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A Mob in Search of a Speaker

by [History \(/Blog/Search?AuthorText=History\)](#) on April 8, 2014

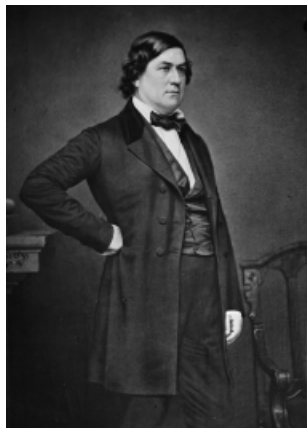


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Robert M. T. Hunter of Virginia remains the youngest individual ever to serve as Speaker.

"Now what are we to do? This complete representation of the people of the United States has assembled here, and the Constitution has enjoined upon it a solemn duty. What is it? To organize itself."

- John Quincy Adams

During the chaotic first two weeks of the [26th Congress \(/Congressional-Overview/Profiles/26th/\)](#) (1839–1841) in December 1839, three separate men presided over the House of Representatives: Clerk [Hugh Garland \(/People/Listing/G/GARLAND,-Hugh-A-/\)](#) of the previous Congress, Representative [John Quincy Adams \(/People/Listing/A/ADAMS,-John-Quincy-\(A000041\)/\)](#) of Massachusetts in an entirely invented position, and finally [Robert M. T. Hunter \(/People/Detail/15500?ret=True\)](#) of Virginia, the youngest Speaker of the House ever to hold the office.

This two-week parliamentary adventure began when two separate delegations arrived from New Jersey—one Democrat, one Whig—each claiming to be the legitimate state delegation. The 1838 midterm election increased the Whig Party minority in Congress to the degree where seating either delegation would decide which party controlled the House of Representatives; seating neither would hand control to Democrats. In a period rife with conflict over slavery and the primacy of the federal government, the organization of the House had the potential to radically alter the legislative agenda for the session.

At the beginning of each session, the [Clerk \(/People/Office/Clerks/\)](#) from the previous Congress serves as the presiding officer, calls the roll, and provides for the organization of the House. In this instance, Clerk Garland had been elected by the previous Democratic majority of the [25th Congress \(/Congressional-Overview/Profiles/25th/\)](#) (1837–1839) and opened the new Congress on December 2, 1839. Representative John Quincy Adams, respected ex-President and prominent Whig, claimed in his journal that Garland “had his lesson prepared for him” and was prepared to block the organization of the House to prevent seating of the Whig New Jersey Representatives-elect. Three days of raucous debate followed as the Clerk refused to call the full roll or even to put the question of adjournment each day to the gathered Representatives-elect. After one day ended with Members streaming out of the chamber and still no vote called, [Henry Wise \(/People/Listing/W/WISE,-Henry-Alexander-\(W000649\)/\)](#) of Virginia declared, “Now we are a mob.”

On December 5, an exasperated Adams stood, broke with standard parliamentary procedure, and addressed his fellow Members-elect rather than the presiding officer. He made an eloquent appeal for the House to override Clerk Garland, whom he charged, “usurps the throne, and sets us, the Representatives, the viceroyents of the whole American people, at defiance, and holds us in contempt!” Upon completing his speech, Adams delivered a motion to proceed to call the roll. When someone challenged, “Who will put the Question?” since the Clerk refused, Adams proudly declared, “I intend to put the Question!”

Stirred by the patriotic rhetoric, [Robert Barnwell Rhett \(/People/Listing/R/RHETT,-Robert-Barnwell-\(R000184\)/\)](#) of South Carolina, typically Adams’ foe on the floor, stood and proposed that [Lewis Williams \(/People/Listing/W/WILLIAMS,-Lewis-\(W000527\)/\)](#) of North Carolina, the oldest Member at the time, be temporary Speaker. When Williams declined, Rhett rallied the Members, Democrat and Whig, behind Adams. The chamber erupted with yeas and cheers, and Adams was conducted to the chair as the “Chairman of the House of Representatives” to replace Garland as presiding officer until the situation was resolved.

Adams presided for 11 more days until a Speaker was chosen. On December 14, agreement was reached that neither New Jersey delegation be seated—handing Democrats a narrow victory. Soon after, the Members began balloting for the Speaker election. The House then reached another stalemate when the slim Democratic majority could not agree on a single candidate. Their first choice, [John W. Jones \(/People/Detail/15997?ret=True\)](#) of Virginia, was soundly defeated; and their second, [Dixon H. Lewis \(/People/Listing/L/LEWIS,-Dixon-Hall-\(L000278\)/\)](#) of Alabama, fared little better. Finally, the Democrats extended an olive branch to the Whigs and, on the 11th ballot, agreed to a compromise candidate in the person of Robert M. T. Hunter of Virginia, an independent in all but name, who had been elected as a Whig. At age 30, Hunter still holds the title of the youngest Speaker ever to serve.



Image courtesy of the Library of Congress

Well respected by his colleagues, John Quincy Adams of Massachusetts helped break a stalemate to organize the House of Representatives.

Upon assuming the Speakership, Hunter proclaimed his independence: "I do not acknowledge any allegiance with either of the two great parties now in this House, and in the country.... I said this before my constituents at the last election, and they know where to find me." Despite their collective frustration with Clerk Garland, the Democratic majority narrowly re-elected him with a slim margin of 13 votes. And the Committee on Elections eventually ruled that the Democratic New Jersey delegation should be seated, bringing the long controversy to a close on March 16, 1840.

Sources: *Congressional Globe*, House, 26th Cong., 1st sess. (5 December 1839): 18–19; *Congressional Globe*, House, 26th Cong., 1st sess. (21 December 1839): 75; *Congressional Globe*, House, 26th Cong., 1st sess. (16 March 1840): 275; William Lee Miller, *Arguing About Slavery* (New York: Vintage Books, 1998): 357–360; *The Baltimore Sun*, December 17, 1839.

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