A Rhetorical Study of Selected Senatorial Speaking of John H. Reagan, 1888-1891.

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A RHETORICAL STUDY OF SELECTED SENATORIAL SPEAKING
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in

The Department of Speech

by
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ABSTRACT

John Henniger Reagan served the State of Texas as judge, representative, Confederate cabinet member, senator, and first Texas Railroad Commissioner from 1846 to 1903. His ideas and arguments won him popularity in his home state and recognition on a national basis. He was best known for his arguments against the centralization of government and his defense of the rights of the individual against economic and political infringement.

The study was limited to the consideration of the ideas contained in Reagan's speeches since the concepts he advocated were nationally significant. The study was further limited to four speeches chosen for their typicality of issue, theme, and development. The four selected speeches dealt with: (1) the abuses of the railroads and monopolies; (2) Reagan's arguments against the Blair Education Act; (3) a plea for the remonetization of silver; and (4) denunciation of the Force Act. The analysis of these speeches included a discussion of the background of the specific issues involved, the audience composition and alignment, the themes developed, and the proofs used in their development. Finally his speeches were evaluated.
Reagan's political ideology was based upon two primary concepts: preservation of states' rights and protection of the individual. His themes were derived from these two basic concepts and concerned the infringement upon these basic rights. Although Reagan offered logical, ethical, and emotional proof to support these themes, he relied most heavily upon logical proof, employing most often example, authority, and causal relationship. His more than twenty years as a Representative in the lower House, where he voiced his ideas on the pertinent issues of the day with knowledge and intelligence, allowed him to address the Senate with an already established ethical stature. He added to his established ethos by his indication of good character and intelligence throughout his speeches. Reagan employed emotional appeals less frequently than logical or ethical appeals.

An evaluation of effectiveness was difficult to ascertain since Reagan's speeches were political in nature and given to an audience that was influenced by such outside elements as: (1) the popular national will as reflected through periodicals; (2) the will of the constituents who elected the senators to represent their particular interests; (3) influence of special interest groups; (4) partisan and sectional alignments; and (5) other speeches given on the same issue. However, Reagan's speeches were undoubtedly
influential in the initiation of some early governmental controls over monopolies and railroads, the defeat of the Blair Education Act and the death of the Force Act.

These conclusions were drawn from Reagan's speeches: Reagan's ideas in these speeches belonged basically to the school of progressive idealism; the one exception was Reagan's strict conservative tie with the past through his states' rights concept. There seemed to be evidence that this conservative tie was a carry-over from his earlier experiences in the Civil War and its aftermath. Reagan's progressive ideas were innovative and well supported. History appears to vindicate most of his progressive concepts. The final conclusion drawn from the study is that John H. Reagan was a deep logician, a far-sighted intellectual and statesman of whom Texas, and the nation, should be proud. However, he apparently was not an outstanding orator although his ideas were presented well enough to influence the outcome of legislation that affected national policies then and now.
INTRODUCTION

STATEMENT OF THE PROBLEM

Depression, drought, tremendous growth in the number of immigrants, general increased population, westward mobility of the people, organizations of labor, farmers, and miners, and growth of tremendous corporate giants all characterized the national scene when John H. Reagan was elected Senator from Texas in 1887.

He had already served his state as congressional representative more than twenty years beginning in the pre-Civil War period and including post-Reconstruction years and the early years of economic upheaval. But with the imminent approach of the climax of some of the nation's most crucial problems, including monopoly control, silver remonetization, and the Republican's renewed attempts at centralization, Reagan, always an outspoken contestant in the debates surrounding these issues, decided to enter the Senate. Ben H. Proctor, in a biography of Reagan, stated that with

... many crucial issues fast approaching a climax in Congress, he (Reagan) wanted to be in a position where he could best make his voice heard and his presence felt. Tired by the labors which the boisterous unwieldy House exacted of its members, he decided that the more
sedate, less crowded, and better organized Senate was the place for him.¹

Although he was treated upon his immediate entrance to the Senate with less respect than he may have anticipated,² his stature soon increased with his determined stand on issues of importance. One historian describes the period that saw Reagan on the senatorial stage in the following manner:

Without denying that other decades have had their trials outside of war, there is reason to maintain that during the twelve years, 1885 to 1897, more and widely differing problems pressed upon this country for solution than in any other equal period, unless it be that following the establishment of our government in 1789.³

The same author further described those issues and their importance on the national scene.

The contest for a silver standard, the regulation of great corporations and monopolies, the rising strength of organized labor, the awakening ambitions for an aggressive foreign policy, the purification of politics by a radical change in the methods of appointment to office, are questions which will never sink into comparative obscurity, whatever the future may hold


²Although Reagan had shown outstanding leadership on all parallel committees in the House, he was the last named member to the Senate’s committees on Interstate Commerce, Post Office, and Post Roads, and Coastal Defenses. United States Congress, Congressional Record, 50th Congress, 1st Session, p. 18.

in store for us. Rather they will stand out as the beginning of a new stage in our nation's history.4

John Henniger Reagan, Senator from Texas from 1888 to 1891, was an active participant in the legislative debates during that crucial period of change in the nation's history. Reagan was a veteran representative in the legislative halls and he spent the majority of his time on the floor of the United States Senate speaking on the key issues, the issues that occupied the greatest minds of the day and that were shaping a new national destiny.

The purpose of the present study is to examine the ideas that Reagan presented in selected senatorial speeches on the great issues of the period.

JUSTIFICATION OF THE PROBLEM

Reagan was a study in a combination of progressive ideas and conservative ties. His two basic ideological guidelines as expressed in his speaking seemed to bind him to two eras. His preoccupation with the conservation of states rights through strict Constitutional construction seemed almost reactionary when compared to his ideas that stressed the rights of the individual. Perhaps an explanation of the union of these two ideas can be seen in Reagan's belief that the solidity of a political unit,
i.e., the Democratic Party, was a necessity for the preservation of the southern rights; to him all efforts at centralization seemed to be a move against the South. Historians\(^5\) basically refer to Reagan in two roles. In explanation of his defense of the southern rights and states rights, his name was most widely mentioned as Postmaster General of the Confederacy. The second role was as an anti-monopolist.

Reagan was an important figure on the Texas political scene. He was twice offered the governorship which he refused. He took a leading role in the re-establishment of the Democratic Party in his state and in the revision of the state constitution. Following the Civil War, as soon as he was granted amnesty, he was sent back to his pre-War seat in the House, and he was consistently re-elected to that position for over twenty years. When he decided to run for the Senate, he was opposed by the long-standing incumbent Samuel Bell Maxey, ex-Governor John Ireland, and Alexander Terrell, a respected state senator. Reagan entered the race late, yet he won the heavily

contested battle and took his seat in the Senate in 1888. Once more the voters of his state had rewarded him for his defense of the people and his attacks on monopolies. He had achieved this vote of confidence from his constituency despite heavy adverse coverage during the campaign from the Dallas Morning News, and the Austin Daily Statesman, both of which questioned his judgment concerning many issues including railroad regulations, monopoly control, and prohibition. The vote was 102 for Reagan who needed only 69 votes for election.

Reagan's ideas and arguments had won him popularity in his home state and had won him national recognition also. His states rights concept received some periodical coverage because of his arguments in favor of decentralization, but his defense of the rights of the individual was

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6 For coverage of the campaign and voting see Austin Daily Statesman (January 13, 20, 21, 26, 1887).

7 Dallas Morning News (April 23, 25, May 15, August 14, 1887).

8 Austin Daily Statesman (August 5, 11, 1887).

9 This coverage was also discussed in several letters: Silas Hare to Reagan, May 16, 1887; Reagan to Phelps, August 2, 1887; Reagan to Johnson, September 21, 1887. All are in Reagan Papers: Letters, Texas State Archives. The Reagan Papers will hereafter be referred to as R.P.

10 Austin Daily Statesman (January 27 and February 3, 1887).
nationally discussed. His progressive arguments that sought railroad and monopoly control through legislative measures and his demands for the free and unlimited coinage of silver, which he saw as a panacea for the ills of the South and West, were covered by periodicals through the nation.\textsuperscript{11} His fight for the rights of the individual brought him an offer of a vice-presidential nomination by the National Anti-Monopoly Party.\textsuperscript{12} He refused the offer and remained a Democrat.

Reagan's fight to bring on the initial politico-economic controls needed within this chaotic period was a long-range and seemingly tireless effort. While not always popular throughout all sections of the nation, Reagan's ideas were certainly well-known. He was a spokesman for the people and was identified with their cause of individual rights.

\textsuperscript{11} The newspapers were not always in agreement about Reagan's concepts. For example: the New York Tribune was anti-Reagan on the railroad issue from start to finish. Gerald Nash in "The Reformer Reformed: John H. Reagan and Railroad Regulation," Business Historical Review, Vol. 29 (1955) took much of his material from the Tribune. The Baltimore Sun saw Reagan as "a bold fearless aggressive opponent of the corporation influences and of centralizing tendencies of the Republican Party," (February 2, 1887). The Crawford County, Missouri Democrat (April 20, 1891) considered Reagan a true "servant of the people." Within his home state, there were opposing views. For pro-Reagan coverage see The Houston Post and for consistent anti-Reagan coverage see Dallas Daily Herald.

\textsuperscript{12} Reagan to Henry Nichols, March 28, 1884; Reagan to James B. Weaver, May 26, 1884, in \textit{R.P.: Letters}. 
Although Reagan's ideas were pertinent to the great issues of the era of politico-economic change during the years 1888-1891, a study of *Speech Monographs* and *Dissertation Abstracts* revealed no previous treatment of his senatorial speaking. The present study was conducted in order to ascertain how Reagan's senatorial speeches contribute to an understanding of the issues about which he spoke.

**LIMITATIONS OF THE STUDY**

Two basic limitations have been imposed upon the study. The first limitation was on the number of speeches chosen for special investigation and analysis. All of the texts of Reagan's speeches to the United States Senate were readily available in the *Congressional Record*. These were closely studied and four were chosen for their typicality of issue, themes, and development. The speeches chosen dealt with railroad-monopoly abuse, the centralizing efforts of the Blair Education Act, the silver coinage issue, and the Force Bill, which sought interference in the elective franchise rights of the states.

The second limitation imposed upon the investigation was the decision to limit the study to the ideas contained in Reagan's speeches. Reagan lived and spoke during troubled times in the nation's economic and political history. His contribution through the concepts he advocated
to the United States Senate were significant. For this reason, the study focuses only on the invention found within Reagan's speeches to the Senate and deliberately excludes a study of style, delivery, and arrangement. An additional reason for the exclusion of delivery was that although Reagan's ideas and arguments received coverage for their importance, little was to be gleaned from the same sources concerning his delivery of the ideas. There was a scarcity of general references to his delivery and a dearth concerning the particular speeches under consideration. So any conclusion drawn about the delivery of these speeches would be only conjectural and may or may not have held true of these particular speeches. Reagan's ideas were contained in the inventio of his speeches. His contribution to the nation's well-being was found in the ideas he advocated and thus the focus of the study is upon these concepts.

METHODOLOGY AND DATA

General histories of the era and issues were consulted first for background knowledge. Academic journals\textsuperscript{13} within the field of speech were then studied for relative materials relative to the study.

\textsuperscript{13}Quarterly Journal of Speech, Speech Monographs, Southern Speech Journal, Western Speech Journal were examined for materials relative to the study.
materials. One long biography\textsuperscript{14} and several short biographical sketches of Reagan were available.\textsuperscript{15} Two members of Reagan's family kindly granted interviews and shed light on aspects of Reagan's life and career. Reagan's granddaughter, Mrs. May Reagan Orr Mathes, resides in Beaumont, Texas. She freely and graciously gave of her time, as did Reagan's great-grandson James P. Ferguson of Houston, Texas.

Texts of all Reagan's speeches came from the \textit{Congressional Record}; that source was further studied for materials relative to the issues, audience interaction, and outcome of the speeches.


\textsuperscript{14}Proctor, \textit{Not Without Honor}.

The Texas State Archives and the University of Texas Archives were searched for materials. Reagan's Papers, letters, speeches, clippings and microfilm were consulted there along with other collections that were useful to the study. The most outstanding were the Hogg collection, the Blake collection, and the Roberts collection.

After the materials were assembled, they were examined to determine the setting of the speeches and to reconstruct the pertinent biographical data necessary to understand Reagan's background. In analyzing the speech settings, materials were sought which would provide an understanding of the historical circumstances which called forth the speeches and which would illuminate the nature of the audiences to which Reagan spoke. The biographical data were investigated to provide an understanding of Reagan's life which would shed light on the ethos which he brought to the speaking situation; an attempt was also made to determine those aspects of his political and social philosophy which might provide further insight into the positions which he advocated.

The speeches themselves were searched to determine the principal themes which he developed and the kinds of supporting material employed to develop those themes. Supporting materials were divided into logical proof, ethical proof, and emotional proof.
An attempt was then made to draw some conclusions from the data yielded by the analysis. Those conclusions included an assessment of the immediate and long-range effects of the speeches, but went beyond the questions of effectiveness to consider also what Reagan's ideas and his method of development revealed about the man and the causes which he advocated.

**ORGANIZATION OF THE STUDY**

The study was organized into six chapters:

Chapter I gives a biographical sketch of the speaker and the background that shaped the concepts which found voice in his senatorial speaking.

Chapter II presents an analysis of Reagan's ideas and their development in his speech on railroad-monopoly abuse delivered to the United States Senate on February 27, 1889.

Chapter III deals with an analysis of the ideas in Reagan's senatorial speech on the fourth Blair Education Act given on February 26, 1890.

Chapter IV is an analysis of inventio in Reagan's speech asking for remonetization of silver. The speech was delivered to the Senate on December 30, 1890.

Chapter V provides an analysis of the ideas in one of Reagan's last speeches to the Senate. This speech dealt with the Force Bill and was delivered on January 16, 1891.
Chapter VI presents a summary of Reagan's use of invention within the four speeches examined in the study, and draws some general conclusions from the investigation.
CHAPTER I

THE SPEAKER

John H. Reagan was tanner, farmer, surveyor, lawyer, judge, state legislator, and national congressman before the Civil War. He was Postmaster General of the Confederacy, and, for a short while, simultaneously Secretary of the Treasury. He twice declined the office of Governor of Texas. Imprisoned with Jefferson Davis, he returned to be selected as the spokesman for the people of Texas in the House of Representatives in Washington until 1887, when he was elected Senator. It is his Senatorial speaking from 1887 to 1891 that is the object of inquiry in this study. The present chapter will describe John H. Reagan's lineage, experiences, and behavioral pattern that will shed light on his Senatorial speaking.

JOHN H. REAGAN

In 1817, Timothy Richard Reagan married Elizabeth Lusk\textsuperscript{1} and this marriage produced six children\textsuperscript{2} who were

\footnotesize

\textsuperscript{1}Unpublished data in possession of Mrs. May Reagan Orr Mathes, Beaumont, Texas.

\textsuperscript{2}These children were John Henniger, Richard B., William R., Morris, Joseph D., and Sarah.
raised according to teachings of the Colonial American Methodist Episcopal Church.\(^3\) On October 3, 1818, John Henniger Reagan, the first child, was born in Sevier County, Tennessee.\(^4\)

Reagan's family was poor; although Timothy Reagan was an accomplished tanner, blacksmith, silversmith, and locksmith,\(^5\) his business acumen seemed to be small and he was never quite able to provide for the needs of his family. As the eldest child, John H. was forced to take on responsibility early in life and he worked with his father at the tannery and later on the farm.\(^6\) His father taught him the rudiments of education and he attended Nancy Academy at Sevierville, but his formal education was interrupted by his father's business failure when John was about thirteen. When he was about sixteen years of age John undertook the task of securing his own

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\(^3\) John H. Reagan to his children, written at Fort Warren, Boston, June 28, 1865. This letter was written while Reagan was imprisoned there. It is in possession of James P. Ferguson, Houston, Texas. This letter will hereafter be referred to as Reagan to his children.

\(^4\) Ibid.

\(^5\) Ibid.

education, and began it "by hiring myself to Major John Walker for one year at farm work, at nine dollars a month, payable in corn at two shillings a bushel." With the money secured from selling the corn, Reagan purchased clothing and books. Paying his board by working evenings and Saturdays for Willis Franklin, who operated a farm, extensive flour mills, and sawmills for a wealthy planter, John Brabson, Reagan was able to attend Boyd's Creek Academy for two sessions. In 1836, Willis Franklin died, and with him died Reagan's means of support. Forced to leave the academy, Reagan was then hired to take a flatboat of produce and furniture down the Tennessee River to north Alabama. His first venture out of his home territory, the assignment provided Reagan with a means of gainful employment.

Upon Reagan's return home, Brabson hired him to take on Willis Franklin's former position. He worked at the milling business from the winter through the summer of 1837, earning enough to return to school at Southwestern

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7Ibid.
8Ben H. Proctor, Not Without Honor, p. 11.
9Reagan to his children.
Seminary in Maryville.\textsuperscript{10} He applied himself diligently to his studies and complained of a lack of time for the inclusion of everything he wished to attain.\textsuperscript{11} His curriculum consisted of arithmetic, algebra, geography, English grammar, Latin grammar, natural philosophy, moral philosophy, logic, and rhetoric.\textsuperscript{12} Logic and rhetoric fascinated him and he avidly read about these subjects. To supplement the knowledge acquired from books, he joined a literary society "formed for the improvement of its members in writing and speaking."\textsuperscript{13} The society met every Friday afternoon, during which time two members read original compositions, two gave criticisms, four debated a previously selected question, and two persons criticized the compositions and speeches as to language, manner, and style.\textsuperscript{14} "In this atmosphere, Reagan formulated the basic principles of logic as his future guide, and shaped and polished his writing and oratory, so important to his later endeavors."\textsuperscript{15} With the return of summer Reagan found

\textsuperscript{10}Ibid. The school is now Maryville College; it is located at Maryville, Blount County, Tennessee.
\textsuperscript{11}Ibid.
\textsuperscript{12}Ibid.
\textsuperscript{13}Ibid.
\textsuperscript{14}Ibid.
\textsuperscript{15}Proctor, \textit{Not Without Honor}, p. 13.
himself once more without funds and without much hope for local employment. After a number of his classmates suggested he go out of the state to seek employment with greater compensation, he decided to accept the advice. He sought and secured recommendations from the faculty and students of Maryville Seminary.

Reagan worked as a clerk and bookkeeper until the season when the boats would "begin to run." On November 13, 1838, he again took employment on a flatboat to Decatur and from there journeyed by train and stagecoach to Vicksburg and Natchez. He sought employment as a clerk in Natchez, which depression had strongly marked, but he found none. His poor physical condition prevented him from earning wages at manual labor. Since he had found no employment and news of a tutorial position in the nearby countryside

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16 Reagan to his children.

17 A letter of recommendation by Augustus M. Foute to his father Jacob F. Foute can be found in the original at Maryville College. This is reproduced on microfilm in Reagan Papers at Texas State Archives, Austin, Texas. Also see: Reagan, Memoirs, p. 25.

18 Peter L. Thompson to Reagan, August 18, 1838, in R.P., microfilm.

19 Reagan to his children. Reagan received his regular pay plus $25 from his employer's son as a parting gift.

20 Ibid.
had reached him, he decided to investigate. Concerning his state of mind at that moment he wrote in his Memoirs:

On the way, when I had got out of the city, overcome by a feeling of helplessness, among strangers in a strange land, and without money enough to pay for a night's lodging, I sat down by the roadside and took a hearty cry.21

He was offered two positions at this time, one as tutor and one as manager of Dempsey P. Jackson's plantation; he took the latter since the pay was higher22 and he remained in the position until May, 1839. He resigned because of the treatment of the slaves. When the men "complained of not having enough meat,"23 Reagan confronted Jackson with this problem. Jackson refused to alleviate the condition and so Reagan resigned.

Reagan started out toward Alexandria, Louisiana, to the home of General Isaac Thomas, a family friend. However, a sense of adventure and the promise of a good job24 in Nacogdoches, Texas, encouraged him to cross into that newly-formed republic. The job failed to materialize but

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21Reagan, Memoirs, p. 25.

22Reagan, Memoirs, p. 26. His salary was $500 for the remainder of the year.

23Ibid.

24According to Memoirs, the job offered by a merchant named Colonel Jeremiah Strode, paid $800 per year. In his earlier letter to his children, June 23, 1865, the amount was $1000.
another friendship caused Reagan to trudge thirty miles to Fort Lacy. There he was involved in the Indian War brought on by the Sam Houston-Mirabeau B. Lamar conflict.25

Reagan participated in the Indian negotiations and was particularly impressed with Chief Bowles who stated that if he fought the whites he would be killed by them, and if he did not he would be killed by the red man. Reagan's attitude favored race differentiation expressed in some descriptive words found in his letters that stated "savages, and even semi-civilized people" were "suspicious and jealous of persons of higher type and different race."26 However, he respected Bowles and agreed with the Indian Chief's concept that there should be means other than war to settle disputes. He also respected and honored Bowles for his steadfastness of purpose once he had made a decision.27

Soon after the Indian conflict public attention was focused on the fertile lands of Texas. The County Surveyor of Nacogdoches County stated:

25For an excellent account of this conflict see Anna Muckleroy, "The Indian Policy of the Republic of Texas," Southwestern Historical Quarterly, XXVI (1922), pp. 128-134.

26Reagan to his children.

Land is the cry. Speak to one, his answer is land. Inquire kindly of his family and he answers in Leagues and Labors. The land mania is great... We have shipped off the Cherokees.\(^{28}\)

Reagan answered the call of "land" and spent approximately two years alternately surveying the land and battling a "bilious fever."\(^{29}\) He completed his survey of the counties of Henderson, Van Zandt, Wood, Kaufman, the south part of Hunt, Anderson County west of old Trowel Trace, and that part of Dallas County which lies north of the Trinity River, in March, 1841,\(^{30}\) and returned to Nacogdoches and another Indian uprising. The latter conflict was followed closely by a depression that affected all economy including surveying, so Reagan began to farm to supplement his income\(^{31}\) and during this time was elected justice of the peace and also Captain of the militia for his Nacogdoches precinct.\(^{32}\)

\(^{28}\) Warren A. Ferris to his sister, Sarah Lovejoy, October 8, 1839. R. B. Blake Collection, Texas State Archives, Austin, Texas.

\(^{29}\) Reagan to his children. Reagan probably had malaria since much of the land surveyed was swampy.


\(^{32}\) Reagan, Memoirs, p. 44. Also: Bonham Weekly Chronicle, October 14, 1897, clipping in R.P.: Printed Matter.
In 1843, Reagan accepted a position as tutor to Colonel John Durst's children. The position as tutor served as a mental stimulus for this man who had neglected books for a long period of time. He had access to the excellent library in the Durst home and became acquainted with a number of prominent men of state who visited in the home. The influence of these three factors, coupled with Reagan's insatiable search for knowledge, particularly learning that dealt with logical presentation of facts, caused him to begin to study political philosophy and then law. It was at this point that Reagan married a widow, Martha Music, and shouldered the responsibility of her four children. His wife died within two years after their marriage.

Around 1844, Reagan studying law by reading Blackstone's Commentaries and using Webster's Unabridged

33 Colonel Durst came to Texas in the early 1800's and became wealthy and prominent in Texas. For a fuller account, see W. D. Wood, "Sketch of the Early Settlement of Leon County, Its Organization and Some of the Early Settlers," Quarterly Journal of the Texas State Historical Association, IV (1900), pp. 211-212.

34 The Houston Post (undated) clipping in R.P.: Printed Matter.


36 The Music children seemed to drop from the picture, but Mrs. Mathes stated he provided for them until they were adults. Interview with Mrs. Mathes, April 18, 1971, at Beaumont, Texas.
Dictionary and Bouvier's Law Dictionary.\textsuperscript{37} Since the nearest lawyer was some sixty miles away, Reagan's self-education went slowly, but, in 1846, he procured a license to practice law in the district and inferior courts. He was elected in the same year to probate judge in Henderson County.\textsuperscript{38}

By hard work and diligent single-mindedness, Reagan educated himself. The influence of an impoverished childhood caused him to have a strong need for continuing upward progress. His strong colonial Christianity forced him to be even more mindful to discipline himself for he feared that he "might have added dishonor and disgrace to poverty and toil."\textsuperscript{39}

On February 19, 1846, President Anson Jones spoke in Austin, to the people of Texas about the annexation of Texas. He captured the general feeling of the Texans when he stated: "... (Texas) has become fixed forever in that glorious constellation ... The American Union. ... The final act in this great drama is now performed. The Republic of Texas is no more."\textsuperscript{40} So it was in the State of

\textsuperscript{37}Reagan, Memoirs, p. 51.
\textsuperscript{38}Ibid., p. 52.
\textsuperscript{39}Reagan to his children.
\textsuperscript{40}President Anson Jones, Executive Record Book Number 47, pp. 50-51, mss.
Texas, rather than in the Republic of Texas that in 1847, Reagan began his public service. He was elected as a representative from the Nacogdoches district41 and served on the following committees: judiciary, public land and land office, apportionment of representation, federal relations and enrolled bills.

Reagan, in his Memoirs, related an incident that illustrates his thoroughness as legislator and skill as a speaker at this very early stage of his career. He was asked to prepare resolutions for the Federal Resolutions Committee and was unaware that in so presenting them he was required to defend them. Another member42 offered a substitute for Reagan's resolution, speaking strongly in favor of this substitution. Reagan reported:

I was expecting some other member to reply to him; but no one seemed to do so; and I saw all eyes directed to me. It then flashed on me that having made the resolutions I was expected to defend them. I was a young and new member, and had never addressed the House, but I made the best argument I could; and when I sat down, M. B. Lamar, ex-president of the Republic, then a representative from Webb County, arose and said he had examined the resolutions with

41This district was composed of what now comprises the Counties of Nacogdoches, Angelina, Cherokee, Smith, Henderson, Kaufman, Van Zandt, Rockwall, Rains, Wood, the west half of Upshur, the north half of Dallas, and eight and one-half miles in width of the south end of Hunt County.

42Benjamin Epperson, a Whig who was a member of the legislature.
care, and that they stated the views of the people and of the South very clearly and correctly and that he hoped they would be passed by the House unanimously without the crossing of a t or the dotting of an i. There were three votes for the substitute and the resolutions were adopted. 43

Reagan was defeated at the polls in the State Senatorial race in 1849. Because he refused to sanction a bill to validate clouded titles of settlers in the Peter's Colony dispute, his popularity decreased enough to lose the election by a small majority. In his Memoirs, he stated: "... I deliberately accepted defeat rather than promise the people to do what I felt would operate to their injury." 44

In December of 1852, Reagan married Edwina Moss Nelms in Anderson, Grimes County, Texas. 45 Proctor stated "... he found love and affection he had long done without. From her he acquired social grace and poise he had never known..." 46 Six children were born to this union; four of them lived to maturity. 47

43Reagan, Memoirs, p. 53.
44Ibid.
45Clarksville Northern Standard (February 5, 1853).
46Proctor, Not Without Honor, p. 89.
In the spring of 1848, Reagan had received his regular license to practice law. He was licensed to practice in the Supreme Court of the State at the same time. In 1857, he was licensed to practice in the Supreme and inferior Courts of the United States. He was elected to a six-year term and served as district judge from 1852 to 1856. In 1856, he resigned the position of judge before his term expired. His reason was two-fold. The first was that the redistricting of the counties had changed the electorate. He stated that "... it would be fair to allow the two newly added counties to have a voice in the selection of their judge." The second reason was that, in 1856, the legislature voted to increase judges' salary saying that the previous sum was not sufficient to secure the best of legal talent for the bench. Reagan's resignation

48 Ibid, p. 57. Reagan was the fifth person to receive an honorary degree of doctor of laws from Tulane University in Louisiana. He received this degree in 1896. In 1903, he received the same degree from Baylor University in Texas.

49 Reagan, Memoirs, p. 57. Also see: Crawford County Missouri Democrat, April 30, 1891. This action was only a part of Reagan's demonstration of fairness, at the price of personal cost, to his constituency. It may have been the reason that he continued to be referred to with the title of "Judge" throughout his life, and even after his death.

50 Gammel, Laws, Vol. IV, p. 249. Also see: Governor Pease to Reagan, April 8, and June 25, 1856, in R.P.: Letters. This was reported in Clarksville, Texas, Northern Standard (April 26, 1856).
for these two reasons was immediately followed by his announcement of candidacy for re-election, "giving as the reason for my action that if the increased salary might enable the people of the district to select an abler judge it was my duty to give them a chance to do so." He was re-elected to district judge for another six-year term, but this was not an easy victory, for the Know-Nothings were making its final bid, in this race, for state-wide power through Reagan's opponent, Harvard-educated John C. Robertson. Reagan found himself one of the "leading spokesmen" for the Democratic Party. He tirelessly traveled and spoke the length and breadth of his district; the people listened and were impressed. Reagan had won the election and the Know-Nothings were crushed in their Texas bid.

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51 Reagan, Memoirs, p. 60; also: Bonham Weekly Chronicle (October 14, 1897).


53 Proctor, Not Without Honor, p. 94.

54 Edwina M. Reagan to her husband, May 11, 1856, R.P.

55 E. M. Pease, Executive Record Book Number 276, 1853-1857, mss, p. 542, the official returns for the Ninth District Judge were: Reagan 3,558; Robertson 2,050. For a synopsis of Democratic success, see Clarksville Northern Standard (August 23, 1856). Also see: James M. Wiggins to Reagan, August 5, 1856, in R.P.: Letters.
In 1857, Reagan's name was prominently before the people. General Henderson, along with many other Democrats, urged Reagan to run for governor, especially if Houston should decide to enter the race, because they believed he was the only man who could meet "Old Sam" in debate and beat him. Some clamored for him to contest the popular L. D. Evans for Congress and thus to erase the Know-Nothings from the political scene completely; still others urged him to accept either nomination tendered him. Reagan at first refused to consider their requests, for he had been recently re-elected judge and "... I did not want to be placed in the position of seeking one office while filling another." However, he finally stated that if he were nominated, he would not "feel at liberty to decline the contest." On May 13, 1857, the Democrats of the Eastern District, assembled at Tyler, Texas, nominated Reagan for Congress. Evans, the incumbent, was a man

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58 Reagan to Roberts, April 15, 1857, in Roberts Papers.

with considerable political experience and was backed by
the Know-Nothing Party and thus by its leader, General Sam
Houston. John H. Reagan was facing a difficult race
against the influence of "that fine old reprobate" as he
referred to Houston in later years. He was more diplomatic
at this point, however, for he stated:

I had necessarily to meet and overcome the influence
of General Houston, who had led the army of the
Republic to a great victory at San Jacinto, who had
been twice elected President of the Republic, and who
had served the State in the Senate of the United States
three terms. In combating his views I always did so
with great respect for his character, his distinguished
public service, and his greater age, dealing only with
the political principles involved in the contest and
never in personal unkindness.

Reports reached Reagan and other residents of East Texas
that Houston and Evans were touring the Northern counties
together. Friends and supporters urged Reagan to begin
immediately on his campaign.

Reagan proposed a joint campaign that would force
Evans to separate from Sam Houston. Such action would remove
Evans from his home territory and force him into the position
of verbally combating on a strange battlefield. He sent the

60 May Reagan Orr Mathes stated her grandfather, John
H. Reagan, constantly referred to General Sam Houston by
this name. Interviewed by G.M.J.S., April 18, 1971.


62 A. T. Rainey to Reagan, May 18, 1857; and W. R. D.
proposed schedule to Evans with his request stating "... that if the dates and places of appointment did not meet his approval, and he would prepare a list that suited him I would join him in it." As Evans was unable to decline without an embarrassing explanation, he accepted in an unfriendly fashion and the campaign was launched.

Reagan's first speech was at Palestine on June 6, and he spoke briefly at Crockett before meeting Evans at Woodville for the beginning debates. Then the opponents met in forty-eight joint discussions in thirty-six counties by the first Monday in August.

Reagan's Democratic Platform was based on three fundamental objections to the platform of the Know-Nothing, or American Party. Those objections were: (1) there ought to be no religious test in politics; (2) the birthplace of a citizen should not be the test of his political

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63 Reagan, Memoirs, p. 63.

64 Austin, Texas, Texas State Gazette (July 11, 1857). This article is an interesting account of Evans' irritation at Reagan's challenge.

65 Several of the debates are discussed in the Henderson Democrat (June 27, 1857), and in the Marshall, Texas, Texas Republican (July 17, 1857).

standing; and (3) secret political societies were un-American and unwise.\textsuperscript{67}

During the final debate at Jefferson, Reagan made a dramatic finish by reading a letter handed him with a note of permission for its usage, from Mrs. M. J. Claugh of Marshall, that proved Evans "... had advocated disunion as early as 1850 and had eagerly desired that year to attend the Nashville Convention composed of Southern extremists."\textsuperscript{68} According to Lubbock's description: Evans, beside himself with rage, jumped to his feet and drew his six-gun, denouncing Claugh for giving a private letter and Reagan for using it. Reagan also drew but facing him said "Judge Evans, let's put up our six-shooters; I do not wish to kill you, nor do I wish to be killed. I want to go to Congress, and I am going there."\textsuperscript{69} Reagan was elected by an overwhelming majority by the Eastern District of Texas to the United States Congress.\textsuperscript{70}

The Thirty-Fifth Congress to which Reagan proceeded was filled with strife. The Panic of 1857 had shaken the nation's confidence and intensified the sectional

\begin{footnotes}
\textsuperscript{67}Reagan, Memoirs, pp. 65-66. \\
\textsuperscript{68}Proctor, Not Without Honor, p. 97. \\
\textsuperscript{69}Lubbock, Six Decades, pp. 218-219. \\
\textsuperscript{70}Austin Texas State Gazette (October 10, 1857), and Clarksville Northern Standard (October 24, 1857). 
\end{footnotes}
animosities. The proposed admission of Kansas had widened the gap between the North and the South. The Dred Scott Case had not solved the nation's slavery issue by a Supreme Court decision and President James Buchanan was determined to bring Kansas in as a slave state. In earlier years, extremists had harangued to half-empty halls; now both Northerners and Southerners thronged to Washington, believing in strength in numbers, to add support to their representatives in the fierce slavery struggle. There was still hope that a peaceful solution might be found to prevent the irrepressible conflict between the two sections and cultures.

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71 Chief Justice Roger B. Taney declared that since Dred Scott was a Negro, he was not a citizen and, therefore, could not appeal to the Supreme Court. Taney reasoned that Scott was still a slave, that slaves were property and under the Fifth Amendment Congress could not deprive people of property without due process of law. Then he concluded by declaring that states could exclude slavery from their territory but Congress could not; consequently, the Missouri Compromise of 1820 was unconstitutional.


74 It was in 1858 that Seward first used the term "irrepressible conflict." See: Frederick Bancroft, The Life of William H. Seward (New York: Harper and Brothers, 1900), pp. 458-460.
Reagan was nearly forty years old and no longer the frail sickly young man who had come to Texas twenty years before. Proctor described Reagan's appearance in 1858:

Heavy muscled now and powerfully built; he appeared rather stocky and much shorter than he actually was, although well over six-feet tall. His broad, high-cheekboned face, bronzed and burned by the sun and partially hidden by a full black beard and long lion-like mane, marked him with a certain fierceness and ruggedness, or perhaps even stubbornness, so symbolic of the frontier. And his most outstanding feature, dark fathomless eyes, almost piercing at times, gave ample warning to friend and foe alike to think well and long before contesting him.75

During the first months in Congress, Reagan did little speaking until he was sure of procedure and in full knowledge of detail involved in the issues.76

Sectionalism continued to gain more and more momentum and the Southern extremists were in favor of filibustering to acquire additional territory from Mexico, Cuba, and Central America, and for re-opening the African slave-trade, to create additional slave States and to

75 Proctor, Not Without Honor, p. 101. Also see: Wood, Reminiscences.
76 Reagan to Roberts, September 18, 1857, in Roberts Papers. Reagan made his first motion in the House on December 23, 1857, but was ruled out of order. He made two attempts to introduce a bill on January 15 and 18, 1858; he failed. On January 20, he introduced a bill concerning Texas boundaries. United States Congress, Congressional Globe, 35th Congress, 1st Session, pp. 171, 313, 321, 345.
restore the balance of power between the North and the South. Upon his views being challenged on this point, Reagan answered:

Now, in regard to the other question, as to whether my sentiments favor the South, or agree with the North, I desire to say this: That I have been, and, I trust am, as faithful an advocate of the doctrine of rights of the South, and of a strict construction of the Constitution, as any man in the country; and that whenever aggressions from any source, or from any cause, shall be made on any of the States, to strike down the rights of the States, or deprive the people of any of their liberties, I will unite with my people in any necessary movement to protect their rights from aggression. I have always professed to be a national man; and in twelve speeches that I made in my district last summer, I declared that I never advocated a sentiment in Texas which I would not advocate in every State, district and township in the Union.

I repudiate all sectional heresies. I repudiate everything that is not national; everything that looks to the violation of the moral law, to build up political parties, or sectional parties. . . . I do not love public life; and I would scorn it whenever it is to be held by a sacrifice of that manly dignity which ought to envelop every American freeman. I denounce fanaticism in the South with the same distinctness that I denounce the fanaticism of abolitionism in the North. They are both heresies. They are alike dangerous to the Constitution and the Union; alike dangerous to the mission of this great and glorious Republic; alike opposed to every noble aspiration of an American statesman and patriot. 77

Reagan returned home after the 35th Congress appalled at what he had witnessed. He had seen the leaders of the nation enraged, motivated by passion, and inexorably

77 Congressional Globe, 35th Congress, 2nd Session, Part II, p. 1467.
resolved to uphold their own positions. He had seen his bills requesting frontier protection for Texas, reimbursement of Texas funds for expeditions against Indians, settlement of the Texas-New Mexico boundary, and the impeachment of Judge John C. Watrus ignored or repudiated. He watched with alarm the bitterness brought on by the defeat of the Cuban bill, homestead bill, the Post Office appropriations, the Pacific Railroad, and internal improvements. Reagan realized that men desiring union and moderation were the only hope for the nation to continue united. For this reason, although he stated earlier he would not seek re-election, Reagan ran again for Congress on this moderate and unionist platform. When Southern firebrands attacked him, influential citizens such as George V. Smyth, J. W. Latimer, Samuel De Morse,

78 Reagan was appointed to Indian Affairs Committee. See: Congressional Globe, 35th Congress, 1st Session, pp. 31, 725, 1072, 1177, 1475, and 2nd Session, pp. 218-219, 1046-1047, 1164-1407.


82 Reagan, Memoirs, pp. 70, 72-73.
and James W. Scott rose in defense. Even Sam Houston added to the praise that Reagan was a man of "... genius, integrity, and industry." Reagan won the Congressional contest and the support of the Texans for the union and returned to the political boiling pot of the 36th Congress of the United States. He stated:

I remained thus devoted to the Union until the Republican party obtained the control of the government and answered our appeals for the protection afforded by the Constitution, by saying they were in the majority and that we had to submit; thus proposing to substitute the will of a popular majority of the people of the Union for the Constitution of the United States, with its limitations on the powers of the Federal Government. I loved the American Union with a passionate devotion, and witnessed with an aching heart the unjust and unconstitutional crusade which led to disunion and war. Up to this time I had been an ardent Unionist, denouncing all schemes and views favoring its disruption, whether they came from the North or the South. But when we were told that we must submit to the violations of the Constitution, the overthrow of the rights of the States and the destruction of three thousand million dollars worth of property in slaves,—property recognized by the Constitution, Federal and State laws, and by the decisions of the Supreme Court of the United States,—I could no longer agree to such a Union, and determined to join in any measure which might defeat it.

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83 Smyth was a former Congressman; Latimer was editor of the Dallas Herald; Scott was part owner of the Houston Telegraph and Texas Register; De Morse was editor of the Clarksville Northern Standard. See: R.P., Clippings from Galveston Civilian (April 26, 1859), and Tyler Reporter in R.P., and Reagan to Smyth, May 11, 1859, and Smyth to Reagan, May 21, 1859, in Smyth Papers.

84 Dallas Herald (April 17, 1859).

85 Reagan, Memoirs, pp. 72-82.
On December 14, 1859, Reagan joined twenty-nine Congressmen to issue a manifesto stating all arguments had been exhausted and "that the primary object of each slave-holding State ought to be its speedy and absolute separation from the Union with hostile States." On January 15, Reagan decided it was useless to remain in Washington and he gave a farewell speech to the House. He still maintained:

I have to say in the end, that yet, almost hopeless as it seems, I would be glad to see an effort made toward conciliation. . . . Give us security in the Union. Respect our rights in the common territories. So act among yourselves as to let us know that we need no longer live under continual fear of the consequences of your actions.

Reagan had made a strong bid for the continuing Union and had lost. His destiny was now with Texas and the South. He was made a delegate to the Montgomery convention along with Louis T. Wigfall and five others. When he arrived Davis had already chosen, for their ability and geographic representation, these men: Robert Toombs of Georgia as Secretary of State; Christopher C. Memminger

86 Marshall, Texas Republican (January 12, 1861).
87 Congressional Globe, 36th Congress, 2nd Session, pp. 389-393.
88 The five other delegates were John Hemphill, General T. N. Waul, John Gregg, W. O. Oldham, and William B. Ochiltree. See: Clarksville Northern Standard (February 23, 1861); Austin State Gazette (February 9, 16, 1861).
of South Carolina, Secretary of the Treasury; Judah P. Benjamin of Louisiana as Attorney General; Leroy Pope Walker of Alabama, Secretary of War; and Stephen R. Mallory of Florida, Secretary of the Navy. Davis offered the Postmaster General position to Reagan, who twice declined it on the grounds that it would be newly-created, unorganized, and without funds. The people were accustomed to regular service and would surely brand the Postmaster General as incompetent. Reagan stated: "... while I would gladly perform my duty to the Confederacy, I did not desire to become a martyr." However, he was prevailed upon a third time and accepted reluctantly "... instead of feeling proud of the honor conferred on me, I felt that I was to be condemned by the public for incapacity."

At first his ability to organize and administer was loudly praised but the inevitable occurred and the postal department began to be bitterly assailed. Reagan was limited by a provision in the Confederate Constitution

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89 Reagan, Memoirs, p. 110.

90 Ibid.

91 Dallas Herald (April 21, 1861); Austin Texas State Gazette (April 27, 1861); Montgomery, Alabama, Weekly Post (April 16, 1861).

92 Richmond Enquirer (June 18, 1861), Richmond Daily Examiner (September 18, 19, 21, 1861), and Nashville Banner (September 20, 1861) are good examples of the tirade upon the postal department and Reagan.
requiring a self-supporting Postal Department by March 1, 1863. He discontinued a number of small post offices, reduced the franking privileges, drove hard bargains with the railroads,93 and increased the postal rates; in this manner he managed to show a profit in his department.

Proctor summed up Reagan's position as Postmaster General when he stated:

Yet against all opposition, against criticism and abuse, against weariness caused by the never-ending demands on his position during wartime, against the demoralizing realization that the Confederacy was being slowly but ruthlessly devastated, Reagan stood unwaveringly performing his duties as best he could. To the end, he remained loyal to his President, his people and his new country.94

This loyalty was the exception rather than the rule.

Clement Eaton stated:

During the four year existence of the Confederacy, fourteen appointees held the six cabinet positions. Stephen Mallory and John Reagan were the only members who retained their original positions until the end of the war.95

Loyalty and full agreement are not necessarily synonymous. Such was the case with Reagan, the President and other members of the Confederate cabinet. Reagan stated that he disagreed with the President "oftener" than

93 Montgomery Daily Mail (April 29, 1861).
94 Proctor, Not Without Honor, p. 140.
other members of the cabinet. He offered to resign if he was causing Davis embarrassment. Davis replied that if the cabinet should accept without question the opinions of the President, he did not well see what their use could be as advisors of the President. 96

The Confederacy's days grew short and instructions for its cessation began. Reagan's last instructions to his postal department in Richmond, on April 2, 1865, concerned the destruction of some materials and the means of preserving others. The cabinet began its southward journey to Danville, Virginia, 97 Greensboro, North Carolina, 98 and Charlotte. Lee had surrendered and the cabinet was in danger; they now had a cavalry escort and were fleeing to Washington, Georgia. The cabinet members 99 left one by one until only Davis, Breckinridge, and Reagan were left. By then the situation was so serious that

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96 Reagan, Memoirs, p. 162.


99 At Charlotte, Attorney General George Davis decided to remain and care for his children; Secretary of Treasury George A. Trenholm, who was seriously ill, took his leave; the faithful Mallory left for his home in Florida; and at the Savannah River, Benjamin left them for Louisiana. See: Reagan, Memoirs, pp. 208-224; Lubbock, Six Decades, pp. 560-568; Durkin, Stephen R. Mallory, pp. 342-343.
Breckinridge ordered Reagan, who had been appointed Secretary of the Treasury by Davis after Trenholm's resignation,^{100} to distribute the silver coin among them.^{101}

Breckinridge and Reagan left Davis only long enough to complete their tasks in Washington, Georgia.^{102} Reagan completed his first and rode on to join Davis in his flight to Florida.^{103} Lubbock was encountered on this ride and joined them; thus it was that the Confederate States of America ceased to exist entirely with the capture of Davis, Reagan, and Lubbock by the Federal Troops.

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^{100} Davis was determined that Reagan also accept the Secretary of Treasury post. Although Reagan strenuously objected to holding two cabinet posts simultaneously he finally accepted. Reagan, Memoirs, p. 209; Lubbock, Six Decades, p. 565.

^{101} Reagan, Memoirs, 214.

^{102} Reagan's postal tasks were few but the Treasury was another matter. He paid the salaries of all within the escort; handed over much of the Confederate gold and silver to James A. Semple, a bonded naval officer, and Mr. Tidwell, his assistant. He deposited the funds of the Richmond banks in vault at Washington, Georgia, and burned large boxes of Confederate paper money. See: Reagan, Memoirs, pp. 213, 216; Lubbock, Six Decades, pp. 568-569; for a detailed account of the Confederate bank funds, see: Otis Ashmore, "The Story of the Virginia Bank Funds," Georgia Historical Quarterly, Vol. II (1918), pp. 171-197.

^{103} Davis had intended to go south to a point not occupied by Federal troops, and then turn west to Texas. Reagan, Memoirs, p. 212.
Reagan was imprisoned at Fort Warren Prison, Boston Harbour, Massachusetts.\textsuperscript{104} He continued to feel a close tie with Texans and he realized from newspaper accounts that they were in danger of military government and total Negro suffrage if they continued in their embittered hostility to the Yankees. In an open letter for general publication on August 11, 1865,\textsuperscript{105} he wrote to the citizens of Texas that they could avert disaster only by renouncing slavery and secession and, if the Federal Government required it, by enfranchising the freedman. He stated:

\begin{quote}
...to secure those desirable ends we must bury past animosities with those of our fellow citizens with whom we have been at war, and cultivate with them feelings of mutual charity and fraternal good-will. ...I know the painful struggles against education, and habit, and tradition, and prejudice, which such a course will require you to encounter, and how hard it is for human nature to overcome such difficulties. But my sincere prayer is that God, in His goodness and mercy, may enable you to exhibit
\end{quote}


\textsuperscript{105}This letter is known as his Fort Warren Letter. See: Reagan to Major General Hooker, August 11, 1865, R.P., and New York Times (October 18, 1865).
this last crowning evidence, in the midst of your calamities and sorrows, of your greatness and wisdom. 106

Shortly after this letter was written, Reagan was united with Alexander H. Stephens 107 for a visitation period each day and gradually the prison restrictions disappeared until they were released on October 12, 1865. 108 Upon arriving in Galveston, 109 Reagan was informed that the attitude of the people of Texas was cold. Their animosity extended to the belief that

... every man in Texas who expects to be a candidate for anything from governor to constable seems to regard it as his duty to denounce you morning and night, under the supposition that while in prison you weakened in your devotion to the South and had come out for Negro suffrage. 110

So John H. Reagan, the man Stephens described as "a clever, upright, honest man . . . The real foundation of his character are truth, integrity and energy" returned

106 Reagan, Fort Warren Letter.

107 Stephens's, Recollections, pp. 457-531; Reagan to Mrs. Solter, August 29, 1865, in R.P.: Letters. Also see: Dallas Herald (November 11, 1865); Boston Herald (October 10, 12, 1865).

108 Boston Herald (October 12, 1865); and Dallas Herald (November 11, 1865).


110 This was ex-governor Henderson's statement to Reagan, in Houston, just after Reagan's return. Reagan, Memoirs, p. 234.
to his home after four years of toil, imprisonment, and self-sacrifice in behalf of the people of the South, only to find he was denounced by his own people. He returned to Fort Houston, just outside of Nacogdoches, Texas, to his wrecked home, burned fields, and his motherless children.\textsuperscript{111}

Reagan foresaw what was going to happen in Reconstruction but his unpopularity was only enhanced when he issued another public letter to Governor Throckmorton along the same lines as the Fort Warren Letter. The advice fell on hostile ears.\textsuperscript{112} Reagan farmed his land and on May 31, 1866, he was married again to Molly Ford Taylor.\textsuperscript{113}

The Reconstruction did fall on Texan backs and with it came a return of faith in Reagan.\textsuperscript{114} But as Reagan lamented, it was "Too late! Too late!"\textsuperscript{115} At this time General Griffin, in charge of the Department of Texas, offered Reagan the governorship of Texas because Reagan

\textsuperscript{111}His wife had died, in Virginia, during the Civil War.

\textsuperscript{112}Reagan to Thomas J. Ward, September 25, 1866, R.P.: Letters; Dallas Herald (November 10, 1866); Marshall Texas Republican (November 17, 1866).

\textsuperscript{113}Dallas Herald (June 30, 1866); Reagan, Memoirs, p. 235; Reagan to Jeff Davis, May 21, 1867, R.P.: Letters.

\textsuperscript{114}Reagan to A. G. Caultey, March 14, 1867, in R.P.: Microfilm.

\textsuperscript{115}Dallas Herald (April 13, 1867).
was a conservative man. Reagan refused the offer stating that only by choice of the people would he accept the seat. 116

Reagan began to be active in politics once more, toward the end of the Reconstruction for he believed that, by a strong Democratic Party organization, Texans could present a solid front and legally deter the Radical power. 117 He worked diligently and arduously for the Democratic Party and for the ratification of the 1869 Texas Constitution. 118 In 1874, Reagan, whose citizenship had been restored on December 27, 1873, 119 was selected as

116 Reagan, Memoirs, p. 240. The second time it was virtually offered was in 1878 when there was a deadlock in the Democratic Convention and Reagan was asked to accept the nomination and almost certain election. Reagan refused because his Interstate Commerce Bill was to be introduced in the next session of Congress and he considered this more important "to the interest of the whole country." Reagan, Memoirs, pp. 245-246. Lubbock, Six Decades, pp. 614-615.


118 Once more Texas was in the Union and the people under the United States Constitution and Reagan wrote "... there is a future for me, for my wife and children, for my country." Reagan to Haynes, May 20, 1869, in R.P.: Letters.

the Congressional nominee for the Democrats of the First
Congressional District of Texas.\textsuperscript{120}

Although he was virtually elected, as the Demo­
cratic nominee, Reagan campaigned hard against his
Republican opponent.\textsuperscript{121} His platform was simple:

\begin{quote}
I shall endeavor to do everything to promote the
interest of my State, but while I shall resist un­
democratic rules of policy, it will be my duty to
fight against the contest of war . . . to heal the
deep wounds of the past, and restore fraternal re­
lations.\textsuperscript{122}
\end{quote}

Reagan was elected on this platform of reconciliation and
sent to the House of Representatives from the State of
Texas to the 44th Congress of the United States, in 1875.

He remained in Congress as a Representative from
1875 through 1887 when he was elected by the people of
Texas to the United States Senate. During his years as
Representative, he served on the Committee on the Expendi­
tures of the Post Office Department and, throughout his
term in the House, he served on the Commerce Committee,

\begin{footnotes}
\textsuperscript{120}\textit{Galveston Daily News} (September 3, 5, 6, 1874).
\textsuperscript{121}His Republican opponent was Judge William C.
Chambers. \textit{Dallas Herald} (September 22, 24, 26, 29, 30,
October 18, November 1, 1874) covers this campaign well.
\textsuperscript{122}\textit{Galveston Daily News} (September 24, 1874)
quoting his Jacksonville, Texas, speech.
\end{footnotes}
acting for ten years as chairman. Many issues occupied Reagan's Congressional career. Among the foremost issues, he was active in securing the necessary appropriations for the improvement of southern rivers and harbors; he also worked for the revision of the Revised Statutes regulating internal and ocean navigation. He spoke for the re-uniting of the Union and defended the southern cause on the floor of the House. He worked toward securing the

123 Reagan, Memoirs, p. 248. He was made chairman on October 29, 1877; see: United States Congress, Congressional Record, 45th Congress, 1st Session, p. 197.

124 For some of Reagan's work toward this betterment of industry through improved rivers and harbors, see: Congressional Record, 45th Congress, 3rd Session, pp. 1163, 1215, 1488-1490, 1512, 1571, 1622, 1639, 2285, 2365-2368; 46th Congress, 2nd Session, pp. 3399, 3434-3441, 4314-4315, 4338-4343, 4346-4347, 4379-4380; 46th Congress, 3rd Session, pp. 1356-3158, 1391, 1522-1538, 1612-1633, 1635-1663, 1665-1687, 2232, 2387-2490; 47th Congress, 1st Session, pp. 4959-4961, 5058, 6145. One of his most outstanding speeches on the floor of the House was made in behalf of preserving the Pensacola Naval Yards, 44th Congress, 1st Session, pp. 3217-3218.

125 In voting for the appropriations bill for the Centennial on January 19, 1876, Reagan addressed the House asking for restoration of citizenship to the men of the South who were still disenfranchized. Congressional Record, 44th Congress, 1st Session, pp. 507-508. Also see: Reagan, Memoirs, p. 242. For other instances of speaking in defense of the Southern cause see: Congressional Record, 44th Congress, 1st Session, pp. 386, 389-390, 610, 4035; 44th Congress, 2nd Session, pp. 702-704; 45th Congress, 1st Session, pp. 335, 696; 45th Congress, 2nd Session, pp. 3275, 3799, 8546; 45th Congress, 3rd Session, pp. 97, 198.
defense of the frontier of Texas. 126 Historians agree that the most noted work of John H. Reagan, in the House of Representatives, was that which was concerned with securing the passage of the Interstate Commerce Act and the regulation of railroads.

He presented the first bill on May 8, 1878, asking the regulation of interstate commerce and the prohibition of unjust discrimination by common carriers. 127 He summed up the content of that bill and the concepts he fought for in regard to its immediate passage and the later ramifications of this regulatory legislation in his Memoirs. He listed the following principles:

1. That railroads receive their franchises from the public for the public good as well as for the profit of the stockholders.
2. That monopolies and perpetuities are contrary to the genius of a free people, and cannot be allowed or maintained in this country.
3. That the political authority of this country cannot, either in the States or Congress, create a power, whether corporate or otherwise, superior to the power and authority of the people themselves; one which may oppress and wrong them without lawful remedy and control; for all power is inherent in the people and all just and legal government is designed to promote the public welfare.
4. That railroad corporations are in an important sense public corporations, and are always recognized as quasi-public corporations.


127 Congressional Record, 45th Congress, 2nd Session, pp. 3096-3097, 3275-3280; Reagan, Memoirs, pp. 243-244.
This is so:
5. Because they are created by the public political authority to promote the public good.
6. Because, for the purposes of their being, they are clothed with the right of eminent domain. And, this cannot be conferred under our constitutional form of government on private persons or for private uses. Private property can only be taken for public uses and upon just compensation.
7. Railroad companies and others engaged in the general transportation of merchandise are carriers for hire.
8. They are engaged in a public employment affecting the public interest.
9. Hence they are subject to regulation and control by the political authority.128

He offered legal supportive authorities here and throughout his prolific speaking on these topics.129

128. Reagan, Memoirs, pp. 243-244. Also see: Congressional Record, 44th Congress, 1st Session, p. 5029; 45th Congress, 2nd Session, pp. 19-23; "Arguments and Statements before the Committee on Commerce in Relation to Certain Bills Referred to that Committee Proposing Congressional Regulation of Interstate Commerce," United States Congress, 47th Congress, 1st Session; United States Congress, House Committee Reports, 45th Congress, 2nd Session, Report number 245.

129. Since this was one of the most debated pieces of legislation to occupy the House floor during Reagan's Congressional terms, it is not feasible to list all of the pages in the Congressional Record that dealt with Interstate Commerce and Railroad Regulations. For the most illuminating materials see those listed in footnote 127 and in Congressional Record, 45th Congress, 3rd Session, pp. 19, 93-102; 46th Congress, 2nd Session, pp. 1079-1081, 1154-1155, 3409, 3986-3987, 4338-4343; 46th Congress, 3rd Session, pp. 132-134. The Galveston Daily News (September 7, 22, 25, 26; October 4, 5; December 15, 20, 1878; June 6, 1879; February 20, 25, 1880) covered parts of the debate and reaction of the people. For partial coverage of the reaction in the North to these measures see: New York Daily Tribune (December 6, 7, 13, 1879 and January 3, 1880).
Reagan served in the United States Senate from 1888 to 1891. At this time he resigned to accept the position as chairman of Texas' first Railroad Commission. He served in this capacity until 1903, when he retired to write his memoirs. His decision to write the account himself was probably best stated in a letter to a friend in 1900. He said: "(I) . . . fought life's battles unaided and . . . (preferred) to maintain this position during the few remaining years." The years remaining to John H. Reagan were not many. On March 6, 1905, the "Old Roman" of Texas died of pneumonia.

In 1962, Dr. Ben H. Proctor published a biography of John Henniger Reagan entitled Not Without Honor: The Life of John H. Reagan. His closing is succinct and apropos:

Thus died John H. Reagan, a man who came from humble beginnings, who with unyielding tenacity educated himself, and who by sheer determination and integrity of character became one of the outstanding men of his time. Throughout his life he had fought the good fight; he had kept faith with his people; he had remained true to his convictions. To Texas and the South this made him a statesman, yea, even a prophet. And, even in his own country, in death as in life, he was not without honor.  

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130 Reagan, Memoirs, p. 249.


132 Proctor, Not Without Honor, p. 301.
CHAPTER II

THE RAILROAD-MONOPOLY ABUSE SPEECH

TO THE SENATE, FEBRUARY 27, 1889

ISSUE AND OCCASION

By the late 1870's, railroads had become such a vast, complex lifeline to the whole nation's economy that a series of problems arose. A utility this huge, uniting the great number of industries and the United States' agricultural locales, needed some legal basis of making order out of chaos.¹ Railroad business practices were in utter confusion.

Some 300 independent companies, large and small, with a total capital of $2.5 billion in 1870, and $4.2 billion in 1878, operated in a partly unexplored corporate legal jungle, in which even the "honest" entrepreneurs felt compelled to fight the predatory type with every weapon of competition between many lines serving major points. . . . small, short railroads were sometimes built solely to steal traffic

¹Not just the railroads were in a chaotic condition but the whole nation's life was rife with unrest. The scandalously corrupt and disputed Presidential election was occurring, neglected State governments were hotbeds of dishonesty, and a deep economic depression existed. Unemployment was at an unmeasured high and competitors in business were cutting each other's throat.
away from the major roads in critical areas, with the ultimate aim of forcing the big company to buy up the parasite at a large profit to its promoters.  

Although labor trouble created some national excitement in 1877, the real economic problem was rate setting. Each railroad had some area of monopoly in transportation and each railroad could, and did, levy high rates. The high costs had to be met by the captive shippers who had no access to competing roads. Under the fairest system, the allocation of cost would have been impossible to standardize because of the loading and unloading expenses. A railroad could take a large load at a cheaper price because a total car could be shipped and unloaded only once, while smaller loads necessitated the delay of an entire train at the destined points of the cargo.

Another complexity was the value of the shipped merchandise. If business was slow, the freight agent could cut the price by altering the classification of goods. This ability of the freight agent to make on-the-spot decisions was in itself an entanglement. The whole intricate situation abounded with potential and actual discrimination.

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State regulation had been imposed but was generally ineffective because the railroads crossed state lines. Reagan supported the Interstate Commerce Act in the House and saw it passed there. In the Senate, a special committee to investigate railroads was formed and was headed by Shelby M. Cullom of Illinois. His findings contained the familiar abuses of high local rates, discrimination between persons, places, and classifications of freight, secret rebates, passes, and watered stock in the companies. 4

The Reagan bill in the House and the Cullom bill in the Senate were molded by conferences into the Interstate Commerce Act which became law in January, 1887. 5

The bill's language was vague. It stated that all rates would be "reasonable and just." It also prohibited the common practices of rebates, drawbacks, and pools. The railroads were required to publish rate schedules, post them in their depots and file them with the government. They were also to charge the same rate for short and long hauls. A five-man Interstate Commerce Commission 6

4Congressional Record, 49th Congress, 1st Session, pp. 4396–4423.
5United States Statutes at Large, XXIV, pp. 379–381.
was formed to administer the act and enforce its prohibitions; the enforcement was to be achieved through federal courts.

The law proved difficult to administer and enforce, and the court was almost immediately inundated with complaints; "... over a thousand questions and complaints poured in upon it in the first few months." The "short haul provision" and the interpretation of "reasonable and just" provided the courts with difficult problems. Stover stated in *American Railroads*:

Qualified though the new Commissioners were, the task of applying the law to the complicated railroad rate structure was like "cutting a path through a jungle." Just what were "reasonable and just" railroad rates? . . . The major flaw in the total regulation lay in the lack of any effective means for the Commission to enforce the decisions it might make. Its cease-and-desist orders were often ignored by the carriers, and any resulting court action was slowed by appeals or demands for new hearings. In the nineties the average court case lasted for four years and many dragged on much longer.

Informal rulings to railroads and refusal to give informal opinions to shippers was the cause of much concern in the early years of the Interstate Commerce Commission. The Commission decided it would "not express opinions on abstract questions, nor on questions presented

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by ex-parte statements of fact, nor on questions of the
construction of the statute. . . ."9 But the Commission
"not infrequently broke this rule, as it did many others,
for the giant railroads."10 According to one historian,11
a shipper to whom the Interstate Commerce Commission had
refused a preliminary opinion had three alternatives. He
could forget about it, he could allow the Commission to
mediate with the road with a hope that a settlement would
be worked out and the railroad would be charitable,12 or
he could initiate a formal case against the roads. However,
the "last alternative of initiating a formal case
against the road, was incredibly expensive and time con­
suming for the average shipper."13 The railroads met to
try to heal their own problems14 and at least some railroad

9 Interstate Commerce Commission, First Annual
Report, December 1, 1887, Washington; File 4598, p. 25.
10 Railroad Gazette, Vol. 21 (August 30, 1889),
p. 565.
11 Gabriel Kolko, Railroads and Regulations, 1877-1916
pp. 55-56.
12 The Commission wrote in 1887 that this the second
method of letting the Interstate Commerce Commission and
railroads mediate was the best method, stating: "This
method of disposing of complaints is believed by the Com­
m ission to be more useful than any other. . . ." I.C.C.,
13 Ibid., p. 56.
14 Kolko, Railroads and Regulations, pp. 53-63.
leaders felt that the "railroad system must heal itself; no act of Congress, or repeal of any act of Congress, will greatly help it." But the Senate did attempt to alleviate some problems by amending the legislation that caused the flooding of the federal courts.

The federal courts were so overcrowded by 1889 that Congress attempted to straighten out some of their problems by amending parts of the Interstate Commerce Act and adding specifics. The House had sent up a bill to attempt the regulation through the third and seventh amendments. Senator Sherman had spoken at length in behalf of the third amendment intended to strengthen the section dealing with rate control but had dismissed the seventh amendment that concerned state courts' jurisdiction with approval but few words. Senator Reagan from Texas


16House Bill S2851 to amend an act entitled "An Act to Regulate Commerce," approved February 4, 1887.

17Relative to the third amendment, Sherman stated: "There are two amendments to this bill not disposed of by the conference committee, one of which I shall comment upon in a moment, and the other gives to the State courts jurisdiction in certain cases of matters arising under the interstate-commerce law. I am not prepared to give any opinion upon the second amendment except to express the general belief that in all questions of internal
obtained the floor to support Mr. Sherman's amendment and to include a possible solution to the problem by supporting the seventh amendment sent from the House. The proposed solution involved the sanction of Congress for the trial of such cases to be allowed also in the State courts of the person filing the complaint against the railroads.

AUDIENCE COMPOSITION AND ALIGNMENT

As late as 1937, when railroads were still the main artery of the nation's economy, experts continued to discuss the confusion caused by the Interstate Commerce Act's relationship to railroads. A former member of the Interstate Commerce Commission, Thomas F. Woodlock, stated that

... the "public mind"—in that phrase I include the public itself, Congress and the Interstate Commerce Commission—has from the very beginning been considerably confused in dealing with this matter of competition in the railroad industry, and ... this commerce local in character the State courts may properly be intrusted with the enforcement of national law.

"There never has been any difficulty growing out of the jurisdiction given to the State courts in suits in which national banks are interested, and I do not believe there will be any serious difficulty in conferring upon the State courts jurisdiction in respect to the matters of interstate commerce, reserving, however, the right to appeal to or transfer those cases to the courts of the United States." Congressional Record, 50th Congress, 2nd Session, p. 2375.
confusion is still one of the main ingredients in what we call the "railroad problem." 18

Certainly the confusion existed during the beginning years of this act's inception with a Senate majority of Republicans torn between anti-monopoly laws and loyalty to the northern entrepreneur. The railroads and Standard Oil were two of the great trusts that forced these laws into the foreground.

In 1884, the Republicans ignored the trust problem and Democrats only vaguely hinted at limiting monopoly power but, by 1888, Cleveland and Harrison both listened to their constituency and spoke against the "iron heel" of the trusts.

Some of the states, including Texas as an outstanding example, 19 were spelling out illegalities and imposing specific penalties on violators of state antitrust acts. However, most of these states were either located in the West or in the South, where few industries existed, and so were ineffective. They were also

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19The Texas Antitrust Act of 1899 carried heavy penalties against combinations restricting trade, fixing prices, or limiting production. See: Fehrenbach, Lone Star, pp. 621-622.
ineffective because most combinations were engaged in interstate commerce.

But, with some of the Republicans espousing the antitrust and interstate commerce laws, the Senate found strange bedfellows in northern and southern leaders. Senator Sherman of Ohio and John Reagan of Texas found themselves now on the same side of the issue. Sherman spoke on the need to sanction the third amendment to the Interstate Commerce Act sent for senatorial ratification from the House. This amendment dealt with monopoly control. Sherman gave cursory treatment to sanctioning the seventh amendment to the bill dealing with state courts. Reagan spoke in much the same vein as Sherman but gave fuller treatment than Sherman to the seventh amendment, which would confer "concurrent jurisdiction with the United States courts . . . upon State courts of competent jurisdiction."\(^{20}\)

Not all the Republicans were for monopoly control and the proponents of strong third and seventh amendments to the Interstate Commerce Act found opposition in two outstanding Republicans. Senator Platt of Connecticut and Senator Hoar of Massachusetts were two of the most outspoken opponents of these measures.

\(^{20}\)\textit{Congressional Record}, 50th Congress, 2nd Session, p. 2384.
DEVELOPMENTAL THEMES

One of the basic concepts that seemed to form the nucleus of Reagan's political speaking was presented in his speech on railroad-monopoly control. This concept was that the rights of individuals must be preserved and protected against economic and political infringement.

Reagan was a frontiersman as his father had been before him. In his youth, he had found gainful employment in working to survey and carve the State of Texas. He was a man of the land and of the people and was cognizant of the problems of the people. He was aware that this was a new era characterized by an increased scarcity of land and a rapid expansion of population. He was also aware that combined elements of land scarcity and population expansion were forcing the people into a new frontier that was completely changing their lifestyle. The land was no longer available so men turned to the rapidly increasing

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21 In 1880, there were five territories which had less than fifty thousand inhabitants each, and, in 1900, only Nevada and Wyoming had not passed the one hundred thousand mark. The western lands available for homesteading was being rapidly exhausted. United States Department of Agriculture Year Book (1889), p. 327.

22 Between 1880 and 1900, twenty-six million people were added to the population. This number was greater than the entire number of inhabitants in 1850. Davis Rich Dewey, National Problems, 1885-1897 (New York: Harper and Brothers Publishers, 1907), p. 5.
industrial complexes to earn their livelihood and thereby increased again the advance of industry. With this advance of industrial employment came a need for transportation of raw materials, finished products, and foods. The increased need for these goods and services gave rise to the railroads and to monopolistic corporate giants.

These monopolies infringed upon the rights of the individual citizen all too often according to Reagan's concept and he identified himself with the movement to eliminate some of those infringements through legislation. Earlier in the House, Reagan had stated that "the Government has been run in the interest of specially favored classes . . . to the injury and oppression of those engaged in agriculture, in the mechanical arts, and in labor, and in professional vocations." He had applied himself to the task of trying to alleviate this injury and oppression while in the House and in the present speech he was again concerned with the same task.

23 Congressional Record, 50th Congress, 1st Session, p. 4591.

24 Some examples of Reagan's attempts to help the individual may be found in his speeches reported in Congressional Record, Hearings of 1882, pp. 235-269; 47th Congress, 1st Session, pp. 4541-4543, 4959-4961, 5009, 5018, 5059, 5065, 6145, 6176, Appendix, pp. 130-142; 2nd Session, pp. 306, 348, 381, 971-974, 1743, 2235, 3585, 2825; 48th Congress, 1st Session, pp. 117, 223, 1527, 1546, 2350-2352. Examples of newspaper coverage of Reagan's work in this area may be found in Galveston Daily News (April 1, May 14, 17, 18, 19, 23, 27, 21, 1882) and
Reagan developed the theme of individual rights by the use of a pattern reminiscent of debate. He first attempted to prove that the economic rights of individual citizens were being infringed upon and then he spoke for a plan to solve some of the economic problems through political means. He used the two amendments to House Bill S2851 as a divisional apparatus, arranging the development around the two amendments.

Reagan maintained that the small shipper of oils was being discriminated against since the Standard Oil Trust could, and did, ship their oil in tank cars at a discounted price and that this same price should be afforded all shippers or should be discontinued. His first disclosure of the discrimination theme was developed through documented proof of attempted control of the industry by the stockholders of Standard Oil. The controlling stockholders of Standard Oil also owned the major stock in subsidiary companies25 and in the railroads. This

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25 For example, Reagan pointed out that Standard Oil manufactured and owned three-fourths of all tank cars used for the transporting of oil by rail.
multi-business ownership had become so large that the stockholders were in a position to discriminate against small companies at will and they were exercising this power against smaller competition. The smaller shipper was forced to ship by barrel and thus paid twenty percent more than the tank car shipper.

The theme was developed smoothly and with relative thoroughness up to this point. Reagan produced factual evidence to substantiate his arguments. However, he broke his pattern by the inclusion of a long digression concerning the relative safety of tank cars as compared to barrel transportation. This passage was apparently inserted to substantiate a rumor to the effect that tank cars were unsafe and Reagan apparently introduced the idea in anticipation of a point that might later be made. Reagan realized the irrelevance of the argument to his overall organization for he stated that it "... may be as well here as elsewhere to discuss the question of relative danger of transporting oil in tank cars and in barrels."26 This might well have been good persuasive strategy but it did not seem relevant to the organization patterns which he had developed.

26 Congressional Record, 50th Congress, 2nd Session, p. 2380.
Reagan, having completed his thematic patterns to augment his contention that the third amendment to the railroad-monopoly control bill be upheld, turned to the seventh amendment. Here he again hoped that the Senate would support the seventh amendment that would allow the state civil courts to try some railroad-monopoly discriminatory cases. At this point, Reagan attempted to develop the idea that state courts should be used to accommodate the "less-moneyed litigant" in suits against the railroads and monopolies when economic infringement by these parties occurred. This theme was less lengthy in presentation but was more complicated in development. In this section Reagan not only spoke about the rights of individuals but he also appeared to relate that theme to another basic theme, the rights of the states to govern themselves.

It must be remembered that the old statesman's background of political upheaval surely must have colored his thinking on issues that concerned the rights of the states. He had begun his political career with controversy over the division of state and federal power in the pre-Civil War Congress and he had continued the controversy through the years of the total disintegration of the southern states, the reconstruction period and the gradual resumption of these states rights. He was aware of any attempt to infringe upon these rights and he took
every opportunity to defend and extol the states' right to
govern their own.\textsuperscript{27}

Although Reagan had worked in the House to secure the
passage of the Interstate Commerce Act, which gave
more power to the federal government, he did so to protect
the several states of the south and west from the vio­
lation of their rights by the northern monopolists and
railroad magnates. He worked toward federal legislation
only after it became apparent that the laws of the states
could not control the railroad lines that crossed their
territorial boundaries. Texas had the most stringent of
these laws and yet Reagan's home state could not gain
effective control of monopoly. In the speech to the
Senate, he developed the theme that individual rights
were being violated and that a remedy for these violations
was at hand. This remedy was to allow the state courts to
have the right of trial in the home state of the injured
party. Such a procedure would not only expedite a quicker
clearing of the over-burdened federal courts but would also
put power into the state courts using nationally binding

\textsuperscript{27}For some examples of Reagan's comments and ideas
on states rights see: Congressional Record, 44th Congress,
1st Session, pp. 508, 610; 45th Congress, 1st Session,
pp. 335, 696; 45th Congress, 2nd Session, p. 3275; 45th
Congress, 3rd Session, pp. 97-98; 51st Congress, 1st
Session, p. 1724; 51st Congress, 2nd Session, pp. 917,
8546.
laws. He attempted to develop this theme by the reading of a source concerning civil cases with particular emphasis on the situation of two banks. His second theme was stronger not so much in supporting evidence as in the presentation of the plight of small claimants.

**MODES OF PROOF**

Reagan used logical, ethical, and emotional proofs in the railroad-monopoly abuse speech. The object of this portion of the study was to examine these proofs and their development.

**LOGICAL PROOF**

Reagan's senatorial audience held a variety of sectional interests. At most times the audience was split according to the section and/or belief of the immediate speaker. Reagan chose to use logical argumentation most heavily in his attempt to convince the majority of his senatorial audience that his ideas should be considered for legislation. He made use of reasoning from example, authority, and causal relationship within the speech.

**Reasoning from example**

Reagan used a number of examples to support his arguments within the speech. He used examples to prove the discrimination of the Standard Oil Company and the
railroads against the smaller shippers of oil. As one instance of discrimination, he pointed out that the small shipper could not use tank cars since Standard Oil manufactured and owned three quarters of all existing tank cars, amounting to about four thousand tank cars, and the next largest holder of tank cars was the Pennsylvania Railroad Company. These companies could ship their oil in tanks, which gave them a twenty percent advantage since the barrel shipper must also bear the weight of the barrel. Specifically, the tanker shipped 400 pounds of oil at the same price that the barrel shipper transported 325 pounds of oil. A second example of discrimination was the payment of three-fourths cent per mile trackage to the tanker. He used the South Improvement Company and rate tables from affected rail routes as examples of that type of discrimination. He also used the court cases of Rice vs. the Railroads and the Railroad Company vs. Pratt as examples of the discriminatory practices of railroads. The example used from the Pratt case dealt with suitability of the type of haulage vehicle that the railways were ordered to supply the shipper. His example from Rice vs. the Railroad was concerned with an oil producer's use of a wagon to transport his oil forty miles because it was cheaper than rail rates under the discriminatory practice procedure.

Reagan employed specific examples to prove the growth of the giant corporation known as the Standard Oil
and Trust Company and their control of subsidiary railroad stock. He listed the names and holdings of its trustees who controlled "one-seventh of the railroads of this country." These stockholders owned and controlled an aggregate of "... 19,144 miles of railway, with assets aggregating $812,850,167.24."

Reagan also used examples from newspapers from Philadelphia, Pennsylvania, on two dates and one from Denver, Colorado, to prove that tank cars were less safe than barrels in shipping.

Most of the examples used by Reagan against the monopolistic infringement on individual rights were factual and applicable, and they supported his arguments. However, one group of examples that was not strong tended to discount the validity of the theme of tank car safety.

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28 Reagan's examples included: H. M. Flagler and Benjamin Brewster (trustees) were directors in the Minnesota Iron Company with a capital of $20,000,000 and owned the capital stock in the Duluth and Iron Range Railroad. H. M. Flagler also was a director of Western Union Telegraph Company which had capital of $80,000,000. He stated: "... the trustees of the Standard Oil Company are presidents and directors of in 9,498 miles of railroad, with assets amounting to $148,733,833.75, while the subordinate officers of the various corporations merged into and belonging to said corporation are shown to be presidents and directors of 9,616 miles of railway, with assets amounting to $394,076,330.49. ..." He also gave the amount of $90,000,000 in stocks as examples of the capital and companies under their control.

29 The dates given were May 4th and August 27th, from Philadelphia newspapers and May 14th from Denver. No year was given nor was the newspaper name mentioned.
He attempted to support that idea with newspaper examples. The news items appeared to be weak evidence from which to draw his conclusions. It appeared to be unreasonable to condemn tank cars as unsafe simply from the evidence of three fires that had been attributed to wreckage of the haulage vehicles.

**Reasoning from authority**

Reagan was a lawyer and a firm believer in the letter of the law. His speaking was characterized by extensive quotations from laws and court precedents and rulings to prove his arguments. He relied extensively upon this form of proof in his speech concerning railroad-monopoly abuse. He read four somewhat lengthy passages from the Interstate Commerce Commission's ruling in the case of Rice against the Railroads to authenticate his argument that discriminations against smaller oil shippers existed. He also read an extract from the ruling on a similar case of the Railroad vs. Pratt on the same point and added the authoritative proof of direct excerpts from the hearings themselves in these two cases.

Reagan also read an excerpt from the First Annual Report of the Interstate Commerce Commission asking the national legislature for more binding laws if they required "rules of equality and justice" between shippers. He further used a less lengthy excerpt from the then existing
Interstate Commerce Act to prove that rate sheets showing the locale, the classification of freight, and the "terminal charges" were to be available to large and small shippers to avoid discriminatory practices.

These instances of the use of authoritative proof were valid and substantially proved Reagan's arguments concerning the existence of discrimination in shipping by rail.

Reagan used two other instances of expert opinion to substantiate the discrimination. Both were of questionable reliability as proof. In attempting to point out that Standard Oil was a "powerful and evil" monster corporation, Reagan read an excerpt from an address which Judge Cooley, Interstate Commerce Commission president, made to a meeting of the Boston Merchants; the statement was published in the Buffalo Express, January 14, 1889. Judge Cooley spoke generally of the curse of huge trusts but Reagan inserted his own interpretation when he interrupted his quotation to state that "He (Cooley) undoubtedly refers to this Standard Oil Company." Cooley did not mention that trust by name and Reagan might well have used the generality rather than the interpretation more effectively.

Another authority that Reagan failed to establish as valid was a pamphlet written by George Rice entitled "Railway Discrimination as given to the Standard Oil
Trust." The only qualification given this pamphlet was that the pamphlet bore the author's name.

Reagan again used authority as a mode of proof when he quoted a House member's words to state his own case for use of state courts. Representative Anderson of Iowa had presented arguments\textsuperscript{30} for the use of state courts in civil cases and Reagan presented an excerpt from this speech as his only argument upon the point of legality of state court usage in civil cases. He stated that this quotation was the "shortest method in which I can present that subject." Reagan did not attempt to qualify the source of the quotation; he simply offered the excerpt as "remarks . . . which contain a sufficient statement on the subject." Whether the remarks were the expert judgment of a man familiar with the position of state courts vs. federal courts or were simply an opinion was in no way made clear.

**Reasoning from causal relationship**

Reagan employed reasoning from causal relationship three times within his railroad-monopoly abuse speech. His first use pertained to the discriminatory practice of

\textsuperscript{30} The remarks centered around a case which Reagan apparently was using as precedent. The case involved the National Phquioque Bank vs. the First National Bank of Bethal, Connecticut, reported at page 383, 14 Wall.
the railroads in their mode of shipment. He summed up
the cause and effect succinctly with this statement:

The railroads provide only one method for the ship­
ment of oil, that is, in boxcars, for the smaller
refiner of oil, thus forcing him to accept barrel
rates with which he is unable to compete with the
Standard Oil Trust, using tanks.31

The second use of cause–effect reasoning was more
lengthy and involved. Reagan presented the argument and
substantiated it liberally with examples that the Standard
Oil magnates were controlling many other related and sub­
sidiary trusts, including railroads, and were thereby
causing injury to the nation's economy. He argued that
this trust was in control of much of the oil producing,
hauling, and refining industry and was crushing the small
competition. After presenting his evidence and examples,
he stated:

I present this to show the wonderful combination
of capital concentrated in the Standard Oil Trust and
the railroads co-operating with it and using their
power to crush out the smaller refiners and shippers,
and to give the Standard Oil Trust and the officers of
these railroads the entire and exclusive control of
this vast business of refining, shipping, and selling
27,000,000 barrels of refined oil a year.32

Reagan asserted that the consolidation was causing a
situation in which "there can be no hope for healthy compe­
tition."

31 Congressional Record, 50th Congress, 2nd Session,
p. 2379.

32 Ibid., p. 2383.
His third use of this mode of proof was perhaps the most vital proof in support of his second thematic contention. He stated that the individual citizen was being denied political redress through the courts for discriminatory wrongs inflicted upon them by the railroads and monopolies. This situation was caused in part by the refusal of the legislators to open the state civil courts to the "less-moneyed litigants" so that those litigants might have easier access to court action against abuse. He again summed up his causal relationship reasoning in a succinct passage by observing:

If the law is right in providing for civil suits for wrongs done by transportation companies, then it follows as a logical consequence that justice requires that the trials of those causes should be in the courts most convenient to the parties injured. It is illogical and unjust to say that the parties shall have a legal remedy and then to place the remedy so far from them as to make it unavailable to them.\(^3^3\)

Reagan's use of causal reasoning was logical in construction and well-developed. He followed a consistent pattern of developing cause-effect relationship which made his reasoning clear and easy to follow.

**ETHICAL PROOF**

Reagan may have had the status of a junior senator at the time this speech was delivered but he had the

\(^{33}\textit{Ibid.}, p. 2385.$
reputation of a senior statesman in the area of anti-monopoly legislation. While in the House, he had fought for anti-monopoly laws and had "... achieved national prominence as a man of the people and as a staunch defender of their rights."^34 He had become sufficiently prominent on this stand that the National Anti-Monopoly Party and the Greenback Party sought him as a running mate for their Presidential nominee Benjamin F. Butler. However, Reagan had little respect for Butler because of his Civil War record and refused their overtures.35 He also refused the nomination to the governorship of Texas or to the Senate that year36 in order to continue his push to have anti-monopoly laws enacted in the House.37 He was strongly mentioned as a cabinet member under Cleveland

[^34]: Proctor, Not Without Honor, p. 252.


[^36]: For accounts of these actions see: Galveston Daily News (May 14, 17, 18, 19, 23, 1882); Paris Tribune (April 6, June 19, 1882); James H. Jones to Reagan, May 1, 1882, in R.P.: Microfilm.

[^37]: He was nominated to the position of Representative from Texas by acclamation in 1882. Galveston Daily News (May 31, 1882).
because of his national reputation for work in the anti-monopoly field. Reagan's reputation on the monopoly issue constituted a strong ethical appeal.

His character and intelligence were already established prior to the occasion of his speech to the Senate. There were two limited overt attempts to reinforce his ethos within the railroad-monopoly abuse speech. Both the attempts were apparently intended to establish goodwill toward his audience. He first attempted to praise his audience by means of a somewhat negative statement. He referred to the high position and intelligence of his senatorial audience by stating:

The idea of presenting an argument to anybody, much less to the American Senate, to prove that to make a monopoly is to cheapen the rate is so absurd that I feel ashamed to argue the question here.

He made one other attempt to arouse a feeling of goodwill within his audience. He referred to the powerful position held by the members of the Senate through their legislative rights and obligations. He stated that

"... I judge no question as to the right of Congress to confer jurisdiction on the State courts to hear and determine civil suits under this law will be raised."
Although both attempts to arouse goodwill were limited, they appeared to be direct endeavors by Reagan to establish his ethos within the speech. Reagan also developed a certain ethical aura by maintaining his image as a defender of the people by espousing the cause of the states and their citizens. He felt that there should be equality in rates for all transporters of oil in particular and for all shippers in general. He also felt the less affluent litigants should be afforded closer access to courts of claim if justice was to be accomplished and he stated this concept strongly.

Reagan's character and intelligence were already established prior to the present speech through his earlier political reputation in the field of anti-monopoly. He continued to maintain the position he had assumed as an anti-monopolist within the speech itself. Much of the ethos in his speaking situation then rested upon his prior reputation. He made two rather limited attempts to establish goodwill in his audience through reference to their intelligence and position as a body.

EMOTIONAL PROOF

In the railroad-monopoly abuse speech, Reagan relied heavily upon logical argumentation and drew at least limited support from ethical appeals, but the speech contained
little emotional content. He endeavored to arouse a limited feeling of fear in his audience and made a slightly stronger appeal to their feeling of compassion.

Reagan briefly employed a fear appeal in his speech. He did not try to arouse personal fear but made a limited attempt to arouse within the nation's elected leaders fear for the nation's economy and well being. The objects of fear, in Reagan's concept, were the giant monopolistic corporations which he described as those which "... even now may be too strong to be subordinated to the law or controlled by the government." He feared the demoralizing economic ramifications of these giant corporate networks upon the people, particularly small business people, of the nation. He suggested that unless monopoly control was forthcoming, "... it will discourage enterprise, it will demoralize the people and cause them to lose faith in the wisdom and justice of Congress." This was an isolated emotional appeal and was brief in presentation.

Reagan's strongest emotional appeal in the speech was to the feeling of compassion in his audience for the smaller litigants in railroad abuse cases. While the

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\(^{41}\) Ibid., p. 2384.

\(^{42}\) Ibid.
overall appeal to the compassionate feelings of his audience for the smaller claimants was there, it was less emotional than logical. He presented facts that would tend to arouse compassion but he did not attempt to deliberately magnify the emotional content of these facts.

Although Reagan made some attempts to arouse emotion, these attempts were weak. The nature of the appeals was such that deemed emotion a minor role in Reagan's speech on railroad-monopoly abuse.

EVALUATION

One universal test of the value of a speech is the effectiveness of the speech in achieving the stated goals of the speaker. In any political speech, the interests of and influences upon the individual members of the audience will affect the achievement of those goals and will intensify the difficulty in isolating the effect of the particular speech. Within the congressional halls, all speeches were of political nature and thus the effect of the ideas presented in any single senatorial speech, particularly when the debate was strong, was difficult to ascertain. Two of the basic elements that affect such an audience were: (1) the popular will of the nation as depicted by the periodicals; and (2) the will of the particular constituents who elected the senators to
represent their interests. In the particular case of Reagan's speech to the Senate concerning railroad-monopoly abuse, the basic influential elements were present and combined with the personal and political influences exerted by the powerful monopolistic special interest groups to affect the voting on the bill.

Not only were these influences at work but another difficulty in isolating the effect of a single speech stemmed from the number of speeches given in support of or in opposition to the bill. Sherman of Ohio and Senator Faulkner of West Virginia were the most outspoken voices that joined Reagan's to attempt to get the amendments passed. They were opposed principally by Senator Platt of Connecticut and Senator Hoar of Massachusetts—both men known as strong speakers.

Still another influence that warranted consideration in an attempt to assess the effects of Reagan's speech was his senatorial standing. As a senior member of the House of Representatives he had gained his reputation as a strong verbal opponent to monopoly. He delivered his speech on this topic as a junior member of the Senate. The speech on railroad-monopoly control was one of his earlier speeches delivered to that body.

Whatever the influences that affected the senators, they voted to send this bill to joint committee with the
The announcement of the names of the men appointed to that Senatorial Committee foretold the future of the bill. Senators Cullom, Platt, and Harris were named. At least two of the men were highly prejudiced. S. M. Cullom had headed the drafting of the original Senate bill that bore his name and he had no desire to see it changed. Platt had been an outspoken opponent to the amendment on the Senate floor.

The Committee was appointed on February 27, 1889, and asked "... leave to present a report that requires no action by the Senate" four days later. On March 2, 1889, the following report was read:

The committee on conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S2851) to amend an act entitled "An act to regulate commerce," approved February 24, 1887, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 3 and 7.

Although efforts to curb monopolistic control of economy failed in this particular legislative confrontation,

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43 The managers of the Senate were S. M. Cullom, O. H. Platt, and Isham G. Harris. The Managers on the part of the House were Charles F. Crisp and Charles O'Neill. Congressional Record, 50th Congress, 2nd Session, p. 2611.

44 Ibid.
Reagan's arguments, joined by the voices of those Senators and Representatives who had like desires for monopoly control, continued to hammer at the giant networks. Yet for almost "twenty years after its passage," the Interstate Commerce Act remained ineffective and "did not accomplish wide-spread rate reduction or eliminate discrimination." The Interstate Commerce Act was described as one that satisfied popular demand for "the governmental supervision of railroads" yet at the same time was "almost entirely nominal." While the initial efforts of Reagan and his contemporaries were unfruitful in their control policies, they did constitute an opening wedge for legislative control in economic affairs. Ultimately, after a great number of years of struggle, at least partial governmental control of the economy was achieved. The railroad regulation became a fact and opened the door for other controls. Kolko described the long range effect of early anti-monopoly endeavors when he stated

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46 William Current Friedel, History of United States Since 1865, p. 184. Also see: Kolko, Railroads and Regulations, passim, and Adams, Railroads, Their Origins, passim.

47 Ibid.
"... federal railroad regulation was the first of many successful efforts to create rationalization and stability in the economy by political means."\(^{48}\)

Reagan's ideas were among those early considerations of extension of governmental powers to stem the rise of a trend toward monopolized national economy and to make the government cognizant of both the economic plight and the rights of the individual citizen.

**SUMMARY OF THE CHAPTER**

Railroads and monopolistic trusts were growing rapidly. State governments had tried to govern their own economies and had failed because the state boundaries were not coincidental with the railway and industrial boundaries. Some legislators, including John H. Reagan, fought for and achieved a "nominal" law to control interstate commerce. This law proved to be ineffectual in railroad and monopoly control because it was too vague. The House attempted to put some teeth into the law through the third and seventh amendments to the House Bill S2851. Senators Sherman, Faulkner, and Reagan spoke to the Senate to support these amendments. Reagan's speech to the Senate on this topic was the subject of analysis in this chapter.

\(^{48}\)Kolko, *Railroads and Regulations*, p. 239.
Two of Reagan's basic political ideological concepts formed the themes found within the speech. Reagan developed his speech in two sections. The first section dealt with both amendments on the Senate floor. His first theme of protection of the individual citizen's economic rights from infringement by railroad-monopoly abuse was presented in both sections of the speech. The second theme of states rights was added to the second section of the speech, and that theme asked that the State courts be used in conjunction with the Federal courts to facilitate more equitable handling of the cases that concerned railroad-monopoly abuse. This theme was less well-developed but was present.

Reagan used example, authority, and causal reasoning as logical proof. His reputation as a defender of the people constituted a strong ethical position to which he added minimal attempts at ethical appeal within the speech itself. The attempts to arouse emotion were weak enough to deem emotion a minor proof used by Reagan.

Evaluation of Reagan's speech was difficult since it occurred during debate on the floor in conjunction with Senators speaking both pro and con on the issue to an audience influenced by personal and political pressures. The legislation for which Reagan spoke was defeated by joint committee decision without necessitating a senatorial vote. Although the efforts of Reagan and his political
contemporaries were not successful at the time, these pioneer efforts for governmental control of the economy were at least an opening wedge for legislative consideration of the individual rights of the citizenry.
CHAPTER III

THE BLAIR EDUCATION ACT SPEECH TO THE SENATE,
FEBRUARY 26, 1890

ISSUE AND OCCASION

After the Civil War, leaders in both the North and South increasingly recognized that something was needed to reduce the high rate of illiteracy in the nation, particularly among the freedmen in the South. Reconstruction governments had established public schools systems in the South for these people but the economic depression coupled with the political inertia that characterized the Southern states until the late 1870's caused a failure of the financial assistance necessary to maintain these systems. Toward the end of the 1870's and the early 1880's, those involved in improving southern education became increasingly interested in securing national financial aid. With the 1877 Compromise, and the resultant cooperation between Northern Republicans and Southern Democrats, the South looked more favorably on this means of receiving assistance in the Negro education problem. One hundred delegates from nine states interested in procuring these
national school funds petitioned Congress in 1878, asking for assistance from public land revenues for "immediate and pressing" educational needs of the South. The idea expressed at this point was that the duty of educating this large mass of illiterate blacks belonged to the entire country rather than the Southern segment.

Several bills were introduced in both Houses and were killed through apathy in one or the other House. By 1880, however, the Republican party favored federal aid, incorporating the position into their national platform. The Democratic party contended that common schools should be "fostered and protected"; however, this statement appeared in a plank which otherwise opposed centralization of government control.

Senator Blair, a Republican who adhered closely to party lines, took a new approach to federal educational aid which would also aid the high-tariff proponents. There was an increasing amount of surplus in the federal treasury and, since the high-tariff Republicans and Democrats alike feared a lowering of tariff, Blair in 1881 introduced his first bill to aid education by direct

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appropriations from the federal treasury. This called for appropriations of $105,000,000 to be distributed among the states over a period of ten years; the basis of distribution was to be the illiteracy rate. Blair discussed this bill in the Senate in 1882, but no action was taken during this session.

The second Blair Education Bill provided for almost complete state control rather than the joint federal-state control of the first bill. Discussion brought forth more restrictions against racial discrimination in distribution of funds. The third Blair bill brought the situation to a head with the periodicals of the nation taking sides. The proponents' statements were summarized by the New Orleans Picayune:

In asking the passage of the Blair bill, it (the South) only demands that the General Government should recognize an obligation which rests . . . equally upon all the sections, and which the South has so far borne alone.

Along with a few others, the Galveston News took the opposing side in the South, bitterly denouncing the

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3 Congressional Record, 47th Congress, 1st Session, p. 227.
4 Congressional Record, 49th Congress, 1st Session, p. 1479.
5 New Orleans Picayune (February 19, 1886).
bill, and Nation opposed it in the North with such statements as:

The Blair bill is simply . . . the old hallucination, 'fifty acres and a mule,' which has caused more briars and sassafras bushes to grow in Southern fields than all else.7

Perhaps the most acid attack came from the Louisville Courier-Journal which opposed "the vicious plan of Granny Blair" who was backed by "political demagogue, tricksters . . . and professional philanthropists."8 The seriousness of the proponents of this bill was evidenced in one House Report that claimed that illiterate voters held the balance of power in ten Northern and all Southern states.9 On the floor of the Senate, those favoring the bill asked,

As this illiterate citizenship is protected by the constitution in the suffrage, why should not the General Government . . . aid in preparing them for its wise and intelligent exercise?10

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6Galveston News (February 13, 15, 1888, and February 28, 1890) provide a good account of this feeling.

7Nation (January 21, 1886), p. 52. For an excellent account of the Blair bill opposition, also see: Nation (August 1, 1889), p. 84.

8Louisville Courier-Journal, clipping in R.P., providing only the year 1888.


10Congressional Record, 49th Congress, 1st Session, p. 1475.
Those in opposition were quick in refuting the constitutionality of the bill. The Galveston News saw this bill as the commencement of "... the gradual extension of the National Government to supercede State Government and even municipal government." Senator Baynard of Delaware proposed that this type of legislation would "lead inexorably to the overthrow of the whole theory of our form of government," and Senator Beck of Kentucky saw it as a "pandora's box" and "(an) entering-wedge to absolute Federal domination over education in the States."

The introduction of Blair's fourth educational bill provided the specific occasion for John H. Reagan's speech.

AUDIENCE COMPOSITION AND ALIGNMENT

The Blair bill was debated on the Senate floor from 1884 to 1890, when it was finally killed by a vote of forty-two to thirty-six.

Although Federal aid to education was originally suggested by southerners interested in educational

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11Galveston News quoted in Louisville Courier-Journal (March 1, 1886), clipping in R.P.
12Congressional Record, 48th Congress, 1st Session, p. 2584.
13Ibid., p. 2540.
assistance for their illiterate blacks, it soon was taken up by high-tariff proponents, in both the North and South, in an effort to use the growing treasury deposits. The spending would reduce the possibility of lowering the tariff rate.

The controversy over the Blair bill clearly illustrates the divided mind of the post-Civil War politicians in the South. They were all Democrats, but they were not all of one mind. The Redeemer, or Bourbon, faction of the South strongly fought for federal aid to education. These Redeemers placed their faith in the business and industrial development and growth which founded a necessary alliance with the Eastern section of the nation. They expounded those views which would best expedite their political and economic thinking. The Blair bill was in keeping with their ideas on governmental help. Henry W. Blair was the Senator from New Hampshire who proposed the four educational bills, and he was supported by a number of other northern and many southern high-tariff Senators. Outstanding among the northern supporters were Republican Senator Ambrose E. Burnside of Rhode Island, and Senator Benjamin Harrison of Indiana. Consistent support came from the Senators from Georgia, Mississippi, Louisiana, Florida, Arkansas, North Carolina, and Virginia, but the support was quite passive generally. The open, vigorous support from the South found voice through Joseph E.
Brown of Georgia, Wade Hampton of South Carolina, A. H. Garland of Arkansas, and James Z. George of Mississippi, who asked: "Can you vote money to educate Indians, and not have the power to vote money to educate Negroes and white men?" 14

The opposite element of the Redeemer in the South, those southerners who wished to continue in the same agrarian economic path that had always been the southern means of livelihood, constituted the other side of the audience position on the issue. The agrarian-minded faction wished to continue in the old-line Democratic concept of extolling the virtues of low taxes and states' rights based on direct constitutional interpretation. One southern senatorial element formed a group that was not outspoken against the Blair issue but consistently voted against it. These were the Senators from Missouri, Maryland, and one each from Alabama, Tennessee, and Kentucky. Those who actively fought against this bill on the Senate floor were Matthew Butler of South Carolina 15 and the two Texas Senators, Maxey and Reagan. Aiding in the defeat of this bill were the two Senators from

14 Congressional Record, 49th Congress, 1st Session, p. 1474.

15 Wade Hampton, the other Senator from South Carolina, actively supported the Blair Act in direct opposition to his State-brother Butler.
Delaware, Thomas F. Baynard and Eli Saulsbury, who were in sympathy with the agrarian South. The opponents from the South also found a spokesman in the Republican Senator from Kansas, Preston Plumb, who said he could count on his fingers those senators who really believed in the good of the bill. 16

The proponents of the bill formed a powerful vocal adversary and hostile audience to John Reagan's senatorial speech of February 26, 1890. Part of the southern segment was fighting for federal aid in the huge job that faced the sorely taxed funds of the smaller and more populated southern states. Their hostility as an audience possibly sprang from the knowledge that a fellow Southerner was speaking strongly against that aid. This hostility found further motivation when the opposing speaker was not only a fellow Southerner but from a state that was in possession of sufficient public land to support their educational needs. 17 Texas also was sparsely populated with both whites and blacks making the educational problem smaller. However, by the time Reagan spoke against the fourth Blair bill, there was enough opposition to federal aid to education to swing the vote against it. The bill

16 Nation (March 11, 1886), p. 208.
was opposed by "... a combination of border and northern Democrats, by agrarian states rights southerners, and ultimately by Republican leadership." ¹⁸

**DEVELOPMENTAL THEMES**

John H. Reagan summed up his developmental themes in his final plea of the speech. He asked for the defeat of the bill: "In the interest of the cause of education, for the preservation of the rights of local government to the States, to prevent converting the Federal Government into a popular despotism, and to avoid additional fruitful cause of sectional agitation and strife, I hope for the defeat of this bill."

Reagan saw the Blair Act not only as the opening wedge in complete federal control of the system of education but also as a complete breakdown of the total federal system. He feared the federal funding of the schools would be the first step in replacing state and local governments with a central power strong enough to change the entire form of government.

Reagan developed the theme that the existence of the system of education, as it was established under the autonomous state and local rule, was endangered rather

than financially assisted by the provisions of the Blair Act. He interpreted the segment of the bill requiring "... the governors of the States to make elaborate reports as to the school system of the several States, to the Secretary of the Interior of the United States ..." as being the intention to subjugate "... the State, the inferior, ... to the Federal Government, the superior." Reagan developed this theme by two arguments: (1) control of the money meant control of the institution; and (2) federal assistance would weaken the desire of the states to face their responsibility to educate their own citizens. The first argument was developed through logical argument that control of the money would mean control of the uses to which that money would be put, i.e., courses of study would be prescribed, textbooks would be chosen, and the duties of teachers and administrative staffs would be supervised by central control. Reagan also suggested that mixed schools might result. 

Reagan's second supporting argument for the theme that education would be drastically altered was not as

19 *Congressional Record*, 51st Congress, 1st Session, p. 1724.

20 The only one of these charges that was challenged by Blair from the floor was the one concerning mixed schools so they seem to take on validity.
well developed. He offered no proof that the states
would "relax their efforts and transfer the burden to the
Federal government" and only asked what right Congress
had to tax one state to support the education of another.
The theme of preservation of the school system as ad-
ministered autonomously by the state and local governments
was closely tied to more strongly supported theme of preser-
vation of the right of local government by the state.

It has already been established that Reagan was
aware of the rights of the states. One of the two
strongest themes within the Blair Act speech was the preser-
vation of these states rights. This theme was developed
fully using a strict construction as his basis for develop-
ment. He contended that the preamble of the Constitution
(the basis of authority claimed for the Blair Act) in no
way conferred on Congress the right "... to aid the
establishment and temporary support of common schools." He
further developed the argument that such a position
transgressed the rights of the State governments as
prescribed in the Constitution. He supported this theme
with authoritative proof. Reagan maintained that this
funding, unlike an outright gift to the states of public

21 Congressional Record, 51st Congress, 1st
Session, p. 1725.

22 Ibid., p. 1722.
land, would be an assumption of the jurisdiction of the rights of the states to govern their own people.

Reagan presented another theme closely connected to the preceding themes. He felt that the Blair Act would be the entering wedge toward a consolidated government and the dissolution of the Federal system. He made two statements within the speech concerning the theme that, if the "general welfare" clause of the Constitution was interpreted to allow federal funding of schools, it would remove all limits to the power of Congress. Early in the speech, he stated that:

This would of necessity destroy our constitutional Federal system of government by destroying local government in the states; and this would be the beginning of a reign of anarchy or of despotism, in the place and stead of our benign system of free constitutional government. ²³

Later he restated that centralization "... would impose on the people of this country the curse of an imperial popular despotism, the worst of all despotisms." ²⁴ He apparently felt that the statements could, and would, stand alone without necessity of any more development than a reminder of the Senate that experience had taught them that there was a narrow boundary between "stable government

²³Ibid., p. 1723.
²⁴Ibid., p. 1724.
and anarchy." He offered no substantiating proof of this theme. He may have felt that his ethical standing as a veteran representative during the time he alluded to as borderline "anarchial-stable" was enough proof of his theme.

Another developmental theme was concerned with additional sectional strife that would occur through the passage of the Blair Education Act. Sectional strife had been a way of political life to the veterans of Congress, including Reagan, for a number of years after the War. It had been relegated to a lesser place in the senatorial foreground for a few years, preceding Reagan's speech, by the pressing economic problems of the era. However, the problem of sectional agitation was ever present and found voice now in an issue that dealt primarily with the illiterates of the South.

Although Reagan indicated that he wished to avoid additional section strife through the defeat of the Blair bill, he developed the theme that it existed by a comparison of the Southern and Western educational systems to Northern schools. His theme was that sectional strife would increase with the Blair bill passage because the act itself had its origin in sectional agitation and was discriminatory. He used three arguments to develop this theme. The first was that the criticism of the southern educational system was too harsh and basically unfounded.
He supported this contention by a discussion of Texas as a southern state which had always provided education on a constitutional basis and had supported it monetarily. This argument was developed as though all southern states were in a similar position to the State of Texas; Reagan failed to point out that Texas was less populated and was an unusual Southern State in that Texas had public lands available for funding schools.

His second argument concerned the fourteenth segment of the bill, a passage that he deemed sectionally discriminatory. The territories and some new Western states were to have the power to determine illiteracy by unspecified evidence other than the census and this evidence would affect the amount of funding allowed to that state. Reagan saw this as a bribe to gain the vote of a segment of the Western states. He also pointed out that the practice of allowing other evidence than the census was again channelling the funds away from the illiterate Southern blacks who had been the basis for the bill.

The third argument in support of Reagan's sectional agitation theme dealt with the taxing of one state for the support of another state's system of education. He attempted to develop this theme by alluding to the fact that federal funding would eventually fall on the shoulders of the taxpayer. He stated that the present plan of taxing
the internal wealth of a state to provide funds allowed a
more equitable tax program. He attempted to substantiate
this argument by an example of Mr. Gould, a wealthy
financier whose children would receive the same educational
benefits under the Blair Act as any other taxpayer's
child. This argument concerning inequality of taxation
was not fully developed.

MODES OF PROOF

John H. Reagan employed logical, ethical and
emotional proof within his speech against the Blair Edu-
cation Act. The object of this section is to examine
those proofs and their development.

LOGICAL PROOF

In his speech against the Blair Education Act,
Reagan relied most heavily upon logical proof to support
his contentions. He employed reasoning from examples,
citation of authorities, and reasoning from causal
relationship as a means of substantiating his arguments.

Reasoning from Example

Reagan employed example to prove his second theme.
To support the argument that criticism of southern edu-
cation was unfounded, Reagan used the example of Texas'
educational system. He used specific examples of
constitutional provisions for education from the time when Texas was under the Mexican Constitution of 1827 through the Texas Constitutions of 1836, 1845, 1866, 1869, and the 1876 Constitution that was thenin use. He specified the lands that were appropriated for schools, gave specific amounts of money that were allocated for schools, and stated the number of months devoted to education in the rural and urban areas. On the basis of the example of Texas, he argued that other states were capable of supporting their own school systems. The major problem with this argument was that the very evidence presented in the example proved that Texas was the unusual in the southern states.

To prove his contention that the bill was discriminatory, Reagan pointed out the names of the states

25The Texas Constitution enacted in 1876 is still in use.

26There were then between thirty and forty million acres of land that belonged to the common school funds of the state, according to Reagan's example, beside the land given to the university of the state and beside four leagues given to various counties that were not in the school fund but used to that purpose.

27The aggregate of this funding amounted to $3,859,347.39 in 1889.

28These varied in location from five to ten months per year.

29These included South Dakota, North Dakota, Montana, and Washington plus the Territories of the United States.
that would be aided and also suggested examples of states\textsuperscript{30} that were discriminated against. All of the states mentioned were western in locale except Texas. However, Reagan seemed to include Texas here as a western state also. The examples were apparently included to affect the representatives of these relatively older western states. He used examples of the increase of children in both older and newer states from 1877 to 1887 to show discrimination on a state by state basis.

Reagan offered another example to prove that the Blair bill would cause further sectional agitation. He alluded to the argument that the moneys that were fed into the United States Treasury came ultimately from taxation and if the central government paid for all the state's educational programs, rather than taxing their own internal wealth, the tax program would be unbalanced. He used a single example to prove this contention and the example was vague. He attempted to point out that if Mr. Gould, one of the nation's wealthiest men, was not taxed locally for schools, he would pay no more for educating his children than any other citizen. Although the example could have borne connotative economic meaning had it been developed further, it constituted instead a vague and

\textsuperscript{30}The states he used as examples to receive like monetary aid were Colorado, Nebraska, Kansas, and Texas.
meaningless insertion that tended to confuse the issue rather than offer clarification.

Reagan used some examples to support his second theme but he relied entirely on example to support his last theme concerning sectional agitation. While most of his examples were well chosen to support his themes, the one chosen to support the last argument was vague and seemed to be irrelevant to the theme that it was intended to support.

Reasoning from Authority

Reagan used authority to prove his contentions that federal school funding was not constitutional and that the states had a right to govern their own people, including their education. His reasoning on these themes was that no exact grant of power existed in the preamble of the Constitution, Article I, section 8, which served as the basis for the Blair Bill. He argued that those powers not relegated to the federal government were reserved for the states and the people. He directly quoted Article I, section 8, clause 1, of the United States Constitution which contained the "general welfare" clause. The Blair Act was based upon that clause. Reagan refuted the claim that the passage contained constitutional power for such action by stating: "Section 8 of Article I of the Constitution specifies and enumerates the powers of
Congress. No power is found to aid in the establishment and support of common schools." He further quoted Article X of the Constitution to support this argument. Reagan pointed out that Article X had been inserted as early as 1791, at the first Congressional session and that the amendment relegated all powers not specifically belonging to the Federal government to the states. Reagan used one other authority to refute the constitutionality of the Blair Act. He read a quotation from James Madison, a national founding father, concerning an early attempt to invoke the "general welfare" clause. The quote directly substantiated Reagan's claim that it was the rights of the states, rather than the federal government, to regulate and support schools. In order to further prove his argument, he offered nine short direct quotations concerning the interpretation of these sections of the Constitution from Mr. Justice Story's *Commentaries on the Constitution*. Reagan qualified Judge Story's authority as "... probably as high an authority as there is on this subject."  

As authoritative proof of his contention that Texas provided for education in her constitutions, Reagan

31 *Congressional Record*, 51st Congress, 1st Session, p. 1722.

also used excerpts from the Mexican Constitution of 1827, the Texas Declaration of Independence from Mexico, and the articles from the Constitution of 1876 that were pertinent to education.

Reagan's choice of authoritative proof appeared to be strong since he quoted from recognized documents and Judge Story, a recognized authority on interpretation of the national Constitution.

Recommending from causal relationship

Reagan argued that the loss of power over funding of schools by the states would place all power into the hands of the central governing body. The effect of the power exchange would allow the central government to "... proscribe the course of studies, the textbooks to be used, and the duties of teachers and officers charged with administration of the funds so appropriated, and might require mixed schools of black and white children ..." The last segment of that example pertaining to mixed schools drew enough attention to cause Senator Blair to break into the speech to ask Reagan if he thought the bill itself contained an integration clause. Reagan admitted he knew it did not but was conjecturing on the ultimate outcome of the bill.

\[33\] Ibid., p. 1724.
Another usage of causal reasoning was applied to support Reagan's claim that the educational system should be left as it was. The reasoning was that the present system of education was turning out highly enlightened men and had been doing so since the educational systems of the states had begun. Thus the effect of well educated men as products of the present system of education by the states should constitute cause enough to maintain the status quo. Since Reagan was addressing an audience composed of state representatives themselves schooled under their respective state systems, the usage seemed applicable and useful as proof.

Causal reasoning was also applied in Reagan's concept of discriminating action outlined by the bill. Reagan argued that the illiterate whites of the new west would receive the greatest benefits of the bill and thus cause the illiterate negroes of the south to be discriminated against once more. Since education of the illiterate southern negro had been the original intent of the Blair bill, Reagan's reasoning was apropos.

Reagan's reasoning from causal relationship seemed to strengthen his thematic pattern within the Blair Act speech. He employed cause to effect reasoning in presenting the concept that central control of school funding would cause central control of school operations. He again used cause to effect reasoning in his claim that the
Blair bill would primarily aid the illiterate whites of the west and the effect would be further discrimination against the southern negro. He employed effect to cause reasoning by pointing out that the effects of state school systems was well educated men and thus cause enough to maintain the educational system as it was established.

ETHICAL PROOF

Early in his career John H. Reagan had established his position as defender of the rights of the states by strict construction of the Constitution. Prior to the Civil War, he had assumed the position in several addresses to Congress. To the voters of his district, Reagan stated, in 1859, that if the rights within the federal system were denied and " . . . the Constitution so violated, and our rights so affected as to require us to fall back on the reserved rights of the States . . . " that he would " . . . defend them by all means necessary." Since the ultimate method was war, he upheld his position

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34 Congressional Globe, 35th Congress, 1st Session, pp. 1199-1203, 1466-1467; 36th Congress, 2nd Session, pp. 389-394, were examples on the congressional floor prior to the Civil War.

35 Circular to the voters within the First Congressional District of Texas from Reagan, April 12, 1859, in R.P.: Circulars, Pamphlets, and Speeches.
by assuming Confederate duties and returned to Congress to continue to uphold his original position on the issue. Outside of Congress, his support of states rights was expressed in several of his addresses. Reagan's reputation as a guardian of the states rights during his Congressional term followed him into the Senate. In reporting Reagan's election to the Senate, in 1887, the Baltimore Sun described him in this manner: "In the House he had been recognized as a bold, fearless, aggressive opponent of . . . the centralizing tendencies of the Republican Party." When the issue concerning centralizing of power through educational funding came into senatorial focus, Reagan again spoke out against infringement upon the rights of the states. In 1888, he firmly opposed the Blair bill for federal aid to education.

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37 For some noteworthy examples of his theme of states rights based on strict constitutional construction, see: "Address to the People of Houston, Texas," on the Conservative State Convention, January 23, 1868; "On the Election Commission of 1876," Palestine, Texas, March 24, 1877; "Address to the Confederate Veterans," San Antonio, Texas, April 20, 1877; "Memorial Address for General John B. Hood," Houston, Texas, September 12, 1879; "Address to Texas Veterans," Palestine, Texas, April 21, 1881. R.P.: Speeches, 1858-1903.

38 Baltimore Sun (February 2, 1887).
partially on the ground that it was an invasion of the rights of the states. So Reagan's reputation as a states rights proponent had already been established prior to the speech to the Senate against the Blair bill in 1890.

Within the speech itself, Reagan attempted to establish his good character by his advocacy of strict obedience to the highest law of his state and his nation. He also indicated that his belief in the federal system should establish him as a loyal son of his country and a defender of its inherent democratic qualities. He suggested that he was in favor of peaceful coexistence of all sections of the land rather than in favor of a situation fraught with animosity and strife along the lines of sectionalism.

Reagan frequently and consistently suggested his intelligence by demonstrating his thorough knowledge of the materials pertinent to the issue involved.

The introductory remarks of the speech were a direct attempt to establish good will. He complimented the Senator from West Virginia (Mr. Faulkner) and Mr.

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Coke, his Texas colleague, as having given "... a very learned and able discussion of the subject."^40

Reagan's reputation as a defender of the rights of the states and as an opponent to centralizing forces had been established prior to the present speech. His attitude toward the particular bill on education had been previously established through an earlier speech^41 to the Senate. He maintained the same attitude toward these themes in the present speech. He indicated he was a man of good character and intelligence, and he attempted to establish goodwill in the introduction of the speech.

EMOTIONAL PROOF

Reagan employed emotional appeals in this speech. He attempted to create a feeling of pride within the Southern Segment of his audience; he made a limited appeal to scorn for his opposition; he appealed to the loyalty of the Senators to their form of government; and he attempted to evoke a feeling of fear.

Reagan displayed pride in his own state in what appeared to be an attempt to stir like emotional response

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^40 Congressional Record, 51st Congress, 1st Session, p. 1722.

^41 Congressional Record, 50th Congress, 1st Session, pp. 268-274.
in the representatives of other states. Of particular persuasive interest to Reagan were those Southern Senators who favored the bill. He first made a limited attempt to discredit Mr. Blair by a reference to his use of only a priori reasoning without any proof and then attacked the long denunciation of the southern school system made by the Senator from New Hampshire. Senator Blair's denunciatory speech had been a harsh criticism of the entire institution of education in the south and Reagan replied with a description of his own state with which he apparently hoped to stir the pride of other southern Senators. The account appeared to be a plea from a proud old southern statesman to evoke enough feeling of sectional pride that the other southern Senators would recognize the folly, as Reagan saw it, of selling their rights as states for the price of school funding.

Reagan's use of the Constitution within his strict interpretation established an appeal to the loyalty of the Senators. He presented a case that the bill was not only questionable constitutionally but was actually designed to destroy the federal system. Thus if the Senators were loyal to the present system of federalism, Reagan reasoned, they would have to be against federal funding of schools.

In like context, Reagan attempted to arouse in his audience fear of a "despotic" contralism, a fear that not only would the right to govern their educational systems
be a thing of the past but that all rights of statehood would be dissolved. He appeared to bolster this feeling of fear by reminding the southern Senators subtly of the hated rule of reconstruction.

He also pointed out to the Western sector that the bill was created with built-in discrimination for some states of the West and against others and the very wording made it an object that might be feared on an economic and intersectional basis.

Finally, he made a limited attempt to raise a fear of inequality of taxation to support the educational system but this was a weak and futile attempt since the funding was to come almost directly from import duties.

EVALUATION

A congressional audience poses a unique problem in ascertaining the effectiveness of any one speech. There were so many speeches presented both pro and con on this controversial subject that the effect of Reagan's speech must be combined with all those that refuted the bill.

Another complicating factor was the effect of the periodicals reporting on the issue. The reporting, in turn, both influenced and at the same time reflected the will of the people. At first, the periodical literature
favored the Blair Act, then the popular will began to change. To what extent the mass communication and the will of the constituency affected their senatorial representatives is impossible to ascertain.

However, some conclusions can be drawn from the actual voting pattern on the bill. One possible result of Reagan's speech was the acquisition of the Western vote. In spite of the obvious bribe mentioned by Reagan in his speech, the traditional Republican West voted against the Blair Act. As a result, many of the agrarian southern states rights proponents, who at first had favored the bill as the only possible means of combating the educational problem, now realized that the "South ... was growing in prosperity and able to care for her own ... " and a majority of these southerners voted against the bill. The acquisition of more stable economy had some influence upon the southern vote. However, the amount of the funds to be gained in their states might well have swung their vote to the Blair Act if speakers, including Reagan, had not pointed out major flaws in the bill. The most notable

\[42\] For an example of this reported material see New Orleans Picayune (February 19, 1886).

\[43\] Nation (August 1, 1889), p. 84. For full coverage of the Blair Bill see Dallas Daily Herald and The Houston Post throughout the years 1884-1890.

\[44\] Dewey, National Problems, p. 90.
of these flaws was the attempt at centralization of power and ultimate breakage of the political unity of the Democratic South.

This bill had been debated from 1884 to 1890 on the Senate floor. Soon after Reagan's speech, and others like it, the bill was finally defeated by a vote of forty-two to thirty-six.

Reagan predicted within the speech that

"... if one of the barriers of the Constitution is broken down by this act, the States will in the future be told that as Congress appropriates money to support these schools, it is right and necessary that it should follow such appropriations by laws regulating the application of this money and the uses to which it is to be put; that it may prescribe the course of studies, the textbooks to be used, and the duties of the teachers and officers charged with the administration of the funds so appropriated, and might require mixed schools of black and white children. . . ."

Certainly much of his prophecy has been fulfilled. Reagan's foresight was accurate. The growth of laxity that Reagan predicted on the part of the states in financing their own schools did become a reality and a growing problem. Since the individual state officials did become lax in accepting complete economic responsibility for their schools, particularly in the expanding urban areas,

45 Congressional Record, 51st Congress, 1st Session, p. 1724.
federal grants-in-aid have opened the door to increasing control of state schools by the federal government.

The defeat of the Blair Act had a long delaying effect on federal school control. But the United States Constitution, the very instrument that Reagan used to blunt the first attacks on federal interference in state control of education, has been used, since 1954, through interpretive measures to achieve the same purpose. An analysis of whether the effect is "good" or "bad" is not the object of this section. It is sufficient to say that enough of Reagan's long-range prediction has come to be fact to make an uncomfortable nation over the past two decades of American history.

SUMMARY OF CHAPTER

Following the Civil War, the high rate of illiteracy, particularly among the freedmen of the South, was recognized as a problem. At the same time, federal monies increased the treasury to a point that caused a trend toward the reduction of tariff rates. The high tariff

\[46\text{For example: the Federal grants-in-aid to the State of Texas for education in 1972 amounted to $176,717,244 and an amount was proposed for 1973 of $184,282,638. Governor's Recommended Budget for 1972-1973.}\]

\[47\text{Brown vs. Board of Education, Topeka (Kansas), opened the educational integration doors.}\]
proponents espoused the cause of educational funding by the federal government as a means of reducing the federal treasury to assure the maintenance of the tariff rate. At this time, many southern educators felt that the South should be aided in educating the large number of illiterate blacks that had been poured into their educational systems. Three previous bills, known as Blair bills, had been killed in one House, or the other, prior to the introduction to the Senate of the fourth, and last, Blair Education Bill. Senator Reagan spoke in opposition to the fourth Blair bill and it was with this speech that the present chapter is concerned.

Reagan presented four developmental themes in his speech: (1) the preservation of the autonomous rule of education by state and local governments; (2) the preservation of the rights of states; (3) the retention of the federal form of government rather than central despotism; and (4) the avoidance of further sectional strife. He used examples and authority as logical proof of his arguments. The first two themes employed less use of example than authority but the last two themes relied heavily on example as proof. Reagan derived ethical appeal through his reputation as a defender of states rights, a reputation that was well-established prior to the speech. His standing on the particular educational act had also been established by a prior speech. His ethical appeal was
enhanced during the speech through his attempts to establish his good character as a peaceful man who was a loyal national son, interested in the preservation of his country's democratic principles. Reagan demonstrated his intelligence by his thorough knowledge of materials pertinent to the issue. He also attempted to establish goodwill through praise of his colleagues.

Emotional appeals were also present in the speech. He attempted to arouse pride within the southern segment of the audience, and he also made a limited attempt to discredit his opponent with a feeling of scorn. He attempted to arouse loyalty to the federal form of government and a fear of centralization.

The effect of Reagan's speech was difficult to ascertain because of the length of time that the topic had been under discussion and because of the changes effected by the press and by fluctuating popular will. Also his speech must be judged one of a number of opposing speeches. A possible immediate result was the winning of the Western vote and some of the Southern votes through Reagan's emphasis on the flaws within the bill. The bill was defeated. Centralization was delayed by the defeat but in the 1950's and 1960's centralization of educational power through constitutional interpretation, the very weapon Reagan used in his argument to defeat the bill,
has become a fact that has caused an uncomfortable atmosphere on the American national scene.
CHAPTER IV

THE SILVER SPEECH TO THE SENATE,
DECEMBER 30, 1890

ISSUE AND OCCASION

The nation began, and continued, on the bimetal standard until 1878, when the Bland-Allison Act put the United States onto the gold standard alone. The "hard money" industrialists were naturally interested in maintaining the monometal standard. However, the nation struggled during the 1880's in the throes of a major depression. Farmers and ranchers in the South and the West were hard put to maintain their lives much less their land, crops, and stock. Small businesses in all parts of the nation were unable to keep their doors open. These people felt that if silver returned, with its inflationary effect, it would provide a panacea for their ills. The monometalists argued that failure to remain on the gold standard would mean the silver standard

\[ \ldots \text{ would succeed the gold standard, and the purchasing power of the American dollar would decline to the commercial value of the silver dollar—a drop of nearly 50 percent.} \]

In order to appease the free silver men, the Republicans devised an act that would blunt the free coinage of silver. Aware of Sherman's popularity in the West, the Republican leadership engaged in a subtle game of compromise between the differing pressure groups and gave the act his name. The Sherman Silver Purchase Act was passed in 1890. It contained provisions for buying the approximate maximum domestic production of silver and paying for it with treasury notes. The notes were to be redeemable, at the discretion of the Secretary of the Treasury, in gold or silver coin. It was pointed out by some Democrats and free silver men that the silver was not to be minted into coin and therefore this act was an empty gesture. Since the sound money men insisted that gold be the redemptive metal, the amount of money in circulation did not increase materially and the price of silver continued to drop.\(^2\)

The men who had loaned the money that sustained the nation's economy and the conservatives of both parties argued for the return of the single metal standard so that their investments would not lose value. The debtors, who were more numerous but not so influential, and the

inflationists who were in position to gain, agitated and argued for the unlimited coinage of silver which they thought might have allowed the economy to level off.\textsuperscript{3}

The times bespoke a chaotic atmosphere of economic upheaval that made the isolation of the single issue of silver difficult. Perhaps the most enlightening account was the financial policy stated by the economists Friedman and Swartz in a blunt analysis of the silver issue:

1. The overall effect of the liberal movement toward inflation was actually deflationary since it discouraged foreign investment in this nation and led native investors to seek foreign markets.

2. Although conservatives wanted stabilization of the dollar value, their dominated instrument, the Treasury, actually caused the opposite effect. Basically this self-destructive action was effected by buying up bank notes themselves, thus decreasing the volume of these notes on the market.

3. The conservative-controlled Treasury also attempted to force silver on to the market. However, this attempt only devaluated the American dollar on the international market and caused an unbalanced market and the

\textsuperscript{3}\textit{Ibid.}
exportation of gold. The problem could have been avoided simply by buying and stockpiling the silver.

4. Friedman and Swartz concluded that the way people think about money can be the most important element of contention. Fear that the silver purchase by the government threatened the gold standard and national inflation was groundless. The silver could have been absorbed indefinitely without serious threat.4

But this analysis was made with the benefit of hindsight and the problem as a whole was less easily seen at that time. Certainly the Sherman Silver Act did not quiet either side in the currency controversy. Rather it seemed to add fuel to the fiery oratory on the Senate floor where it was condemned as a log-rolling device to secure the western vote for the McKinley Tariff Act.5

Reagan's speech occurred in the year after the act was passed. He asked for an amendment to the silver act allowing free coinage thereof. The Senate passed the free coinage bill by a vote of 39 to 27. Fifteen Republicans voted for, and one Democrat, Wilson of


5For Reagan's discussion of the Tariff Act, see: Congressional Record, 51st Congress, 1st Session, Index.
Maryland, voted against the measure. It did not pass the House and so continued to be an issue into the Twentieth Century.  

**AUDIENCE COMPOSITION AND ALIGNMENT**

The top ranking Republicans had given the Sherman Silver Act as an inducement to the Western segment of the Senate audience and had received in return the Western vote that secured the McKinley Tariff Act. The Sherman Silver Act of 1890 had seemed at least a step in the direction of aiding the American economy. Many Southerners, including Reagan, had spoken in behalf of the Silver Act early in 1890, but by December of that year when Reagan again addressed the Senate on the Silver Act, sentiment had begun to change heavily. The act had not increased the flow of money but had decreased the gold in the national treasury. These actions occurred only two years prior to the panic and major depression of 1893. The silver issue now split the party lines and became a sectional issue once more. The politicians were incapable of organizing the diverse groups. One historian stated

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6*Congressional Record*, 51st Congress, 2nd Session, p. 1323.

7*Congressional Record*, 51st Congress, 1st Session, pp. 2829-2834, 6173-6176.
"... in most important votes on the greenback and silver issue before 1896, party lines in Congress disintegrated." The debates were marked with "party chaos" and "the majority that pushed it through was nonpartisan and almost wholly sectional.".

Senator Sherman of Ohio, and Blaine of Maine spoke steadily and strongly against bimetallism. Senator Hoar of Massachusetts, Senator Hiscock of New York, and Senator Edmund of Vermont were three of the most outspoken of the conservatives.

The senators from Kansas, Idaho, Colorado, and Nevada strongly upheld the silver coinage concept and formed a receptive audience to Reagan's speech although they were generally thought to adhere to Republican lines. Senator Plumb of Kansas, Senator Mitchell of Oregon, Senators Jones and Steward of Nevada, and Senator Daniel of Virginia were all strong debaters, joining Reagan's fight for free coinage of silver.

The party lines were down and the sections and ideologies formed the basis of division on the silver issue. The Northern conservatives, whether Democrat or Republican, wanted the gold standard and verbally fought

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8 Garraty, New Commonwealth, p. 249.
9 Ibid.
on the Senate floor for it. The West and South banded together forgetting the Republican West and Democratic South in the united stand for free coinage of silver.

**DEVELOPMENTAL THEMES**

Reagan employed four basic themes in his speech asking for remonetization of silver. These themes were: (1) that the money-class and the monometalists were the same group; (2) that this group was infringing upon the economic rights of the people through the original demonetization act and through a continuing of the monometal program; (3) that the same group was infringing on the rights of the populace by introducing a bill that was attempting to detain action on the silver issue as well as attempting to centralize power; and (4) that these actions had no basis in constitutionality.

Reagan's development of his first theme was based upon example and causal reasoning. He suggested that this group had secured the passage of the first demonetization act of 1873 with a resultant slump in the economy that caused great economic stress to the debtor class. He then stated that the same group had passed the 1878 and the 1889 silver bills in order to limit the amount of silver coined and by this method to maintain silver as a commodity such as "wheat and cotton" with its basis of redemption in gold. Since this had been the resultant
effect of the two previous bills, the theme was credible. He then offered a less well-formulated and documented supporting argument that the present bill was designed to help the same class once more since they had been hoarding the silver and the present bill forced the government to buy it at their prices. This would "... enable them to make a speculation off the Government and the people, while at the same time they prevented silver from being made money in the full sense ... that is, a unit of value receivable for all debt, public and private."\(^\text{10}\)

Reagan's sympathy and interest were with the agrarian South and the land and mineral-rich West. Within his own state he had worked toward the early survey of the land and the later growth of Texas' land and mineral resources. He now proudly represented a state that was a combination of both these elements of survival and growth. He was identified as a friend and defender of the average citizen in all sections of the nation. These were the people who were not suffering under a great and growing depression.\(^\text{11}\) Reagan saw the monometal program

\(^{10}\) Congressional Record, 51st Congress, 2nd Session, p. 879.

\(^{11}\) Hicks, Mowry, and Burke, The American Nation, pp. 191-193.
as one of the fundamental causes of this problem. The farmer, rancher, and the small business man needed a more abundant flow of money in order to maintain their holdings and raise their economic standard. The act of demonetization had "... caused a reduction in values of all property and products of about 33 percent; it took from the people about one-half of the metal money of the world; and it increased the burdens of all indebtedness from one-third to one-half."\textsuperscript{12} Reagan indicated that he was aware that this would cause monetary loss to the moneyed class but he reminded the senators that they had shown no thought of the average citizen when they increased by "... 33 percent the indebtedness of the debtor class by a law."\textsuperscript{13} Coupled with the intense feeling of loyalty toward, and frustration over his inability to help these people, Reagan also believed that the program that had supplanted bimetallism was unconstitutional. He saw the monometalists' program as a breach of the Constitution and he argued that until silver was again freely coined and "silver can be restored to the place it occupied under the Constitution" the issue would

\textsuperscript{12}Congressional Record, 51st Congress, 2nd Session, p. 881.

\textsuperscript{13}Ibid.
be perpetuated on the Senate floor.  

Reagan apparently felt strongly on this issue for he had often spoken before on the topic and he continued to do so after this speech.

Reagan was also aware of the opposing element within his audience and their effort to supplant the issue with one more to their liking. One of the issues that was presented in an effort to supplant the silver issue was that of federal control of elections within the states. Reagan admonished the Senators that in allowing this to happen they were injuring the economy of the nation. He warned then that

... in the present condition of the country it seems to me that, instead of spending our time in the discussion of a bill providing for elections and providing to strike down the rights of the states to provide their own election laws, we had better be considering the means of relieving the threatened financial disaster of the country's (sic).

However, Reagan seemed to fall into the same trap he warned against for he included a long statement concerning

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\[14\] Ibid., p. 879.

\[15\] For examples of his speeches and remarks on the silver issue prior to this speech see: Congressional Record, 51st Congress, 1st Session, pp. 2829-2834, 6032, 6174-6175, 6180; 51st Congress, 2nd Session, pp. 113-115.

\[16\] For examples of later speeches and remarks on this issue see: Congressional Record, 51st Congress, 2nd Session, pp. 917-920, 1285, 1291-1292, 1306, 1313.

\[17\] Ibid., p. 879.
the election bill. In this segment of his speech he
developed the theme that the bill was based on unsure
constitutional grounds. The measure also was illogical
in its centralization concepts since the central govern-
ing body to supervise the elections must still be drawn
from the inhabitants of the several states which the bill
itself deemed incapable of rendering fair election pro-
cesses. The theme appeared to be inserted in answer to
previous speeches. The theme was developed concisely and
was not so much further developed as restated along
previous lines after a taunt from the floor about minority
rights.

Within his speech Reagan developed the themes
that the monometalists and the moneyed class were the
same individuals. These individuals were infringing
upon the citizens' rights and were doing this unconsti-
tutionally. Apparently in answer to a previous speaker,
he also argued that the proponents of centralization
through federal election control were interfering with
economic legislation; he reaped some of the fruit of his
own warning by inserting the theme of discrediting the
franchise bill.

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18 He felt that the section of the Constitution,
Article I, section 4, did not constitute basis for the
bill.
MODES OF PROOF

Reagan again used logical, ethical, and emotional appeals in the speech asking for remonetization of silver.

LOGICAL PROOF

Reagan made use of example and causal relationship within the silver speech. He also made limited use of authority as a proof.

Reasoning from example

Several times within the speech, Reagan compared silver to other commodities that must be purchased with gold. He gave specific examples of those commodities as "corn," "wheat," "cotton," and "pork" to be valued by gold. Each of the commodities used as examples having par value with silver under the gold standard were necessities of life. Three of them were staple foods and the other a basic commodity necessary for clothing. In this manner, Reagan appeared to be assuming silver was also a basic necessity of life through his choice of comparative examples. These examples also had further connotative value since Reagan spoke in behalf of the people of the agrarian South and West and these were the basic economic staple crops of these sections which were as necessary for their economic health as silver, according to Reagan, was necessary for the nation's economic health.
Reagan considered the monometal program to be a "legislative crime" that was perpetrated upon the nation. He spoke of the nation's economy prior to the demonetization as being in healthier condition than following the act. The demonetization of silver resulted in an unhealthy economic state of being that had pauperized the laboring class according to Reagan's reasoning. He gave examples of results of the silver demonetization act as bank failures, bankruptcy, and the inability of the people to pay their debts or taxes. He cited that "... newspapers all over the country, from Maine to California and from the Lakes to the Gulf, were filled with advertisements of land other property for sale for taxes."\textsuperscript{19}

Reagan reasoned that the monometal program had been passed initially, in 1873, without many politicians being cognizant of the actual demonetization of silver intended by the Act. The political ignorance argument was substantiated by Reagan when he cited President Grant's actions following his signing of the act. The specific examples used were Grant's message to Congress, on January 14, 1875, advising the establishment of three more silver mints to be located in Chicago, Saint Louis, and Omaha.\textsuperscript{20}

\textsuperscript{19}Congressional Record, 51st Congress, 2nd Session, p. 878.
\textsuperscript{20}Ibid.
This message was sent the same day Grant signed the silver demonetization act. The second example used was Grant's letter to Mr. Crowdy sent eight months after the act's passage; the letter contained materials showing ignorance of the single metal standard.

The "laboring classes" and the "new and powerful industrial organizations" wanted the remonetization of silver according to Reagan's statement. He supported this claim with examples of "a convention which met in St. Louis" and demanded "free and unlimited coinage of silver;" the "National Alliance" which met in "Ocala, Florida" demanded the same free silver as did "sub-alliances and granges all over the country" and "labor organizations of various kinds."²¹

The choice of examples used to prove Reagan's arguments appeared to be clear and relevant. He chose examples that were down-to-earth yet expressive of his ideas.

Reasoning from authority

In comparison to his usually abundant employment of authorities as proof within his speaking, Reagan was frugal in his usage of authority in the silver speech; he used authority only three times to support his arguments.

²¹Ibid., p. 879.
As proof of wording he wished to refute, he did read a portion from the silver bill as reported by the Finance Committee of the Senate.

In attempting to prove the ignorance of some House members concerning the intent of the first silver act, Reagan used the testimony of the "Honorable Mr. Kelly of Pennsylvania" who was a "member of the committee which reported the bill containing the provisions for the suspension of the silver dollar." Representative Kelly stated in the House on March 9, 1878, that he was ignorant of the fact that stoppage of silver coinage was the intent of the act. Reagan went on to state that "like testimony" was borne by "many other Representatives and Senators, including Mr. Blaine, the speaker of the House." This use of Kelly's testimony perhaps would have borne more weight if Reagan had simply used Kelly's statement bolstered by Blaine's "like testimony." The insertion of the nebulous "many other Representatives and Senators" seemed to detract from the authorities used to substantiate the point. Representative Kelly's position on the relevant committee would have carried at least a vestage of authority and certainly Blaine of Maine was an important political figure in the House. Although only Representatives were named as authorities, "many other . . . Senators" were referred to as also having stated ignorance of the bill's effect. This authority was very close to
the members of the audience Reagan addressed and this authority was apparently used to arouse interest through accusation. Reagan did not judge the present Senate but employed authority from a closely related source.

Authority as proof was used a third time by Reagan when he was speaking on the interpolated theme that minority rights were being infringed upon by the passage of the election bill. He referred briefly to Thomas Jefferson's statement concerning the rights of minorities. The idea was undeveloped but provoked several minutes of questioning by Senator Spooner asking for clarification of Reagan's concept of minority rights.

**Reasoning from causal relationship**

Reagan reasoned that the demonetization of silver was causing an economic depression. He argued:

> It caused a reduction in values of all property and products of about 33 percent; it took from the people the use of about one-half of the metal money of the world; and it increased the burdens of all indebtedness from one-third to one-half.\(^22\)

He went on to develop this causal reasoning by speaking of specific effects of demonetization.

> One of the consequences of the demonetization of silver was that after the fall of prices caused by it (sic) it required double the amount of the products of the soil, double the number of days'

\(^{22}\)Ibid., p. 878.
work, to pay either the public or the private indebtedness of the country. He stated that demonetization caused "the nation to suffer" from "great financial embarrassment" for several years.

Causal reasoning was applied to Reagan's argument that legislative ignorance caused the passage of the first silver act in 1873. He argued that ignorance on the part of political figures, particularly the legislators and the executive had caused them to make into law the monometal program. He then presented another step in his reasoning from cause-effect relationship when he stated that although ignorance had caused the initial step, the Senate, in 1878, in a subsequent act, had deliberately caused a continuation of the monometal program by amending the House silver act of 1878. The amendment caused silver to remain on a commodity basis, to be purchased by gold, rather than allowing the silver to regain its monetary exchange value.

When Reagan spoke about the election bill, he stated that it was the purpose of those who brought the bill to the Senate floor to cause centralization of power and secondly to disallow debate on the important economic issue of silver. The effect of centralization he divided

\(^{23}\text{Ibid.}\)
into the claim that the act would remove the sovereign power from the people and would strip authority from the citizens. He further reasoned that the bill was intended to gain "partisan advantage, to sustain a party repudiated by the people, and to hold power whether the people will it or not." He went on to state that its effect "is to strike down self-government; it is to tell the people you are no longer honest enough and intelligent enough to be trusted with the passing of laws and executing them for the election of your own officers."25

His last use of causal reasoning was less well developed. He simply referred to the force bill as an issue that should take lower precedence than the silver issue since the silver remonetization was a means of "relieving threatened financial disaster" and the force bill was causing a delay in that action.

ETHICAL PROOF

As early as 1877, Reagan took a stand on the silver issue. He made this early stand against the moneyed class with his anti-monopoly speaking in Congress. He saw the situation as one in which the division of riches and

24 Ibid., p. 880.
25 Ibid.
poverty could be laid directly at the feet of multi-millionaires who had used the vote of the same poor they had established to legislate laws to protect themselves. He observed that there "... were no beggars till Vanderbilts and Stewarts and Goulds and Scotts and Huntingtons and Fisks shaped the action of government. Then the few became fabulously rich and many wretchedly poor." He laid the blame for these problems partially on the monopolies, partially upon the tariff and "upon the demonetization of silver." He stated that remonetization of silver and the expansion of currency circulation would "decrease the dependency of the people upon the moneyed interests ..." The next year, 1878, Reagan spoke in behalf of the Democratic Party's position and denounced the Republicans as having advocated "class legislation" including "high tariff, tight fiscal policy, demonetization of silver" and aid to monopolies since 1861. Throughout his years in the House Reagan missed few opportunities to urge the remonetization of silver.29

26 Galveston Daily News (October 2, 1877), and Dallas Daily Herald (1877), clipping in R.P.
27 Ibid.
28 Galveston Daily News (September 22, 26, 29, and October 5, 1878).
29 Congressional Record, 50th Congress, 1st Session, pp. 47, 2343, 2693-2695, 4501-4502; 51st Congress, 1st Session, pp. 5887, 6032, 6034, 6167, 6174-6175, 6180.
Eight months earlier he had stated to the Senate that in "this absence, this dearth, of currency" the Treasury should remonetize silver. He stated that the demonetization of silver had been "based on class interest . . . It has been a policy of caring for the rich and taking care of the interests of the rich at the expense of the poor, at the expense of the middle class, at the expense of the toiling millions . . . of this country." The present speech was thus not Reagan's maiden speech on the demonetization issue. His reputation as a defender of the "masses of people" against the "avaricious, ambitious gatherers of gold," was long-standing prior to his December, 1890, speech. His character was already established as the defender of the people's rights, the enemy of centralization, and the exponent of the idea of silver remonetization as a means of restoring a healthy national economy.

Within the speech Reagan upheld his previously established position by referring repeatedly to the economic plight of the people whose rights were being infringed upon by the "creditor classes." He directly attempted to identify with the people and their will by

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30 Congressional Record, 51st Congress, 1st Session, p. 4240.

31 Ibid., pp. 4240-4241.
stating "... I think I represent the feeling of the masses of the people ..." and he then identified that will as being the remonetization of silver. He further attempted to establish his position as one that had the "interest of the great American public" as its basis rather than "any class interest."

Reagan also added to his ethical stature by repeatedly evidencing thorough knowledge of pertinent materials of the issues.

Reagan attempted to establish good will only once throughout the speech. He referred to the "American Senate" as the "greatest legislative body perhaps upon earth today."

Reagan's ethical character as a friend of the people was established prior to the present speech. In the speech, Reagan attempted to add to the ethical standing by establishment of himself as spokesman for the people and for the "interest of the great American people." He evidenced thorough knowledge of his topics in the speech. Reagan overtly attempted only once to gain audience goodwill.

EMOTIONAL PROOF

One of the basic emotional reactions Reagan attempted to arouse was that of compassion. He attempted to awaken enough feeling for "the great American people"
that the free coinage of silver would be reinstated as an alleviating measure for their suffering. He spoke to the Senators of the depression that had followed the demonetization of silver. When "... bankruptcy covered the country with a pall of death,"\textsuperscript{32} the people could not pay their taxes and "... newspapers all over the country, from Maine to California and from the Lakes to the Gulf, were filled with advertisements of land and other property for sale for taxes."\textsuperscript{33} Later in his speech he again referred to the financial illness of the country when he stated "We know that this is... difficulty among men engaged in business in obtaining money,"\textsuperscript{34} and when he spoke of the problems of "the producing and laboring classes of the country."\textsuperscript{35}

Another instance of emotional proof came in an appeal to the loyalty of the Senators. He reminded them of their representative capacity by suggesting that the principles of representative government were founded on the will of the people and that they were honor bound to do that will. He stated that "... the people are

\begin{itemize}
\item \textsuperscript{32}Ibid., p. 878.
\item \textsuperscript{33}Ibid.
\item \textsuperscript{34}Ibid., p. 879.
\item \textsuperscript{35}Ibid.
\end{itemize}
sovereign; they are the government making power; . . . they are the law-making power through their representa-
tives . . . "36 He further cited that the will of the people was to return silver to the position it held "from 1792 to 1873" as "money, the unit of value for all public and private debts."37 He took this form of reasoning another step further, inferring that if loyalty to the people's will was not present, then the Senators might fear the reaction of their constituents. He did not explicitly state that they need fear replacement but he reminded them subtly that " . . . they (the people) are capable of making and administering governments that will give peace and security to society and protection to life and to property."38 He continued with an implied threat. The senators now working on this bill would, in the near future, stand for re-election. He noted that the people were cognizant of the facts surrounding the silver issue and that

They mean to stop that swindle. They mean to stop the use of this Government to promote the fortunes of the few at the expense of the many. They know that the free and unlimited coinage of silver is of more value to them, and likely to give

36 Ibid., p. 880.
37 Ibid., p. 879.
38 Ibid., p. 880.
larger relief by the increase of the volume of currency, than any limited amount that may be agreed to.39

He scarcely needed to draw the conclusion from this statement.

Reagan made attempts to arouse compassion for the people. He made a limited attempt to stir the loyalty of the Senators to the people they represented. He also attempted to elicit a limited reaction of fear for their positions as elected representatives.

EVALUATION

As was the case with the speeches discussed in Chapters II and III, the effectiveness of the silver speech must be judged with the recognition that other speakers also advocated remonetization of silver. The silver issue had long been a topic of public interest and debate,40 and this factor also tended to make the effectiveness of Reagan's speech difficult to isolate.

Reagan had spoken before on the silver issue41 and had advocated most of the concepts which he developed in

39Ibid., p. 879.
40Unger, The Greenback Era, passim.
41For examples of Reagan's remarks and speeches concerning silver see: Congressional Record, 50th Congress, 1st Session, pp. 47, 2343, 2693-2695, 4501-4502; 51st Congress, 1st Session, pp. 4240-4241, 5887, 6032, 6034, 6174-6175.
this speech. These concepts stemmed from the premise that the monometalists were the creditor class and this class was seeking the continued demonetization of silver. Reagan saw the remonetization of silver as a panacea for the economic ills of the common man. There was little new ideological material presented but Reagan restated strongly and compactly his previous themes on the silver issue. One new idea that Reagan incorporated into the December speech presented was that the silver issue had begun through legislative and executive ignorance. He presented concrete proof of President Grant's ignorance of demonetization of silver but he was vague in his proof of the legislators' like ignorance.

Reagan's ideas on the silver question incorporated progressive idealism. He spoke for the individual rights of a "sovereign people" and against a powerful central governing force that suggested the old royalist idea of a power outside the people. He spoke against a "money-class" within the economic and societal structure. He conceived of such a class as drawing not only its sustenance but also its ever-growing power over the individual citizen from the same citizen who was being forced to contribute to the growth of that power. He laid the blame at the door of legislators who had conceived and executed the monometal program partially through ignorance.
Reagan predicted within his speech that the silver issue would remain a problematic thorn in the legislative side until silver was returned to what Reagan considered its proper and constitutional role of valued currency along with gold. Apparently the majority of the Senators agreed with him for the immediate result of a vote of thirty-nine for and twenty-seven against the bill evidenced partial agreement. However, the House of Representatives failed to pass the Act at this time. The monometal program did, as Reagan suggested, continue to be a legislative topic until bimetallism once more returned as the financial basis of the United States economy.

Although it would be an impossible task to prove the monometal program was exclusively, or even primarily, the cause of an economic distress, it surely was a contributing factor. The United States faced two great depressions before the remonetization of silver was effected. One of the economic lows followed Reagan's speech by less than two years. The panic of 1893 was,

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42 Reagan remained in the Senate less than one year past the passage of the Silver Act by the Senate in December of 1890, yet he spoke on the topic five more times. Congressional Record, 51st Congress, 2nd Session, pp. 917-920, 1285, 1291-1292, 1306, 1313.

43 Friedman and Swartz, Monetary History, passim.

44 Hicks, Mowry, and Burke, American Nation, p. 91.
according to history, one of the worst that ever confronted the nation. During the years Reagan addressed the Senate and following his senatorial terms, the United States' trade with other nations was affected by an unbalanced market and exportation of gold as a result of the silver demonetization law. The second great depression followed the first World War. Franklin Delano Roosevelt, under an amendment to the A.A.A. Program which authorized him "... to reduce the gold content of the dollar and to coin silver..." finally remonetized silver. Since Roosevelt was viewed as a redeemer for the nation's economic ills, at the time of low economic ebb, perhaps Reagan's ideas and reasoning can be said to be affirmed by later history.

The silver issue, as most great economic problems are wont to do, took on political ramifications. Both political party platforms, in 1892, contained planks concerning silver and soon after the conventions, the Senate again passed a bill for the free silver coinage.

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45 Friedman and Swartz, Monetary History, p. 132.
47 At this time, eighteen Democrats and eleven Republicans voted for the bill and eighteen Republicans voted against the silver monetization bill. Congressional Record, 52nd Congress, 1st Session, p. 5719.
The bill was killed in the House once more. In 1894 and 1896, silver was one of the major issues in the campaigns and the issue was discussed freely in the legislative bodies and by the populace. The issue continued to be politically mentioned into the turn of the century but was not resolved until the 1930's.

SUMMARY OF CHAPTER

The national economy was at a near depression stage in the last months of 1890 and the southern and western segments of the nation were the hardest hit financially. The agrarian South and the mineral rich West felt that the remonetization of silver would allow a freer flow of money and economic stimulation would result. The earlier Sherman Silver Act had not resulted in remonetization or in improved economic conditions. By the time Reagan addressed the Senate on December 30, 1890, political party lines were down and the South and West were banded together for economic survival. Reagan addressed the Senate and employed four developmental themes in an attempt to gain the majority vote from that body for free silver coinage. The themes were: (1) the monometalists and the moneyed class were the same group; (2) this group was infringing upon the economic rights of the people.

\[\text{\textsuperscript{48} Public Opinion, Vol. XVII, pp. 212-308.}\]
through demonetization of silver; (3) that the same group was infringing upon the popular right by attempting to deter action on the silver issue as well as attempting centralization; and (4) that these actions were unconstitutional. Reagan basically used example and causal reasoning as logical proof but also included limited usage of authorities as proof. Reagan's ethical character as defender of the popular rights, enemy of centralization, and exponent of the concept of remonetization of silver was established prior to the speech. He attempted to add to his ethical reputation within the present speech by identification with the popular will and the best "interest" of the nation. He also made a limited attempt to gain good will. Reagan further added to his ethical stature by evidencing thorough knowledge of the issues involved. He made use of emotional proofs, and he attempted to arouse compassion for the people and made a limited attempt to stir a feeling of loyalty within the legislative group for their respective constituents. He also made a limited attempt to elicit a reaction of fear within the audience that they might personally lose their respective legislative positions.

The direct effectiveness of Reagan's speech on silver, in December, 1890, was difficult to isolate. However, his speech, in conjunction with other persuasive measures, had the immediate effect of Senatorial passage
of the act. Reagan restated strongly and compactly within the speech the theme that he had expressed in earlier speeches to the Senate. He added only one new argument, which was his emphasis on the ignorance of legislators and the executive about the demonetization of silver. He predicted that silver would continue to return to the Senate floor until the obvious economic stress of the populace was relieved by a return to the bimetal standard. Since the issue did return repeatedly to the Senate floor until the 1930's when F. D. Roosevelt reinstated silver as money, history seems to have proved Reagan to be correct in his ideas presented within the speech.
CHAPTER V

THE FORCE BILL SPEECH TO THE SENATE,
JANUARY 16, 1891

ISSUE AND OCCASION

Federal election laws, or force laws, were born during reconstruction days. They were never truly effective and they heard their own "death knell" some twenty-two years later in the speeches of opposition on the floor of the United States Senate.¹

The "Invisible Empire," or the order of the Ku Klux Klan, began in Tennessee before the former Confederates were replaced by the reconstructionists. It spread throughout the South in a sweeping movement of counter reconstruction. The organization was designed to terrorize Negroes through its ghoulish dress, ominous official titles such as "dragons," "furies," "nighthawks," and by the weird ritualistic meetings and night rides.


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Along with the terrorizing of the Negroes went the ostracism of radicals from society and business, the purchase of votes, violence against the Negro, the glorification of the caucasian race and the adulation of white womanhood. Through these methods, the Klan moved to counter every phase of Radical Reconstruction in the South. Whippings, murder, lynchings, and drownings were hazards faced by Negroes and white militiamen who undertook to support the congressional reconstruction in the South.²

If this reconstruction was to be possible, it became apparent that the lawlessness that was destroying economic and political stability in the South had to be diminished. The several states began to pass "Ku Klux laws," but these were relatively ineffective. Therefore Congress, in 1870, passed one law designed to protect the franchise rights of the Negro and in 1871 passed another law to reinforce the previous year's act.³ The "Third Enforce Act" in 1871,⁴ made it treason to be active in the Ku Klux organizations. However, the counter-reconstruction

²Hicks, Mowry, and Burke, The American Nation, pp. 39-40.
⁴Ibid., p. 167.
forces had already established their stronghold through political pressure, economic strictures, and violence. They had bested Radical Reconstruction in its formative years. The South began to elect the former Confederates to local, state, and national political office.

The concept of federal interference in state elections took second place to the expanding economy of the North and the growing economy, with its problems, of the South and the West. But the issue reappeared, closely intertwined with the currency and tariff acts, during Reagan's terms in the Senate. At this time it became known as the "Force Act" and "the bayonet of the polls." That the Negro and the Republicans were being restricted in their voting privileges in the South was an accepted fact and the Republicans were preparing an attempt to change this southern policy. In his A History of the United States Since The Civil War, Oberholtzer stated:

The Federal government might interfere and give supervision in the states to elections of representatives in Congress, a fact stated and restated, and confirmed by exercise, during the period of Reconstruction. But in the administration of President Hayes the practice had been abandoned. It was determined that the game was not worth the candle. More evil than good had come from such an assertion of Federal authority. Now, after an interval during which the South had been reborn industrially, and had accommodated itself to a new

economic and social order, it was gravely proposed to revive measures which had so fired the anger of the people and disturbed the peace. Republican "Bourbons" wished to make "bloody shirt" speeches; radical Northern politicians thought that they saw in the issue which should be raised fresh opportunities to discredit the Democratic party and prevent it from again coming into power. 6

The Republicans started a program reimposing the election restraints of reconstruction days, and this "force act" was calculated to provide federal supervision of Congressional elections to protect, by military force if necessary, every legal voter. 7

In the election of 1890, the Democratic party received a larger number of votes than it had for many years. It came closer to being the majority party rather than the minority party. Accustomed to wielding House and Senate power, the Republicans searched for an issue that would restore the heavy majority power to them. They had succeeded in the years following the War by waving the "bloody shirt" to those northerners who were not party indoctrinated. The staunch Democrats would not be persuaded by these tactics but the middle-of-the-road voter previously had been persuaded and might be persuaded once again.

6 Oberholtzer, United States Since Civil War, p. 116.

7 On the face of the bill, it was to pertain to all sections on a non-partisan, non-sectional basis. The New York Times (March 17, 1890).
more. Therefore, the Republicans again brought out the sectional interest issues. In particular, the voting rights of the citizens were brought back into political focus.\footnote{Congressional Record, 51st Congress, 2nd Session, p. 1429.} The voting rights problem had as its central theme the black vote, or rather the infringement upon the black voters. The "bloody shirt" tactics did not work, however, for a Democratic majority was returned to Congress in 1891. Reagan continued to fight\footnote{Congressional Record, 51st Congress, 2nd Session, pp. 451-480, 579-583, 847-848. For good coverage see the Austin Statesman Weekly (January 30, 1890). Also covered in Walton to Reagan, August 12, 1890, and Reagan to Greenwood, February 11, 1891, \textit{R.P.: Letters}.} the attempt of the Republicans to interfere in federal elections and in so doing, to discredit the Democratic Party's southern stronghold. He summed up well his concepts, the issue, the speech, and occasion in his Memoirs:

One of the last measures with which I was concerned was the "Force Bill," which involved danger to our political system. This was in 1891. The bill under consideration was one drawn ostensibly to regulate by Federal authority the election of the members of Congress, and the President and Vice-President of the United States. I believed this measure to be unconstitutional, subversive of the form of the Federal Government, and that it endangered popular liberty in this country. Senator Evarts of New York had made a well-considered speech in favor of the bill, and evidently expecting that it would become a law made an earnest appeal as to the duty of the people to obey the Constitution and laws. The next day he was followed by Senator Dixon of New Jersey, who also favored the bill. I feared the
effect of the speech of Senator Evarts, if unanswered, on public opinion, and endeavored to have an answer made by Senator Gray of Delaware, Senator Morgan of Alabama, or some other of our stronger speakers. Those to whom I spoke said such a speech could not be replied to without time for preparation and consideration. When I could get no one else to undertake it I determined to try to answer it myself rather than let it go to the public unanswered. And in probably twenty minutes after I reached the conclusion I began my speech without notes or documents of any kind; and under such conditions closed the general debate on this great question.10

The issue was the old one of sectional difference and Republican versus Democrat. Here was an attempt to control by federal interference, backed by threatened force, the election process in the South. Here was a Republican attempt to once more discredit the Democratic party, which had had the misfortune of backing the losing side in the Civil War. The issue may not have been within the experience of the newcomers to the Senate but was certainly within Reagan's experience. The speech was given to a Senate which seemed to need reminding of the problems of sectional differences that had once ended in War. The Senators appeared to be on the brink of allowing these differences to merge once more and perhaps to be magnified through elective franchise interference. The occasion was offered to one of the oldest statesmen from the South, a man who was aware that the sectional differences needed to

10Memoirs, pp. 246-247.
be guarded against. He grasped the opportunity and occasion to attempt through this speech to forestall such action.

AUDIENCE COMPOSITION AND ALIGNMENT

The Democrats fought passage of the Federal Election bill in the House in every way possible under parliamentary procedure.

They made dilatory motions, stayed away from sessions, and demanded interminable roll calls. . . . No other measure called for such exercise of discretion, good nature and aplomb on the part of a speaker as did the Federal Election Bill which was finally passed and sent to the Senate.11

Senators Sherman of Ohio and Chandler of New Hampshire both introduced Federal election bills in 1890. Both men had been particularly active in open hostility to the South. Senator Hoar, the advocate of Republican Party policy, took up the battle for the "Force Bill."12 However, the country was not favorably disposed toward this bill. Well-known Republicans in the South were fearful of the consequences and let this be known. The press condemned the "force bill" as an attempt to revive sectional animosity and as a scheme to gain Republican advantage in

11 Oberholtzer, Since the Civil War, p. 117.
the Congressional elections and in the forthcoming Presidential election in 1892. The effect of the introduction of this bill coupled with monetary problems—both tariff and silver—caused a change in the Senatorial audience that Reagan faced. H. T. Peck, writing a history of the times, stated:

The election, therefore, proved to be veritable cataclysm. The Republican majority in the House was swept away. When Congress met in 1891, the Democratic Representatives numbered 235, and the Republicans only 88; while in the Senate the Republican majority was reduced from 14 to 6. A significant fact was the strength which had been shown in the West by a new party which now became known as the "Populists," who elected nine representatives and two senators. In the South, out of 121 members, there were only three Republicans. Even in New England, the Democrats secured a fair majority.13

When the force bill appeared before the Senate, the Republicans from the West united with the Democrats to prevent the force issue from holding up the silver issue. In the next session, it was again debated with Senators Hoar and Evarts of New York leading the debate. It was at this time that Senator Reagan spoke against the Force Bill in the Senate.

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Reagan developed three basic themes within his speech against the force bill. His first theme was that the constitutional power to elect their own officials belonged to the states and that the force bill was an attempt to usurp the rights of the states. His second theme was that the democratic system of government was on trial with the force bill. His third theme was that partisan politics was the cause of conflict.

Reagan approached his states rights theme by possible dual construction of the article of the Constitution that provided for the election of Representatives and Senators. The Article\textsuperscript{14} first stated that the power to regulate the time, place, and manner of holding elections was to be prescribed by the states but it went on to state that "Congress may, at any time, by law, make or alter such regulations." Reagan attempted to clarify the obvious conflict within the article by explaining the early history of the clause. Some of the states had hesitated to send delegates to the Continental Congress and the question arose whether the States might not decline to elect Senators and Representatives and thus dissolve the Union. Reagan argued that, so long as the states were

\textsuperscript{14}United States Constitution, Article I.
providing representatives to both Houses of Congress, the first rule of states' power to elect these officers prevailed. He further developed the theme by suggesting that "any just interpretation . . . any reasonable interpretation" would admit that, so long as the discharge of the duty by states existed, Congress had no right to usurp the power of those states. He further stated that since the War there had been a prevalent opinion by one faction that the Constitution had been changed and that the rights of the states had been "substantially obliterated." However, according to Reagan the belief was an untruth and nothing had superseded the tenth Amendment, which granted power to the states over that which was not specifically given to the central government.

The theme was not a new one with Reagan. He had stated the concept of states rights through strict Constitutional interpretation many times\(^\text{15}\) before but this was the most thorough development of the theme that he had presented to the Senate.

Reagan's second theme was that the democratic system would be endangered by the passage of the force

\(^{15}\text{For some examples of speeches and remarks upon this theme see: Congressional Record, 44th Congress, 1st Session, pp. 507-508, 3217-3218; 44th Congress, 2nd Session, pp. 702-704; 45th Congress, 1st Session, pp. 335, 696; 45th Congress, 2nd Session, pp. 3799, 8546; 50th Congress, 2nd Session, pp. 2202-2205, 8069-8070; 51st Congress, 2nd Session, pp. 878-881.}\)
bill. This theme was closely tied to the states' rights theme. He developed the theme by a discussion of the principles of the sovereignty of the people and their capacity for self-government. He compared the sovereignty of the people with other forms of sovereignty and asked who were to be the governors if not the people of the states. This portion of his development of the theme was a restatement from an earlier speech which contained the same topic. However, the remainder of his thematic development within the speech was a presentation of new argument on the theme. He suggested that the proponents of the bill saw Congress as responsible for "the morals, the habits, the individual conduct of the citizens of the United States." He further suggested that these proponents saw Congress in a position to act as though there were "no Constitution, no States, no State boundaries, no State laws, no State rights." He repudiated his opponent's claims by reminding the Senate that the individual citizen was subject to the laws of his own state and that "neither Congress nor the Federal courts can take jurisdiction of him" as proven by "a long line of decisions"
made by the United States Supreme Court. He concluded his development of the theme that the people were sovereign and that they were capable of self-rule within their own states by the argument that if the theory of this bill were true, Congress would not only be responsible for interference in the elective franchise, bribery, and corruptions" that occurred within the states but would also be called upon to punish "murder . . . robbery, arson" and "all crimes in the catalogue." Reagan felt that Congress would not wish to carry the law to that extreme but argued that in principle the force act would bestow this responsibility upon Congress.

Reagan's theme that partisan politics was causing conflict was developed strongly through causal reasoning, example, and analogy. Reagan reasoned that centralization was not a new topic to be presented to the United States Senate. He reminded the Senators of the Federalist Party, "under the lead of some strict consolidationists," had attempted a like usurpation of power from the citizens and had been "buried in the tomb of the Capulets" never to be "resurrected by the name of Federalist." He developed this partisan theme further by stating that the Republicans were " . . . arguing in the same set phrases that they did fifteen years ago when the Republicans of New England were controlling this continent . . . "

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19 Ibid., p. 1430.
Reagan admitted that it was unfortunately true that sometimes the elective franchise was interfered with in every state in the Union and even tentatively admitted that it "may be" that there was more of this in Southern States than elsewhere. He stated that, if it were true, it was because the Republican Party had for political purposes conferred the right of suffrage upon "a people not capable . . . of exercising that right." He vividly reminded the Senate of the transgressions upon the rights of southerners by the Republican Party during the Reconstruction. He asked: "Are political exigencies to induce us to commit a greater crime than has ever been committed . . . to the right of suffrage by striking down the sovereignty of the States and of the people?"20

Reagan carried the theme of conflict caused by partisan allegiance one step further. He suggested that money was one of the roots of partisan conflict and he deplored the fact that all parties recognized money "as an agency in elections." He then used ancient Rome's decay, including her "hired legions," as a basis of comparison for what could happen to the United States if partisan politics was allowed to control through the "instrumentality of money."

20 Ibid., p. 1431.
MODES OF PROOF

Reagan employed logical, ethical, and emotional proofs to support his arguments against the force act. It is the object of this section to examine the proofs used.

LOGICAL PROOF

Reagan utilized authority and analogy several times within his speech against the force act as logical proof. He also made a limited use of example and he relied extensively upon causal relationship for logical proof.

Reasoning from example

Reagan identified specific examples of type of crime for which Congress would be held responsible if the force act was fulfilled. These examples of crimes were "murder," "arson," and "robbery."\(^{21}\) He specified that these were "moral" crimes and drew the conclusion that Congress would be held responsible for not only these examples but for "all crimes in the catalogue."\(^{22}\) He developed this argument to explain that Congress, if the force act passed, would be responsible for the moral fiber of all the citizenry. These particular types of crime

\(^{21}\)Ibid., p. 1430.
\(^{22}\)Ibid.
were obviously chosen by Reagan to serve as examples since they ranked high on the societal list of immorality along side "bribery and corruption"\(^{23}\) within the states' elective process.

Examples were used as logical proof one other time. Reagan argued that the force act would not only affect the Southern section of the nation but would also affect other sections of the country in an adverse manner. He listed the States of New Hampshire, Nebraska, Minnesota, Colorado, New Jersey, and Connecticut as having "political troubles." While these examples did not have further developing materials, and the description "political troubles"\(^{24}\) was ambiguous, they were used to fulfill a purpose. The states named were Western and Northern in locale and were also Republican in partisan participation; thus the use of them as examples of areas to be affected by the force act appeared to be strong logical argumentation aimed at the Republican representatives of those sections.

These two instances constituted Reagan's only use of this form of logical proof within the present speech.

\(^{23}\)Ibid.

\(^{24}\)Ibid.
Reasoning from authority

This form of logical proof was less abundant in the speech on the force act than in most of Reagan's Senatorial speeches. He directly quoted from the Constitution only three times. First he read the section that spoke of congressional power to regulate or alter the election process "except as to the places of choosing Senators." The section was the one upon which the force bill was based. The second reading was a repetition of the first with additional materials from the Constitution that Reagan seemed to feel was necessary. The rereading appeared in no way to shed more light on the meaning of the passage but was apparently used to emphasize his point. He then gave an historical review of the reasons the founding father had inserted this section which Reagan felt was the only provision of the Constitution of the United States "of double and doubtful construction like this."  

At this point, he explained that the article was provided by the early Congress as a means of perpetuating itself for "some of the States were very slow, very tardy in sending their Representatives to the Continental

\[25\text{Ibid.}, \text{p. 1429.}\]
\[26\text{Ibid.}, \text{p. 1427.}\]
Congress . . . "27 He turned once more to a quotation from the tenth amendment of the Constitution, which stated that those powers not delegated to the United States government, "nor prohibited to the States, are reserved to the States respectively or to the people."28

Another use of reasoning from authority was employed. In developing the idea that the newly enfranchised freedmen were not qualified voters yet were given the franchise right, Reagan argued from the authority of a Republican leader's view. He stated that the late Senator Martin from Indiana and "other distinguished Republicans" had "declared that the black people were incapable of intelligently exercising the elective franchise."29 The particular authority chosen was that of a well-known Republican who served in the Senate during the period of reconstruction. This reasoning from authority apparently had a dual purpose. The first was to establish that the people of the South faced the grave problem of the elective franchise being bestowed upon an ignorant mass of voters. The authority chosen had the further connotative value of pointing out the extent of wrong that could be perpetrated deliberately by one section

27Ibid.
28Ibid., p. 1428.
29Ibid., p. 1431.
of the nation upon another section if the power be centralized in one segment or group.

The three quotations from the Constitution and a quote establishing the cognizance of the wrong perpetrated earlier by the Republicans upon the South provided the only use of authority as a mode of proof in the speech against the force bill.

Reasoning from analogy

Reagan used this form of argument when he spoke of the Republican position on the force bill as being similar to those "fifteen years ago when the Republicans of New England were controlling this continent." He concluded that the position was indefensible now since the "star of the empire is on its way westward, that no section of the country, that no half-dozen States are any longer to control the destiny of this great Republic." He also compared the United States of 1891 to Rome at the time of its decadence and fall. He spoke of the power of money to allegedly "buy" the legislators and even the President.

However, this may be, the fact that money is recognized as an agency in elections by all political parties in this country is a palpable and it is a mournful fact. Rome held the name of

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30 Ibid.
31 Ibid., p. 1430.
a republic for three hundred years after liberty was dead and despotism was enthroned.32

Having established the relationship of the two governments as similar in their despotic desires and actions, he further pursued the analogy, now tempering it by asserting his trust that the analogy was a possibility and not yet a reality. His conclusion was that "Rome reached the point where the government was put up for sale to the highest bidder. I trust we are not to have our hired legions to take charge of this Government through the instrumentality of money."33

Reagan used analogy one other time. When speaking about the Republicans' repeated efforts at centralization, he warned them that the people had already repudiated the "idea and the promoting Republican party at a very recent day." He continued this line of reasoning with a rather blunt, and certainly uncomplimentary, analogy concerning the Republican segment of his audience:

But that warning voice seems not to be heard, and one listening to the debates in this body has his mind involuntarily turned to what Napoleon said of the Bourbons, that they never forgot and never learned anything.34

Reagan apparently intended the analogy to reflect the attempted usurpation of power through centralizing

32Ibid., p. 1431.
33Ibid.
34Ibid., p. 1430.
legislation that the Republican party had repeatedly backed. He saw the Republicans' attempt to centralize power once more through the force act as an attempt to gain a stronghold over the people, despite their will, through control of the elective franchise power. Reagan viewed the force act as an attempt to replace "the sovereignty of the people" with a power outside of the people. Perhaps Reagan's use of the particular analogy of the Republicans and Bourbons would seem peculiar if he had not used Napoleon's famous derogatory statement as cause of the analogy. Another purpose served by the statement, was the continued effort on the Republicans' part to attempt to acquire central control through legislation. Reagan reasoned that they "never forgot" centralization and "never learned" the will of the people.

Reagan used reasoning from analogy three times within the speech. This form of logical proof was used less frequently within his speaking than example, authority, or causal reasoning, yet he apparently used analogy to attack the reputation of his life-long foe, the Republican Party.

**Reasoning from causal relationship**

One of the numerous tools used by logicians includes the tracing of lines of cause and effect. Reagan, who had
been described as "a deep logician" made extensive use of causal relationship in his speech against the force act.

He attempted to show that the complete downfall of the Federalist Party was effected by the efforts of "Hamilton, the elder Adams, and Knox" who he described as "extreme consolidationists" to usurp the power of the people and centralize that power. He argued that the cause of their downfall was the enactment of the "alien and sedition laws" that constituted an attempt "to interfere with the liberty of the citizen" and thus constituted an attempt to "overthrow our system which recognized the capacity of the people for self-government and their sovereignty. . . . " This action had "caused the burial in the tomb of the Capulets of the party which enacted it. . . . " He concluded that the proponents of the force act had "gone far beyond" what "any Federalists of that time ever dreamed of."
He stated that the cause of the "double and doubtful construction" of the single constitutional clause upon which the Force Act was founded was the tardiness of some of the States in sending representatives to the Continental Congress. The tardiness had caused the national forefathers to insert the statement that Congress could make laws concerning the elective process, to counteract the State's decision not to send representatives and thus dissolve the Union. However, Reagan argued that so long as the States fulfilled their Representative and Senatorial obligations, the Congress had no right to enact such laws.

Reagan further argued that partisan allegiance was the cause of conflict concerning the elective processes. He asserted that if the senators "could forget that they have political and party ends to accomplish by violating the Constitution we should be in a very much safer condition than I feel the American people are tonight."\(^1\)

In attempting to establish a causal relationship between the Republican party strong-arm tactics and the Southern problem with Negro voting, Reagan developed an involved cause-effect pattern. He stated that the Republicans deliberately, and knowingly, initiated the

\(^1\)Ibid., p. 1430.
cause when they gave the right to vote to an immense number of freedmen who were incapable of voting intel­ligently. The Republicans compounded their wrong by dis­enfranchisement of the ex-Confederates and by teaching, through propaganda, the Negro to hate and to distrust the Southern Whites among whom they must live. Reagan contended that the effect of these early Republican wrongs was the root of the present day political problems in the South. Within the context of this causal reason­ing, Reagan gave vivid first-hand descriptive detail of the results of the Radical Reconstruction. He had lived through these times and was recalling actual experiences to an audience comprised generally of men who knew the period involved only through hearsay.

John H. Reagan used causal relationship extensively in his refutation of the Force bill. While some of his causal reasoning was complex, it never lacked clarity of detail or purpose.

ETHICAL PROOF

Reagan's entire political career produced a reputation as a staunch southern statesman devoted to the cause of states rights and political equality for all sections of the nation. Although he had believed in the Union enough to say almost upon the eve of the Civil War "I repudiate all sectional heresies. I repudiate everything
that is not national . . .

Reagan believed enough in the rights of the States to join the South in secession from that Union. After the War, Reagan worked toward the consolidated Democratic Party front to counteract the harsh Reconstruction rule of the Republican Party. He believed enough in the Democratic Party, upon whose platform he served for his entire life as a member of Congress, to turn down an offer of the vice-presidential candidacy of the Anti-Monopoly Party even though he espoused their economic ideology. As a Representative in Congress Reagan defended the cause of the southern states a number of times. He based his defense upon strict constitutional construction aimed at preservation of the rights of the states.

Therefore, when Reagan addressed the Senate to refute the force bill, an effort to usurp states rights, his reputation as a staunch defender of states rights was already established. His ethos was enhanced by the

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42 Congressional Globe, 35th Congress, 2nd Session, p. 1467.

43 Reagan to Henry Nichols, March 28, 1884; Reagan to James Weaver, May 26, 1884; and Weaver to Reagan, April 28, 1884, in R.P.: Letters.

fact that he spoke from personal experience. Here was a man who had lived through civil strife and had served as representative of his people's ideas before, during, and after the Civil War. He was speaking to his less personally experienced audience concerning the force act which he saw as a possible renewal of sectional strife.

Within the speech, Reagan made one of his rare attempts to deliberately and directly establish his character to his senatorial audience. This did not occur as a part of his prepared speech text but was in answer to a question from the opposing group. Senator Hoar, a member of the Republican Party, disliked his role as a member of the minority group. Hoar asked "if Reagan had given up any of his political principles when he had been in the minority for twenty-five years?" Reagan answered lightly and humorously. He treated the attack as if it had been directed personally to him, rather than toward his party. He then answered seriously, using the attack to his advantage.

I have never been the advocate or promoter of monopoly. I have never been the advocate of centralization. I have never been the advocate or promoter of injustice and oppression. I have advocated what I understood to be the constitutional rules of right, and I had no occasion to change my principles.45

45Ibid.
The rarity of Reagan's direct reference to himself and his position was enough to call special attention to the strength of his feelings about a cause that conjured so many unpleasant memories from the past.

The reply may also have been a defense of his character based on his reputation as an outspoken defendant of the southern position and the rightness of this position. He indicated that since he was upright and the causes he rallied to for twenty-five years were just and right, this cause also should be considered in the light of justice and righteousness.

Reagan further attempted to establish his good character by invoking the blessing of God upon the cause that he served. That he felt God was on his side was indicated through the words of his prayer:

I pray God for the good of our country, for the good of humanity, that this great Republic, standing as the great exemplar for the lovers of liberty all over the world, may not be stricken down in the house of its friends by the passage of such a law as this, that the world is not to be taught that the Senate of the United States believes the people of the American States incapable of self-government.46

He used another method of establishing his good character, and that was an offer to give his own life for the cause for which he argued. After describing the evils the force bill might bring about, he asked the Senate

46 Congressional Record, 51st Congress, 2nd Session, p. 1431.
not to allow these evils to be wrought upon the nation and added:

I pray not, Mr. President; I suppose life is as dear to me as it is to most people, and those in near relation to me are as dear to me as to most people; but, as God is my judge tonight, if I could save the American people from this act by giving up my life, I would surrender it as freely as I ever performed any act in my life.\footnote{47}

He thus presented himself as a man of good character. He also created a positive image as an ethical speaker through his thorough knowledge of the materials pertinent to the issue and his good sense in choice of materials presented.

He also made a limited attempt to establish good will through his complimentary reference to at least one of his opponents. He complimented Mr. Everts of New York on his ability as a logician.

Reagan's reputation as a defender of his section of the country through advocacy of their states rights was already established before he spoke. He added to his ethical stature by supporting those rights in an effort to save the nation from more sectional strife. He presented himself as a man of intelligence and good character. He made a limited attempt to establish audience good will.

\footnote{47}Ibid.
Reagan appealed to the emotions of "loyalty," "justice," and "fear" in this speech.

He appealed to the audience's loyalty to the form of government proposed by their forefathers. The latter were presented as men who in "the formation of our government," entered upon a great experiment "of trusting the formation of the Government to the people themselves."

He also appealed to the audience's loyalty to the Constitution "which we have all taken an oath to support." The same Constitution, he argued, gave those power not specifically delegated to the national government to the states.

He further appealed to their loyalty to their own constituents who would lose the power to govern themselves and to make laws concerning themselves and who would even lose the power of selecting their own representatives. This constituted an appeal to the emotional stimuli of fear also. Specifically, it was an appeal to the fear that someone outside the people themselves would become the governing power. To prove this argument, he spoke of the possible dissolution of the Democratic party and inferred the dissolution of the Republican party also.

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Ibid., p. 1429.
Finally, he appealed to his listeners' sense of "justice." The citizenry must be allowed to continue, through the existing laws to govern themselves and to continue to have the freedom to adhere to the party lines of their choice.

He first summed up the good which would be accomplished by a vote against the force bill. He asked the Senators who would govern under the enacted law, and he further pleaded that it might be their will that the people of the various states "may be allowed to exercise the right which they have for more than a hundred years enjoyed here, that they may be trusted to carry on their State governments, and that they may not be held incapable of doing so."\textsuperscript{49}

He then put his opponents in a position of appearing to do harm to the audience; in fact, he suggested that their position was an attempt to dissolve the very body composed by his auditors. He compared the Republicans' proposal to what occurred just prior to the downfall of Rome.

He then put himself and his cause in good light by invoking God's blessing on a cause that he felt strongly enough to die for.

\textsuperscript{49}Ibid.
Reagan appealed to the loyalty of the Senators to their forefather's established mechanisms of self-government, to the Constitution and to their own constituents. He attempted to establish a sense of fear that the people would no longer be sovereign and an outside force would govern. He appealed to the senators' sense of justice to the populace; he asked that they be allowed to continue to follow the partisan politics of their choice.

EVALUATION

Since Reagan's speech closed the general debate on the force bill and was applauded from the galleries it may be assumed that the address was effective in stirring the audience's attention and approval. Another indication of this approval was the defeat of the force bill.

Again it must be remembered that the voting result was a product of many factors. However, Reagan's speech was one of the few given against the force bill and thus it was less difficult to isolate the direct result of defeat of the effort to centralize elective franchise power and break the solid Democratic South.  

50In January 1891, the bill was put aside for the more economically important issue of silver. It did not return. Ibid., p. 912.
The nation was suffering under economic depression and had already displayed a change of attitude toward the Republican party and their more than twenty years reign. The Democrats had gained a majority the preceding year. There was little doubt that the force bill was designed to break the Democratic stronghold in the South since this single-party strength had helped achieve the existing majority.

The Republicans sought an issue that would evoke enough emotion to swing the northern Democrats back to the sectional voting pattern. However, the senators' thoughts, by now, with the exception of a handful of men like Reagan and Sherman, were products of a generation removed from personal war experience. Senator Hoar, who was one of the most outspoken proponents of the force bill, had not known the actual war as an adult. Reagan had known the war, had lived it, and his arguments were persuasive partially for this reason.

Reagan saw the force act as a threat not only to the Democratic party but as a threat to the entire framework of the federal system as perhaps the result may have been if the force act had passed.

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51 Buck, p. 267.

52 Peck, Twenty Years, p. 214; and, Congressional Record, 51st Congress, 2nd Session, pp. 1398-1433.
The fear that it might become a law had the resultant effect of causing most of the southern states to tighten the constitutional provisions for elective franchise qualification. The poll-tax, literacy test, and "grandfather clause" were results of the fear of the act. If fear of the force act could force such changes in southern elective politics, it is certainly impossible to estimate the changes the passage of the act might have wrought.

SUMMARY OF CHAPTER

Federal interference in the elective franchise system of the states had been met with violent opposition during the Reconstruction period. It was now seriously put forward by the Republicans twenty years later in the form of what the southerners labeled the "force act." The force act was seen by one historian as an effort to allow the "Republican Bourbons" to make "bloody shirt" speeches and to "discredit the Democratic party and prevent it from again coming into power." The Democratic party had gained the majority in Congress and the Republicans sought an issue that would

54 Oberholtzer, Since Civil War, p. 116.
swing the majority back to them. However, the West was seeking financial succor which they felt would be accomplished through silver coinage and they saw the force act as an interference in securing the necessary silver legislation so the western ideas were joined with those of the south when Reagan addressed the Senate in opposition to the force bill.

Within his speech, Reagan developed three themes: (1) the constitutional power to elect their own officials belonged to the states and the force act was an attempt to usurp the states rights; (2) that the democratic system of government was on trial with the force bill; and (3) that partisan politics were the cause of conflict.

These themes were supported by logical proof, including reasoning from example, authority, analogy, and causal relationship. Causal relationship was relied upon most extensively to support Reagan's arguments.

Reagan's reputation as a staunch Democrat who believed in the rights of the states was already established before he addressed the Senate upon the force act. His ethical stature was further enhanced by the fact that he was speaking about personal experiences gained during a time in past history that a similar law had been enforced. Within the speech, Reagan made one of his rare efforts to attempt overtly to establish his character by direct reference to his personal beliefs. He used another
method of establishing his good character when he offered to give his own life for the cause for which he argued. He also created a positive image as an ethical speaker through his thorough knowledge of materials pertinent to the issue. He made a limited attempt to gain audience goodwill.

Appeals were made, within the speech, to the audience's feeling of loyalty to the Constitution, federal form of government, and to their constituency. Reagan attempted to arouse a feeling of fear that the power to govern themselves would be removed from the people and he asked that the populace be allowed to follow the partisan politics of their choice.

Reagan's efforts to discredit the force bill as shown through his senatorial speech were joined with other persuasive elements to cause the force act to be taken from the legislative dockets. The effects of fear that the bill would be passed caused the southern states to take precautionary steps against the Negro voter including the levying of poll-tax, the insertion of the literacy test and "grandfather clause." It was impossible to ascertain the possible resultant change had the force act gained the status of law.
CHAPTER VI

SUMMARY AND CONCLUSIONS

SUMMARY

John Henniger Reagan was an important figure on the Texas political scene for over half a century. He served his state as judge, representative, Confederate cabinet member, senator, and first Texas Railroad Commissioner from 1846 to 1903. He was twice offered the governorship of Texas, and twice he refused. He took a leading role in the re-establishment of the Democratic Party in his state and in the rewriting of the Texas Constitution of 1876.

Historians refer to Reagan in two basic roles. Each role reflects his political concepts. His ideas were a combination of progressive idealism and conservative ties. He was referred to as a strong defender of states rights, with particular emphasis on the rights of the South and the West, through strict constitutional construction and he was also viewed a defender of the rights of the individual against economic and political infringement.
Reagan's ideas and arguments won him popularity in his home state and recognition on a national basis as well. His states rights concept received a degree of periodical coverage because of his arguments pertaining to decentralization of government and his defense of the rights of the individual were nationally prominent. His progressive arguments that sought railroad and monopoly control through legislative measures and his demands for free and unlimited coinage of silver, which he saw as the panacea for the ills of the South and the West, were covered by periodicals throughout the nation.

Reagan's struggle on behalf of economic controls needed during his tenure as United States Senator seemed to be a long-range and tireless effort. While not always popular throughout all sections of the nation, Reagan's ideas were well-known. A spokesman for the rights of the states and for the individual rights of the people, he was closely identified with both causes.

Although Reagan's ideas were pertinent to the great issues of social change during the years 1887-1891, no previous study of his senatorial speaking was found. The present study was conducted in order to understand how Reagan's senatorial speeches contributed to an understanding of the issues about which he spoke. Two limitations were imposed upon the study. The first limitation restricted the study to four speeches chosen
for their typicality of issue, theme, and development. The second limitation was the decision to consider only the ideas contained in Reagan's speeches since the concepts he advocated were nationally significant.

The method employed was to examine the collection of speeches and other materials in the congressional Record, and histories involving the pre-Civil War period, the war period, and post-war period to the turn of the century. Periodicals, government documents, biographies, and other data pertinent to the speaker, the speeches, and parallel historical development were examined. The materials were organized to present the background of the man and an analysis of the four speeches chosen for typicality: (1) the railroad-monopoly abuse speech; (2) Reagan's speech against the Blair Education Act; (3) a speech asking for remonetization of silver; and (4) his speech against the force act. The analysis of these speeches included a discussion of the background of the specific issues involved, the audience composition and alignment, the themes developed, and the proofs used in their development. Finally his speeches were evaluated.

Reagan's political ideology was based on two primary concepts: preservation of states rights and the protection of the individual from infringement upon his economic and political rights. These two basic ideas
produced the themes used in the speeches analyzed in the present study.

The first concept of preservation of states rights was expressed in Reagan's railroad-monopoly speech. He contended that state rights should be upheld through use of the state courts for trial of abuse cases involving monopolists and railroads. Such a procedure would not only expedite a quicker clearing of the over-burdened federal court dockets but would also put power into the state courts by providing them with nationally binding laws. The states rights concept appeared in the Blair Educational Act speech in Reagan's themes concerning preservation of the state and local autonomous rule over schools. He developed the idea that the existing educational system and all the rights that belonged to the states were endangered by the federal funding of schools. The Force Act speech again made use of Reagan's states rights concept. He saw the force bill as an effort to revoke the fundamental right of the states to elect their own officials.

The concept of the rights of the individual citizen gave rise to several themes in the four speeches. Reagan urged the use of legislative procedure to eliminate infringements upon the economic and political rights of the people. In the first speech he spoke against the economic domination of railroads and monopolies over the
small oil shippers and he demanded protection for the political rights of these individuals through opening the state courts for the smaller, less wealthy litigants in abuse cases. He also presented this particular idea in the themes employed in the silver speech. There the villains were the moneyed class and monometalists who were infringing upon the economic rights of the people through the monometal program. He again voiced his belief in the speech of the individual rights when he argued that the sovereignty of the people and their right to govern themselves was in jeopardy.

Reagan presented another theme in his Blair Act Speech and the Force Act Speech that gave evidence of his concern for the sectional and partisan interests of his audience. He attacked the discriminatory nature of the Blair Act funding clause that offered the "new" West a definite advantage over the Southern states with their illiterate blacks. In the Force Act Speech, he developed the theme of political partisan allegiance that was causing conflict in the legislative halls.

Reagan offered logical, ethical, and emotional proof to support these themes. He relied most heavily upon logical proof, employing most often example, authority, and causal relationship. He also used analogy but with less frequency. His more than twenty years as a Representative in the lower House, where he voiced his
ideas on the pertinent issues of the day with knowledge and intelligence, allowed him to address the Senate with an already established ethical stature. His adherence to his already established reputation as defender of states rights and advocate of the rights of the individual citizen added to his ethical character. His ethos was further enhanced by his attempts to gain the goodwill of the audience, but this was an unusual occurrence. He indicated throughout his speeches that he was a man of good character and intelligence through his knowledge and his devotion to the laws and precedents of the nation.

Reagan used emotional appeals less frequently than logical and ethical appeals. He made limited attempts to invoke the feeling of fear, loyalty, and justice within his senatorial speeches. He made a much stronger appeal to the compassion of his audience for the individual whose rights were being infringed upon politically and economically.

An evaluation of the effectiveness of Reagan's senatorial speaking was difficult to ascertain. In any political speech, the interests and influences upon the individual members of the audience will affect the achievement of the stated goals of the speaker and will intensify the difficulty of isolating the effect of a particular speech. The political nature of congressional speeches further complicated the picture, and thus the effect of
the ideas presented in any single speech, particularly when the debate was strong, was difficult to ascertain. Several of the elements which affected such an audience were: (1) the popular national will as reflected through the periodicals; (2) the will of the particular constituents who elected the senators to represent their interests; (3) influence affected by special interest groups involved in the issues; (4) partisan and sectional alignment; and (5) the number of speeches on the same issue given in conjunction with the speech to be analyzed. However, some generalized effects of Reagan's ideas coupled with those of his fellow speakers can be seen. These included the initiation of some early governmental controls over monopolies and railroads, the defeat of the Blair Educational Act with the result of continuation of state funded and controlled schools and the death of the Force Act that was an effort to break the solid Democratic South.

CONCLUSIONS

Reagan's ideas in these speeches belonged basically to the school of progressive idealism; the one exception was Reagan's strict conservative tie with the past through his states rights concept. There seemed to be evidence that this conservative tie was a carry-over from his
earlier experiences in the Civil War and the aftermath of that war. He repeatedly referred to "the narrow boundary" between stable government and anarchy and to the Republican regime "of fifteen years ago." He appeared to be aware of every attempt to centralize power and viewed each new attempt as an attack against the rights of the states, particularly the southern states. Since he had earlier witnessed legislative sectional strife turn into the holocaust of war, perhaps he was somewhat sensitive to any sectional agitation or legislative source of sectional agitation. Whatever the cause of his sensitivity, it occasionally caused Reagan to insert a clause concerning state rights into otherwise systematically logical arguments on another issue. The irrelevance of the interpolated sectional material, whether spontaneously caused by a question or taunt from the floor or whether inserted in answer to a previous argument from the preceding speaker, seemed to detract from Reagan's speech although it furthered his image as a watchful opponent of centralizing concepts. Reagan's dogmatic espousal of the concept of states rights and strict constitutional construction forced him into the role of spokesman for the position of the South. If the name "southern apologist" simply refers to a person who states the popular position, in his belief, of his section of the nation, then Reagan should bear the title. However,
if the name implies any necessity to feel that the South
had erred prior to, during, or after the war, then it
would be a misnomer.

His deep devotion to his Southern states rights
theme may have also caused him to appear to a casual
observer to be lacking in tact toward opposing members
of the Senate. But considering the deep feelings this
old statesman must have had, with his psychological war
wounds re-opened by his Republican opponents' sectional
legislation, the tactlessness assumes a different aspect.
Tactlessness denotes a person not aware of his attack on
his opponent. Reagan seemed acutely aware of any insult
he hurled at his fellow legislators. His antagonism was
deep-rooted and found expression through both direct and
subtle barbs aimed at his opponents. These opponents
must have been doubly obnoxious to Reagan since the
majority had known the war through hearsay, rather than
personal experience, yet they were legislating upon issues
which resulted from the war and which entailed long-term
ramifications. Reagan's one conservative tie seemed to be
a genuine product of past bitter experience and tended to
color the man's speeches whether detrimentally or as an
aid to support a relevant theme.

Reagan's progressive ideas were innovative and
well supported. They evidenced intelligent, far-sighted
thinking and a great deal of research, and thorough
preparation to produce the political concepts which he presented to his senatorial audience. History appears to vindicate most of his progressive ideas. That monopolies and railroads required governmental control is now beyond dispute. They are still powerful, even with control by an outside legislative power, and operate under cover of subsidiaries and puppet competition. Yet, the initial congressional control Reagan asked for did place a restriction on corporate giants. The railroad commission of Texas is still one of the most powerful political units in the State. Reagan's ideas about the monometal program were also vindicated. He stated that silver would remain an issue before the Senate until bimetallism was returned and this proved true; silver remained an issue until 1934 when Roosevelt remonetized it.

The issue of federally supported schools did not die with the Blair Act's death, as Reagan had hoped, but exists today. Since the issue of school funding and control is not yet decided, eight decades later, it is impossible to say whether he was correct in his assumption that federal funding was synonymous with complete federal control. Almost certainly the system, had it changed at that historical point, would have evolved differently. Vindication, or evidence of a bad choice of sides, belongs to yet another generation or more.
Interference in state election laws was an intense issue that has since proved the generally accepted desirability for federal nonintervention in intrastate affairs. However, the issue is still unsolved today. The federal government at a relatively recent date removed the poll tax assessment and federal intervention in state processes has been in focus again in Reagan's home state with the federal court decision nullifying Texas candidate filing fees. The states have maintained some of their rights and the federated union Reagan cherished still remains. The Constitution remains the basic law of the land but Reagan's plea for strict interpretation has apparently fallen out of favor in recent years.

The final conclusion drawn from the study is that John Henniger Reagan was a deep logician, a far-sighted intellectual and a statesman of whom Texas, and the nation, should be proud. However, he apparently was not an outstanding orator although his ideas were presented well enough to influence the outcome of legislation that affected national policies then and now.
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**UNPUBLISHED DISSERTATIONS AND THESES**


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Title of Thesis: A Rhetorical Study of Selected Senatorial Speaking of John H. Reagan, 1888-1891

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Date of Examination:

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