

The Unlikely Election and Service of John Inscho Mitchell, U.S. Senator from Pennsylvania, 1881-1887

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John Inscho Mitchell was a little known progressive Pennsylvania politician who represented the State in the U.S. House of Representatives and the U.S. Senate between 1877 and 1887. His reluctance to continue serving in Washington after four years in the House did not prevent the Pennsylvania legislature from appointing him to the U.S. Senate in 1881 as a compromise candidate on the thirty-fifth ballot.

Pennsylvanian John Inscho Mitchell had a lengthy and varied career of public service. It began in 1868 when the former teacher, Union Army captain, and lawyer was elected Tioga County's district attorney. After a stint editing a local newspaper in 1871, Mitchell represented Tioga County in the Pennsylvania House of Representatives between 1872 and 1876. The Republican was then elected to the U.S. House of Representatives where he served from 1877 to 1881 (*National Cyclopaedia* 1954). Deciding not to seek reelection in 1880, he no doubt looked forward to returning to his Tioga County law practice full time and leaving politics behind.

That was not to be, however, after Mitchell was elected by the newly Republican-controlled state legislature to be the new U.S. senator from Pennsylvania, defeating the incumbent and first-term Democrat William Wallace. Although his election to the Senate broke a legislative stalemate in 1881, his six years there were not easy. Philadelphia businessman Wharton Barker, an Independent Republican who helped engineer James Garfield's election to the presidency in 1880, was a natural ally who may have had a hand in Mitchell's own election to the Senate (Evans 1960). Yet, the divided Republican Party and the overshadowing presence of fellow Pennsylvanians J.D. Cameron, the state's senior senator, and Matthew Quay, Mitchell's ultimate successor in the Senate, may have undermined Mitchell's political clout since both Cameron and Quay

were “Stalwart Republicans” and leaders of Pennsylvania’s Republican Party “machine.” This article focuses on Mitchell’s election to the Senate in 1881 and his six-year term in office.

Mitchell’s Unlikely Election to the U.S. Senate

Mitchell was first elected to the U.S. House of Representatives in 1876 to represent Pennsylvania’s 16th Congressional District located in the state’s “Northern Tier.” He outpolled Democratic candidate Henry White by a vote of 13,575 to 12,097, but his bare majority of the total vote (50.3%) was surprising given that the Republican presidential candidate, James Garfield, won more than twice as many votes as his Democratic rival in Mitchell’s home county of Tioga. That slim majority looked downright impressive in 1878, however, after Mitchell was reelected with a plurality of just 11,113 votes (41.0%). J.F. Davis of the Greenback Party was second with 37.4% and Democrat R.B. Smith was a distant third with 21.6% (*Congressional Quarterly’s Guide to U.S. Elections* 2001, 920, 924).

But Mitchell’s two terms representing Pennsylvania’s 16th Congressional District were time-consuming financial and political burdens. Announcing his decision not to seek reelection in 1880, Mitchell wrote:

The salary now paid is sufficient, if there could be any reasonable certainty of tenure without the necessity of paying heavy election expenses. But these, with those necessarily incident to the office and family expenses, leave very little of the salary as a compensation for time and labor, and practically nothing for support in after life. If truly devoted to his work, a member of Congress can find no time for private business. His vacations must be wholly given to study. He is never without work for a rainy day or a dark night. The vast field of political science lies ever open before him, and to succeed well he must never tire of exploring it. . . . It is not a paying business, except in the knowledge acquired (“A Statesman’s Qualifications” 1880).

Still, Mitchell thought that serving in Congress would be “the most inspiring of all professions” if it were “free from electioneering scrambles and factious squabbles within one’s own party” (“A Statesman’s Qualifications” 1880). Aware that political power coincided

with long tenure in office—and that he desired neither—Mitchell also thought his constituents would be wise to elect someone who actually wanted to stay in office. “I can only urge the selection of a successor worthy of long continuance in the public service, with the hope that he may be retained long enough to make him more useful than any man can be without such experience. Neither local ambition nor personal preference should be permitted to interfere with the tenure of such a man, so long as he remains faithful and efficient in office” (“A Statesman’s Qualifications” 1880). But as the narrow wins in his two previous House races suggest, his decision not to seek reelection may have been more politically realistic than personally altruistic. During the 1880 campaign, the Democratic and Greenback parties formed a fusion ticket that came within only one percentage point of defeating Mitchell’s Republican successor, Robert J.C. Walker, who received 17,850 votes (50.8%) compared with the fusion ticket’s 17,304 votes (49.2%).

The “squabbles” Mitchell was referring to were within his own Republican Party. A significant divide had developed in those years, both nationally and in Pennsylvania, between the old guard political bosses—better known as the “Stalwarts” or “regular” Republicans—and a less coherent group opposed to political bossism composed of various factions referred to as “insurgents” and “Independents,” or “Half-Breeds,” as the “old guard” derogatorily referred to them. During the 1870s and 1880s, the Pennsylvania old guard was led by senior U.S. Senator Simon Cameron; Cameron’s son and successor in the Senate, J.D. Cameron; and Commonwealth Secretary Matthew Quay. These men strengthened their power and promoted their causes through federal and state political patronage appointments. As a “reformer,” Mitchell was not a member of the old guard, so leaving the House of Representatives was probably not a difficult decision for him.

The infighting within the Republican Party that made Mitchell’s life as a congressman difficult also complicated the selection of a U.S. senator in 1881. Prior to the enactment of the Seventeenth Amendment in 1913, U.S. senators were chosen by the members of their respective state legislatures rather than directly by the voting public. Neither the state’s Stalwarts, nor the Half-Breeds, nor the Democrats had the majority of votes needed in a joint session of the state legislature to give the U.S. Senate seat to one of their own.

The result was a political stalemate that began with the first vote for U.S. senator on January 18, 1881. Under an 1866 law attempting to clarify and standardize U.S. Senate election procedures, each house of a state legislature began the election process by holding separate votes for senator. If one individual received a majority of votes in *each* chamber, that individual was elected senator. If no individual received the necessary majorities, the law directed the two chambers to meet jointly beginning the next day and to vote daily (at least once) until a senator was elected by a majority of the collective gathering. Rather than use secret balloting, the law required votes to be *viva voce* (Garrison 1891, 229; Haynes 1906, 23–25).

Republican support was split between the Cameron-backed candidate, iron and steel magnate Henry Oliver, and the reformist Half-Breed candidate, former U.S. Congressman Galusha Grow. As days and votes passed, efforts were made to find a compromise Republican candidate, but the impasse remained as these discussions would frequently revert back to the candidacies of Oliver and Grow. Meanwhile, Democrats continued to push for the reelection of their party colleague, William Wallace, the first-term incumbent.

A potential breakthrough came on February 9 when the rank-and-file of each Republican faction publicly supported a new candidate. The Stalwarts shifted their support from Oliver to Brigadier General James Beaver; the Half-Breeds moved from Grow to U.S. Representative Thomas M. Bayne. The result after the twenty-second ballot was still a deadlock, however, with Democrat Wallace receiving a plurality of the votes, Beaver and Bayne splitting the majority Republican votes, and 11 other candidates combining for 24 votes.

A more significant change came a week later when Republican legislators from both sides agreed to a proposal that had been floating among them: the establishment of a committee of 24 legislators—chosen equally from members of each faction—that would try to find a compromise candidate. It was in this committee on February 18, during its fifth ballot, that Congressman John Mitchell first received votes for the contested U.S. Senate seat. But as the day progressed through eight more ballots, Mitchell's limited support declined to nothing and remained there through eight more committee votes the following Monday, February 21.

On the evening of Tuesday, February 22, for reasons that newspaper reports do not make entirely clear (it might have been the new support of Senator J.D. Cameron, the rapidly approaching congressional session, or legislators' election fatigue), quiet efforts to end the stalemate finally came to fruition:

As soon as the committee was called to order, Senator Cooper moved that a ballot be taken for a candidate for Senator. This was agreed to, and the Secretary began to call the roll. Mr. Billingsley, a regular, was the first called, and he responded with the name of John I. Mitchell. Senator Cooper, also a regular, followed for Mitchell. Next came Senator Davis, an independent, who also voted for Mitchell. This was the first ray of light which pierced the gloom which has so long hung over the political field here in Pennsylvania. As the names were called, all responded by naming Mitchell, and when Mr. Wolfe's name, the last on the list, was reached, and Mr. Wolfe too voted for Mitchell, making him the unanimous choice of the committee, a cheer loud and long continued rent the air, and the most frantic demonstrations of joy were made, the members grasping each other by the hand and yelling until they were red in the face ("A Long Dead-Lock Broken" 1881).

The following morning, the 42-year-old Mitchell received by acclamation the Republican U.S. Senate nomination from his party caucus, and on the legislature's thirty-fifth ballot he was elected Pennsylvania's junior member of the U.S. Senate, receiving 150 votes to Wallace's 92 (two other candidates received one vote apiece).

Reaction to Mitchell's selection was mixed but generally positive. As *The New York Times* reported:

Mr. Mitchell has won a high place in his profession. During his service in the Legislature he displayed conspi[c]uous ability, leading that body with a clearness of head and steadiness of hand unequalled since the days when Thaddeus Stevens occupied a seat therein. Of fine personal appearance, a speaker of great power and eloquence, a fine scholar, possessing a large fund of information, is a stalwart Republican and a sound, safe, legislator ("A Long Dead-Lock Broken" 1881).

A *Washington Post* editorial stated that Mitchell "has always preferred the ways of peace and pleasantness rather than the war-path. For this reason he may be regarded as a near approximation to a neutral

in the contest of the Pennsylvania factions” (Editorial 1881). Yet, one of the two Republican state representatives who refused to vote for Mitchell did so because he did “not regard that gentleman as a fair representative of the [independent] principles for which they have been fighting.” The second explained that he did “not regard Mr. Mitchell as worthy of his vote” (“Confirming the Choice” 1881). A day later, *The New York Times* voiced major disappointment with Mitchell’s election, stating that Mitchell “is certainly not a brilliant man” and that there were “a very considerable number of persons who hoped to see the State represented by a Senator of first-rate abilities, such as would place him in the first rank at Washington.” Nevertheless, the *Times* found much to praise in Mitchell, calling him “a man of intellectual force” who “reads much” and “the ablest member of the Pennsylvania delegation in the House,” based upon “the strength of [his] character and unassailable private and public record which all accord him by common consent” (“Mr. Cameron’s New Colleague” 1881).

Nor was opinion unanimous regarding which Republican camp Mitchell favored. As *The Washington Post’s* editors noted two days after his election, “It has been demonstrated that he is a Cameron Man. It has been proven that he is anti-Cameron” (Editorial, 1881). Agreeing with the latter assessment, *The New York Times* wrote that “the claim that Mr. Mitchell is ‘a Cameron man’ is not only not true, but the currency given to it is both foolish and mischievous” (“Mr. Cameron’s New Colleague” 1881). *The Harrisburg Daily Patriot* suggested the opposite might be true. It reported that “Mr. Cameron at Washington has had Mr. Mitchell’s name under consideration for some time [and] yesterday the supporters of the machine were informed that it was acceptable to the boss” (“Mitchell the Man” 1881). Mitchell’s acceptability, however, probably had less to do with any political kinship between him and Cameron than with the rapidly approaching Senate session and the desire of the Republican caucus to regain control of the chamber.

Mitchell’s Burdensome Senate Service

Thanks to the election of Mitchell, when the new Senate convened in special session in March to organize its officers and confirm presidential nominations, it consisted of an equal number of Republicans and Democrats (37), along with two independents (but not independent

Republicans). This unusual chamber distribution caused a stalemate in the Senate's organization and legislative work. The Democrats, whose majority control of the chamber in the previous Congress had ended a 20-year drought, refused to relinquish easily their control of the committee and patronage positions that they had just recently earned. The Republicans, meanwhile, planned on using Vice President Chester Arthur's Republican vote in the Senate to break any tie votes and to take back control of the chamber, something that would not have been possible without the Republican Mitchell in their ranks. Republicans temporarily gained the upper hand when they convinced freshman Virginia Senator William Mahone, a member of the Readjuster Party, to vote with them on committee organization. The other independent voted with the Democrats. But a combination of Republican absences and resignations during the Senate's session ultimately gave the Democrats a two-vote majority. Compromise resulted in senators accepting both the Republican-led committees and the Democratic-appointed staffers (U.S. Congress, Senate 2001).

During the two special Senate sessions that began his new career during the 47th Congress, Mitchell was assigned to the Patents Committee as well as to the Pensions Committee. He was also named chairman of the Committee on the Improvement of the Mississippi River and Tributaries, in addition to being placed on a special committee "To Inquire into all Claims of Citizens of the United States against the Government of Nicaragua." Later in the same session of Congress, Mitchell was assigned to both the Committee on Civil Service and Retrenchment and a special committee "To investigate the administration of the collection of internal revenue in the 6th District of North Carolina." His chairmanship of the Mississippi River Committee was important not for the public policy he would oversee, but for the clerk he was empowered to hire. Not until 1884 did the Senate pass a resolution allowing all senators, not just those chairing committees, to hire a clerk at government expense to assist them in their duties (U.S. Congress, Senate 1893, 147, 208).

Mitchell's service on the Senate Pensions Committee, which he chaired during the 48th and 49th Congresses, was a major part of his Senate workload. "[T]he Pensions Committee takes very much of my time," he wrote on December 13, 1882, before even assuming the chair (Barker). This committee, which oversaw the Interior Department's

Pension Commission, which in turn handed out military pensions, was often the last resort for veterans and their widows and children seeking pensions that the Commission had denied. Scores of private pension bills were introduced in each new session of Congress with the sole purpose of granting single individuals a federal government pension. The Pensions Committee had the onerous task of investigating and reporting upon all these claims. In Mitchell's own Tioga County, 652 residents received a pension from the U.S. government at the beginning of 1883 (U.S. Congress, Senate 1883). Likely adding to the frustration of Mitchell and his committee colleagues, President Grover Cleveland vetoed an enormous number of private pension bills after taking office in 1885. A Senate document from 1886 notes that of the 113 bills President Cleveland vetoed between March 10 and August 4, 1886, 101 were vetoes of private pension bills (U.S. Congress, Senate 1886).

Letters Mitchell penned early in his term to Philadelphian Wharton Barker suggest that dealing with federal patronage appointments for Pennsylvanians and searching for a middle ground between the Republican party factions also took up a great deal of Mitchell's time. For example, on March 15, 1881, less than a month after he had been elected senator, Mitchell wrote a letter to Barker citing the efforts of certain individuals holding or seeking such federal government appointments as "appraiser in the Custom House," "Register of the Treasury," "Bank Examiner of Western Pennsylvania," "Surveyor," "Minister of Mexico," "collectorship," and "postmastership" (Barker).

Mitchell was not alone, of course, in attempting to influence the government hiring process. Senators new and old were besieged by office seekers during that era, and as many as a dozen might press their claims for the same position, be it postal clerk or cabinet member (Calhoun 1996, 195). This part of their job became so time-consuming that a Senate report on the subject griped that "strength is exhausted, the mind is absorbed, and the vital forces of the legislator, mental, as well as physical, are spent in the never-ending struggle for offices" (U.S. Congress, Senate, Committee on Civil Service 1882, iii). Nevertheless, it was the keen ability to control federal (and sometimes state) government patronage that aided many U.S. senators, including Pennsylvania's J.D. Cameron, in running the state political party machines that helped keep them in office.

The ultimately fatal shooting in the summer of 1881 of newly-elected President James A. Garfield by a disgruntled office seeker added to the uniqueness of Senator Mitchell's first year in the Senate. The assassination proved to be the catalyst for one of the few notable pieces of legislation enacted during the highly partisan 47th Congress: the Pendleton Civil Service Reform Act. As Mitchell wrote in May of 1883, "When I left there in August very few if any would entertain the proposition of civil service reform by act of Congress. When we met in December all was changed" (Barker).

Early in his term Mitchell was hopeful about bridging the gap between the Stalwarts and the Independents, but he recognized that doing so would require compromise on the part of both sides. He seemingly took great pains to remain neutral in Pennsylvania Republican Party politics. As he wrote in a letter on March 15, 1881, soon after taking office:

I think [Senator Cameron] is fully convinced that it is necessary to the welfare and continued supremacy of our party to defer in such instances [of presidential appointments] to that independent sentiment which found expression openly at Harrisburg in the late contest. How far he will go in the direction remains to be seen, but I trust that he will act easily and discretely in this direction, and that the leaders of the independent movement in our State will be disposed to meet him at least half way. I consider the encouragement of this spirit on both sides absolutely essential to the welfare of the party in our State, – and I shall do all within my power to bring about harmony and unity between these elements (Barker).

On December 20 of the same year he wrote, "[M]y desire when elected was, and still is, to do everything possible to have both elements [of the Republican Party] fairly represented and recognized in appointments and nominations" (Barker).

Mitchell's efforts at neutrality and fairness were not always accepted, even by his natural allies. He seemed particularly wounded when attacked by Independents who thought he was not working hard enough for the cause. In that same letter of December 20, Mitchell lamented:

I have stood I think firmly and fearlessly against many things that Senator Cameron has been disposed to push, but Mr. Wolfe and

that class of people appear to give me no credit for so doing, while on the other hand I have received a cold shoulder from the other side, and thus my expectation has been largely realized by the grinding process which still goes on between the two factions. I have a complaining letter again from Mr. Wolfe, and he appears to me to be so unjust to me, and so extreme in his views, that it is already impossible for me to satisfy him” (Barker).

Throughout his career Mitchell was well aware of both his personal and political limitations. “I assure you that I am more sensible of my shortcomings than any one else possibly can be,” he wrote on December 13, 1882. “Had I expected what has followed from this conflict, I would not for one moment have contemplated acceptance of this place” (Barker). “I do not forget,” he added, “that I am the product of a party difficulty and that the divisions which made me possible as a senator have absorbed most of my thought since I came to the Senate” (Barker). Six months earlier he had confessed that “I do not even want to be a leader, much less a boss. I have no further political ambition. My only desire is to see the party’s wrongs righted, and the public since improved” (Barker).

In a letter dated December 13, 1882, Mitchell revealed that his frustrations with Republican Party factionalism were matched by his frustrations with his inability to do adequately the job to which he had been elected:

Positively I have no time to study anything thoroughly. As I write, a basket of letters lie unanswered and many unopened. In the morning I should attend a committee but I must go to see the Secretary of the Treasury upon an application for appointment to keep my word given before I had notice of the Committee meeting. So it goes continually. We adjourned in August and I did not have one month for rest after that. I did not even have time to read the evidence taken by the tariff commission. I have not read the departmental reports in which I am most interested, and I write you after midnight. My health is anything but good and I very often feel that I am utterly unfit and unworthy [of] the great place I hold. . . . [G]entlemen out of public life have far better opportunity to study public questions than those who have to do for great states and people within it (Barker).

As Mitchell's term progressed, his efforts at neutrality between the Stalwarts and Independents gave way to both private and public disdain for political bossism, along with growing skepticism about Senator Cameron's actions. "I only want the most careful deliberation and decision by those who now represent the cause we love and hope to have triumphant," he wrote on June 14, 1882. "The danger is that any triumph which may be achieved by any united action which secures the cooperation of the boss committee will be heralded as a victory for the Machine" (Barker). Just a week earlier, however, Mitchell had insisted that the end of political bossism was at hand. "The bosses no longer run the people: the people have taken the reins into their own hands, and they will never in your or my time give them back" (Barker). Whatever his views at that particular moment, Mitchell left no doubt as to which side of the debate he ultimately favored when in October 1882 he wrote an essay for *The North American Review* titled "Political Bosses" in which he advocated their abolition.

More than anything else, Mitchell's letters to Barker reveal his dislike for hardball politics and his anxiety about his future. On June 7, 1882, while in his second year in the Senate, Mitchell bemoaned the personal and financial price his Senate term was costing him: "I am weary of the weight of life, with separation from my family and friends and from that neighborhood life which is the only true life; and when it is known that my estate is so limited that I have practically nothing for old age and little for my family and that six years here will leave me with nothing to show for them, you will see why I want nothing for myself from this or any political movement" (Barker).

Conclusion

Given his increasing disenchantment with politics, it is hardly surprising that Mitchell did not seek reelection to the Senate. He missed his home and family, his Pensions Committee workload was oppressive, and Republican factionalism was no less prevalent at the end of his term than it had been at the beginning of it. In any case, Mitchell never really had much chance of being reelected. After all, he had been a compromise U.S. Senate candidate, and his nomination and appointment occurred only after an exhausting 34 rounds of fruitless legislative balloting. With no natural political constituency, pleasing the "party faithful" had always

been an uphill battle for him. Moreover, the ambitious Republican political boss and recently elected State Treasurer, Matthew Quay, had his eyes on Mitchell's seat, as did Barker and other insurgents.

Mitchell's service to Pennsylvania did not end with his congressional career. He went on to become Judge Mitchell, a position that seems better suited to his temperament and his desire to remain close to home. He served on the Court of Common Pleas of the 4th Pennsylvania District for 11 years (1888–1899) before briefly becoming a judge of the Superior Court of Pennsylvania. He died in Wellsboro on August 20, 1907, in the same county where he had been born and in the place where he had seemed happiest.

Notes

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