

them, establishing the 39 to 37 majority that would give them control of the Senate. At the dramatic moment in the roll call, however, in return for patronage and other promises from the Republican administration, Mahone voted with the Republicans, splitting the Senate 38 to 38. That gave Republican Vice President Chester Arthur the tie-breaking vote, allowing Republicans to organize the Senate and establish a Republican majority. Concerned that the slender one-vote majority margin could be altered by a single death, resignation, or change of party, Vice President Arthur refused to relinquish the presiding officer's chair to allow for the election of a president pro tempore.

Six months later, on September 19, 1881, President James Garfield died from wounds suffered during an assassination attempt, elevating Vice President Arthur to the presidency. Subsequently, when Arthur called the Senate into special session the following month, both the vice presidency and the office of president pro tempore were vacant. To complicate matters further, two Republican senators had resigned from office in May, and the Democrats now held a small numerical majority in the Senate. They elected the Independent David B. Davis as president pro tempore. Faced with possible deadlock in the Senate, Davis orchestrated a compromise that placed the Republicans in control of the Senate's committees but allowed Democrats to elect the Senate's officers and to appoint patronage positions.

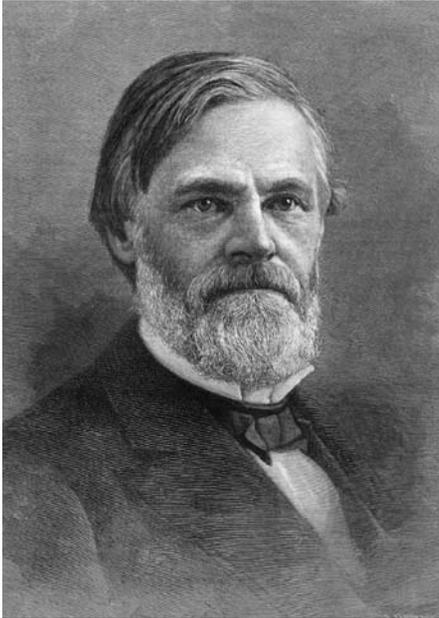
A few years later, a vacancy once again left the Senate without a presiding officer. The election of 1884 put Grover Cleveland in the



In 1881, with the Senate almost equally divided between Republicans and Democrats, President pro tempore David Davis arranged a compromise that permitted the Senate to proceed with its business.



Independent Senator William Mahone decided to vote with Republicans in 1881, leaving the Senate evenly divided.



Senator John Sherman served as president pro tempore from 1885 to 1887.

White House and made former Indiana Senator Thomas Hendricks vice president. Although Democrats held the White House and a majority in the House of Representatives, Republicans had a nine-vote majority in the Senate. Presiding continuously through the special session of the Senate that ran from March 4 to April 2, 1885, Democrat Hendricks prevented the Republicans from electing a president pro tempore. Consequently, when Hendricks died on November 25 of that year, several weeks before the opening of the regular first session of the 49th Congress, the Senate lacked both a vice president and

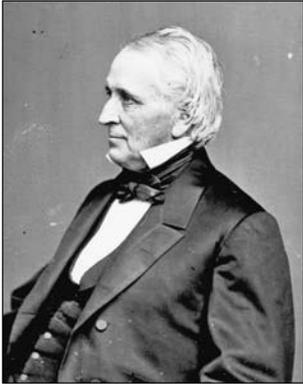
a president pro tempore. The House of Representatives had not yet elected a Speaker, leaving both houses of Congress without a presiding officer and the line of succession empty. When the Senate convened on December 7, 1885, Secretary of the Senate Anson McCook sat in the presiding officer's chair, thanks to an 1884 rules revision. This proved to be one of the very rare occasions when someone other than a vice president or senator has presided over the Senate. The Senate proceeded immediately to elect a president pro tempore, Ohio Republican John Sherman, and the House likewise elected a new Speaker, assuring an orderly succession in case of another presidential death.

Vacancies also raised issues of temporary replacements. Beginning in 1820, Senate rules allowed the vice president or the president pro tempore to appoint a temporary replacement when the need arose. In 1847, however, when Vice President George Dallas requested that Senator David Atchison preside during an anticipated one-day absence, the Senate ignored Dallas' request. It subsequently chose Atchison as president pro tempore through a formal Senate election, suggesting

that the power to make temporary appointments rested solely with the Senate. When the Senate revised its rules in 1877, the reworded language of the rules implied that only the president pro tempore, not the vice president, had the authority to choose a temporary replacement, but the method of appointment remained unclear. In 1882, President pro tempore David Davis, temporarily absent from the chamber, sought to appoint Senator John Ingalls to the chair by letter. The Senate objected, and suspended business until Davis returned to the chamber. Finally, when the Senate again revised its rules in the 1880s, it more clearly defined the powers of the vice president and president pro tempore, specifying that the vice president lacked authority to make a temporary replacement since the Constitution specifically stated that the Senate shall choose its president pro tempore.

The frequent vacancies in the vice presidency and the office of president pro tempore caused Senator George F. Hoar of Massachusetts to call for a revision of the Presidential Succession Act. "The present arrangement is bad," he told the Senate in 1886, because "during a large portion of the term there is no officer in being who can succeed." Hoar also argued that the Senate did not elect its presidents pro tempore based on any consideration of their fitness to become chief executive. By then, the president pro tempore was a senior senator, chosen for his popularity or "for his capacity as a debater and a framer of legislation." Most likely, the president pro tempore had "little or no executive experience" and was therefore unqualified to succeed to the presidency. Instead, the Massachusetts senator favored placing the members of the president's cabinet in the line of succession. No president pro tempore had ever served as president, Hoar pointed out, and only one had even been a candidate for president. By contrast, six secretaries of state had been elected president. Following Hoar's reasoning, in 1886 Congress responded to longstanding concerns about the 1792 Succession Act by removing its two presiding officers from the line of succession and substituting the president's cabinet members, by rank, beginning with the secretary of state.





44. Solomon Foot (*Vermont*)

President Pro Tempore: 1861–1864

Senate Service: March 4, 1851, to March 28, 1866

Party: Whig; Opposition; Republican

Born: Cornwall, Addison County, Vermont, November 19, 1802

Died: Washington, D.C., March 28, 1866

Education: Pursued classical studies; graduated from Middlebury (Vermont) College in 1826; studied law.

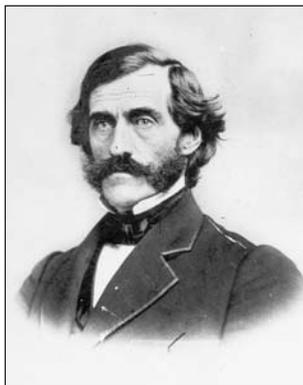
Non-Senate Career: Solomon Foot taught school in Vermont from 1826 to 1831. He was admitted to the bar in 1831 and practiced law in Rutland, Vermont. In 1833, he served in Vermont's state house of representatives, and again from 1836 to 1838. He was speaker the last two sessions. In 1836, he was chosen as a delegate to the state constitutional convention, and then served as prosecuting attorney from 1836 to 1842. He was elected to the U.S. House of Representatives in 1843, serving from March 4, 1843, to March 3, 1847.

Committee Chair: Public Buildings and Grounds (1861–1866)

Observations: In an 1866 Senate Chamber funeral oration, Senator Charles Sumner (R-MA) described Foot's talents as presiding officer. "His presence [at the desk] was felt instantly. It filled this Chamber from floor to gallery. It attached itself to everything that was done. . . . Order was enforced with no timorous authority. If disturbance came from the gallery how promptly he launched his fulmination. If it came from the floor you have often seen him throw himself back, and then with the voice of lordship, as if all the Senate was in him, insist that debate should be suspended until order was restored. 'The Senate must come to order,' he exclaimed; and meanwhile, like the god Thor, he beat his ivory hammer, in unison with his voice, until the reverberations rattled like thunder in the mountains."

~ U.S. Congress, Senate, *Congressional Globe*, 39th Cong., 1st sess., 1911.

Further Reading: U.S. Congress. *Memorial Addresses for Solomon Foot*. 39th Cong., 1st sess. Washington, D.C.: Government Printing Office, 1865.



45. Daniel Clark (*New Hampshire*)

President Pro Tempore: 1864–1865

Senate Service: June 27, 1857, to July 27, 1866

Party: Republican

Born: Stratham, New Hampshire, October 24, 1809

Died: Manchester, New Hampshire, January 2, 1891

Education: Attended the common schools, Hampton Academy, and Union College, Schenectady, New York; graduated from Dartmouth College, Hanover, New Hampshire, in 1834; studied law.

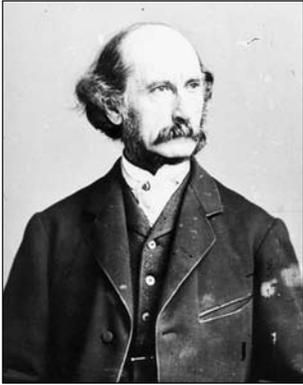
Non-Senate Career: Daniel Clark was admitted to the bar in 1837 and practiced law in Epping, New Hampshire. He served several terms in the state house of representatives between 1842 and 1855. Following his U.S. Senate service, he was a United States district judge from 1866 until his death. Clark was also the president of the New Hampshire constitutional convention in 1876.

Committee Chair: Claims (1861–1866)

Observations: Clark “was an uncompromising opponent of slavery and, during the campaign of 1854–55, spoke in every part of the state against the Kansas-Nebraska Bill. . . . [In] 1857, the Republican caucus of the New Hampshire legislature needed only one ballot to nominate

Clark [for the Senate], who was then elected to complete the remaining four years of [Senator James] Bell’s term. Clark entered the Thirty-fifth Congress on 27 June 1857. He was reelected in 1860, and his strong voice of support for the Union was heard frequently in Washington, D.C., during the Civil War. Senator Clark gained recognition through his service on several committees . . . and as president pro tempore of the Senate. . . . He was also acknowledged as an accomplished debater, on a par with Senate notables such as Charles Sumner. But some who sought reconciliation with the South criticized him for his uncompromising opposition to slavery, secession, and northern sympathizers. Clark made his thoughts clear, as during the Kansas-Nebraska debates, when he stated, ‘We have had enough of bowing down, and the people in my region have got sick of it.’ When those southern senators whose state had seceded from the Union left their seats in the chamber, Clark offered the resolution suspending them on 11 July 1861.”

~ *American National Biography.*



46. Lafayette Sabine Foster (*Connecticut*)

President Pro Tempore: 1865–1867

Senate Service: March 4, 1855, to March 3, 1867

Party: Opposition; Republican

Born: Franklin, New London County, Connecticut, November 22, 1806

Died: Norwich, Connecticut, September 19, 1880

Education: Attended the common schools; received preparatory instruction and graduated from Brown University, Providence, Rhode Island, in 1828; studied law in Norwich; returned to Norwich, Connecticut, and completed his law studies.

Non-Senate Career: Lafayette Foster taught school in Providence, Rhode Island, before taking charge of an academy at Centerville, Maryland. While there, he was admitted to the Maryland bar in 1830, and then admitted to the Connecticut bar in 1831. He practiced law in Connecticut and became editor of the *Republican*, a Whig newspaper. He served in the state house of representatives from 1839 to 1840, 1846 to 1848, and again in 1854, serving as speaker of the house for three years. He was an unsuccessful Whig candidate for governor of Connecticut in 1850 and again in 1851. He was mayor of Norwich from 1851 to 1852, and after serving in the United States Senate, he became professor of law at Yale College in 1869. He then served again as a member of the state house of representatives in 1870, and was elected speaker but resigned to accept a judicial position. He was associate justice of the Connecticut supreme court from 1870 to 1876.

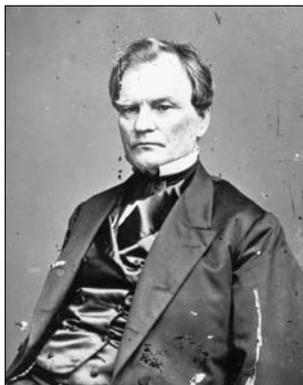
Committee Chair: Pensions (1861–1867)

Observations: “Prominent [in the Senate Chamber] appears the serious face of Mr. Foster. He is undoubtedly one of the ablest presiding officers the Senate has ever possessed. Familiar with parliamentary law, strictly adhering to the forms and customs of the Senate, inflexible in maintaining order and decorum, yet ever kind and courteous, he sits like a stern old judge of ancient times, dispensing justice without fear and without favor.”

~ W. H. W. Campbell, *Memorial Sketch of Lafayette S. Foster* (Boston: Franklin Press, 1881), 41.

“Mr. Foster’s career was long and distinguished. He traced his lineage from Miles Standish and other Puritans, and was the son of a Revolutionary patriot. . . . Well read, apt at quotation, quick at repartee, brimful of genial humor, kindly in spirit, and possessed of a rare wife, he understood the art of hospitality to perfection. He acquired during the long years of his honest industry a handsome competence.”

~ *New York Times*, September 20, 1880.



47. Benjamin Franklin Wade (*Ohio*)

President Pro Tempore: 1867–1869

Senate Service: March 15, 1851, to March 3, 1869

Party: Whig; Opposition; Republican

Born: Feeding Hills, near Springfield, Hampden County, Massachusetts, October 27, 1800

Died: Jefferson, Ashtabula County, Ohio, March 2, 1878

Education: Received his early education from his mother; studied medicine in Albany, New York, 1823–1825; studied law.

Non-Senate Career: As a young man in Ohio, Benjamin Franklin Wade worked as a farmer, drover, and school teacher. He was admitted to the bar in 1828 and began practicing law in Jefferson, Ashtabula County, Ohio. From 1835 until 1837, Wade served as prosecuting attorney of Ashtabula County. He became a member of the state senate in 1837. He was not reelected in 1839, but was returned to the state senate for a second term in 1841. He was judge of the third judicial court of Ohio from 1847 until 1851. After his long tenure in the U.S. Senate, Wade became a government director of the Union Pacific Railroad and was appointed to the Santo Domingo Commission in 1871.

Committee Chair: Territories (1861–1867)

Observations: “The choice of Hon. B.F. Wade, of Ohio, as presiding officer, in place of Mr. [Lafayette] Foster, whose term expires today, is eminently satisfactory to the loyal party. It will inspire confidence throughout the country, for no member of that body has been more faithful and fearless in the cause of loyalty and freedom. He is neither afraid to express honest opinions, nor to do his duty; and in the event of the impeachment of President [Andrew] Johnson, the nation would feel that its interests would be entrusted to competent hands.”

~ *Chicago Tribune*, March 4, 1867.

Further Reading: Shover, Kenneth. “The Life of Benjamin F. Wade.” Ph.D. dissertation, University of California, Berkeley, 1962; Trefousse, Hans L. *Benjamin Franklin Wade: Radical Republican from Ohio*. New York: Twayne Publishers, 1963.



48. Henry Bowen Anthony (*Rhode Island*)

President Pro Tempore: 1869–1873, 1875

Senate Service: March 4, 1859, to September 2, 1884

Party: Republican

Born: Coventry, Rhode Island, April 1, 1815

Died: Providence, Rhode Island, September 2, 1884

Education: Attended a private school in Providence, Rhode Island; graduated from Brown University in 1833.

Non-Senate Career: Henry Anthony was editor of the *Providence Journal* in 1838, and afterwards became one of its owners. He was elected governor of Rhode Island in 1849 and reelected in 1850. He declined to be a candidate for renomination and became a United States senator in 1859.

Senate Offices: Republican Conference chairman (1861–1884)

Committee Chair: Printing (1861–1884); Revolutionary Claims (1871–1884)

Observations: “He had come to be the depository of [the Senate’s] traditions, customs and unwritten rules. . . . He seemed somehow the intimate friend of every man in the Senate, on both sides. Every one of his colleagues poured out his heart to him. It seemed that no eulogy or funeral was complete unless Anthony had taken part in it, because he was reckoned [as a protecting] friend of the man who was dead.”

~ George F. Hoar, *Autobiography of Seventy Years* (New York: C. Scribner’s Sons, 1903), 2: 53.

Further Reading: U.S. Congress. *Memorial Addresses for Henry B. Anthony*. 48th Cong., 2nd sess. Washington, D.C.: Government Printing Office, 1885.



49. Matthew Hale Carpenter (*Wisconsin*)

President Pro Tempore: 1873–1875

Senate Service: March 4, 1869, to March 3, 1875; March 4, 1879, to February 24, 1881

Party: Republican

Born: Moretown, Washington County, Vermont, December 22, 1824

Died: Washington, D.C., February 24, 1881

Education: Attended the common schools; attended the United States Military Academy at West Point for two years; studied law.

Non-Senate Career: Matthew Hale Carpenter was admitted to the bar in 1847 and practiced law for a short time in Boston, Massachusetts. In 1848, he moved to Beloit, Wisconsin. He served as district attorney of Rock County, Wisconsin, from 1850 until 1854. In 1858, Carpenter moved to Milwaukee, where he continued to practice law and became active in politics.

Committee Chair: Enrolled Bills (1871–1873); Audit and Control the Contingent Expense (1871–1875)

Observations: “I have seen him in the most heated discussions in the Senate, in committee and at the bar, when the coolest and most experienced man might have been excused for an angry word or, at least, an angry look, and yet I cannot recall a single instance in which he lost his temper. Had this self-command been the result of a cold temperament, a want of proper sensibility or an unfeeling heart, it would afford them no commendation. But when it was found in a man of an ardent nature, of the keenest sensibility, and of the warmest affections, too much can scarcely be said in its praise.”

~ Senator Allen G. Thurman, *Washington Post*, March 8, 1881.

Further Reading: Deutsch, Herman J. “Carpenter and the Senatorial Election of 1875 in Wisconsin.” *Wisconsin Magazine of History* 16 (September 1932): 26–46; Thompson, E. Bruce. *Matthew Hale Carpenter, Webster of the West*. Madison: State Historical Society of Wisconsin, 1954.



50. Thomas White Ferry (*Michigan*)

President Pro Tempore: 1875–1879

Senate Service: March 4, 1871, to March 3, 1883

Party: Republican

Born: Mackinac Island, Michigan, June 10, 1827

Died: Grand Haven, Michigan, October 13, 1896

Education: Attended public schools.

Non-Senate Career: Thomas White Ferry worked as a clerk in Illinois before returning to Michigan and becoming a partner in his father's lumber business. He served in the state house of representatives from 1850 to 1852, after a term on the Grand Haven board of supervisors. He was a member of the state senate in 1856 and a delegate to the Loyalist Convention at Philadelphia in 1866. He served in the U.S. House of Representatives from March 4, 1865, to March 3, 1871, before becoming a U.S. senator.

Committee Chair: Rules (1873–1879); Post Office and Post Roads (1877–1879, 1881–1883)

Observations: "Senator Ferry is one of the youngest members of the body. He is a good presiding officer and has a fair knowledge of parliamentary law. He was selected for President *pro tempore* on this account, particularly as it was claimed the office should be given to the West. He was not chosen with reference to the possibility of the death of the President or

Vice President. . . There will undoubtedly be an effort to choose another Senator, with special reference to the new importance with which the office is invested by the death of the Vice President. Who may be chosen, or, indeed, who may be candidates, cannot yet be foretold other than this. The 'courtesies of the Senate,' as a kind of code of unwritten rules has come to be called, may prevent any serious movement against Mr. Ferry. There is nothing to be said against his retaining the Presidency of the body, except that he is a young Senator, not of great experience in public affairs, and would not have been selected if the considerations which must now control the Senate in its choice had then existed."

~ *New York Times*, November 24, 1875.

Further Reading: Ziewacz, Lawrence E. "The Eighty-First Ballot: The Senatorial Struggle of 1883." *Michigan History* 56 (Fall 1972): 216–32.



51. Allen Granberry Thurman (*Ohio*)

President Pro Tempore: 1879–1880

Senate Service: March 4, 1869, to March 3, 1881

Party: Democrat

Born: Lynchburg, Virginia, November 13, 1813

Died: Columbus, Franklin County, Ohio, December 12, 1895

Education: Attended the Chillicothe Academy in Chillicothe, Ohio; studied law.

Non-Senate Career: In 1834, Allen G. Thurman was employed as the private secretary to the Ohio governor. He was admitted to the bar in 1835 and practiced law in Ohio. He was elected to the U.S. House of Representatives and served from March 4, 1845, until March 3, 1847. He became an associate justice of the supreme court of Ohio in 1851, and in 1854, he was named chief justice. In 1856, he returned to the practice of law in Columbus, Ohio. Following his Senate service, he resumed the practice of law in Ohio. President James Garfield appointed him a member of the international monetary conference in Paris in 1881. In 1888, he ran unsuccessfully for vice president of the United States on the Democratic ticket.

Committee Chair: Private Land Claims (1871–1879); Judiciary (1879–1881)

Observations: “The sudden and unexpected departure of Vice-President [William A.] Wheeler today has given the Democrats entire control of the Senate much sooner than they had expected, and they can now make removals of Republican officials and fill their places

with Democrats with the necessary approval of the presiding officer. When Mr. Wheeler’s letter vacating the chair was read by the Secretary of the Senate at the opening of the session, the Republicans were in the majority, but they waived this accidental grant of power, and the Senate took a recess, while messengers were sent in every direction for absent Democratic Senators. What made it more annoying to the Democrats present was that among the absentees was Senator Thurman, who had been designated in their caucus for the position of President pro tempore. After waiting about a quarter of an hour the well-known form of Mr. Thurman was seen entering the Senate chamber, wiping the perspiration from his forehead with his scarlet bandanna handkerchief. Other Democratic Senators had meanwhile arrived, and Mr. Thurman was immediately elected and installed. Having served two years in the House of Representatives and upwards of ten years in the Senate, Mr. Thurman is well acquainted with the rules, and is a good presiding officer.”

~ *Chicago Tribune*, April 16, 1879.

Further Reading: Carroll, Howard. “Allen Thurman.” In *Twelve Americans: Their Lives and Times*. 331–54. 1883. Reprint. Freeport, NY: Books for Libraries Press, 1971; Hare, John S. “Allen G. Thurman: A Political Study.” Ph.D. dissertation, Ohio State University, 1933.



52. Thomas Francis Bayard, Sr. (*Delaware*)

President Pro Tempore: 1881

Senate Service: March 4, 1869, to March 6, 1885

Party: Democrat

Born: Wilmington, Delaware, October 29, 1828

Died: Dedham, Massachusetts, September 28, 1898

Education: Attended private school in Flushing, New York; studied law.

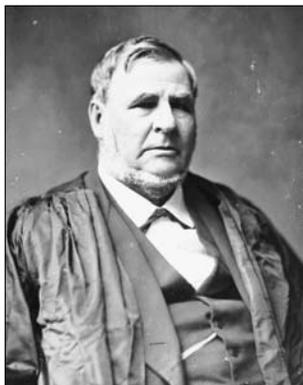
Non-Senate Career: Thomas Bayard, Sr., was admitted to the bar in 1851 and practiced law in Wilmington, Delaware. He was appointed United States district attorney for Delaware in 1853, but resigned in 1854. He resigned from the U.S. Senate when President Grover Cleveland appointed him secretary of state, where he served from 1885 to 1889. He was ambassador to Great Britain from 1893 to 1897.

Committee Chair: Engrossed Bills (1873–1879); Finance (1879–1881); Private Land Claims (1881–1885)

Observations: “In the history of the past 30 years Mr. Bayard bore no slight or unimportant part. He won the respect of his political adversaries even in the times of sharpest controversy, and however men have differed with him on matters of public interests, none ever failed to recognize his ability as an orator or his high personal character.”

~ *Boston Daily Globe*, September 29, 1898.

Further Reading: Tansill, Charles. *The Congressional Career of Thomas F. Bayard*. Washington, D.C.: Georgetown University Press, 1946.



53. David Davis (*Illinois*)

President Pro Tempore: 1881–1883

Senate Service: March 4, 1877, to March 3, 1883

Party: Independent

Born: Near Cecilton, Cecil County, Maryland, March 9, 1815

Died: Bloomington, McLean County, Illinois, June 26, 1886

Education: Attended the public schools of Maryland; graduated from Kenyon College in Gambier, Ohio, in 1832; studied law in Lenox, Massachusetts, and at the law school in New Haven, Connecticut, graduating in 1835.

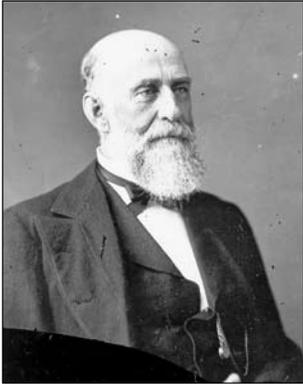
Non-Senate Career: After being admitted to the bar in 1835, David Davis settled in Illinois and began to practice law. He became a member of the state house of representatives in 1844 and was a delegate to the state constitutional convention in 1847. Davis served as judge of the eighth judicial circuit of Illinois from 1848 until 1862, when President Lincoln appointed him an associate justice of the Supreme Court of the United States, where he served until 1877, when he retired to enter the U.S. Senate. Following his Senate service, he retired from public life.

Observations: “He was a Republican before and during the [Civil] War, and a steadfast supporter of [President Abraham] Lincoln’s policies. His opinions had been in general in support of the liberal construction of the Constitution, under which the National powers had been exerted to put down the Rebellion. He was elected to the Senate, after resigning his

place on the Supreme Court Bench, by a union of Democrats of the Illinois Legislature with a few discontented Republicans, defeating [Republican Senator John A.] Logan. When he came to the Senate he preserved his position as an Independent. He did not go into the caucuses of either party. . . . His seat was on the Republican side. When there was a division, if he voted with the Republicans, he sat in his seat, or rose in his seat if there was a rising vote; but when, as not unfrequently happened, he voted with the Democrats, he always left his seat and went over to the Democratic side of the Chamber, and stood there until his name was called, or his vote counted. As he passed [New York Republican Senator Roscoe] Conkling one day in one of these movings, Conkling called out: ‘Davis, do you get travel [reimbursement] for all these journeys?’”

~ George F. Hoar, *Autobiography of Seventy Years* (New York: C. Scribner’s Sons, 1903), 2: 64–65.

Further Reading: King, Willard. *Lincoln’s Manager: David Davis*. Cambridge: Harvard University Press, 1960; Pratt, Harry. “David Davis, 1815–1886.” Ph.D. dissertation, University of Illinois, 1930.



54. George Franklin Edmunds (*Vermont*)

President Pro Tempore: 1883–1885

Senate Service: April 3, 1866, to November 1, 1891

Party: Republican

Born: Richmond, Chittenden County, Vermont, February 1, 1828

Died: Pasadena, California, February 27, 1919

Education: Attended the common schools and was privately tutored; studied law.

Non-Senate Career: George Edmunds was admitted to the bar in 1849 and practiced law in Burlington, Vermont. He was a member of the state house of representatives from 1854 to 1859, serving three years as speaker, and a member of the state senate, serving as its presiding officer in 1861 and 1862. After his U.S. Senate service, he resumed the practice of law in Philadelphia, Pennsylvania, and subsequently moved to Pasadena, California.

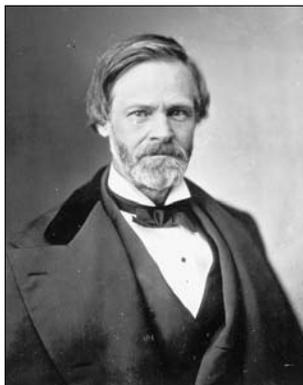
Senate Offices: Republican Conference chairman (1885–1891)

Committee Chair: Pensions (1869–1873); Judiciary (1871–1879, 1881–1891); Private Land Claims (1879–1881); Foreign Relations (1881–1883)

Observations: “Mr. Edmunds is fifty-five years old, and he has sat in the Senate for seventeen years. During that long term his constructive talent has been as evident as his ascendancy in debate and his mastery of Constitutional law. He is not an orator, but he is a thoroughly equipped debater, an acute and remorseless critic of fallacy and fustian and ignorance, with a memory like a well-ordered arsenal, in which every weapon stands brightly burnished and ready for instant use. His elevation to the Presidency of the Senate was but a fitting honor from his party associates, and it properly fills the gap—which would have been perilous had it been left unfilled—produced by the expiration of Mr. [David] Davis’s Senatorial term.”

~ *Harper’s Weekly Magazine*, March 17, 1883.

Further Reading: Adler, Selig. “The Senatorial Career of George Franklin Edmunds, 1866–1891.” Ph.D. dissertation, University of Illinois, 1934; Welch, Richard E., Jr. “George Edmunds of Vermont: Republican Half-Breed.” *Vermont History* 36 (Spring 1968): 64–73.



55. John Sherman (Ohio)

President Pro Tempore: 1885–1887

Senate Service: March 21, 1861, to March 8, 1877; March 4, 1881, to March 4, 1897

Party: Republican

Born: Lancaster, Fairfield County, Ohio, May 10, 1823

Died: Washington, D.C., October 22, 1900

Education: Attended the common schools and an academy in Ohio; studied law.

Non-Senate Career: As a young man, John Sherman worked as an engineer on canal projects. He was admitted to the bar in 1844 and practiced law in Mansfield, Ohio. He served as a member of the U.S. House of Representatives from March 4, 1855, until March 21, 1861. In the House, he chaired the Committee on Ways and Means from 1859 to 1861. Following his first tenure in the U.S. Senate, Sherman was secretary of the treasury in President Rutherford Hayes' cabinet from 1877 to 1881. Following his second tenure in the Senate, he became secretary of state in President William McKinley's cabinet, serving from 1897 to 1898.

Senate Offices: Republican Conference chairman (1884–1885, 1891–1897)

Committee Chair: Agriculture (1863–1867); Finance (1863–1865, 1867–1877); Library (1881–1887); Foreign Relations (1885–1893, 1895–1897)

Observations: “‘Will the death of Mr. Hendricks have any effect upon the organization of the Senate?’ a reporter asked. ‘None whatever,’ replied Senator John Sherman. ‘The organization of the Senate rests entirely with the Senators. Of course, the Vice-President is our President, but it is customary for the Senate to elect a President *pro tempore*. Mr. Hendricks, however, was so regular in his attendance at the last session of the Senate that we did not elect one. The first thing to be done when the Senate next convenes is for the Clerk to announce the death of the Vice-President. Somebody will then move that a ballot be taken for a President of the Senate, and the matter will be settled in half an hour. I cannot say who will be selected. The place is not a very desirable one, and the death of Mr. Hendricks is so sudden that, of course, nobody has given the matter a thought.’”

~ Senator John Sherman, reported in the *New York Times*, November 26, 1885.

Further Reading: Burton, Theodore. *John Sherman*. 1906. Reprint. New York: AMS Press, 1972; Sherman, John. *Recollections of Forty Years in the House, Senate, and Cabinet*. 1895. Reprint. 2 vols. New York: Greenwood Press, 1968.



56. John James Ingalls (*Kansas*)

President Pro Tempore: 1887–1891

Senate Service: March 4, 1873, to March 3, 1891

Party: Republican

Born: Middleton, Essex County, Massachusetts, December 29, 1833

Died: East Las Vegas, New Mexico, August 16, 1900

Education: Attended the public schools in Haverhill, Massachusetts, and was privately tutored; graduated from Williams College, Williamstown, Massachusetts, in 1855; studied law.

Non-Senate Career: John Ingalls was admitted to the bar in 1857. He moved to Kansas in 1858 and became a member of the state constitutional convention in 1859. He was named secretary of the Territorial Council in 1860 and secretary of the state senate in 1861. During the Civil War he served as judge advocate of the Kansas Volunteers. He again served in the state senate in 1862 and was an unsuccessful candidate for lieutenant governor of Kansas in 1862 and 1864. He edited the *Atchison Champion* from 1863 to 1865 and aided in founding the *Kansas Magazine*. Following his Senate service, he devoted his time to journalism, literature, and farming until his death.

Committee Chair: Pensions (1875–1879); District of Columbia (1881–1891)

Observations: “During the exciting debate in the Senate the other day Mr. Ingalls sat in the president’s chair with his elbows on the desk

and his face in his hands. Spread open before him was a book in old-fashioned binding, and he bent his head low over it as it absorbed all his attention. The sands in the hour glass alongside him had run their course unnoticed; the eloquence of the gentleman discussing the tariff, pensions, the Administration, and painting pictures of Presidential candidates failed to attract him from his book. He was as intent as a schoolboy on a lesson that must be learned or a boy who has absented himself from school over a dime novel. His legs were drawn under his chair, and he seemed to drink in the lines. He was completely absorbed. He was preparing for a speech and was exciting picturesque expressions and apt epithets in his own mind by associating with Homer. The richness and wide range of the great Greek kindle the fires of the Kansas Senator and reflect a force and quaintness in his expression. Before making a speech Mr. Ingalls prepared himself this way.”

~ *New York Times*, March 10, 1888.

Further Reading: Ingalls, John. *A Collection of the Writings of John Ingalls*. Edited by William Connelley. Kansas City: Hudson-Kimberly Co., 1902; Williams, Burton. *Senator John James Ingalls, Kansas’ Iridescent Republican*. Lawrence: University Press of Kansas, 1972.

