

“Mr. Cobb knows nothing about architecture”: Committee assignment requests in the pre-Civil War US House of Representatives

Abstract

Using letters addressed to two Speakers – James K. Polk (TN), 24th-25th Congresses, and Nathaniel P. Banks (MA), 34th Congress –, this article examines committee assignment requests in the pre-Civil War House of Representatives. It begins by outlining the circumstances which concentrated enormous power over assignments in the hands of the Speaker. It then draws on existing literature on the modern House to propose several hypotheses, before explaining the challenges of applying conventional research methods to the collection and study of nineteenth-century data. That data is then analyzed to calculate the success rate of requests, rank committees by their attractiveness, and categorize the motives which drove members to seek a particular assignment. The article finds certain basic continuities with the modern House in these three aspects of the committee allocation process, and suggests explanations for the most striking discontinuities.

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“Availing myself of your kind suggestion I take the liberty of expressing to you my desire in regard to the Committee on which I may be placed,” wrote Rep. John McKeon (NY) to the newly-elected Speaker of the House of Representatives James K. Polk (TN) in December 1835. McKeon’s preference was for Foreign Affairs, because his New York city constituency “has a great interest in the questions which will be brought before that Committee.” Conversely, he was keen to avoid “either the P.[ost] Office committee or that on claims.” McKeon acknowledged “the difficult task” which devolved upon Polk “in making out your Committees,” and promised that “whatever location may be assigned to me I shall endeavour to discharge the duties of the place to the best of my ability.” Nonetheless, he added, “I am aware from experience that the comfort of legislative life greatly depends on a members location on committees and while on the one hand there are positions to be desired, on the other there are many to be avoided if possible” (Weaver 1969-, 3: 381-2).

Using letters like McKeon’s addressed to two antebellum Speakers – Polk, 24th-25th Congresses, and Nathaniel P. Banks (MA), 34th Congress –, this article examines how Congressmen, their friends, and occasionally their foes, sought to influence committee assignments in the pre-Civil War House, a subject about which we currently know very little. It begins by outlining the circumstances which concentrated power over assignments in the hands of the Speaker. It then draws on existing literature on the modern House to propose several hypotheses, before explaining the challenges of applying conventional research methods to the collection and study of nineteenth-century data. That data is then analyzed to reveal how frequently pleas like McKeon’s were granted, which were the “positions to be desired” and which “to

be avoided,” and what reasons his fellow-petitioners provided for their appeals. The findings of an exploratory study such as this can only be tentative, but certain basic continuities with the modern House in the success rate of requests, the demand for particular assignments, and the motivations of applicants are identified, and possible explanations are suggested for the most striking discontinuities.

CONTEXT

It appears customary when writing on the subject of committee assignments to begin with Woodrow Wilson’s classic dictum that “Congress in session is Congress on public exhibition, whilst Congress in its committees is Congress at work” (Rohde and Shepsle 1973; Bullock 1976; Gertzog 1976; Canon, Nelson and Stewart 2002; Frisch and Kelly 2006). Long before Wilson put pen to paper, however, perceptive Congressmen reached the same conclusion. “In every legislature, the introduction, progress & conclusion of business depend much upon committees,” explained Rep. Barnabas Bidwell (MA) to President Thomas Jefferson in 1806. Jefferson had cultivated the talented Bidwell as a floor leader for his Administration, but the latter found his path to advancement blocked and now, to the President’s chagrin, planned to relinquish his seat. “As the Speaker, according to the standing rules of the House, has the appointment of Committees,” Bidwell continued, “he has it in his power to place whom he pleases in the foreground, and whom he pleases, in the background, and thus, in some measure, affect their agency in the transactions of the House.” Unfortunately for the member from Massachusetts, he had ascertained that “from the connections and attachments of the present Speaker, I have, at least, no reason to expect to be very favourably considered, in his distributions of committee

business.”¹ For this Congressman, the mere prospect of an adverse assignment, of exclusion from “Congress at work,” was sufficient cause to bring a promising legislative career to a premature close.

In today’s House, as has been true for over a century, assignments are handled by specialized “committee-on-committees” within each of the major parties, currently the House Democratic Steering and Policy Committee and the Republican Steering Committee. As Bidwell’s letter attests, however, this was not always the case. Under the standing rules adopted at the outset of the First Congress, the task of making appointments was allotted to the Speaker alone. Initially this function was limited to committees of three members or fewer, with larger bodies appointed by ballot, but during the second session that exception was eliminated.² This decision, taken without any recorded debate and probably intended to eliminate the delays incurred in balloting, considerably enhanced the stature of the Speakership. From this point until 1911, when the appointing power was removed in an explicit attempt to curb the influence of the chair, its occupants possessed unchecked authority over the arrangement of the committees, with no collective approval required by the House and no individual right of appeal for members. As a result, the nineteenth-century Speaker exercised far greater dominion over proceedings than his modern counterpart (Follett 1909; Shepsle 1978). “He assigns to each committee, such

¹ Barnabas Bidwell to Thomas Jefferson. July 28, 1806. Founders Online. Retrieved October 31, 2018 (<http://founders.archives.gov/documents/Jefferson/99-01-02-4095>).

² Annals of Congress. April 7, 1789. 1st Congress. 1st Session. 103; and January 13, 1790. 1st Congress. 2nd Session. 1091-2.

members as will speak his views, and carry out his policy,” one antebellum Congressman observed. “His powers for the time being, are, perhaps, greater than those of any other officer of the government. He holds a position in which he wields far more influence upon the legislation of Congress, than the President of the United States” (Giddings 1853, 364-5).

And yet, with great power comes great responsibility. As a nineteenth-century Washington newspaper correspondent dryly remarked, “every ambitious member thinks himself best qualified for some prominent place upon some favorite committee, and as almost every member is ambitious, all are eager to be preferred.”³ The House rules offered no criteria for determining assignments, and no steering groups then existed on the subject. Furthermore, Congressional turnover was far greater in the nineteenth century, reducing the possibilities for continuity in committee composition and restricting the Speaker’s personal familiarity with the members (Zagarri 2013). Consequently, successive occupants of the chair discovered the chore to be a daunting one. “The arrangement of the Committees has been more laborious & perplexing than all the rest [of my duties],” lamented Robert C. Winthrop (MA) in the 30th Congress. “To distribute two hundred & thirty gentlemen, more than half of whom were entire strangers to me, among thirty or forty different Committees, with a due regard to personal qualities, party distinctions, &

³ “Sylvias”. Letter dated January 2, 1850. In (Macon) Georgia Telegraph. January 8, 1850.

sectional localities, was a task of intense anxiety & effort.”⁴ With so many places to fill, and so many ambitious members to please, it is no surprise that Speakers proved willing to entertain requests and recommendations from interested persons, just as the party “committee-on-committees” do today.

EXISTING LITERATURE

The pre-Civil War House is especially worthy of study because the standing committee system was still in its infancy (Cooper 1970; Canon and Stewart 2001). In its early years, the House relied almost exclusively upon ephemeral select committees to conduct its business. This practice must not only have reduced the importance which members attached to their assignments, but also made their availability more difficult to predict, and thus to request, in advance. It was only with the development of an extensive system of standing committees during the decade following the War of 1812 that the allocation process assumed greater significance, and a regular timetable for their appointment at the commencement of each session was established.⁵ The analysis presented here therefore affords a rare insight into how members navigated a new institutional environment and sought to turn it to their advantage. In this respect, it follows other work that applies political science methods

⁴ Robert C. Winthrop to “Mrs. Gardner”. December 16, 1847. Reel 25. Winthrop Family Papers. Massachusetts Historical Society. Boston. For a similar complaint see Howell Cobb to Mary Ann Cobb. December 22, 1849. In Phillips 1913, 2: 180.

⁵ It was not until the 37th Congress that the rules were changed so that committee assignments were made for the entire life of a Congress.

to the study of critical moments or periods of transition in the historical development of the pre-modern Congress (Binder 1997; Finocchiaro and MacKenzie 2018).

Several empirical studies of House committee assignment requests have been produced since Nicholas Masters' (1961) pioneering article on the subject (Rohde and Shepsle 1973; Bullock 1976; Gertzog 1976; Shepsle 1978; Smith and Deering 1983; Lawrence, Maltzman, and Wahlbeck 2001; Frisch and Kelly 2004; Frisch and Kelly 2006). However, all of these studies but one derive their data from requests submitted to the "committee-on-committees" established after the 1911 reforms. The exception is Lawrence, Maltzman, and Wahlbeck (2001), which relies on notebooks maintained by the staff of Speaker Joseph G. Cannon for the 58th and 61st Congresses. This is the only comparable research on assignment requests for the entire period when the chair exercised sole control over the arrangement of committees, and nothing like it exists for the antebellum era. The purpose of the present article is therefore essentially exploratory; it draws upon a unique, and previously undiscovered, set of data to offer some suggestive conclusions about a period where we currently know very little about the committee allocation process.

The literature on the modern House does establish some standard methodological practices for the collection and analysis of committee assignment requests. For example, each of the previous studies on this subject collected their data either through interviews conducted with members and their offices, or written requests recovered from archival collections. For obvious reasons, the latter method has been preferred for this article. The existing literature also suggests some of the many uses to which this data may be put. The three most common are calculating the success rate of requests (Rohde and Shepsle 1973; Gertzog 1976; Shepsle 1978; Lawrence, Maltzman, and Wahlbeck 2001; Frisch and Kelly 2004; Frisch and Kelly 2006),

ranking committees by their attractiveness to members (Masters 1961; Rohde and Shepsle 1973; Shepsle 1978; Frisch and Kelly 2004; Frisch and Kelly 2006), and categorizing the motives which compel members to seek a particular assignment (Rohde and Shepsle 1973; Bullock 1976; Smith and Deering 1983; Frisch and Kelly 2004; Frisch and Kelly 2006). Asking these same three questions of the data presented here will contribute to our understanding of how members navigated the new institutional environment created by the establishment of the standing committee system. It also allows for a measure of comparability with the modern House, with appropriate acknowledgement of the very different contexts in which the allocation process took place, and an opportunity to test against this data some of the assumptions contained in the wider historical and political science literature on the pre-Civil War period.

THEORY AND HYPOTHESES

No estimate exists for the success rate of committee assignment requests in the antebellum House, so its modern counterpart provides the only benchmark. The most recent and comprehensive study of requests, spanning the 86th-103rd Congresses, records a success rate of 41.4% (Frisch and Kelly 2004, 334, Table 3). Earlier studies for portions of the same period, using smaller and slightly varying datasets, produced somewhat higher rates ranging from 43% to 70% (Frisch and Kelly 2004, 333). The only quantitative analysis pre-dating the 1911 reforms discovered rates of 38.6% for the 58th Congress and 39.8% for the 61st Congress (Lawrence, Maltzman, and Wahlbeck 2001, 555, 558-9). My first hypothesis, therefore, is: that the success rate of committee assignment requests in the

antebellum House will approximate that discovered by studies of its modern counterpart.

The impact on success rate of two potential variables identified from the wider literature on the antebellum Congress will also be examined. First, recent work has emphasized the bonds of professional courtesy and “political sociability” which united legislators in spite of their differences (Shelden 2013). I therefore propose a second hypothesis: that Speakers were more likely to grant requests submitted by fellow Representatives than those from “auxiliary actors” seeking to influence committee assignments from outside the House. This hypothesis is also consistent with anecdotal evidence from the modern Congress (Lawrence, Maltzman, and Wahlbeck 2001, 552).

Second, histories of the period have consistently identified a “partisan imperative” as the paramount force shaping legislative behavior (Silbey 1991), and a few previous studies have applied this logic to specific examples of House committee composition (Silbey 1989; Jenkins and Nokken 2000; Den Hartog and Goodman 2007). This suggests a third hypothesis: that Speakers were more likely to grant requests submitted by, or relating to, members of their own party than their opponents.

Studies of the modern House which rank the attractiveness of committee assignments have generally measured the outcome of requests, reflected in the transfer of members between committees (Ray 1982; Groseclose and Stewart 1998). The high level of Congressional turnover during the nineteenth century, exacerbated by frequent switches in party control of the House, rendered committee composition highly unstable, which reduces the reliability of this method (Canon and Stewart 2001, 176). For that reason, the alternative method suggested by Rohde

and Shepsle (1973) of measuring attractiveness through the preferences expressed in the requests themselves is employed here. Silbey's study of party-building in the 34th Congress identifies eight antebellum standing committees as particularly important (1989, 12). Based on Silbey's list, my fourth hypothesis is: that the highest number of requests will be for Ways and Means, Commerce, Public Lands, Judiciary, Manufactures, Agriculture, Foreign Affairs, and Territories. I will also compare the rankings derived from this data to existing studies to see if assignment preferences remained consistent from the antebellum to the modern Congress.

In categorizing the motives which compel members to seek a particular committee assignment, I draw on Richard Fenno Jr's (1973) tripartite typology. Fenno argues that Congressmen pursue assignments that will contribute to their fundamental goals. His first category is *re-election*, which encompasses all district-related concerns, such as members matching their assignment to the general interests of their constituents, or obtaining specific benefits for their constituency. His second category is *public policy*, which includes any expression of interest in the subjects before a committee, or claim that experience, past occupation or other specified characteristic makes the member especially suited to work in that field. His third category is *power, prestige and influence*, which covers assignment requests intended to enhance the reputation or status of a member or, for the purposes of this study, to diminish the reputation or status of an opponent. Studies of the modern House which employ Fenno's typology have consistently located much higher proportions of requests in the first and second categories than the third category (Bullock 1976; Smith and Deering 1983; Frisch and Kelly 2004; Frisch and Kelly 2006). I will investigate whether this pattern is replicated in the data for the

antebellum period, testing the fifth hypothesis: that a higher proportion of requests will seek *re-election* and *public policy* goals than *power, prestige and influence*.

DATA COLLECTION AND CODING

While researching a book on the early Speakers of House, I consulted every substantial collection of published⁶ and manuscript papers for the twenty-three Speakers who served between 1789 and 1861. Within these collections, I found eighty-two letters written for the purpose of influencing House committee assignments. These letters were addressed, either directly or occasionally via an intermediary, to seven Speakers serving between 1820 and 1861: John W. Taylor (NY), Speaker for 16th (2nd session only) and 19th Congresses (seven letters); James K. Polk (TN), 24th-25th Congresses (twenty-six letters); Robert M. T. Hunter (VA), 26th Congress (two letters); Howell Cobb (GA), 31st Congress (eight letters); Nathaniel P. Banks (MA), 34th Congress (thirty-four letters); James L. Orr (SC), 35th Congress (two letters); and William Pennington (NJ), 36th Congress (three letters). Excluding the possibility of scattered copies or drafts turning up among members' outgoing

⁶ The only pre-Civil War Speakers for which comprehensive published collections exist are Henry Clay (Hopkins 1959-1992) and James K. Polk (Weaver 1969-). In Clay's case, no requests are to be found in either the published volumes or the associated calendar of manuscript papers. In Polk's, the published volumes reprint some requests in full and direct the reader to his manuscript papers at the Library of Congress for others; both sets have been consulted.

correspondence, these eighty-two letters appear to be the only extant committee assignment requests from the period.

This method of data collection has two substantial limitations. First, the sample it yields is necessarily one of convenience. It is impossible to discover if, or how many, requests were submitted which no longer exist, though some of the remaining letters hint that the practice had become more common by mid-century (e.g. “I have no doubt you will be much annoyed by applications for favorable positions on committees.” – Burke to Cobb, 12/24/49). The absence of any dated prior to 1820 may be explained, at least in part, by the evolution of the standing committee system detailed above. Other than that, the personal habits of each Speaker when it came to the preservation of their correspondence, along with the standard hazards to which eighteenth- and nineteenth-century manuscript collections are exposed, was presumably a major factor in determining survival. Several pre-Civil War occupants of the chair have little or no extant papers, while substantial collections for Henry Clay (12th-13th, 14th-16th, 18th Congresses), Andrew Stevenson (20th-23rd Congresses), and Robert C. Winthrop (30th Congress) do not contain a single letter on the subject.

Second, the sample is a small one relative to the actual number of committee assignments made during the period 1820-1861. To minimize this problem so far as possible, the quantitative analysis in this article will be confined to the two largest sets of letters, those to Polk (24th-25th Congresses) and Banks (34th Congress).⁷

From these sixty letters, I have identified one hundred distinct requests relating to

⁷ Excerpts from the other letters will occasionally be provided for illustrative purposes.

standing committees. That still constitutes only a fraction of the 1879 standing committee assignments made during those three Congresses (Canon, Nelson and Stewart 1998), but it does provide a dataset similar in size to several smaller studies of the modern House (Rohde and Shepsle 1973; Bullock 1976; Gertzog 1976; Smith and Deering 1983). Furthermore, these letters offer the only window we have on members' assignment preferences for the antebellum period. It is for this reason that two recent scholars of the modern committee allocation process have championed archival research, despite its limitations, as offering "a largely untapped source of data appropriate for addressing an endless variety of research puzzles in American politics" (Frisch and Kelly 2003, 221).

In making comparisons with the modern House, allowances must be made for differences in procedure. The allocation process, like most Congressional operations, has become highly routinized (Gertzog 1976; Frisch and Kelly 2006). While the composition and internal processes of the two parties' respective "committee-on-committees" differ, both encourage members to submit written requests. New members are expected to rank their desired assignments in order of preference, and returning members have the option of requesting a transfer from their previous station. Applicants are guided both by formal House and party rules, such as the designation of certain committees as "exclusive" which limits a member's ability to take on additional assignments, and by informal customs, for example that freshmen are unlikely to be appointed to the Rules Committee. Members may strengthen their case by soliciting endorsements from "auxiliary actors" inside and outside the House, including colleagues, committee chairs, senior figures within the party, and interest groups (Lawrence, Maltzman, and Wahlbeck 2001). But the

essential component in the process is the request submitted by the member directly to the relevant “committee-on-committees”.

The contrast with the ad hoc character of the pre-Civil War allocation process is striking. Of the one hundred requests analyzed in this article, only twenty-five were made by a member on their own behalf. A handful of the others suggest some consultation between the author and its subject, but the majority either offer no hint that the latter was conscious of the request or explicitly denied that was the case (e.g. “This letter is entirely voluntary, on my part, unsolicited & unexpected by Mr. Cushing.” – Everett to Polk, 12/3/35). Even those members that did write on their own behalf often felt compelled to justify that action (e.g. “Nothing but a deep sense of the importance to my constituents that I should occupy my old position has induced me to take the liberty I have to address you on the subject.” – Harrison to Polk, 11/18/37; “Being informed that there is no impropriety in making known my wishes respecting my position on committees I beg leave to say...” – Lindley to Banks, 2/5/56). Likely this is attributable to the prevailing norms of the period which held as suspect any holder of public office who openly sought his own advancement (Heale 1982). These circumstances enhanced the role of auxiliary actors in the process, and mean it would be unwise to limit the sample for this study to letters written by members on their own behalf, even if more were available, at these would seem to constitute only a minority of the assignment requests received by pre-Civil War Speakers.

The format, style and content of the sixty letters addressed to Polk and Banks also differ appreciably; these are not the ranked list of preferences required by today’s “committee-on-committees.” Thirty-nine letters contain requests for a single assignment, either for the author or an associate (e.g. “I wish by all means to occupy

the place of Mr. Cramer on the Com. of Foreign Affairs.” – Claiborne to Polk, 8/30/37; “You will find Chapman a very clever fellow. Could you not place him on the Committee of public lands?” – Clay to Polk, 11/2/35). The remaining twenty-one letters contain multiple requests. Sometimes the author sought more than one berth (e.g. “In relation to the formation of your committees I have a strong preference for that on Commerce if consistent with your views. Should my services be required on two Committees my choice would be on Printing.” – Pelton to Banks, 2/10/56). Others sought to benefit both themselves and their friends (e.g. “My colleague Mr. Ball...desires a place on the Committee on Public Buildings. ... For myself so far as I can judge of myself I would prefer a place on the Committee on Commerce.” – Wade to Banks, 2/8/56). A few other types of request which do not fit into any of the above categories will be discussed below.

For the purpose of calculating success rate, multiple requests within the same letter are each treated separately, since it was frequently the case that some were granted and others rejected. For the purpose of measuring committee attractiveness, where a request recommended one member to two or more committees these were counted as a positive expression for each committee named (e.g. “Mr. Judson would I am confident be highly gratified with either the judiciary, ways & means or foreign relations.” – Ellsworth to Polk, 12/10/35).⁸ Where two or more members were

⁸ Studies of the modern House sometimes use only the 1st preference of members in measuring committee attractiveness, but no such clear ranking of preferences is obtainable from most nineteenth-century requests. In such cases Rohde and Shepsle suggest counting each committee named as equal preference (1973, 893, Table 1, note c).

suggested for one committee, this was treated a single positive expression for that committee (e.g. “You asked me to suggest some names for a Judiciary Committee. The following have struck me as a lot, some of whom ought to be on it.” – Colfax to Banks, 2/25/56; since Colfax proceeded to list nineteen members, this provides a good example of why counting each as a separate expression for Judiciary would have skewed the results). Finally for this measure, the sample used, unlike in studies of the modern House, includes not only requests made by members for their own benefit but also requests made on their behalf by auxiliary actors. In the latter cases, a looser but more accurate description of what is being measured would be the “significance” of the assignment, since it stands to reason that a greater number of requests would be received for a committee that contemporaries deemed important, influential, or reputation-enhancing, than for one which they deemed insignificant. This at least offers the opportunity for approximate comparisons to be drawn.

Finally, some context on the dataset selected for quantitative analysis. The 24th-25th and 34th Congress were both important moments of party-building, in which we would expect Speakers to pay particular attention to committee composition. During the former, Speaker Polk strove to preserve the dwindling Democratic majority against attacks from National Republican, Anti-Mason, and Nullifier factions that were coalescing under the umbrella of the Whig Party (Sellers 1957). In the latter, Speaker Banks figured prominently in efforts to unite disparate anti-slavery elements around the Republican Party standard (Jenkins and Nokken 2000).⁹ The requests

⁹ In the confused state of mid-1850s politics, Banks was elected to the 34th Congress under the American Party banner, along with the rest of the Massachusetts delegation, but he was elevated to the Speakership as the Republican candidate and

each Speaker received were submitted by men – and in Banks’ case, one woman – from a variety of backgrounds. Polk was a Southern Democrat and Banks a Northern Republican, but their correspondents hailed from all different parties and parts of the country. Some writers claimed a longstanding connection with the recipient, others acknowledged no personal acquaintance. The subjects of their requests ranged from new members to those with considerable previous service. Some solicited new appointments, some reappointment, some chairmanships, and some transfers. This may be a sample of convenience, but there is no immediately obvious bias in its composition.

ANALYSIS: SUCCESS RATE

Of the one hundred requests for standing committee assignments identified for the 24th, 25th and 34th Congresses, ninety-seven proved usable for this form of analysis¹⁰, and of those fifty were granted, giving a success rate of 51.5%. This rate is within 41.4%-70% range provided by the existing literature on the modern House, which supports my first hypothesis that the success rate of committee assignment requests in the antebellum House would approximate that of its modern counterpart.

acted with that party throughout. In identifying the partisan affiliation of members of this Congress, I have followed the lead of Jenkins and Nokken in using their vote on the final ballot for Speaker as a proxy, supplemented by other primary and secondary literature in cases where no vote was cast (2000, 116).

¹⁰ Three requests that were dated too late to have influenced the Speaker’s decision were excluded.

Of course, that literature analyzed only members' requests on their own behalf. As explained above, this is both unfeasible and unwise for the pre-Civil War period, but for the purposes of comparison it is notable that of this smaller subset of twenty-five requests, twenty-four proved usable and sixteen were granted, giving a success rate of 66.7%.

Two variables within the overall success rate were also considered. The first of these was the relationship between the author of the request and the Speaker, using membership of the House as a proxy measurement (Table 1). Fifty-nine of the ninety-seven requests were submitted by current members¹¹, and of these 61.0% were successful. The success rate for the other thirty-eight requests submitted by non-members is much lower at 36.8%. Differentiating further requires analysis of increasingly small sets of data, but it is notable that the success rate for requests submitted by former members, who may have previously established a connection with the Speaker, is higher than that for those submitted by persons who had never served in that capacity. These findings are consistent both with historians' claims for the importance of personal and professional relationships among antebellum

¹¹ This includes two requests submitted by Territorial Delegates, as well as fifty-seven by Representatives. Territorial Delegates could not serve on committees, but sought to safeguard the welfare of their constituents by having sympathetic members appointed (e.g. "The Territory of Minnesota is more largely indebted to the state of Maine for her population – and as the Representatives from that state are more frequently applied to – and consequently better informed in regard to the necessities of our Territory – I would most respectfully suggest that a gentleman from that state, may be placed upon the Committee on Territories" – Rice to Banks, 2/4/56).

legislators and with the limited influence ascribed by political scientists to auxiliary actors outside of the House in the modern committee allocation process. They support my second hypothesis that Speakers were more likely to grant requests submitted by fellow Representatives than those from “auxiliary actors” seeking to influence committee assignments from outside the House.

Table 1: Success Rate of Committee Assignment Requests, with Membership of the House as Variable

<i>Author</i>	<i>Success rate %</i>
Current member	61.0 (36 of 59)
- on behalf of self	- 66.7 (16 of 24)
- on behalf of other	- 57.1 (20 of 35)
Not a current member	36.8 (14 of 38)
- former member	- 50.0 (8 of 16)
- never a member	- 28.6 (6 of 21)

These requests reveal the range of auxiliary actors outside of the House who took an interest in its internal operations. Several retiring members wrote to introduce their replacement (e.g. “Joshua R. Giddings is my successor. You will excuse me for saying, that his intelligence, business habits, and investigating mind qualify him for the arduous duties of the Committee on Claims.” – Whittlesey to Polk, 11/27/38). Senators also offered their advice on the organization of the lower chamber. Sen. Henry Hubbard (NH) was keen to ensure his promotion to the Senate did not leave his region without representation on an important committee (“...our friends to the Eastward would be well pleased to have F. O. J. Smith from Portland placed on the

committee of Ways and means in my stead.” - Hubbard to Polk, 12/7/35). Sen. William Fessenden (ME) wanted someone he could collaborate with on a joint-committee (“I tried to see you last evening with reference to the Committee on Printing, as I occupy a position on that Commee. on the part of the Senate.” – Fessenden to Banks, 2/10/56). Sen. Charles Sumner (MA) proffered guidance in the guise of a party elder (“As Mr [Joshua R.] G[iddings] was in former days Chairman of a Committee he ought to be so now.” – Sumner to Banks, 2/c.10/56). And the professional courtesies of the Washington community are evident in the efforts of Republican Speaker Banks and Democratic Secretary of State William L. Marcy to establish a harmonious working relationship between their respective branches (“I infer from a remark you made to Mr. [---] that you would like to hear any suggestion I might make in relation to the composition of the Com. on foreign relations.” – Marcy to Banks, 2/12/56).

Other auxiliary actors who held no identifiable office would in modern parlance be deemed representatives of special interests, for they were explicit about their stake in the matter on which they wrote. These included assignments to Judiciary (“I believe it is the wish of all Lawyers that the Statutes of the United States should be revised...” – Gillet to Banks, 2/6/56), Naval Affairs (“The object aimed at, is to give a fair presentation of the project of establishing Brunswick as a Naval Station.” – Weston to Banks, 2/9/56), Post Office and Post Roads (“The merchants here are making efforts to produce a reform in the P.O. Department...” – Sherman to Banks, 2/9/56), and Ways and Means (“...there is a strong desire that the Tariff should now be adjusted by some compromise that will be satisfactory to all parties.” – Stone to Banks, 4/7/56). Finally, the only woman to submit a request, Marie de C. Williams, presented herself as a personal friend of the member concerned (“I promised the

Hon. Geo. Vail, of New Jersey, to use my influence..." – Williams to Banks, 2/7/56). Unfortunately, this letter provides the lone example among the surviving requests of the "petticoat" patronage networks that historians have discovered among the ladies of Washington high society (Allgor 2000).

The other variable considered was party affiliation. In the modern House each party allocates its share of seats through its own "committee-on-committees," but during the antebellum period it was the Speaker who made all assignments for both the majority and minority. Of the requests analysed here, where the *author's* party could be identified it was identical to that of the Speaker in 85% of cases. Interestingly however, for requests submitted on behalf of someone else the party of the *subject* was identical to that of the Speaker in only 62% of cases. Evidently while the Speaker's fellow-partisans felt more comfortable submitting assignment requests, it was not uncommon for them to intercede on behalf of an opponent. One such example is provided by a pseudonymous letter addressed to Speaker Cobb in the 31st Congress, in which "A Democrat" charitably nominated a Whig member for Public Buildings and Grounds, declaring "I have no manner of interest further than I think him a very suitable person having more experience very likely than any other man on the floor." ("A Democrat" to Cobb, 12/24/49). Though the author concealed their identity, they clearly felt it was important to emphasize the party connection they shared, or claimed to share, with the Speaker.

Analysis suggests that "A Democrat" was correct in their supposition that party affiliation had some impact upon success rate (Table 2). The highest rate of 60.8% was recorded for requests where the author of the request, its subject, and the Speaker were all of the same party. Where the subject of the request was of a different party that rate dropped to 41.9%, and where the author was of a different

party it fell further to 38.5%. This finding fits the standard interpretation of Congressional behavior during this period as driven by a “partisan imperative,” and supports my third hypothesis that Speakers were more likely to grant requests submitted by, or relating to, members of their own party than their opponents. But why then did Speakers not simply reject all requests relating to members of the rival party, if it were in their power to do so? Histories of the Speakership record that by the 1830s the convention that the minority be allocated a share of seats proportionate to their strength in the House had emerged as a practical, if not always scrupulously observed, check on the absolute power of the chair over the arrangement of committees (Follett 1909, 222-227). Operating within those parameters then, Polk and Banks seem naturally to have been more solicitous to please their allies, but political sociability likely operated as a motive to also satisfy requests from their opponents that did not otherwise interfere with their control of the legislative agenda.

Table 2: Success Rate of Committee Assignment Requests, with Party as Variable

<i>Party</i>	<i>Success rate %</i>
Author, subject and Speaker same	60.8 (31 of 51)
Author and Speaker same	58.3 (42 of 72)
Subject and Speaker same	57.1 (32 of 56)
Subject and Speaker different	41.9 (13 of 31 ¹²)
Author and Speaker different	38.5 (5 of 13)

¹² Four requests that were evidently, and sometimes explicitly, intended to harm rather than help a member of the minority party were excluded.

In a period defined by intense partisanship, one remarkable feature of the requests analysed is that only three made explicit reference to shared party allegiance as a reason for granting it. Rep. James M. Wayne (GA) pressed Rep. Benjamin C. Howard's (MD) claims to Foreign Affairs as "a true soldier in our cause, throughout General Jackson's administration, both in the Legislative Hall and before" (Wayne to Polk, 11/26/35). For Maine's Democratic gubernatorial candidate Gorham Parks, the state's border dispute with Great Britain made it indispensable that one of her Representatives be appointed to the same committee, and he nominated Rep. Jonathan Cilley as "a warm friend of the administration of great industry and leading talents" (Parks to Polk, 7/6/37). And former Rep. John Y. Mason (VG) recommended his successor Rep. Francis E. Rives for "one of the most important committees," explaining that "as a politician, he is of the most orthodox school with *the exception of his 'whole hog' support of the measures of our venerable friend Pres. Jackson*" (Mason to Polk, 9/7/37). Evidently despite the greater turnover in Congressional membership during this period, Speakers were generally expected to be competent to judge the partisan qualifications of applicants. The fact that all three of the exceptions cited above involved requests for high-ranking committees may also suggest, as Den Hartog and Goodman (2007) have asserted, that more weight was assigned to a record of party loyalty in assignments to those committees likely to produce significant legislative outputs.

ANALYSIS: ATTRACTIVENESS

Of the one hundred requests for standing committee assignments identified for the 24th, 25th and 34th Congresses, eighty-six proved usable for this form of analysis.¹³ Any conclusions based on such a small sample must be regarded as somewhat speculative, but these rankings are generally consistent with what we would expect from the existing literature (Table 3), and supportive of my fourth hypothesis. Six of the eight committees identified by Silbey as important for the antebellum House also feature among the top seven places in the ranking based on requests. The exceptions are Agriculture, with one request, and Manufactures, with none; in the latter case at least, contemporary evidence suggests that Silbey may have overstated its significance (Adams 1900, 111-112). There are clear continuities with the modern House too, as studies of the latter have repeatedly ranked Foreign Affairs, Commerce (as Energy and Commerce), Naval and Military Affairs (as Armed Services), and Ways and Means among the top six preferred assignments. The popularity of the other entries in the antebellum top ten can be easily explained. Neither Territories nor Public Lands now exists, but their essential function during an era of rapid expansion is self-evident. Judiciary is only a mid-ranking committee today, but served as a focal point for sectional conflict over slavery prior to the Civil War. Printing, which also no longer exists, was a vital source of patronage for nineteenth-century parties, which relied upon newspaper editors to co-ordinate their operations and mobilize voters. And Post Office and Post Roads allowed much more

¹³ The following requests were excluded (some of these categories overlap): no specific committee identified (six), seeking assignment off rather than on to a committee (six), intended to harm rather than help (five).

scope for “pork barrel” constituency work than it does today, which presumably explains the corresponding decline in its appeal to members.

Table 3: Ranking of Committee Significance, Top Ten by Number of Requests

<i>Committee</i>	<i>No. of requests, 24th, 25th, 34th Congresses</i>	<i>Ranking, 24th, 25th, 34th Congresses</i>	<i>Ranking, 88th – 92nd Congresses (Ray 1982, 610, Table 1)</i>	<i>Ranking, 93rd – 97th Congresses (Ray 1982, 610, Table 1)</i>	<i>Ranking, 81st – 102nd Congresses (Groseclose and Stewart 1998, 463, Table 2)</i>
Foreign Affairs	12	1	4	4	6
Commerce	10	2	6	6	4**
Territories	9	3	na	na	na
Public Lands	8	4	na	na	na
Naval Affairs	6	=5	5*	5*	5*
Ways and Means	6	=5	1	2	1
Judiciary	5	=7	7	=13	12
Printing	5	=7	na	na	na
Post Office and Post Roads	5	=7	20	=11	18

Military Affairs	3	10	5*	5*	5*
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* as Armed Services

** as Energy and Commerce

Two categories of request excluded from the above analysis merit a brief discussion, and because their numbers are small reference will also be made to examples from the full set of eighty-two letters dated 1820-1861. The first is those requests, like McKeon’s plea to avoid both Post Office and Claims cited in the introduction to this article, which sought assignment off rather than on to a committee. Most of these appear to fit Groseclose and Stewart’s concept of a “burden committee” where a member would prefer to forego service even if the alternative is assignment to no committee at all (1998, 464). Rep. Thomas W. Cobb (GA), for example, assured Speaker Taylor in the 16th Congress that in asking to be relieved of serving on District of Columbia and Public Buildings and Grounds, “Mr. Cobb makes not this request in order that he may be placed on to a committee of an higher order. His wish is to be placed on none” (Cobb to Taylor, 11/--/20).

Requests such as these almost always related to committees that routinely concerned themselves with local or private issues – all four of the committees named above fit this definition¹⁴ – rather than substantial matters of public policy.

¹⁴ An exception could be argued for District of Columbia once the continuance of the slave trade there became a focus for sectional conflict, but the request referred to here was submitted in 1820 before that was the case.

Complaints about Claims in particular were legion; Rep. Leverett Saltonstall (MA) described it as “the most hard-working and least desirable committee in the house. Mere drudgery all the time. Neither interest nor honor in it – claims for old horses lost in the Seminole war and all sorts of odd demands to be examined,” and damned Polk as “a poor D---!” for assigning him to it (Moody 1978-1992, 2: 126). Pleas to avoid these assignments veered between bluster and self-pity. Cobb professed himself “really too ignorant of the [---] [---] & affairs of the District, to do any good there, & the business of that Committee is too irksome to him to be borne,” while as for Public Buildings “Mr. Cobb knows nothing about architecture or the prices thereof” (Cobb to Taylor, 11/--/20). Poor Rep. Jabez Jackson (GA), in contrast, suffered from the opposite problem; he would no longer consent to the “self-degradation” of serving on Public Buildings, despite having conducted a “personal survey in ½ a dozen different Countries in Europe of the finest buildings extant,” when his reports to the House on the subject were disregarded by members who preferred reading “The adventures of the Kit-Cat Club!” and who “pronounced the very word architecture *archatectur*” (Jackson to Polk, 7/14/38).

The second category of requests worth mentioning is those intended to harm rather than help their subject. There is no obvious comparison to this in the modern House, at least through the routinized process by which members request their own assignments, although anecdotal evidence exists of party leaders allocating undesirable places to punish dissident members of their caucus (Masters 1963, 356). In some cases, the authors of these requests simply sought to remove one member in order to make room for another (e.g. “I should like Allen of Ohio to be continued on my Com: in place of Mr. Henry; Allen is a working man; Henry’s ill health renders him inefficient.” – Stanly to Hunter, 11/12/40). In others, the explicit

object was to injure an opponent. Former Rep. Henry C. Murphy (NY) wrote to warn of “the proscriptive course which my successor, Mr. [David A.] Bokee has pursued towards the democrats employed in the Navy Yard here,” and urged that he not be placed “upon any important committee, much less upon the Naval Committee” (Murphy to Cobb, 12/24/49). Defeated in his bid for re-election, Rep. William C. Dunlap (TN) sought revenge for a perceived slight he had received from a previous Speaker by having his victorious rival banished to the same insignificant station (“...put Williams on the same committee Bell put me on or the committee of Post offices etc...” – Dunlap to Polk, 8/7/37).¹⁵ And former Rep. Dutee J. Pearce (RI) advised against appointing either of the new members from his state to important positions, for one though “a man of education and fashionable tallents” was “captious & troublesome” and “a violent party man,” while the other was “a man of limited education, [with] no powers for debate” (Pearce to Polk, 9/2/37).

ANALYSIS: MOTIVES

Of the one hundred requests for standing committee assignments identified for the 24th, 25th and 34th Congresses, thirty-six either provided no explanation of motive or, in a few cases, offered a motive which could not be categorized under Fenno’s typology. It is not apparent why so many applicants passed up the opportunity to

¹⁵ The editors of the Correspondence of James K. Polk (Weaver 1969-, 4: 201) identify the member referred to here as Rep. Joseph L. Williams (TN), but given the substance of the request is it more likely to be Rep. Christopher H. Williams (TN), the man who defeated Dunlap.

justify themselves, though on occasion it was evident that they placed their faith in the Speaker’s familiarity with the subject of the request (e.g. “It would gratify the friends of Mr. Boyce of S. Ca. if he could be placed on the Foreign Relations. You know him and I will say no more.” – Harvey to Banks, 2/8/56). Of the remaining sixty-four requests, 67.2% can be categorized under Fenno’s *public policy* motive, 31.3% under *re-election*, and 20.3% under *power, prestige and influence* (Table 4), which provides limited support for my fifth hypothesis that a higher proportion of requests would seek the former two goals than would seek the latter.¹⁶

Table 4: Motivations for Committee Assignment Requests, for Members who Mentioned at least One Motive

	<i>24th, 25th, 34th Congresses, all members (n=64), %</i>	<i>92nd Congress, freshmen only (n=52), (Bullock 1976, 206, Table 1), %</i>	<i>97th Congress, freshmen only (n=62), (Smith and Deering 1983, 275, Table 1), %</i>
Re-election (district ¹⁷)	31	69	86
Public policy	67	83	80
Power, prestige and influence	20	25	34

¹⁶ Requests which express more than one motivation are counted in multiple categories.

¹⁷ Smith and Deering suggest that Fenno’s *re-election* category might more accurately be relabelled as *district* (1983, 272-4).

In comparison with studies of the modern House, the biggest difference is in the *re-election* category. It is possible that in the absence of the multimedia coverage of Congressional proceedings that we are accustomed to today, antebellum members may have considered the House floor a more visible stage than the committee room from which to make an impression on their district. It was after all during this period that “speaking bunkum” first entered the English language after a North Carolina Congressman proudly declared his intention to deliver a speech not for the benefit of his colleagues but for his constituents in Buncombe County (Forbes 2007, 298n10).

Of the twenty requests classified under *re-election*, by far the most common were pleas to match members’ assignments to the general interests of their constituents; fifteen fall into this category, and typical of these is Rep. George Eustis Jr.’s (LA) claim that “I can be very useful to my constituents by being retained in the committee on Commerce” (Eustis Jr to Washburne, 11/25/56). Four sought to obtain a specific benefit for their district, such as the unidentified New Yorker who reported that “the subject of Postal Reform is now being agitated among business men here” and recommended the appointment of “either Mr. [John] Kelly or [John] Wheeler of this city on the Post Office Committee as being active business men with whom they might more readily confer.” ([Worther?] to Banks, 2/5/56). Only one of the analyzed requests explicitly mentioned re-election as a motive. Rep. Schuyler Colfax (IN) sought to intercede on behalf of his colleague Rep. William Cumbback (IN), who “has a very hard District, must run again this fall & says that if you do not help him to a place on a prominent Committee, he will go under; but that that will make it all right and bright at home.” (Colfax to Banks, 2/--/56). Nonetheless, other examples from the full set of eighty-two letters dated 1820-1861 confirm that antebellum members

were conscious of a potential connection between committee assignments and prospects for re-election. Seeking an unspecified favor for a colleague in the Pennsylvania delegation, former Rep. Andrew Beaumont (PA) cited “the peculiar position he occupies at home” where “he is denounced and opposed by a most unprincipled band of graceless & faithless politicians”; the sought-after assignment would furnish him with an opportunity “to manifest his fidelity to his constituents & his country” (Beaumont to Polk, 12/18/37). Similarly, writing on his own behalf Rep. John Barney (MD) observed that “it cannot be disguised that the estimation in which a Member of Congress appears to be held in Washington, as well as the opportunity afforded him of being useful & developing the talent he may possess has a considerable influence on his popularity in his District.” (Barney to Taylor, 11/10/27).

Of the forty-three requests classified under *public policy*, sixteen expressed an interest in the subjects before the committee. Some did so in general terms, like Rep. Luther M. Kennett (MO) “a Harbor & River improvement man” who wanted a seat on Commerce (Colfax to Banks, 2/--/56). Others were quite specific, such as Rep. James Bishop’s (NJ) plan for a “system of apprenticeships” to solve the “very great difficulty within the few years past in obtaining competent seamen,” if only he could be placed on Commerce or Naval Affairs (Bishop to Banks, 2/7/56). Sixteen claimed that their past experience fitted them to a particular assignment, though none could match the qualifications of Rep. Lucien Barbour (IN) for Judiciary: “I have been engaged in the practice of the law at Indianapolis the last seventeen years, was appointed U.S. Dist. Atty. for Indiana by Mr. Polk, and more recently I was chosen by a unanimous vote of the Legislature one of the Commissioners to prepare a code of practice under our new constitution.” (Barbour to Banks, 2/7/56). Eleven, including Barbour, made the same claim on the basis of past occupation: three

lawyers and a judge for Judiciary, two seamen for Naval Affairs, a printer for Printing, a merchant for Commerce, a scholar for Library, a soldier and “agriculturalist” for either Military Affairs or Agriculture, and a “man of business” for Post Office and Post Roads.¹⁸ Finally, seventeen identified some other personal qualification that specifically suited them to the committee requested. These included “extensive foreign travel, [and] large acquaintance with foreign languages” for Foreign Affairs (Everett to Polk, 12/3/35), “unswerving integrity” for Patents (Bishop to Banks, 2/7/56), “industrious habits” for Revolutionary Claims (Wagener to Polk, 12/5/35), and an “independent man” for the patronage-rich Printing (Perry to Banks, 2/7/56).

The thirteen requests classified under *power, prestige and influence* encompass a range of motives. Rep. Joseph Henderson (PA) sought recompense for a perceived wrong done by a previous Speaker, griping that “I was placed by Mr. Stevenson at the tail of the most insignificant committee in the House” (Henderson to Polk, 2/8/35). Former Rep. Henry Horn (PA) appealed for a disloyal partisan to be stripped of his chairmanship, explaining that “his situation furnishes him the means of annoyance which hitherto he has not failed to use unfairly and improperly...” (Horn to Polk, 12/9/35). Rep. Jacob Fry Jr. pleaded in vain for a chairmanship of his own, on the grounds that “the district which I represent I believe never yet had a chairman of a Standing Committee” (Fry to Polk, 9/7/37). Henry Ellsworth, Commissioner of

¹⁸ Occupation was also mentioned in three other requests, but not in a manner that was specific to the assignment requested (e.g. “Mr Toucey is a lawyer of distinction, has been states attorney”, but “would be more gratified with being on the committee of ways & means or foreign relations rather than the judiciary.” – Ellsworth to Polk, 12/8/35 & 12/10/35).

Patents, cautioned Polk that his “friends from Connecticut are very anxious to maintain as good a standing as their predecessors” by placing one of their Representatives on Commerce (12/10/35). Banks, meanwhile, was urged to satisfy the ambitions of “one of your rivals for Speaker” by granting him his preferred assignment to Elections (Colfax to Banks, 2/--/56).

Finally, sixteen of the one hundred analyzed requests offered some general endorsement of the personal qualifications of the member referred to that did not relate specifically to the desired assignment. The most common claims were for talent or ability (four), “distinction” or “good standing” (three), education (three), skill in debate (two), industry (two), and good character (two). In contrast to the weight accorded to seniority in the modern Congress, which Lawrence, Maltzman, and Wahlbeck (2001) find exercised a powerful constraint upon committee assignments as early as the turn of the twentieth century, only Sen. Charles Sumner’s (MA) recommendation of Rep. Joshua R. Giddings (OH) to chair Territories on the grounds that “As Mr G. was in former days Chairman of a Committee he ought to be so now” made any reference to length of service (Sumner to Banks, 2/c.10/56). The most unusual, and intriguing, endorsement though came from one Albert Smith, otherwise unidentified, who urged Rep. John S. Millson’s (VA) pretensions to Naval Affairs on the basis that “He is right on the goose question!” (Smith to Banks, 2/10/56). Regrettably I have not been able to discover what the “goose question” was, or how it was possible to get it wrong. Millson did not receive the desired appointment.

CONCLUSION

These findings afford a novel perspective on the committee allocation process during a period when the institutional machinery of the House was still in its infancy. The data is drawn from eighty-two surviving letters to antebellum Speakers, of which sixty – containing one hundred requests relating to the 24th, 25th and 34th Congresses – were selected for quantitative analysis. Five hypotheses were proposed: that the success rate of committee assignment requests in the antebellum House will approximate that discovered by studies of its modern counterpart; that Speakers were more likely to grant requests submitted by fellow Representatives than those from “auxiliary actors” seeking to influence committee assignments from outside the House; that Speakers were more likely to grant requests submitted by, or relating to, members of their own party than their opponents; that the highest number of requests will be for Ways and Means, Commerce, Public Lands, Judiciary, Manufactures, Agriculture, Foreign Affairs, and Territories; and that a higher proportion of requests will seek *re-election* and *public policy* goals than *power*, *prestige* and *influence*.

Given the small sample of requests available, any conclusions must be regarded as tentative. Nonetheless, all five hypotheses were supported to some degree by my analyses. The success rate of 51.5% for antebellum assignment requests approximates that discovered by studies of the modern House, notwithstanding the absence of a routinized process for collecting and acting on members’ preferences. Higher rates of success were recorded for requests submitted by Representatives, compared to those submitted by “auxiliary actors,” and for requests submitted by, or relating to, members of the Speaker’s party, compared to members of the opposing party. There are also continuities with the modern House in the ranking of committee attractiveness, specifically the high demand for Foreign Affairs, Commerce, Naval

and Military Affairs, and Ways and Means, although other once-desirable committees associated with territorial expansion and party-building, including Territories, Public Lands, and Printing, have long since become defunct. Applying Fenno's typology of the motivations which drive today's members to seek a particular assignment to their antebellum counterparts reveals relatively similar proportions classifiable under the categories of *public policy* and *power, prestige and influence*. The significant difference here was the far smaller proportion of nineteenth-century lawmakers whose requests fit into the *re-election* category; this likely reflects not greater sanguinity about their electoral prospects but rather the limited visibility of committee business during the period. The usefulness of these findings may be limited by the challenges of working with such a small dataset, but it is hoped that their publication will stimulate further research that may lead to the discovery of fresh sources or the application of alternative methods, approaches or theories to the study of the committee allocation process in the pre-Civil War House.

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