

# **An Historical Perspective of Partisan Representation in the United States Congress**

**R. Bruce Telfeyan**

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## **Introduction**

Here is the story of our national legislature, described in terms of the political party representation in each house of Congress. In this study, I have investigated and presented the partisan makeup of the United States Congress from the First Congress, which achieved an initial quorum in April, 1789, to the 111<sup>th</sup> Congress of 2009. This study provides a look into the history of our nation as viewed from the perspective of the country's legislative center. The governing directive is The Constitution of the United States, specifically Article I (refer to Appendix I, with applicable amendments in Appendix II), which lays out the ground rules, powers, responsibilities, and restrictions for both the House of Representatives and the Senate.

It is only through a careful study of the building blocks upon which our society is founded that one can truly gain a complete appreciation of the complexity of the evolution our nation has undergone over the past 220 years. I submit that in order to thoroughly understand how we came to be the United States we are today, one must view the details of the ongoing nature of change at close hand. Perhaps the tabular format of this report, with all the numbers, dates, and footnotes, may seem obscure and unrelated to your view of our society. At first glance, it may even appear devoid of any real meaning regarding our nation's development. However, consider that the nation today is far different that it was at the beginning. Understanding how the changes took place and why we are constituted as we are today makes all the more essential this type of study. Our country in 1789, with less than four million people, was vastly different than it is today, with a population of over 300 million. Of course, the reality that we are today under the same constitution that was ratified in 1789 is extraordinary in and of itself.

Perhaps by viewing the details presented in this study, you can see the development and ongoing change in our nation's politics. The impacts of more than two centuries of economic, social, and international influences upon our country have played themselves out in Congress. It is Congress that develops our national laws, originates amendments to the constitution, decides whether to declare war, and considers impeachment of elected and judicial officials, to name some of its many duties. The facts provided in this study will hopefully provide you with a fresh perspective of how we have come to be where we are today and perhaps some insight into possible ways that future developments may play themselves out in our nation's political makeup.

## **The Basic Foundation**

The Constitution provides for two houses of Congress, the House of Representatives and the United States Senate. House members serve for two years and are elected by popular vote. The membership of the House is apportioned based upon the national census every ten years. The First Congress, with 65 seats, was apportioned in the Constitution with membership divided among the states (as directed by Article I, Section 2 of the Constitution) as follows:

Connecticut-5

Delaware-1

Georgia-3  
Massachusetts-8  
New Jersey-4  
North Carolina-5  
Rhode Island-1  
Virginia-10

Maryland-6  
New Hampshire-3  
New York-6  
Pennsylvania-8  
South Carolina-5

The House grew with the admission of new states until reaching its current size of 435 members, when we had become a nation of 48 states during the tenure of the 63<sup>rd</sup> Congress. (It briefly expanded to 437 members with the admission of Alaska and Hawaii, but then was reduced back to 435 with the apportionment from the 1960 census.) Table #1 displays the representation (for each state) in the House of Representatives for each 10-year census-based reallocation of seats.

States were initially free to allocate and distribute their seats as they pleased, but over the years, the rules have become increasingly strict as the result of US Supreme Court decisions. Some states made one or more of their seats (sometimes all) as at-large districts, covering the entire state. Others made districts of widely varying population, a situation not corrected until the *Wesberry v. Sanders* decision (and subsequent others) was rendered in 1964. Since then, the one man-one vote principle has been in force. This requires that (within each state) congressional districts have nearly equal population within each state.

The Senate is composed of two members from each state (a provision of the Constitution that is specifically prohibited from being amended) and has grown from an initial size of 26 (with the original 13 states) to 100 with the admission of Hawaii in 1959. Senators are elected for 6-year terms and are divided into three classes so as to have only one-third of the Senate stand for election every 2 years. This built-in overlapping tenure served by senators has resulted in that body being less susceptible to short-term swings in popular opinion. Time and again the greater stability of the Senate has been reflected as our country went through changes, whether social, economic, or political. Examples of instances when the House showed a rapid response and the Senate a slower change are numerous. A few of these include: the rise of the Democratic-Republicans with the election of Jefferson as President in 1800, the growth of the Republicans following the birth of that party in 1854 in response to the enactment of the Kansas-Nebraska Act (which resulted in a potential expansion of slavery to new territories), and the powerful assertion of the strength of the Democrats with the Great Depression in the early 1930s. Senators were selected by state legislatures until the 17<sup>th</sup> Amendment (calling for election of Senators by popular vote) was ratified in 1913. However, in practice, in several states, the legislatures automatically selected the candidate with the most popular votes prior to this.

### **Early Beginnings: Political Factions During the Battle for Ratification**

The division of members of governing legislatures into teams is as natural an occurrence in politics as it is in competitive sports. From 1787 to 1789, during the

battle to ratify the Constitution, state legislatures were commonly divided into Antifederalist and Federalist factions (respectively opposing and favoring ratification of the new Constitution). Once the Constitution was ratified, the former ceased to have a reason to exist. The Federalists (pro-constitutionalists) broke into factions divided over numerous issues: those who wanted more power invested in the Federal government, those who wanted more power reserved for the states, those favoring more power to the masses, and those who wanted a more limited democracy, as well as other issues. With George Washington a unanimous choice as the first President, those elected to Congress found that they were naturally drawn toward the faction most consistent with their beliefs and the constituency they represented.

### **Federalists and Democratic-Republicans (4<sup>th</sup> through 18<sup>th</sup> Congresses, 1795-1825)**

Beginning with the adoption of the Constitution and George Washington's Presidency (at a time in our history when political parties had not yet been envisioned), the various factions in Congress were initially characterized as simply "Pro-Administration" and "Anti-Administration." Over a period of several years, the realization struck home that there were different ideas of how our country should conduct its affairs, and that parties served as a mechanism for the advocacy of those varying philosophies and agendas. Over a period of six years, this realization led the Pro-Administration faction to gradually become known as Federalists and the Anti-Administration faction to become the Democratic-Republicans (these names took hold with the fourth Congress in 1795). From these early developments, this study traces the evolution of our representative democracy to the mature, two party system that exists today.

### **Demise of the Federalists; Replacement by National Republicans (21<sup>st</sup> through 23<sup>rd</sup> Congresses, 1829-1835), then the Whigs**

After holding power during the Washington and Adams administrations, the Federalist's were swept from majority status with Thomas Jefferson's election in the election of 1800. This brought the Democratic-Republicans to power and their strength became increasingly pervasive over the next twenty years. By the time of the 16<sup>th</sup> Congress (1819), our country nearly became a one-party state as the Federalist's numbers in Congress became very small. In fact, in the 1820 presidential election, James Monroe ran for reelection essentially unopposed as the Federalists did not field a candidate. By the mid-1820s, a fundamental reality of democratic governments came to the forefront of the nation's political scene. Specifically, even with only one party, there are natural divisions that surface. In this case, an opposition party, first called the National Republicans, formed in opposition to the Democratic-Republicans (which had come to be called first "Jacksonians," and later "Democrats" early in the presidency of Andrew Jackson). Midway through Jackson's two terms, the National Republicans were supplanted by the Whig party.

### **The Whigs (24<sup>st</sup> through 33<sup>rd</sup> Congresses, 1835-1855)**

The Whig Party formed to oppose the policies of President Andrew Jackson and the newly renamed Democratic Party. They advocated a nationalistic economic policy (the "American System"), but were stymied by the rising power of the Jacksonians, who were thereafter called Democrats. Jackson's inauguration in 1829 began the period of National Republican opposition and prepared the ground for the coalition of political forces from which the Whig Party would evolve. Henry Clay of Kentucky and Daniel Webster of Massachusetts became the party's leading figures. But both men urged a program of tariff protection, federally sponsored communication projects (internal improvements), continuation of the national bank, and a conservative public land sales policy--the "American System," much of which could be traced back to Alexander Hamilton's Federalist economic policy of 1791. This was a program with especially strong appeal to merchants and manufacturers whose business operations went beyond state lines. Another source of recruits was the Anti-Masonic Party, particularly strong in New York and Pennsylvania. With the addition of two more groups, antinullification states' rights Southerners and the so-called Democratic Conservatives, who opposed their party's financial policies after 1836, the Whig coalition was complete, but hardly united. For the next 20 years, the two party system consisted of Democrats and Whigs, with the Democrats dominating for most of that time. The Whigs were hampered by a natural split between northern state, anti-slavery Whigs, and southern state, pro-slavery Whigs. Also, they suffered the bad luck of having both presidents they managed to elect (retired generals William Henry Harrison and Zachary Taylor) die early in their terms. They were succeeded by men (John Tyler and Millard Fillmore) who proved unpopular both within their party and nationally. Neither of them earned nomination by the Whigs for subsequent election in their own right. With Harrison's election in 1848, the nation was deeply involved in the problems of slavery and national expansion. With disunion threatening, the aged Whig leaders Clay and Webster tried, in January and March 1850, to compromise the main points of sectional friction. President Taylor blocked their moves, but with his death in July, Millard Fillmore became President and favored the Compromise of 1850. While this compromise was not solely a Whig accomplishment, the Whig leadership had been prominent in its passage. In 1852, the Whigs reverted to form in nominating another general, Winfield Scott for the presidency. Scott lost to Franklin Pierce and the Whigs lost many congressional seats as well, a defeat from which the party never recovered. Its call for moderation and Union, by now far more prominent than the national economic policy, became ever more ineffective as the Civil War neared. Southern Whigs, fearful of Northern encroachment on slaveholding rights, thought the Democrats more receptive to their interests; and a key number of Northern Whigs had already moved into the antislavery Free Soil Party. The rise of the Republican and the anti-immigrant Know-Nothing Parties completed the Whig's demise. Defections to Republicanism were numerous, while the former Whig president, Fillmore, accepted the Know-Nothing nomination in 1856. Portions of the information about the Whig Party was derived from the Grolier Encyclopedia Website:

<http://gi.grolier.com/presidents/ea/side/whig.html>

### **Dominance of the Democrats (21<sup>st</sup> through 107<sup>th</sup> Congresses, 1829-present)**

From the birth of the Democratic Party in 1828 (exactly when the Jacksonians adopted that name is somewhat imprecise) through the mid-1850s, they were by far the nation's dominant party. As evidence of this domination, consider that from the 21<sup>st</sup> through the 33<sup>rd</sup> Congress (covering the years 1829 to 1855), the Democrats controlled the House or Senate 21 times out of a possible 26. At times, the majorities over the Whigs were very narrow, but the dominance was quite persistent. The White House was in Democratic hands for 24 of the 32 years from 1829 (Jackson) to 1861 (Buchanan).

### **Ascendancy of the Republicans (34<sup>th</sup> through 107<sup>th</sup> Congresses, 1855-present)**

With the long-simmering issue of slavery rising to prominence in the early 1850s, the seeds were sown for a galvanization of the opposition to the Democrats. The birth of the Republican Party occurred in July, 1854, ushering in a fundamental realignment of our nation's political makeup. Most northern Whigs ran as Republicans in the 1854 elections, as did most "Free Soilers." Some extreme elements ran as American "Know-Nothings," and most southern Whigs became Democrats. Republicans quickly became dominant in the north, but were scarce in border states (Delaware, Maryland, and Kentucky), and basically non-existent in the South. In the 1854 Congressional elections, the Republicans achieved instant success. In coalition with the Know-Nothings, they outnumbered the Democrats 151 to 83. They elected 15 Senators, a large number considering only a third of the Senate was up for election, but were outnumbered by Democrats nearly three to one in the upper chamber.

The Presidential election of 1856 (won by Democrat James Buchanan) was a three-way race with Republican John C. Fremont gathering a third of the popular vote and 38% of the electoral votes. Millard Fillmore's candidacy, running as a Whig and Know Nothing and receiving 21.5% of the popular vote, cost the Republican's any real chance of winning the White House (and at least hypothetically, resulting in a four-year delay to the commencement of the Civil War). They did, however, gain five Senate seats, but lost 16 House seats (and control of the lower house).

In the 1858 Congressional Elections, the Republicans retook the House and expanded their strength in the Senate to 40% of the seats. All was in place for Abraham Lincoln's Presidential victory in 1860. The Whigs and Know-Nothings were gone from the playing field, replaced by the short-lived Constitutional Union Party. More crucially, the Democrats were split with Stephen Douglas as the main standard bearer and Vice President John Breckinridge as the break-away Southern Democratic candidate. Lincoln carried every single Northern state except New Jersey (which he split with Douglas) and won 180 of 303 Electoral Votes (though winning just shy of 40% of the deeply divided popular vote).

This ushered in a period of Republican dominance in both Congress and the White House. From 1861 to 1933, the Republicans were in the White House for 52 of 72 years (Andrew Johnson was a Democrat, and is counted as such, even though he had been elected as Lincoln's Vice President on the National Union ticket in 1864). From the 34<sup>th</sup> through the 72<sup>nd</sup> Congress (covering the years 1855 to 1933), the



Republicans controlled the House or Senate 53½ times out of a possible 78 (with the Split Senate of the 47<sup>th</sup> Congress, footnote “n,” counted as the half).

During this period, the country was basically Republican except for (1) the solidly Democratic South (once Federal troops were withdrawn in 1877) and (2) ethnic immigrants (generally Catholic or Jewish) predominantly in the large urban centers of the North. Ethnic immigrants favored Democrats because of largely economic reasons and a natural opposition to the “ruling class” in the North. At a national level, this resulted in a significant division between Southern and Northern Democrats. These very different factions of the Democratic Party cooperated when they could to control house of Congress (as during the Cleveland and Wilson administrations). It is interesting to speculate whether such a “marriage” of convenience could have endured had today’s national media and communications infrastructure been in place during those years.

### **The Great Depression**

It is a basic rule of thumb in politics that you don’t want to be in power when the economy fails. There are numerous examples that drive home this reality. First, consider the Panic of 1893, which hit during the second administration of Grover Cleveland (during a rare period for that era when the Democrats controlled both houses of Congress and the Presidency). The ensuing elections of 1894 cost them both houses of Congress (including a thumping loss of 116 House seats), and in 1896, the Presidency. A second example is in the United Kingdom where Ramsay MacDonald’s Laborites were governing when the Great Depression of 1929 began and, in response, Labor spent most of the next 15 years as the opposition (minority) party. Finally, the crash of U.S. and world stock markets in the fall of 1929 ushered in the Great Depression. Republicans were in power when it hit and took the blame, and, as it turned out, largely reshaping the politics of America for the rest of the 20<sup>th</sup> century.

The Congressional elections of 1930 brought in a narrow Democratic majority in the House (see footnote “q” for details), while the Senate remained Republican by a single vote. With the Elections of 1932, Democrats took the White House (F.D. Roosevelt), picked up 93 House seats and 12 Senate seats, and built further upon those majorities in the next two elections.

The new political landscape laid out by the depression left a much more even balance between the Democrats and Republicans in its wake than had existed in the span of time since the Civil War. In the years since the depression hit, there have been 18 Presidential Elections. The Democrats have won 10 and the Republicans 8. In Congress, the tilt has been more strongly in the Democrats favor. From the 73<sup>rd</sup> through the 107<sup>th</sup> Congress (covering the years 1933 to 2003), the Democrats controlled the House or Senate 55½ times out of a possible 70 (with the split Senate of the 107<sup>th</sup> Congress, footnote “t,” counted as the half. If you choose to begin counting the current era with the end of World War II, in the 14 Presidential Elections,

the Republicans are in the lead 8 to 6. Congress has been in Democratic hands for 41½ times out of a possible 56 (again with the current split Senate).

### **Suffrage**

When the Constitution took effect, those enfranchised were generally limited to property holders. This expanded quickly through the states to include most free men. The post-Civil war 15<sup>th</sup> Amendment guaranteed the right to vote regardless of “race, color, or previous condition of servitude.” The ratification of the 19<sup>th</sup> Amendment in 1920 gave women the right to vote in all elections. The 24<sup>th</sup> Amendment (1964) outlawed any requirements for a poll tax. Finally, the 26<sup>th</sup> Amendment (1971) made the national voting age 18 years (in most states it had been 21 years).

### **Minor Parties**

Our country has been a two-party nation almost exclusively throughout its history. Minor parties have seldom captured large numbers of seats in either House of Congress. On only one occasion did a minor party outnumber the principal minority party in the House of Representatives (23<sup>rd</sup> Congress), when the Anti-Masonic Party pushed ahead of the National Republicans. Furthermore, only on a handful of occasions (seven total, five in the House and two in the Senate) have minority parties held the balance of power in either House of Congress. Specifically, the 25<sup>th</sup>, 31<sup>st</sup>, 34<sup>th</sup>, 36<sup>th</sup>, and 65<sup>th</sup> Houses, and the 23<sup>rd</sup> and 54<sup>th</sup> US Senates relied on minority party support to organize that body. This is out of a grand total of 214 houses of congress--less than 3.3 percent of the time. (In the 47<sup>th</sup>, 66<sup>th</sup>, and 107<sup>th</sup> US Senates, one or two independents sided with a major party to tilt the balance of power. I view these cases as distinct from those where minor parties joined with a major party and led through coalitions.) Compared with most representative democracies, where coalition governments are the rule rather than the exception, this is indeed a unique aspect of the United States.

#### **- The Anti-Masonic Party (22<sup>nd</sup> and 23<sup>rd</sup> Congresses, 1831-1835):**

The Anti-Masonic Party, our very first minority or third party, was founded in 1827-28, chiefly as a result of the mysterious disappearance of William Morgan of Batavia, New York, a Freemason, who was planning to publish a book which revealed the secrets of the order. Morgan, an itinerant worker, was arrested in 1826 and charged with stealing and indebtedness, apparently as pretext for seizing him. He was convicted and jailed, reportedly kidnapped shortly afterward. It was popularly believed, although never proved, that fellow Masons had murdered Morgan. This incident touched off an Anti-masonic movement.

Although secret societies in general were frowned upon by early 19th century Americans, the Freemasons long continued exempt from criticism, perhaps because George Washington and other statesmen and soldiers of the Revolutionary period had been Masons. Indeed, in the first quarter of the 19th century membership in a Masonic lodge was almost a necessity for political preferment. In 1826, general approval of Masonry suffered a sudden, dramatic reversal as the Morgan incident came to an end.

Opponents of Freemasonry, including sections of the press, churches, and antislavery elements, joined together in the condemnation of the order. Thurlow Weed, publisher of the Rochester Telegraph and the Anti-Masonic Inquirer, led the press attack on Free-masonry and endorsed anti-Masonic candidates for New York State offices in the election of 1827. When fifteen of these candidates were elected to the state Assembly, an anti-Masonic party formed in 1828 and held its first convention.

The Anti-Masonic Party reflected the widespread hostility toward Masons holding public office. It was the very first party to hold a nominating convention and the first to announce a platform. On Sept. 26, 1831, convening in Baltimore, it nominated William Wirt of Maryland for the presidency and Amos Ellmaker of Pennsylvania for the vice presidency for the 1832 election. The political effect of the entrance, for the first time, of a third party into a United States presidential election was to draw support from Henry Clay and to help President Andrew Jackson (who was a Mason) win reelection by a wide margin. It achieved its greatest strength in the elections for the 23<sup>rd</sup> Congress (1832) when it elected eight Senators and 53 Representatives. Vermont gave the party seven electoral votes and elected an Anti-Masonic governor, William A. Palmer. The party also increased its strength in the congressional delegations from Pennsylvania, Massachusetts, Connecticut, Rhode Island, New Jersey, and Ohio. In effect, the Anti-Masons were the opposition in the 23<sup>rd</sup> House of Representatives, as they outnumbered the National Republicans who held 40 seats. After the elections of 1836, however, the Anti-Masonic party suffered a sharp decline. Together with the National Republican Party, it eventually was absorbed into the new Whig Party. This information is derived from the Library Thinkquest website, <http://library.thinkquest.org/12587/contents/parties/antimason/antimasons.html?tqskip=1>

**- The Free Soil Party (31<sup>st</sup> through 33<sup>rd</sup> Congresses, 1849-1855):**

The Free-Soil Party came into existence in 1847 and 1848, chiefly because of rising opposition to the extension of slavery into any of the territories newly acquired as a result of the Mexican War. The struggle in Congress over the Wilmot Proviso helped to consolidate the Free-Soil forces, which comprised those New York Democrats known as Barnburners, the antislavery Whigs, and members of the former Liberty Party. These forces met in mass convention at Buffalo in August, 1848, where the party was formally organized and Martin Van Buren and Charles F. Adams were chosen as its candidates for President and Vice President. The platform also declared for a homestead law, internal improvements, and a tariff for revenue only. The party polled nearly 300,000 votes (10% of the total) and, by helping to hand New York State to the Whigs, was a perhaps a key factor in the election of Zachary Taylor to the Presidency. The party elected one Senator, Salmon P. Chase of Ohio (who later served as Lincoln's Secretary of the Treasury and, subsequently, Chief Justice of the United States), and 13 Congressmen. The Compromise of 1850 supposedly settled the slavery issue, and the Barnburner element went back to its old allegiance. A smaller core of radical antislavery men kept the organization in existence and nominated John P. Hale for President in 1852; he received more than 156,000 votes (5% of the total). In 1854, the party was largely absorbed into the new Republican party. This information was derived from the Infoplease.com website, <http://www.infoplease.com/ce6/history/A0819616.html>

**- The American (or Know-Nothing) Party (34<sup>th</sup> Congress, 1855-1857):**

The Know-Nothing Party was an anti-foreign, anti-Roman Catholic political organization that flourished in the United States between 1852 and 1856. Nativism had been growing since the mid-1840s in response to massive immigration, especially from Ireland and Germany. Many of these immigrants had become part of urban Democratic political machines, much to the resentment of non-Democratic old-stock Americans. In the early 1850s, various secret, anti-immigrant organizations joined to form a new political party. Officially called the American party, it was popularly known as the know-nothing party because members answered "I know nothing" when asked about the exclusive, native-Protestant organization.

Advocating exclusion of Catholics and foreigners from public office and seeking to increase the naturalization period from 5 to 21 years, the Know-Nothings won national prominence chiefly because the two major parties--Whigs and Democrats--were, at that time, deeply divided over the slavery issue. The party reached its zenith in the 1854 elections for the 34<sup>th</sup> Congress. It elected 43 members to the House of Representatives and controlled that chamber in coalition with the newly formed Republicans. However, it too soon became factionalized over the slavery issue. In 1856, Millard Fillmore ran the American Party presidential candidate and received 21 percent of the popular vote, but the party rapidly disintegrated thereafter. Most of its Northern members joined the ranks of the newly formed Republican party and the Know-Nothings quickly disappeared from the political scene. This information was derived from the Grolier Encyclopedia Website:

<http://gi.grolier.com/presidents/aae/side/knownot.html>

**- The Populist Party (52<sup>nd</sup> through 56<sup>th</sup> Congresses, 1891- 1901):**

The People's Party (or Populist Party, as it was widely known) rose to prominence primarily in agricultural areas in the West and South that had been hit by economic depression years before industrial areas in the 1880s. As drought hit the wheat-growing areas of the Great Plains and prices for Southern cotton sunk to new lows, many tenant farmers fell into deep debt. This exacerbated long-held grievances against railroads, lenders, grain-elevator owners, and others with whom farmers did business. By the early 1890s, as the depression worsened, some industrial workers shared these farm families' views on labor and the trusts.

In 1890 Populists won control of the Kansas State Legislature, and Kansan William Peffer became the party's first U.S. Senator. Many Eastern journalists and politicians, who saw little evidence of Populism in their states often treated the party as a joke. Nonetheless, Western and Southern Populists rapidly gained support.

The Republican and Democratic parties both straddled the currency question at the 1892 presidential conventions. In 1892, a convention was held in Omaha, and the Populist Party nominated James B. Weaver for the Presidency. The party adopted a platform calling for free coinage of silver, abolition of national banks, a subtreasury scheme or some similar system, a graduated income tax, plenty of paper money, government ownership of all forms of transportation and communication, election of

Senators by popular vote, non-ownership of land by foreigners, civil service reform, a working day of eight hours, postal banks, pensions, revision of the law of contracts, and reform of immigration regulations. The goal of the Populists in 1892 was no less than that of replacing the Democrats as the nation's second party by forming an alliance of the farmers of the West and South with the industrial workers of the East. James B. Weaver was the Populist candidate for President that year, and he polled over 1,041,000 votes (8.5% of the total). The Populist votes in the 1894 congressional elections increased to 1,471,000 as the party gained momentum. Its successes were, by-in-large, confined to the Plains States as it failed to break the Democratic Party's solid hold on the Southern States.

In 1896, while the Republican Party (under William McKinley) adhered to the "sound money" platform, the Populists maintained their 1892 platform. The Democratic Party, however, adopted the plank of free coinage of silver and nominated William Jennings Bryan for President. Although the Populists tried to retain their independence by repudiating the Democratic vice presidential candidate (Arthur Sewall of Maine), the Democratic Party, helped by the eloquence of Bryan, captured the bulk of the Populist votes in 1896. The 1896 election undermined agrarian insurgency, and a period of rapidly rising farm prices helped to bring about the dissolution of the Populist Party. Another important factor in the failure of the party was its inability to effect a genuine urban-rural coalition; its program had little appeal for wage earners of the industrial East.

This information was derived from these websites:

<http://iberia.vassar.edu/1896/populists.html> and <http://www.bartleby.com/65/po/Populist.html>

### **- The Progressive Party**

Progressive Party was the name used to designate several political organizations in the United States. In national politics, the term is associated with the unsuccessful presidential campaigns of Theodore Roosevelt (1912), Robert M. LaFollette, Sr. (1924), and Henry Wallace (1948). These leaders all broke off their major-party associations to take bold positions on domestic or foreign policies.

#### **-- Bull Moose Party (63<sup>rd</sup> Congress, 1913-1915)**

William Howard Taft was elected President in 1908 with the support of his friend and predecessor Theodore Roosevelt. But Roosevelt, a dynamic leader of the Progressive Movement, soon grew impatient with Taft's relatively cautious approach to reform. Taft's dismissal of Gifford Pinchot as chief forester angered Roosevelt, an ardent conservationist. Roosevelt challenged Taft for the Republican presidential nomination in 1912, but with Taft controlling the party machinery, was narrowly defeated. Roosevelt, saying he felt as fit as a bull moose, launched the Progressive party with himself as presidential candidate. His platform called for tariff reform, stricter regulation of industrial combinations, woman suffrage, prohibition of child labor, and other reforms. Roosevelt won 27% of the popular vote, actually finishing ahead of Taft in both the popular vote and Electoral College (his second place finish was the best ever for a third party). However, the essentially divided Republican vote (Taft and Roosevelt) ensured the election of the Democratic candidate, Woodrow Wilson. Progressive candidates for state and local offices did poorly, and the party

disappeared after 1916, when Roosevelt declined renomination and (with his endorsement of Charles Evans Hughes for the Presidency) returned to the Republican fold.

#### **-- The LaFollette Progressives**

Sen. Robert M. LaFollette, Sr., of Wisconsin was another leader of the Progressive Movement. Although progressivism receded after World War I, LaFollette fought on. By 1924, conservatives dominated both parties. LaFollette, nominally a Republican, decided to run for president on his own. Fearing that a formal party organization might be infiltrated by Communists, he ran as an independent. However, he accepted the support of the Conference for Progressive Political Action, which had been organized in 1922 by workers, farmers, and liberal intellectuals. The Socialist party also supported LaFollette. His platform denounced the control of industry and government by private monopolies. It favored public ownership of natural resources and railroads, farm-relief measures, lower taxes for persons with moderate incomes, and other laws to aid the less privileged. LaFollette got 17% of the popular vote but carried only Wisconsin. In 1934, LaFollette's sons, Sen. Robert LaFollette, Jr., and Philip, organized a Progressive party in Wisconsin. After Philip had been defeated for renomination as governor on the Republican ticket in 1932, the brothers concluded that the increasingly conservative GOP was no longer a reliable vehicle for advancing Progressive principles. Under the Progressive banner, the LaFollettes scored many successes, as did Progressive candidates for local offices in Wisconsin. But the party disappeared in 1946 when Robert chose to seek renomination to the Senate as a Republican (unsuccessfully, as it turned out).

#### **-- The Wallace Progressives**

After World War II the Truman administration took firm stands against Soviet expansion. President Truman dismissed Secretary of Commerce (and former Vice President) Henry A. Wallace after the latter called for a conciliatory policy toward the Soviet Union. Wallace declared his candidacy for president in 1948, and a new Progressive Party was formed to nominate him. He expected support from blacks, intellectuals, and other groups that had admired his militant liberalism. But the support of the U.S. Communist Party damaged the Progressives, and Wallace got only 2.4% of the vote. In 1950, the Progressive Party was further weakened when it denounced U.S. entry into the Korean War, and Wallace left the party. The Progressives disappeared after polling a small vote in the 1952 presidential election. This information was derived from the Grolier Encyclopedia Website:  
<http://gi.grolier.com/presidents/ea/side/progress.html>

#### **- States' Rights Democrats (Dixiecrats):**

The States' Rights Democrats or Dixiecrats were a group of Southern Democrats who broke away from the Democratic National party in 1948 after its national convention adopted a plank favoring civil rights legislation. They chose Gov. J. Strom Thurmond of South Carolina as their presidential candidate, hoping to prevent either the Democratic candidate, President Harry S. Truman, or his Republican opponent, Thomas E. Dewey, from receiving a majority of the Electoral votes. They failed in their strategy, winning only 39 electoral votes and 22.5 percent of the popular vote in the South. No congressional candidates formally were elected as Dixiecrats, though certainly there were many supporters of Thurmond from the deep

South at that time in both houses of Congress. This information was derived from the Grolier Encyclopedia Website: <http://gi.grolier.com/presidents/aae/side/dixicrat.html>

#### **- Other Minor Parties:**

There are certainly no shortages of other minor parties in our nation's history. They run the gamut of the entire political spectrum; from Prohibitionist, Right to Life, Conservative, Libertarian, Socialist, Socialist Worker, Socialist Labor, Communist, to plain independents, and many others. Notable recent efforts have included George C. Wallace's American Independent Party in 1968, John B. Anderson's independent effort in 1980, Ross Perot's (recently fractured) Reform Party in 1992 and 1996, and Ralph Nader's Green Party in 2000, to name a few. In spite of their significant philosophical differences, one feature is common to nearly all of them--they have failed to elect candidates to either house of Congress. Here are some minor party exceptions worthy of note who have been elected to Congress:

- Vito Marcantonio served as a member of Congress from New York City's East Harlem district from 1935 (first elected as a Republican) until his defeat in 1950. From 1938 on, he ran and was elected as a member of the American Labor Party, while maintaining an open relationship with the Communist Party. To this day, he is remembered as perhaps the most radical person ever to hold a seat in the House of Representatives (<http://www.geocities.com/redencyclopedia/bios/vito.html>).
- James Buckley was elected to the US Senate from New York running on the Conservative Party line in 1970. He served one term and caucused with the Republicans.
- Bernard Sanders was elected to the House of Representatives from Vermont as an independent in 1990 and has served continuously since then.

#### **- Independents (Periodically, and in small numbers, from the 47<sup>th</sup> through the 107<sup>th</sup> Congresses, 1881-2001):**

Independents come in many flavors. Some independents were Republicans who (in retrospect) were in the process of transitioning to become Democrats (like Senator Wayne Morse of Oregon in the early 1950s). Representative Virgil H. Goode, (Ind-VA), is perhaps headed to become a Republican. Some independents caucus with one of the two major parties (like Senator James Jeffords of Vermont), while others maintain their own counsel. In general, most independents tacitly side with one party or the other for philosophical reasons and, more pragmatically, in order to obtain committee assignments. They may choose to run as independents for several reasons usually related to the political makeup of their constituency or state.

#### **- Minor Party Summary**

Clearly, our country has been dominated by a two-party system. Only the Anti-Masonics, Free Soilers, and Populists have been able to elect more than a small handful of people to either house of Congress. Other parties have been successful in electing state officials (as in recent years in Connecticut, Maine, and Minnesota). On a national level, third parties have at times been pivotal in determining the winner of the Presidency (John Quincy Adams in 1824, James Buchanan in 1856, Abraham Lincoln in 1860, Woodrow Wilson in 1912, Richard Nixon in 1968, Bill Clinton in

1992, and George Bush in 2000, and perhaps several other races). In few of these cases, especially since the Populists in the 1890s, have third parties been successful in electing any more than very small numbers (one or at most, two) of Senators or Representatives at any single time.

### **Delegates to the House of Representatives**

Delegates from Unites States Territories have served in the House of Representatives since the Third Congress. Historically, they have been non-voting members, but have served on various committees and, in recent years, have enjoyed voting privileges on committees. In Table #2, the number of delegates for each Congress, from 1789 to the present, is displayed.

As territories achieved statehood, the number of delegates periodically decreased, then increased as new territories were acquired. The large number of delegates in the 42<sup>nd</sup> and 43<sup>rd</sup> Congresses is attributable to formerly Confederate states that had not yet been readmitted to the Union. There have never been delegates to the U.S. Senate.

### **Tabular History of the Partisan Makeup of Congress**

In Table #3, you will see the evolution of our partisan political playing field. This table provides the partisan makeup of each of the 107 Congresses from 1789 to the present day. In general, the numbers shown are the day the House of Representatives or Senate first convened and elected its leadership. Exceptions to this convention (most notably, the current 107<sup>th</sup> Congress) are detailed in the footnotes. The number of members for the party that controlled the chamber (either solely or in a coalition) is shown in bold faced red. Footnotes are boldly labeled from “a” to “t” and are described at the end of Table #3.



### Allocation of Seats in the House of Representatives by State--Table #1

States	1789	1793	1803	1813	1823	1833	1843	1853	1863	1873	1883	1893	1903	1913	1923	1933	1943	1953	1963	1973	1983	1993	2003
Alabama					3	5	7	7	6*	8	8	9	9	10	10	9	9	9	8	7	7	7	7
Alaska																			1	1	1	1	1
Arizona														1	1	1	2	2	3	4	5	6	8
Arkansas							1	2	3*	4	5	6	7	7	7	7	7	6	4	4	4	4	4
California								2	3	4	6	7	8	11	11	20	23	30	38	41	45	52	53
Colorado											1	2	3	4	4	4	4	4	4	5	6	6	7
Connecticut	5	7	7	7	6	6	4	4	4	4	4	4	5	5	5	6	6	6	6	6	6	6	5
Delaware	1	1	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Florida								1	1*	2	2	2	3	4	4	5	6	8	12	15	19	23	25
Georgia	3	2	4	6	7	9	8	8	7*	9	10	11	11	12	12	10	10	10	10	10	10	11	13
Hawaii																			2	2	2	2	2
Idaho												1	1	2	2	2	2	2	2	2	2	2	2
Illinois					1	3	7	9	14	19	20	22	25	27	27	27	26	25	24	24	22	20	19
Indiana				1	3	7	10	11	11	13	13	13	13	13	13	12	11	11	11	11	10	10	9
Iowa								2	6	9	11	11	11	11	11	9	8	8	7	6	6	5	5
Kansas									1	3	7	8	8	8	8	7	6	6	5	5	5	4	4
Kentucky		2	6	10	12	13	10	10	9	10	11	11	11	11	11	9	9	8	7	7	7	6	6
Louisiana				1	3	3	4	4	5*	6	6	6	7	8	8	8	8	8	8	8	8	7	7
Maine					7	8	7	6	5	5	4	4	4	4	4	3	3	3	2	2	2	2	2
Maryland	6	6	9	9	9	8	6	6	5	6	6	6	6	6	6	6	6	7	8	8	8	8	8
Massachusetts	8	14	17	20	13	12	10	11	10	11	12	13	14	16	16	15	14	14	12	12	11	10	10
Michigan						1	3	4	6	9	11	12	12	13	13	17	17	18	19	19	18	16	15
Minnesota									2	3	5	7	9	10	10	9	9	9	8	8	8	8	8
Mississippi					1	2	4	5	5*	6	7	7	8	8	8	7	7	6	5	5	5	5	4
Missouri					1	2	5	7	9	13	14	15	16	16	16	13	13	11	10	10	9	9	9
Montana												1	1	2	2	2	2	2	2	2	2	1	1
Nebraska										1	3	6	6	6	6	5	4	4	3	3	3	3	3
Nevada									1	1	1	1	1	1	1	1	1	1	1	1	2	2	3
New Hampshire	3	4	5	6	6	5	4	3	3	3	2	2	2	2	2	2	2	2	2	2	2	2	2
New Jersey	4	5	6	6	6	6	5	5	5	7	7	8	10	12	12	14	14	14	15	15	14	13	13
New Mexico														1	1	1	2	2	2	2	3	3	3
States	1789	1793	1803	1813	1823	1833	1843	1853	1863	1873	1883	1893	1903	1913	1923	1933	1943	1953	1963	1973	1983	1993	2003

New York	6	10	17	27	34	40	34	33	31	33	34	34	37	43	43	45	45	43	41	39	34	31	29
North Carolina	5	10	12	13	13	13	9	8	7*	8	9	9	10	10	10	11	12	12	11	11	11	12	13
North Dakota												1	2	3	3	2	2	2	2	1	1	1	1
Ohio			1	6	14	19	21	21	19	20	21	21	21	22	22	24	23	23	24	23	21	19	18
Oklahoma													5	8	8	9	8	6	6	6	6	6	5
Oregon									1	1	1	2	2	3	3	3	4	4	4	4	5	5	5
Pennsylvania	8	13	18	23	26	28	24	25	24	27	28	30	32	36	36	34	33	30	27	25	23	21	19
Rhode Island	1	2	2	2	2	2	2	2	2	2	2	2	2	3	3	2	2	2	2	2	2	2	2
South Carolina	5	6	8	9	9	9	7	6	4*	5	7	7	7	7	7	6	6	6	6	6	6	6	6
South Dakota												2	2	3	3	2	2	2	2	2	1	1	1
Tennessee		1	3	6	9	13	11	10	8*	10	10	10	10	10	10	9	10	9	9	8	9	9	9
Texas								2	4*	6	11	13	16	18	18	21	21	22	23	24	27	30	32
Utah													1	2	2	2	2	2	2	2	3	3	3
Vermont		2	4	6	5	5	4	3	3	3	2	2	2	2	2	1	1	1	1	1	1	1	1
Virginia	10	19	22	23	22	21	15	13	11*	9	10	10	10	10	10	9	9	10	10	10	10	11	11
Washington												2	3	5	5	6	6	7	7	7	8	9	9
West Virginia									3	3	4	4	5	6	6	6	6	6	5	4	4	3	3
Wisconsin								3	6	8	9	10	11	11	11	10	10	10	10	9	9	9	8
Wyoming												1	1	1	1	1	1	1	1	1	1	1	1
<b>Totals</b>	<b>65</b>	<b>105</b>	<b>141</b>	<b>182</b>	<b>213</b>	<b>240</b>	<b>223</b>	<b>234</b>	<b>248</b>	<b>293</b>	<b>325</b>	<b>357</b>	<b>386</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>	<b>435</b>
	1789	1793	1803	1813	1823	1833	1843	1853	1863	1873	1883	1893	1903	1913	1923	1933	1943	1953	1963	1973	1983	1993	2003

**Allocation of Seats in the House of Representatives by State--Table #1 (continued)**

<b>States</b>																							
Alabama	7																						
Alaska	1																						
Arizona	9																						
Arkansas	4																						
California	53																						
Colorado	7																						
Connecticut	5																						
Delaware	1																						
Florida	27																						
Georgia	14																						
Hawaii	2																						



### Allocation of Seats in the House of Representatives by State--Table #1 (continued)

Virginia	11																					
Washington	19																					
West Virginia	3																					
Wisconsin	8																					
Wyoming	1																					
<b>Totals</b>	<b>435</b>																					
	2013																					

- Admission to the Union (or ratification of the Constitution for the first 13 states) took place in the following order:  
 1787: Delaware, Pennsylvania, New Jersey. 1788: Georgia, Connecticut, Maryland, Massachusetts, South Carolina, New Hampshire, Virginia, and New York. 1789: North Carolina. 1790: Rhode Island. 1791: Vermont. 1792: Kentucky. 1796: Tennessee. 1803: Ohio. 1812: Louisiana. 1816: Indiana. 1817: Mississippi. 1818: Illinois. 1819: Alabama. 1820: Maine. 1821: Missouri. 1836: Arkansas. 1837: Michigan. 1845: Florida and Texas. 1846: Iowa. 1848: Wisconsin. 1858: Minnesota. 1850: California. 1859: Oregon. 1861: Kansas. 1863: West Virginia. 1864: Nevada. 1867: Nebraska. 1876: Colorado. 1889: North Dakota, South Dakota, Montana and Washington. 1890: Idaho and Wyoming. 1896: Utah. 1907: Oklahoma. 1912: New Mexico and Arizona. 1959: Alaska and Hawaii.

- All newly admitted states (after the original 13 states) were initially allotted one representative with the following exceptions: Texas-2, Iowa-2, Wisconsin-2, California-2, Minnesota-2, South Dakota-2. and Oklahoma-5.

Note (\*): With the succession of eleven states at the outbreak of the Civil War, representation in Congress decreased. Nearly every representative from the states in bold red (and marked with an asterisk) withdrew from Congress when their states succeeded. After the end of the Civil War, these states were readmitted to the union at varying dates.

## Number of Delegates in the House of Representatives--Table #2

Congress	0th	1st	2nd	3rd	4th	5th	6th	7th	8th	9th
	-	0	0	1	0	0	1	0	1	0
10th	3	3	4	4	4	3	3	3	3	3
20th	3	3	3	3	2	3	3	3	3	2
30th	1	2	4	6	7	7	6	8	9	9
40th	8	9	10	10	8	8	8	8	8	8
50th	8	4	4	4	4	3	3	5	5	5
60th	5	5	5	3	3	3	3	3	3	3
70th	3	3	3	3	3	3	3	3	3	3
80th	3	3	3	3	3	3	1	1	1	1
90th	5	5	5	5	5	5	5	5	5	5
100th	5	5	5	5	5	5	5	5	5	5
110th	5	5	5	5						

**History Of Political Party Representation in the United States Congress--Table #3**

			House of Representatives					United States Senate		
Congress	Years	President	Allotted # of Reps	Pro-Administration	Anti-Administration	Other	Vacant	Pro-Administration	Anti-Administration	Other/Vacant
1st <sup>a</sup>	1789-1791	Washington	65	53	12	0	0	18	8	0
2nd	1791-1793	Washington	69	55	14	0	0	16	13	1
3rd	1793-1795	Washington	105	51 <sup>b</sup>	54	0	0	17	13	0
Congress	Years	President	# of Reps	Federalist	Democratic-Republican	Other	Vacant	Federalist	Democratic-Republican	Other/Vacant
4th	1795-1797	Washington	106	54	52	0	0	19	13	0
5th	1797-1799	Adams	106	58	48	0	0	20	12	0
6th	1799-1801	Adams	106	64	42	0	0	19	13	0
7th	1801-1803	Jefferson	105	36	69	0	0	15	17	2
8th	1803-1805	Jefferson	141	38	103	0	0	9	25	0
9th	1805-1807	Jefferson	141	29	112	0	0	7	27	0
10th	1807-1809	Jefferson	141	31	110	0	0	6	28	0
11th	1809-1811	Madison	141	46	95	0	0	7	27	0
12th	1811-1813	Madison	141	36	105	0	0	6	30	0
13th	1814-1815	Madison	182	67	115	0	0	9	27	0
14th	1815-1817	Madison	183	65	117	0	0	11	25	0
15th	1817-1819	Monroe	185	42	141	0	0	10	34	0
16th	1819-1821	Monroe	187	27	156	0	0	7	35	0
17th	1821-1823	Monroe	187	25	158	0	0	4	44 <sup>c</sup>	0
18th	1823-1825	Monroe	213	26	187 <sup>d</sup>	0	0	4	44 <sup>c</sup>	0
Congress	Years	President	# of Reps	Administration Supporters	Jacksonian	Other	Vacant	Administration Supporters	Jacksonian	Other
19th	1825-1827	J.Q. Adams	213	105	97	0	0	26 <sup>e</sup>	22	0
20th	1827-1829	J.Q. Adams	213	94	119	0	0	20	28	0
Congress	Years	President	# of Reps	National Republican	Democrat	Other	Vacant	National Republican	Democrat	Other
21st	1829-1831	Jackson	213	74	139	0	0	22	26	0
Congress	Years	President	# of Reps	National Republican	Democrat	Anti-Masonic	Vacant	National Republican	Democrat	Anti-Masonic
22nd	1831-1833	Jackson	213	58	141	14	0	21	25	2
23rd <sup>f</sup>	1833-1835	Jackson	240	40	147	53	0	20	20	8

			House of Representatives					United States Senate		
Congress	Years	President	# of Reps	Whig	Democrat	Other	Vacant	Whig	Democrat	Others
24th	1835-1837	Jackson	242	98	144	0	0	25	27	0
25th	1837-1839	Van Buren	242	115 <sup>g</sup>	117	10	0	18	30	4
26th <sup>h</sup>	1839-1841	Van Buren	242	118	124	0	0	22	30	0
27th	1841-1843	Harrison, Tyler	242	132	103	6	0	28	22	2
28th	1843-1845	Tyler	223	81	142	0	0	28	25	1
29th	1845-1847	Polk	225	78	141	6	0	25	31	0
30th	1847-1849	Polk	227	115	108	4	0	21	36	1
Congress	Years	President	# of Reps	Whig	Democrat	Free Soil	Vacant	Whig	Democrat	Free Soil
31st <sup>i</sup>	1849-1851	Taylor, Fillmore	230	109 <sup>i</sup>	112	9	0	25	35	2
32nd	1851-1853	Fillmore	233	88	140	5	0	24	35	3
33rd	1853-1855	Pierce	234	71	159	4	0	22	38	2
Congress	Years	President	# of Reps	Republican	Democrat	Know-Nothing	Vacant	Republican	Democrat	Others
34th <sup>j</sup>	1855-1857	Pierce	234	108 <sup>j</sup>	83	43 <sup>j</sup>	0	15	42	5
Congress	Years	President	# of Reps	Republican	Democrat	Others	Vacant	Republican	Democrat	Others
35th	1857-1859	Buchanan	237	92	131	14	0	20	39	5
36th	1859-1861	Buchanan	237	113	101	23	0	26	38	2
37th <sup>k</sup>	1861-1863	Lincoln	178	106	42	28	2	31	11	8
38th	1863-1865	Lincoln	183	103	80	0	0	39	12	0
39th	1865-1867	Lincoln, Johnson	191	145	46	0	0	42	10	0
40th <sup>l</sup>	1867-1869	Johnson	193	143	49	0	1	42	12	0
41st	1869-1871	Grant	243	170	73	0	0	61	11	0
42nd	1871-1873	Grant	243	136	104	3	0	56	17	1
43rd	1873-1875	Grant	293	203	88	0	2	54	19	1
44th <sup>m</sup>	1875-1877	Grant	293	107	181	3	2	46	29	1
45th	1877-1879	Hayes	293	137	156	0	0	39	36	1
46th	1879-1881	Hayes	293	128	150	14	1	33	43	0
47th	1881-1883	Garfield, Arthur	293	152	130	11	0	37 <sup>n</sup>	37 <sup>n</sup>	2
48th	1883-1885	Arthur	325	119	200	6	0	40	36	0

			House of Representatives					United States Senate		
Congress	Years	President	# of Reps	Republican	Democrat	Other	Vacant	Republican	Democrat	Other
49th	1885-1887	Cleveland	325	140	182	2	1	41	34	1
50th	1887-1889	Cleveland	325	151	170	4	0	39	37	0
51st	1889-1891	B. Harrison	330	173	156	1	0	47	37	0
52nd	1891-1893	B. Harrison	333	88	231	14	0	47	39	2
53rd	1893-1895	Cleveland	357	126	220	11	0	38	44	6
54th	1895-1897	Cleveland	357	246	104	7	0	44	39	5
55th	1897-1899	McKinley	357	206	134	16	1	46	34	10
56th	1899-1901	McKinley	357	185	163	9	0	53	26	11
57th	1901-1903	McKinley, T. Roosevelt	357	198	153	5	1	56	29	5
58th	1903-1905	T. Roosevelt	386	207	178	0	1	58	32	0
59th	1905-1907	T. Roosevelt	386	250	136	0	0	58	32	0
60th	1907-1909	T. Roosevelt	386	222	164	0	0	61	29	2
61st	1909-1911	Taft	391	219	172	0	0	59	32	1
62nd	1911-1913	Taft	391	162	228	1	0	49 <sup>o</sup>	42	1
63rd	1913-1915	Wilson	435	127	290	18	0	44	51	1
64th	1915-1917	Wilson	435	193	231	8	3	39	56	1
65th	1917-1919	Wilson	435	216	210 <sup>p</sup>	9	0	42	53	1
66th	1919-1921	Wilson	435	237	191	7	0	48	47	1
67th	1921-1923	Harding	435	300	132	1	2	59	37	
68th	1923-1925	Harding, Coolidge	435	225	207	3	0	51	43	2
69th	1925-1927	Coolidge	435	247	183	5	0	54	40	2
70th	1927-1929	Coolidge	435	237	195	3	0	48	47	1
71st	1929-1931	Hoover	435	267	163	1	4	56	39	1
72nd <sup>q</sup>	1931-1933	Hoover	435	214	220	1	0	48	47	1
73rd	1933-1935	F. Roosevelt	435	117	313	5	0	36	59	1
74th	1935-1937	F. Roosevelt	435	103	322	10	0	25	69	2
75th <sup>r</sup>	1937-1939	F. Roosevelt	435	89	333	13	0	17	75	4
76th <sup>s</sup>	1939-1941	F. Roosevelt	435	169	262	4	0	23	69	4
77th	1941-1943	F. Roosevelt	435	162	267	6	0	28	66	2
78th	1943-1945	F. Roosevelt	435	209	222	4	0	37	58	1



Congress	Years	President	House of Representatives					United States Senate		
			# of Reps	Republican	Democrat	Other	Vacant	Republican	Democrat	Other
79th	1945-1947	F. Roosevelt, Truman	435	190	243	2	0	38	57	1
80th	1947-1949	Truman	435	246	188	1	0	51	45	0
81st	1949-1951	Truman	435	171	263	1	0	42	54	0
82nd	1951-1953	Truman	435	205	228	2	0	46	49	1
83rd	1953-1955	Eisenhower	435	221	213	1	0	48	47	1
84th	1955-1957	Eisenhower	435	203	232	0	0	47	49	0
85th	1957-1959	Eisenhower	435	201	234	0	0	47	49	0
86th	1959-1961	Eisenhower	436	153	283	0	0	34	64	0
87th	1961-1963	Kennedy	437	175	262	0	0	36	64	0
88th	1963-1965	Kennedy, L. Johnson	435	176	258	0	1	33	67	0
89th	1965-1967	L. Johnson	435	140	295	0	0	32	68	0
90th	1967-1969	L. Johnson	435	187	248	0	0	36	64	0
91st	1969-1971	Nixon	435	192	243	0	0	43	57	0
92nd	1971-1973	Nixon	435	180	255	0	0	45	55	0
93rd	1973-1975	Nixon, Ford	435	192	242	1	0	43	57	0
94th	1975-1977	Ford	435	144	291	0	0	38	61	1
95th	1977-1979	Carter	435	143	292	0	0	38	61	1
96th	1979-1981	Carter	435	158	277	0	0	41	58	1
97th	1981-1983	Reagan	435	192	243	0	0	53	46	1
98th	1983-1985	Reagan	435	167	268	0	0	54	46	0
99th	1985-1987	Reagan	435	182	253	0	0	53	47	0
100th	1987-1989	Reagan	435	177	258	0	0	45	55	0
101st	1989-1991	G.H.W. Bush	435	175	260	0	0	43	57	0
102nd	1991-1993	G.H.W. Bush	435	167	267	1	0	43	57	0
103rd	1993-1995	Clinton	435	176	258	1	0	44	56	0
104th	1995-1997	Clinton	435	230	204	1	0	53	47	0
105th	1997-1999	Clinton	435	228	206	1	0	55	45	0
106th	1999-2001	Clinton	435	222	211	2	0	55	45	0
107th <sup>t</sup>	2001-2003	G.W. Bush	435	222	211	2	0	49	50 <sup>t</sup>	1
108 <sup>th</sup>	2003-2005	G.W. Bush	435	229	205	1	0	51	48	1
109 <sup>th</sup>	2005-2007	G.W. Bush	435	233	202	0	0	55	44	1
110 <sup>th</sup>	2007-2009	G.W. Bush	435	202	233	0	0	49	49 <sup>u</sup>	2
111 <sup>th</sup>	2009-2011	Obama	435	178	257	0	0	41	57	2

<b>112<sup>th</sup></b>	2011-2013	Obama	435	<b>242</b>	193	0	0	47	<b>51</b>	2
<b>113<sup>th</sup></b>	2013-2015	Obama	435	<b>234</b>	201	0	0	45	<b>53</b>	2

**Footnotes:**

- a. According to Tim Taylor in The Book of Presidents, the makeup of the House of Representatives in the 1<sup>st</sup> through 3<sup>rd</sup> Congresses had differing numbers, as shown in the accompanying chart, than those available on the House of Representatives web page. (Much less significant differences in party strength also appear from the 8<sup>th</sup> through 13<sup>th</sup> Congresses.) These disparities are no doubt attributable to the fluid nature of party identification in these early days of our nation’s existence.

<b>Discrepancies in the Partisan Makeup of Early House of Representatives</b>				
<b>Congress</b>	<b>The Book of Presidents by Tim Taylor</b>		<b>House of Representatives web page</b>	
	<b>Pro-Administration</b>	<b>Anti-Administration</b>	<b>Pro-Administration</b>	<b>Anti-Administration</b>
<b>1st</b>	<b>38</b>	26	<b>53</b>	12
<b>2nd</b>	<b>37</b>	33	<b>55</b>	14
<b>3rd</b>	48	<b>57</b>	51	<b>54</b>

- b. 3<sup>rd</sup> Congress (1793-95), the House of Representatives had a Pro-Administration (Federalist) Speaker in spite of the larger number of seats held by the opposition. This is no doubt a function of the reality that concept of political parties and strict identification with them had not as yet really jelled in 1793.
- c. 17<sup>th</sup> and 18<sup>th</sup> Congresses (1821-25), the Democratic-Republicans held the greatest proportion of Senate seats (91.7 percent) ever. By this time, the Federalists had ceased to exist as a viable national party and a major realignment of the partisan playing field was waiting in the wings.
- d. 18<sup>th</sup> Congress (1823-25), the Democratic-Republicans held the greatest proportion of the House of Representatives (87.8 percent) ever to occur. This, as in footnote “c,” was during the so-called “Era of Good Feeling” when James Monroe had been re-elected essentially unopposed in 1820 (one NH elector voted for J.Q. Adams “to preserve the honor of unanimity” for George Washington).
- e. 19<sup>th</sup> Congress (1825-27): Different sources give different results for the 19<sup>th</sup> US Senate. Tim Taylor in The Book of Presidents states that there were 26 administration supporters and 20 Jacksonians. The US Senate web page shows 26 Jacksonians and 22 Adams supporters. I have chosen to go with 26 for the administration and 22 against. I am basing this on the fact that those who served as President Pro Tempore (John Gaillard of South Carolina and Nathaniel Macon of North Carolina) appear to have been administration supporters.
- f. 23<sup>rd</sup> Congress (1833-35): The House of Representatives has conflicting numbers from varying sources. The web page for the House of Representatives begins calling the anti-Jacksonians “Whigs” with the 21<sup>st</sup> Congress. Tim Taylor calls them National Republicans until the 24<sup>th</sup> Congress. It is interesting to note that in the House of Representatives, the National Republicans appear to have been outnumbered as the minority party by the Anti-Masonics. All of this is set against the reality that party identification had not evolved to the extent it is today. It wasn’t until the Whigs formally emerged in the 24<sup>th</sup> Congress that political party identification became more rigidly defined. The 23<sup>rd</sup> U.S. Senate was led by National Republicans (anti-Jacksonians) assisted by Anti-Masonics.

- g. 25<sup>th</sup> Congress (1837-39): the Democrats ostensibly controlled the House of Representatives (the Speaker was James K. Polk, later to become the 11<sup>th</sup> President), but a coalition of Whigs and conservative Democrats held the balance of power.
- h. 26<sup>th</sup> Congress (1839-41): Both the House of Representatives and the Senate were ostensibly controlled by the Democrats, but a coalition of Whigs and conservative Democrats held the balance of power in both houses.
- i. 31<sup>st</sup> Congress (1849-51): The Taylor administration was the first of four that did not control Congress upon taking office.
- j. 34<sup>th</sup> Congress (1855-57): The Republican party was founded in July 1854. In the subsequent congressional elections later that year, the party fared exceptionally well as, with support of the Know-Nothings, they won control of the House of Representatives (a Know-Nothing, Nathaniel P. Banks, later a general in the Civil War, was elected Speaker). The Senate was slow to respond to the political realignment (as the framers of the Constitution envisioned), as the Democrats actually gained strength with the demise of the Whigs.
- k. 37<sup>th</sup> Congress (1861-63): With the succession of 11 southern states (and accompanying withdrawal from Congress of nearly all Representatives and Senators of those states, 59 members of the House of Representatives and 21 Senators), Republicans were assured majorities in both houses.
- l. 40<sup>th</sup> Congress (1867-69); impeached President Johnson and nearly convicted him. The House of Representatives vote to impeach was 126 to 47. The Senate voted in favor of conviction 35 to 19 on all articles. He was, therefore, acquitted since a two-thirds vote was necessary to convict. Senator Edmund G. Ross of Kansas cast the decisive vote in all instances. Ross and the other six Republican senators who voted for acquittal paid for their actions with their political careers.
- m. 44<sup>th</sup> Congress (1875-77); had the largest divergence in party control between the House of Representatives and Senate. Huge Democratic gains in the House of Representatives gave them a majority with 61.7% of the seats. The Senate, again slower to respond to shifting political winds, had a 60.5% Republican majority.
- n. 47<sup>th</sup> Congress (1881-83): Research yields conflicting information about the control of the US Senate. According to Tim Taylor in The Book of Presidents, the equally divided senate was organized by Democrats. However, according to the US Senate web page, the Republicans were the majority party. Further research reveals greater detail and confusion, *“The Senate was divided 37 Republicans, 37 Democrats, and 2 Independents. The new president was Republican James Garfield, and Chester A. Arthur was Vice President. The stage was set for the reorganization of the Senate, which, in due course, would involve Garfield, Arthur, and the two senate Independents. One of the Independents was Illinois Senator David A. Davis, who had served on the Supreme Court prior to his election by the Illinois legislature to the Senate in 1877. Davis agreed to vote with the Democrats, but the other Independent, William Mahone, a conservative Virginian, was lobbied fiercely by the Democrats, and held his own counsel until the Senate role call when he, in dramatic fashion, sided with the Republicans. Mahone made a deal with the Republicans to Chair the Agricultural Committee and to control its patronage. Since no president pro tempore had been elected, Vice President Arthur had the tie-*

*breaking vote. The Republicans could not elect a president pro tempore because of absenteeism among its senators. The Democrats refused to give up the chairmanships they had held in the previous session. The special session ended in May 1881 with the Senate largely in chaos. Between May and October, when the Senate was scheduled to return, President Garfield was assassinated and Vice President Arthur become President. Strangely, it was President Arthur, still acting as President of the Senate, who called the Senate to order for the October session. Fortunately, by October several Republicans had resigned, giving the Democrats the majority. They elected Thomas Bayard of Delaware President pro tempore. As part of another deal, David A. Davis was chosen as the presiding officer of the Senate. Davis maintained his independence. He reasoned that, since the Republicans controlled the presidency and the House of Representatives, they should continue to hold the chairmanships in the Senate, even though the Democrats still held a two-vote edge. He did, however, give Democrats control of substantial Senate patronage, along with the posts of Secretary of the Senate and Sergeant at Arms.”*

This information comes from a Millersville University web page.

- o. 62<sup>nd</sup> Congress (1911-13): Democrats, helped by insurgent Republicans, shared control of the Senate with Republicans for much of the 62<sup>nd</sup> Congress. The US Senate web page sheds further light on this confusing situation as follows: *“William Frye resigned as president pro tempore due to ill health and died on August 8, 1911. Electing his successor proved difficult for the Senate, since Senate Republicans, then in the majority, split between the progressive and the conservative factions, each promoting its own candidate. Likewise, the Democrats proposed their own candidate. As a result of this three-way split, no individual received a majority vote. During May and June of 1911, ballot after ballot failed to elect a president pro tempore. Finally, desperate to return to regular business, senators agreed to a compromised solution: Democrat Augustus Bacon would serve for a single day, August 14, 1911, during the vice president’s absence. Thereafter, Bacon and four Republicans—Charles Curtis, Jacob Gallinger, Henry Cabot Lodge, and Frank Brandegee—would alternate as president pro tempore for the remainder of the 62nd Congress.”*
- p. 65<sup>th</sup> Congress (1917-19): Democrats organized the House of Representatives only with the help of other parties. On April 2, 1917, in the vote for Speaker, Representative Champ Clark, D-Missouri, received 217 votes (all Democrats and all but one of the nine independents). The Republican leader, Representative James Mann, received 205 votes, and two other Republicans garnered 2 votes each. There were also two abstentions and, apparently, seven absences and vacancies. Control of the House had been in doubt, but the independents (including a Socialist and a Progressive) broke heavily in favor of the Democrats. Later that same day, after the House had organized, President Wilson addressed Congress and asked for a declaration of war against Germany. With this wartime footing, Democrats lobbied strongly for Clark’s election as speaker, arguing that the nation needed a Democratic Congress to support the Wilson administration. (This information was from The New York Times, April 3, 1917). The re-united Republicans were slower to gain numbers in the US Senate, again reflecting the overlapping tenure of Senate terms as designed in our Constitution.

- q. 72<sup>nd</sup> Congress (1931-33): On Election Day in 1930, 218 Republicans, 216 Democrats, and 1 other were elected to the House of Representatives. By the time the 72<sup>nd</sup> Congress convened on Dec 7, 1931 (this being prior to the ratification of the 20<sup>th</sup> Amendment, which decreased the “lame duck” period by some 11 months), the balance had shifted to 220D, 214R. This occurred through deaths and special elections (which strongly favored Democrats as the depression persisted). Once again, the Senate was slower to respond to a developing major political upheaval, which the depression fostered. The Republicans maintained bare control of that body with Vice President Curtis casting the tie-breaking vote when needed.
- r. 75<sup>th</sup> Congress (1937-39): During the deepest days of the depression, the Democrats attained the largest-ever numerical majorities in both the House of Representatives (244 seats) and the Senate (58 seats).
- s. 76<sup>th</sup> Congress (1939-41): The Republicans rebounded with an 80-seat gain in the House of Representatives in the mid-term elections of Roosevelt's second term. Again, in the Senate, the turn-around was considerably more tempered at a gain of just 6 seats.
- t. 107<sup>th</sup> Congress (2001-03): The numbers shown are reflective of the partisan split as of June 19, 2001 (after Senator James Jeffords switch from Republican to independent and after a Republican gain to fill a vacant House seat in Virginia). When Congress convened on Jan 4<sup>th</sup>, the House had 221 Republicans, 212 Democrats, and 2 independents, counting vacancies in the manner they had been settled on Election Day, 2000 (there had been one death and one resignation prior to the convening of the first session of the 107<sup>th</sup> Congress). The Senate had 50 Republicans and 50 Democrats, and was controlled by Democrats from Jan 4 to Jan 20, 2001, with Vice President Gore available to cast the potential tie-breaking vote. With the inauguration of Vice President Cheney, the Republicans assumed control of the Senate. On June 4, 2001, Senator Jeffords of Vermont abandoned the Republicans and, as a result, returned the majority to the Democrats (resulting in a partisan split of 50 Democrats, 49 Republicans, and 1 independent).
- u. 110<sup>th</sup> Congress (2007-09): The Democrats organized the Senate with the votes of Lieberman (I-CT) and Sanders (I-VT) giving them a 51 to 49 edge.

# Appendix I

## Article I--The United States Constitution

### Section 1.

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

### Section. 2.

Clause 1: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Clause 2: No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Clause 3: Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Clause 4: When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

Clause 5: The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

### Section. 3.

Clause 1: The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Clause 2: Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

Clause 3: No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

Clause 4: The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

Clause 5: The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

Clause 6: The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Clause 7: Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

#### **Section. 4.**

Clause 1: The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

Clause 2: The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, (*See Note 5*) unless they shall by Law appoint a different Day.

#### **Section. 5.**

Clause 1: Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Clause 2: Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Clause 3: Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Clause 4: Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

#### **Section. 6.**

Clause 1: The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.



They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

Clause 2: No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

### **Section. 7.**

Clause 1: All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Clause 2: Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Clause 3: Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

### **Section. 8.**

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;--And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

### **Section. 9.**

Clause 1: The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Clause 2: The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Clause 3: No Bill of Attainder or ex post facto Law shall be passed.

Clause 4: No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

Clause 5: No Tax or Duty shall be laid on Articles exported from any State.

Clause 6: No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Clause 8: No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

#### **Section. 10.**

Clause 1: No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

Clause 2: No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

Clause 3: No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

## Appendix II

### Amendments to The United States Constitution Impacting the Election or Apportionment of Congress

#### Amendment XIV, (1868)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

### **Amendment XV, (1870)**

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

### **Amendment XVII, (1913)**

The Senate of the United States shall be composed of two Senators from each state, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

### **Amendment XIX, (1920)**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

### **Amendment XX, (1933)**

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one

who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission.

#### **Amendment XXIV, (1964)**

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any state by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

#### **Amendment XXVI, (1971)**

Section 1. The right of citizens of the United States, who are 18 years of age or older, to vote, shall not be denied or abridged by the United States or any state on account of age.

Section 2. The Congress shall have the power to enforce this article by appropriate legislation.