

Speaker Thomas Brackett Reed and the Will of the Majority

by William Stanco

THOMAS BRACKETT REED WAS ONE of the most colorful and powerful Speakers of the House of Representatives. He served in the House from 1877 to 1899 and was Speaker in the Fifty-first, Fifty-fourth, and Fifty-fifth Congresses (1889-91, 1895-99). He consolidated much of the institutional power in the office of Speaker and his influence rivaled that of the president.

Contemporaries viewed him as a man of great intelligence and integrity who possessed a sense of humor frequently tinged with biting sarcasm. His critics often referred to him as tyrant, despot, dictator, and czar. But fundamentally he believed that government should reflect the will of the majority, especially as expressed by the majority party in the House of Representatives.

Reed's Ascent

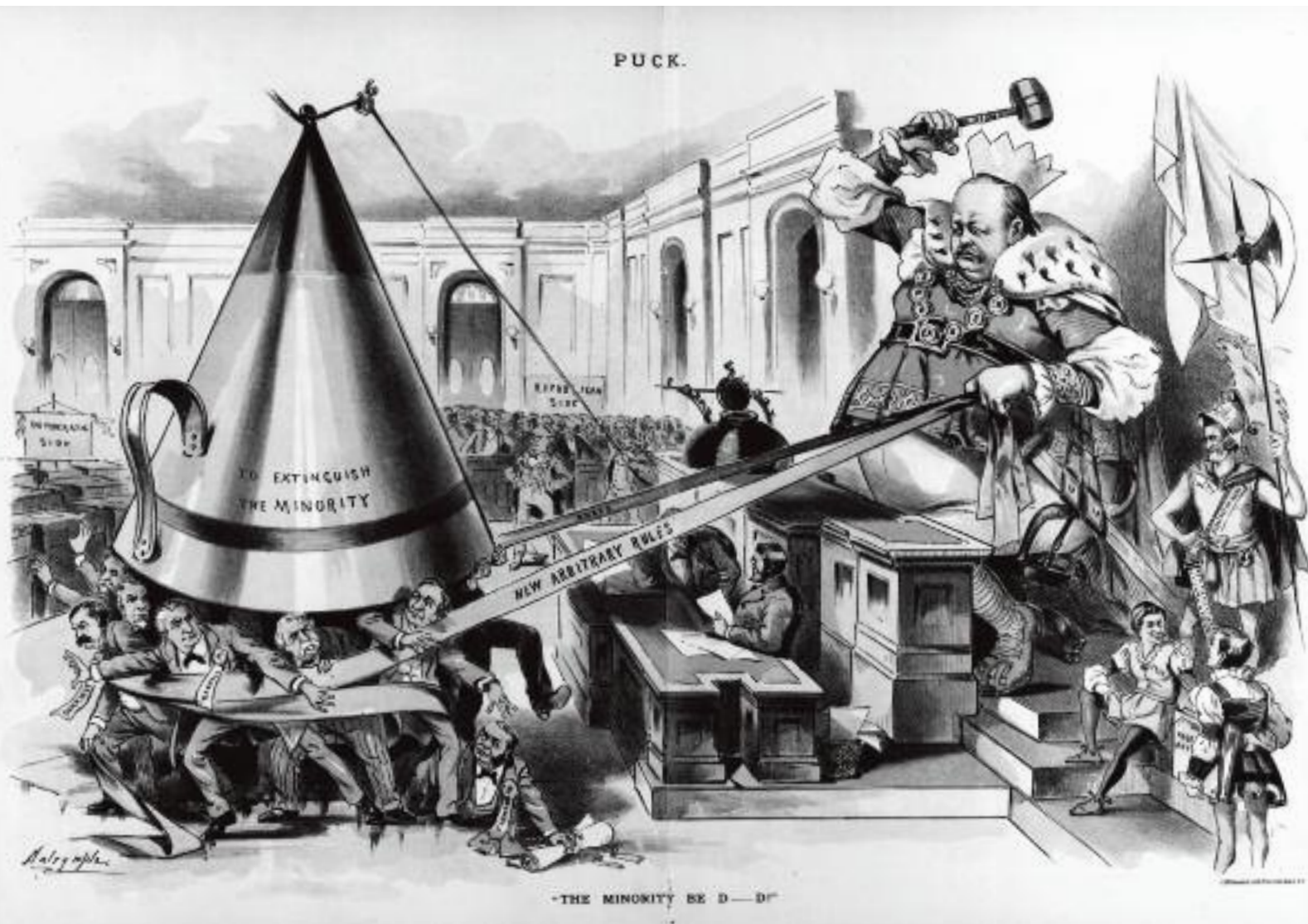
BORN ON OCTOBER 18, 1839, in Portland, Maine, of descendants from the *Mayflower Pilgrims*, Reed was a man of relatively moderate means. He graduated from Bowdoin College in 1861 and joined the Navy in 1864 during the Civil War. He was admitted to the bar in Maine and California in 1863 and 1865, respectively. He went on to hold several local and state positions, serving as city counsel for Portland and a representative in the Maine legislature and Senate before he was elected state attorney general at the age of thirty.

In 1876, Reed won election to the U.S. House of Representatives as a Republican, beginning his service on October 15, 1877, with the start of the Forty-fifth Congress. He quickly developed a reputation as a first rate legislator. In 1884, the *New York Times* described him as “the brightest man in the House” and as “a thor-



COURTESY, HOUSE OF REPRESENTATIVES OFFICE OF HISTORY AND PRESERVATION

Noted American artist John Singer Sargent painted the portrait of Speaker Thomas Brackett Reed in 1891. The portrait hangs in the Speaker's Gallery outside the House of Representatives Chamber.



Speaker Reed's actions provided plenty of material for political cartoonists. In "The minority be d---d!," Louis Dalrymple's February 5, 1890 cartoon in *Puck* magazine depicted Reed, gavel in hand, reining in and silencing the minority with a cone suspended above their heads.

ough lawyer and a good parliamentarian."¹ Reed was a large man, six feet two inches in height and weighing more than 300 pounds, though he possessed a somewhat surprisingly nasal high-pitched voice.

He was also highly partisan and used his humor and biting sarcasm for political effect. He was not one who sought to reach out to the opposition party or share power,

as indicated by his statement that government works best when one party governs and the other party watches. He also said "We live in a world of sin and sorrow. Otherwise there would be no Democratic Party." Once, obviously pleased with his response to an opponent's statement, Reed remarked that "having embedded that fly in the liquid amber of my remarks, I will proceed." When a representative, during a speech, used a quote attributed to Henry Clay, "as for me, I would rather be right than President," Reed immediately responded "the gentleman will never be either." Once referring to two of his House colleagues, he said, "They never open their mouths without subtracting from the sum of human knowledge."

Reed's debating skills won bipartisan praise, with Republican Henry Cabot Lodge calling Reed "the finest, the most effective debater that I have ever seen or heard." Democratic leader in the House, John Sharp Williams, referred to Reed as "that ever memorable genius, the ablest running debater the American people ever saw." Champ Clark, also a Democrat and who would later become Speaker, said that Reed "was the best short-speech maker I ever saw or heard."

After only four years in the House, Reed became chairman of the Judiciary Committee in 1881. Later he chaired the Rules Committee in the Fifty-first, Fifty-fourth and Fifty-fifth Congresses. As Rules chairman, he would meet with the other two Re-

publican committee members, Joe Cannon and William McKinley, a strong Reed supporter, to discuss matters prior to the full committee meeting.² At the start of the full committee meeting, Reed would then inform the Democratic minority, “Joe, McKinley, and I have decided to perpetrate the following outrage, of which we all want you to have due notice.”

Prior to 1890, members of the minority party in Congress could obstruct the majority by refusing to answer quorum calls, thereby preventing the House from obtaining the majority needed to conduct business. In an article he wrote in March 1889, Reed noted that in the previous Congress, the House voted on only 8 percent of the bills introduced because obstructionist tactics such as the “disappearing quorum” had placed excessive power in the hands of the minority. He wrote that “if tyranny of the majority is hard, the tyranny of the minority is simply unendurable. The rules, then, ought to be rearranged as to facilitate the action of the majority.”³

Increasing the Power of the Speakership to Work the Will of the Majority

FOLLOWING THE ELECTION OF 1888 and the start of the Fifty-first Congress, Thomas Brackett Reed was elected Speaker of the House on December 2, 1889. Within two months of his election he sought to increase the efficiency and the ability of the majority party to accomplish its policy objectives.

In Reed’s first days as Speaker, he had difficulty obtaining a quorum for such basic matters as approving the record of the preceding day’s business. On January 29, 1890, the Speaker sought to take up the question of which of two candidates should be seated following a contested election in Virginia. The quorum was lost after two Democrats changed their votes from “present” to not voting. Reed, over fierce opposition from the Democrats, ruled that all members on the House floor would be

counted as present for quorum purposes and the deliberations could begin. This was the first time a quorum was defined as the number present, rather than the number answering the quorum call. One member immediately objected, stating “I deny

The debate over this ruling continued for several days. Representative Benjamin Butterworth (R-OH) stated on the House floor that the quorum question “goes to the power of majorities to rule in this Government” and “whether the Constitution con-



your right, Mr. Speaker, to count me as present.” Reed responded by asking, “Does he wish to deny it?”

The January 30, 1890 *New York Times* ran the front page headline: “On the Volcano’s Brink: The Republicans Defying All Decency: Speaker Reed’s Revolutionary Ruling Precipitates a Contest, in Which His Party Is Not Fair.” The front page headline of February 1 read: “Bolder in His Tyranny: Heaping Fresh Indignity on the Minority: Reed Confirmed as Dictator of the House—Refusing Even to Recognize the Democrats.” The February 2 *New York Times* headline proclaimed: “Dictator Reed’s Reign: Stopping at Nothing in His Crushing Scheme: More Outrageous Rulings by the Speaker—Democrats Not Faltering in Their Contest.”

Wielding the mallet of the “powers of the Speaker,” Reed smashes the “Democratic blockade” so that the backlog of “public business” legislation can pass through in the Judge cartoon of February 15, 1890.

tains within itself the element of suicide. This is a Government of the people. Expressed in another way, it is a Government of majorities.”⁴ The Democrats argued that a longstanding and vital right of the minority had been arbitrarily taken away.

The success of his ruling was of vital importance to the new Speaker. If he did not succeed in eliminating the disappearing quorum, Reed had planned to resign and join the law office of Elihu Root in New York.



TOMMY'S TOY.

How Speaker Reed keeps congress in his—Oh, for a Reed in the United States states!

A gargantuan Speaker manipulates “Reed’s Rules” to control House members in an 1897 Judge cartoon, “Tommy’s Toy.”

In February, Reed’s ability to better manage the House activities was greatly enhanced when a series of reforms, collectively known as the Reed Rules, were adopted. These rules included: (1) dilatory motions were no longer entertained, (2) the quorum was reduced from a majority plus

one to only 100 of the then 325 House members, and nonvoting members could be counted for determining the quorum, and (3) changes to procedures for debating and amending bills in the Committee of the Whole. Reed’s actions and the Reed Rules were based on the premise that the will of the majority of the House should determine the actions of that body.

Several months later, in the interest of preventing members from leaving the House floor to avoid being counted for the

quorum, Reed ordered the doorkeeper to close all chamber doors. In response to this action, on September 18, 1890, Representative “Buck” Kilgore(D-TX), with a cry of “Make Way for Liberty” kicked a door down, striking an entering House member, and exited the House floor to escape a quorum call. This action earned him the nickname of “Kicking Buck” Kilgore and it was referred to in various publications as the “Texas Kick” and the “Kilgore Kick.”⁵

As a result of the 1890 election, De-



mocrats regained control of Congress, in part due to criticism of Republicans for having a billion dollar Congress, and thus ended Reed's tenure as Speaker.⁶ The Democrats quickly repealed the Reed Rules, including his interpretation of a quorum. However, on April 17, 1894, the Democrats adopted a modified version of the Reed Rules. Interestingly, the rules of the One hundred and tenth Congress established a quorum for conducting business at one hundred.⁷

With the return of a Republican majority in the Fifty-fourth Congress on December 2, 1895, Reed was again elected Speaker. In the following year, he unsuccessfully sought his party's presidential nomination for the 1896 election. He lost out to William McKinley, who had 661½ votes to Reed's 84½ votes. More than three-quarters of Reed's support came from five of the six New England states.

Overwhelmed by Public Opinion and the House Majority

THE NATION'S INVOLVEMENT in overseas expansion in the late 1890s would challenge Reed's leadership. He believed that expansionism was a policy that no Republican should excuse, no less adopt. In late February 1895 rebels in Cuba sought independence from Spanish control. Over the next few years support for the rebels increased in the United States, particularly among the national press. Both Reed and President McKinley initially opposed intervention. However, on February 15, 1898, the U.S.S. *Maine* exploded in Havana harbor, increasing calls for intervention in what McKinley and the majority of Republicans in Congress came to view as a war for humanity.⁸

Reed used the institutional powers of the speakership to limit debate on a number of measures and suppressed resolutions supporting intervention. As Reed continued to oppose going to war with Spain, New York Governor Levi Morton urged him to work harder to dissuade members from war. While speaking to reporters on April 7, 1898, Reed said "Dissuade them! The Governor... might as well ask me to stand out in the middle of a Kansas waste and dissuade a cyclone." Within three weeks, the United States declared war on Spain on April 25, 1898.

After the nation's military success against Spain, many in Congress began to argue for annexing Hawaii to enhance security in the Pacific. Reed opposed annexation, which again put him in conflict with

his president and his own party members. He delayed a joint resolution to annex Hawaii from coming to the House floor for nearly three weeks. However, on May 4, 1898, the resolution was introduced and ultimately passed 201 to 91 with only three Republicans in opposition. Reed did not attend the session when the vote occurred and as Speaker he did not normally vote. However, on this occasion, he did state that if he were to vote he would have opposed annexation.

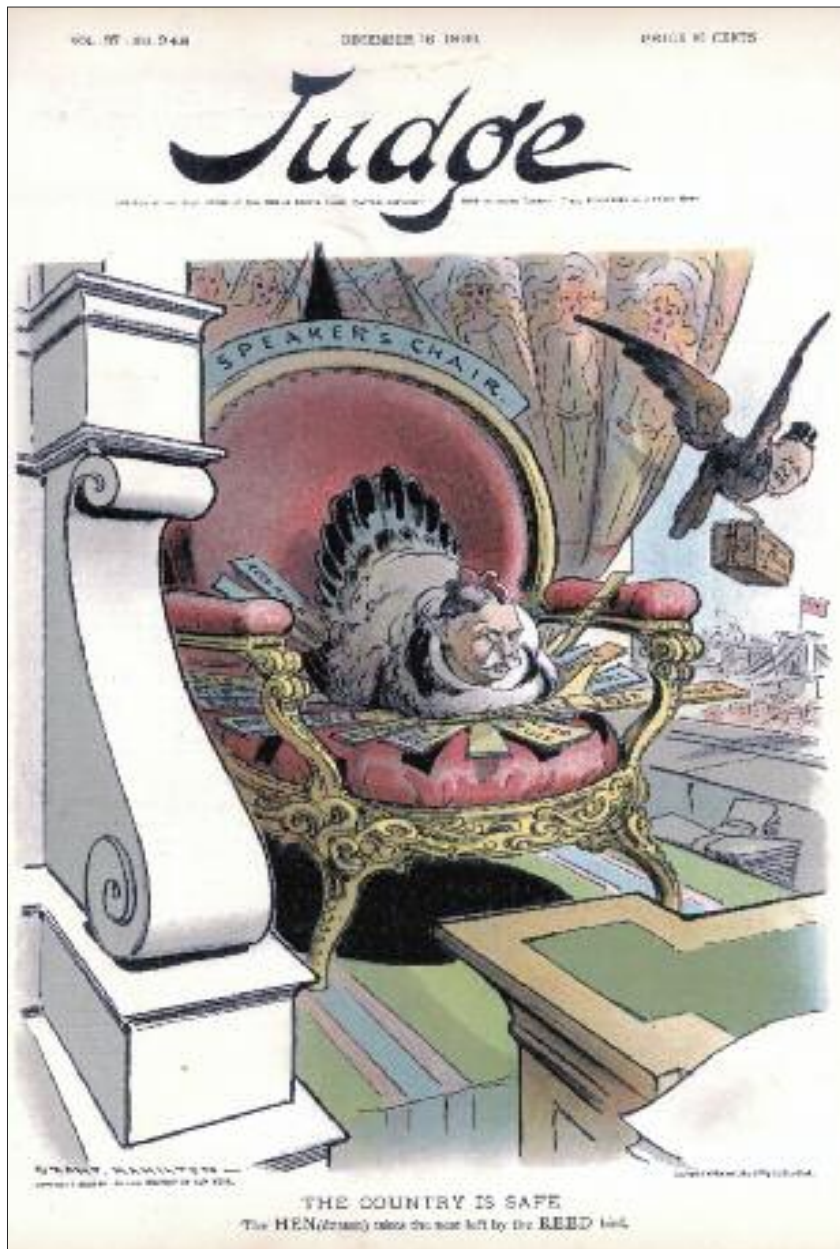
Some believe Reed could have stopped the House from taking up resolutions supporting expansionism; however, he did not do so. He put a higher priority on the House following the will on the majority.

Friends described Reed as becoming increasingly bitter and more critical of the McKinley administration. Disgusted with expansionism and out of step with the majority, he lost his desire for the battle. He opposed the treaty formally ending the Spanish-American War, which transferred sovereignty of the Philippines to the United States. The treaty was ratified on February 3, 1899. In March, Congress adjourned and in April newspapers announced that Reed would leave Congress to join a New York law firm. Reed wrote to a friend, "I have tried, perhaps not always successfully, to make the acts of my public life accord with my conscience and I cannot now do this thing."

Reed's Departure and Legacy

ON AUGUST 22, 1899, Reed sent a brief letter informing the governor of Maine of his intent to resign his seat in the House. Reed's last day of service was September 4, 1899. *The Congressional Record* of that day does not contain any speeches by either Reed or any other member acknowledging his departure. In December 1902, Reed returned to Washington for a visit. On December 2, he collapsed while visiting friends in the Capitol and he died five days later on December 7, 1902.

Reed was one of the most powerful



Speakers in the history of the House of Representatives. He handed over to successors an extremely powerful office--one that Joe Cannon would utilize to perhaps its fullest potential. Clearly the institution of the speakership was a far more powerful institution than the one he assumed in 1889.

Despite the considerable power and influence he exercised, Reed could not stop the nation's expansion overseas in the 1890s. Ironically, he stepped aside to allow the will of the majority to have its way. Thomas B. Reed could not "dissuade the cyclone" of popular opinion.

In a manuscript on imperialism, Reed wrote that "public opinion is the foundation and the sole foundation on which any nation can rest." When he saw his values in conflict with the majority's pro-expansionist sentiment, he realized that he could no longer lead his party in the House. Accordingly, he paid a high price for his respect for public opinion and majority rule. ★

William Stanco has been an investigator on the staff of the House Appropriations Committee since 2002. While briefly away from the committee earlier this year, he spent several months with the consulting firm IPFC Inc. In addition to his degree in accounting from Quinnipiac University, he has a master's degree in congressional studies from Catholic University.

Reed's departure from the speakership leaves new Speaker David B. Henderson a nest of Reed rules in the *Judge* cover illustration of December 16, 1899.

Surrounded by paperwork, Reed and his clerk paused for a photographer in the Speaker's Capitol office. The rubber hose suspended from the ceiling supplied gas to the desk lamp at right.



The Wit and Wisdom of Thomas Brackett Reed

“A witticism from the chair:” Arthur Ignatius Keller’s drawing published in the June 1902 issue of *Century* magazine portrayed Reed presiding over the crowded House chamber.



“If we ever learn to treat the living with the tenderness with which we instinctively treat the dead, we shall then have a civilization well worth distributing.”

“One of the greatest delusions in the world is the hope that the evils of this world can be cured by legislation.”

“A gelatinous existence, the scorn of all vertebrate animals” (Reed describing the House of Representatives in 1892).

“The right of the minority is to draw its salaries, and its function is to make a quorum.”

“The best system is to have one party govern and the other party watch, and on general principles I think it best for us to govern and the Democrats watch.”

“I will say to the gentleman that if I ever ‘made light’ of his remarks, it is more than he ever made of them himself.”

“[He has] the backbone of a chocolate éclair” (Reed describing William McKinley in 1898).

“One, with God, is always a majority, but many a martyr has been burned at the stake while the votes were being counted.”

“The equal rights of women have but just reached the region of possibilities. . . . Every step of progress from the harem and the veil to free society and property holding has been steadily fought by the vanity, selfishness and indolence, not only of mankind but of woman-kind also.”

“Copernicus . . . did not publish his book until he was on his deathbed. He knew how dangerous it is to be right when the rest of the world is wrong.”

Source: Gorton Carruth and Eugene Ehrlich, *The Harper Book of American Quotations* (New York: Harper & Row, 1988).

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Notes

1. *New York Times*, Feb. 9, 1884, p. 4.
2. Margaret Leech, *In the Days of McKinley* (New York, 1959), p. 44.
3. *Century*, March 1889, p. 795.
4. *Congressional Record*, Jan. 30, 1890, p. 986.
5. *Washington Post*, Sept. 19, 1890, p. 7, and *Cleveland Plain Dealer*, Sept. 19, 1890, p. 1.
6. L. White Busbey, *Uncle Joe Cannon: The Story of a Pioneer American as Told to L. White Busbey* (New York, 1927), p. 321.
7. *Rules of the House of Representatives*, Rule XVIII, Clause 6(a).
8. Alexander K. McClure and Charles Morris, *The Authentic Life of William McKinley* (Philadelphia, 1901), p. 229.