

THE POLITICAL CAREER OF
HENRY ST. GEORGE TUCKER
1889-1932

Honors Thesis

submitted by
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to
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April 12, 1979

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INTRODUCTION

The purpose of this paper is to examine the political career of Harry St. George Tucker of Virginia, 1888-1932. Tucker's career was distinguished primarily by its length. It began as Reconstruction faded and concluded as the New Deal began.

The paper concerns Tucker's lifelong advocacy of states' rights, which lends continuity to his otherwise fragmented career. Tucker's career divides into three sections: his first years in Congress (1888-1896), the intermediate years (1897-1921), and his final years in Congress (1922-1932).

HERITAGE

Harry St. George Tucker was the product of a long line of prominent Virginians. Every generation of the Tucker family had provided the state with politicians, lawyers, teachers, jurists and authors. Originally from England, the family history begins with William Tucker of Thornby County. Two of the family immigrated to Jamestown, Virginia, in the seventeenth century. One of these, George Tucker, was a prominent member of the London Company; the other, Daniel Tucker, sailed from Virginia to Bermuda where he became

Governor in 1616.¹

From Daniel Tucker's line came Tucker's great grandfather, St. George Tucker, who came to Virginia from Bermuda in 1771. Tucker's great grandfather distinguished himself while serving under George Washington at the battle of Yorktown. He went on to become a distinguished professor of law at the College of William and Mary.²

Henry St. George Tucker, son of St. George Tucker, and grandfather of the subject of this paper, served as a member of Congress from 1815 to 1819. He later became president of the Court of Appeals of Virginia and a professor of law of the University of Virginia.³

Tucker's father, John Randolph Tucker, far surpassed his ancestors in renown. He served as Virginia's Attorney General during the Civil War and acted as counsel to Confederate President Jefferson Davis after his arrest at the end of the war. From 1870 until 1875 he was a professor of law at Washington and Lee University. In 1875 he won election to Congress from Virginia's tenth district where he served until 1887. He then returned to Washington and Lee where he remained until his death in 1897. He further enhanced his reputation by serving as President of the Virginia Bar Association in 1891 and the American Bar Association in 1893. He was an ardent advocate of states' rights and a nationally known

constitutional lawyer whose book Tucker on the Constitution (1889) was a text for the strict constructionists.⁴ He was, without a doubt, the single greatest influence on his son who followed faithfully in his footsteps throughout his own career.

Henry St. George Tucker was born in Winchester, Virginia, in 1853 and was known as "Harry." During the war years of 1861-1865, he attended a private school in Richmond.⁵ He then attended a private school in Middleburg, Virginia, from 1865 to 1871 and completed his education at Washington and Lee where he received a Master of Arts Degree in 1875 and a Bachelor of Laws degree in 1876.⁶ In 1877 he moved from Lexington to Staunton where he set up a law practice with George M. Harrison. That same year, on October 25, Tucker married Henrietta Preston Johnston, the granddaughter of General Albert Sidney Johnston of Civil War fame. By her, he had three sons...John Randolph, Albert Sidney Johnston, and Henry St. George, Jr. and three daughters...Rosa, Laura and Henrietta.⁷

Tucker practiced law in Staunton for thirteen years and quickly became known as "one of the brightest and most promising young lawyers in the town."⁸ After finishing law school, he entered politics as an ardent Democrat. His arrival in Staunton coincided with the critical Tilden-Hayes

Presidential election of 1876. He first gained the eye of the public when he took to the stump in his father's behalf in this campaign. He revealed the ability and attractiveness that gained him many friends throughout Virginia from the outset.⁹

Tucker's best known characteristics were his happy disposition and lovable nature. He was widely known as "happy, almost to a fault. . . ."¹⁰ He made scores of political enemies, but on a personal level was widely regarded as "the most lovable man in the whole state."¹¹ His charisma and charm as "an apostle of sunshine and cheer" made him an enduring favorite with Virginia's voters, even when the political climate was openly hostile.¹² In or out of office, Tucker's popularity was a consistent feature of his fifty-six years of professional life.

CHAPTER I

THE FIRST CONGRESSIONAL TERM OF HENRY ST. GEORGE TUCKER, 1889-1896

The political career of Henry St. George Tucker began, quite naturally, in the shadow of his father's good reputation. John Randolph Tucker voluntarily retired from Congress in 1886 to become a professor of law at Washington and Lee University.¹³ The tenth district was then captured by Jacob Yost, a young Republican from Staunton.¹⁴ An "aroused and militant" Democratic party began making plans to reclaim the tenth in 1888. To the younger Tucker the progression from lawyer to politician was an easy one. His Democratic zeal combined with his family name and connections made him a natural candidate. William C. Preston, Virginia Attorney General, typified Tucker's supporters: "If you will but follow in the footsteps of your illustrious father, your name will be in Virginia what his has been for so long, a synonym for strength, honor and purity in public as well as private life."¹⁵ R. B. Robinson, the editor of the Staunton National Echo, offered support of a more tangible nature: "Your father has done me a great deal of good and I can never pay him for it,

but I can use my influence in the campaign for you and his friends. . . . I have always controlled five hundred colored votes in Augusta County."¹⁶

In August of 1888 the tenth district Democrats held their convention in Staunton. George M. Harrison, Tucker's law partner, gave a rousing speech in the nominee's behalf. He declared that Tucker, though a young man of thirty five, was not in his "political swaddling clothes . . . for in most of the counties of this district there is scarcely a cross-road where his voice has not been heard in behalf of Democracy."¹⁷ Harrison went on to extol Tucker's appeal in the most emphatic terms: "he is a captivating popular speaker, he is a strong and ready debator and he measures up fully to the Jeffersonian Standard of fidelity, honesty and capability."¹⁸ Tucker's nomination was then seconded by his cousin, Hal D. Flood of Appomattox, and Pascal Williams of Highland County.¹⁹ The other nominees included Sam F. Coleman of Cumberland County, William A. Anderson of Rockbridge County, and Thomas P. Fitzpatrick of Nelson County. The Convention finally nominated Tucker on the thirteenth ballot with 82 1/2 votes, just slightly ahead of William A. Anderson who won 72 1/2.²¹ As the convention thundered its support, an enthusiastic gentleman held a life-size crayon portrait of Tucker high in the air, and

the Stonewall Brigade Band "discoursed lively national airs."²²

The Republicans renominated the incumbent, Jacob Yost, who promptly accused Tucker of being a tool of his father, an opponent of public education and a "pronounced free trader."²³

Tucker replied by announcing the platform on which he would run:

I am a Democrat squarely and flatfootedly upon my party's platform, pure and simple, in favor of a reduction of the tariff as championed and advocated by the President [Cleveland] and the party. I am in favor of education and the masses by aid from the national government. I am in full accord with every principle of the party.²⁴

The major issue of the campaign of 1888 was the tariff. Tucker stumped the district espousing the traditional Democratic dogma. In a debate with Yost in Lexington, he maintained that the tariff was a direct tax upon the people, in the interest of the protected monopolies of the North. He pointed out that the tariff amounted to the protection of the few at the expense of the masses. The tariff was a curse, and directly opposed to the interests of the wage earners who were forced to pay higher prices for the necessities of life because the tariff duties were tacked on to the original cost of commodities.²⁵

Yost responded in true Republican form: the tariff was not a tax, direct or indirect. It constituted a necessary safeguard for American industries against foreign competition.²⁶

According to the openly partisan Lexington Gazette, Tucker easily and brilliantly won all of his joint debates with Yost that fall. Its pages sang his praises in the melodramatic tones of the age: "Tucker, the young gladiator, was the master of the situation and wore Yost's scalp at his belt. Hail to you, Mr. Tucker. You are worthy of the honored name you bear--a worthy son of a noble sire and the Democracy of the 10th district. . . ."27

In November Tucker defeated Yost by a comfortable majority. The vote in Rockbridge County, however, was close: Tucker polled 2,048 votes to Yost's 1,973.²⁸ The Gazette showed its jubilation by publishing a cartoon depicting Tucker as a bantam rooster crowing "Cook-a-doodle-do!" and Yost as a sickly hen labeled "Jakey" whimpering, "I'm so sick."²⁹ With Grover Cleveland's defeat at the hands of Republican Benjamin Harrison, the Virginia Democrats needed something to crow about. Tucker's redemption of the tenth district was a great consolation to the faithful of the Old Dominion.³⁰

When the 51st Congress convened on March 4, 1889, Tucker began his first congressional term of eight years. He was easily reelected through the 54th Congress of 1896. In the early days, the young congressman's policies were firmly

grounded in the traditions of his father. Tucker was in all things a conservative. His most readily apparent and longest lasting doctrine was his strict constructionist view of the Constitution. As his colleague, Congressman Menalcas Lankford of Norfolk phrased it, "The Constitution of the United States was his shield and buckler, and his flashing eye and vigorous delivery even in his advancing years reminded one of the bugle call of the aged hunter when the constitution was in danger."³¹ This devotion to the Constitution was the unifying thread of Tucker's entire political career.

A second theme in Tucker's career was his firm commitment to preservation of the rights of the states. Tucker combined the two superbly:

I acknowledge no fealty to any power in this government which is not expressly granted to it by the Constitution, and I recognize my fealty as a citizen of Virginia to the constitution of my country first and supreme in its own sphere, over all law state or otherwise. But where it has not the power to go, where it has not been granted specifically, I do not recognize it at all.³²

In his first Congressional terms Tucker applied his principles in a direct and effective way. The amount of legislation he introduced, however, was not large. His persistence in reintroducing the measures he believed in and in guiding them to success stand as the most salient characteristic of those

years.

Those who knew Tucker characterized him as "a gentleman typical of the old South."³³ Tucker's six year struggle to rid the South of the last vestige of the Reconstruction era: the federal election laws, served to reinforce this picture. At the end of the war the South was a defeated but unrepentant section. The radical Republicans had been determined to reconstruct the South upon the framework they themselves deemed proper. As the years passed and military occupation gave way to civilian government, many in the North were concerned for the rights of the freedmen and for honest elections in the South. The Radicals passed an elaborate series of statutes providing for federal officials to supervise state elections and deputy marshals to enforce their directives. Though repeatedly denounced as unconstitutional in the South, the federal election laws were upheld by the Supreme Court.³⁴ Considered as a needed measure in most quarters of the North, the sentiment in the South was naturally strongly opposed, as one of Tucker's constituents put it:

These laws are infamous and were enacted for the sole purpose of perpetuating the Republican party in power. The sooner they are repealed the better, believing as I do that hypocrisy and false pretense are the main reliance of the Republican party. . . .³⁵

On June 26, 1890, Tucker rose in the House of Representatives to begin the first great struggle of his early career. He spoke at length, building his case for the South in a careful legalistic manner: "This is a government of limited powers. There is no power we have here except that which the Constitution gives us. . . ." ³⁶ The Constitution certainly did not justify these laws. He first denounced the federal supervisors who not only supervised the registration of voters but also passed judgment upon the right of a man to vote. "I say that the power to pass upon the qualifications of a voter to vote is a power that the Constitution gives to the States that can not be wrested from them." Cheers broke out on the Democratic side of the House. ³⁷ Tucker went on to call for a clear separation of Federal and State voting regulations, "so that there can be no danger of a collision of authority." ²⁸ A section of one of the laws provided for the punishment of the officers it created to supervise elections. Eight sections provided for the punishment of "State officers . . . whom it has never created." ³⁹ With the authority to reprimand State officials, the Federal Government had the power to control them. He also strenuously objected to the power of the chief federal supervisor to appoint an unlimited number of deputy marshals to enforce Federal laws within the

state. This was Federal control in an area belonging to the state.⁴⁰ From his specific objections, Tucker turned to his overall distaste for the laws:

The gentleman from Massachusetts, Mr. Henry Cabot Lodge, who opened this debate says these are not sectional but national measures. Why, gentlemen, I say to you that this bill is a sectional one, whose operation is chiefly against the Southern people. Why, the gentleman from Illinois [Mr. Rowell] shows these laws to be sectional ones. He says openly that we cheat the negro, that we steal his vote and that we murder him. The gentleman is not at all discriminating in his remarks against us. There is no intimation in his speech that there are frauds in elections in any other parts of the country; in the State of Maine, [for instance] or elsewhere, but only in the South.⁴¹

Tucker concluded: the South was recovering admirably from the destruction of the past; only enlightened public sentiment, and not outside compulsion, could end election frauds and corruption.⁴² He closed by comparing the South to Ireland and calling for "home rule"⁴³ in the South. He even hinted that Federally imposed laws were disobeyed anyway but he carefully avoided the issue of black civil rights.

The response to Tucker's speech was overwhelming. Even though it was unsuccessful the speech touched a nerve among the people of Virginia.⁴⁴ Undaunted, Tucker resubmitted his bill faithfully into each successive Congress.

On September 26, 1893, in the 53rd Congress, his bill

came up for consideration for the last time. The "Tucker Bill," as it had come to be known, was read as "a bill to repeal all statutes relating to supervisors of elections and special deputy marshals."⁴⁵ Tucker reiterated his former stand in a lengthy argument that stressed the unconstitutional nature of the laws:

Those laws ought to be repealed, Mr. Speaker, because they seek to take away from the State, that alone can bestow suffrage on the citizen, the power of determining the right to vote; they ought to be repealed, because they have been the subject of collisions and jealousies and unnecessary clashing of authorities since their enactment; they ought to be repealed, sir, because they are reconstruction measures, the unhappy reminders of a period of our history forever gone, except from the memory of the people; they ought to be repealed because the states are as much interested in seeing that their Representatives are properly elected as the Federal Government can possibly be.⁴⁶

Tucker's bill passed the House by a vote of 177 to 75 that broke down along straight party lines.⁴⁷ In February of 1894, the Lexington Gazette announced that the Senate had passed the "Tucker Bill," on February 8, and that President Cleveland had happily signed it into law in the presence of its author. This was the greatest personal triumph of Tucker's early career.⁴⁸

On the national level, Tucker is best known as "the father of the 17th Amendment" providing for the direct election of United States senators.⁴⁹ In 1890 Tucker secured an

appointment to the Committee on the Election of President and Vice-President and Representatives in Congress. This committee provided an ideal forum for Tucker to express his desire to make the government more responsible to the people. His appointment, combined with his constant emphasis on the rights of the states paved the way in Virginia for that state's eventual acceptance of the 17th Amendment.

On July 12, 1892, Tucker's committee introduced into the House a joint resolution "proposing an amendment to the Constitution providing that Senators shall be directly elected by the people of the several states."⁵⁰ Tucker, who was clearly the driving force behind it, read the Committee's resolution.⁵¹ It provided that, "The Senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years: and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislatures."⁵² The wording of Tucker's 1892 resolution is identical to the first clause of the 17th amendment. The conservative Tucker began by arguing that at the Constitutional Convention of 1787, Virginia's representatives advocated making senators more responsible to the people. He quoted George Mason who warned the members against creating an entrenched

aristocracy in the Senate.⁵³ He then attacked the shady politics of the age, and suggested that the amendment would serve as a partial remedy for the prevailing corruption:

Patriotism has given place to material expediency, and the love of country is supplanted by the love of money. An aptness for percentages and the successful manipulation of railroads and stock boards are often regarded as the most essential of Senatorial equipments. The standard for the exalted position of United States Senator is thus debased by corporate influence. The wire-puller and the intriguer are often preferred to the statesman and the patriot. . . .⁵⁴

Direct election of senators by the people would place the responsibility in their hands. Tucker considered the people both honest and capable. Tucker then pointed out the double threat posed by the present system in which the state legislatures possessed the authority to elect senators. The money spent to corrupt a senatorial selection not only deprived the people of an honest senator but also "debauched" the legislature as a true servant of the people."⁵⁵ "To whom is a Senator responsible" was Tucker's next question. The legislature, he answered, that was responsible for his election expired after two years. "A derelict Senator can snap his fingers defiantly in the face of a defunct legislature."⁵⁶ He then reiterated his stand on the separation of state and federal powers, expressing the belief that the state legislatures should be left

to administer the state's business without the added responsibility of electing senators. In closing, he explained why a staunch defender of the Constitution should seek to alter the document he habitually supported: "It is not a radical measure. It is conservative. The changes proposed are not organic, but functional. They are not fundamental but structural."⁵⁷ Virginians throughout the state praised the speech. Tucker combined intricate reasoning with a common sense approach to problems which found a receptive audience in Virginia. One constituent phrased his agreement succinctly, "Certain it is that it is vastly more difficult to corrupt a million or so voters than a hundred legislators." Although there was widespread support for the amendment in 1892, and it passed the House, the same year, only eleven states ratified it.⁵⁸

In the following year, the Virginia senatorial race provided Tucker with a new opportunity to argue in favor of the amendment. In November of 1892 the legislature elected Thomas Staples Martin over Fitzhugh Lee, who had been strongly favored to win. The sentiment in many quarters ran strongly against Martin. Many Virginians felt that the legislature had frustrated the popular will and that the Democratic organization in Virginia was responsible to itself rather than the people.⁵⁹

Martin's previous career as a railroad attorney convinced many of Tucker's constituents that it had been railroad money and not the voice of the people that convinced the legislature to elect Martin.⁶⁰

On July 20, 1894, Tucker again addressed the House concerning his amendment. He declined to reiterate the argument he had initially presented on July 12, 1892, and instead addressed the major arguments in opposition to the direct election of senators. Opponents of the amendment argued that it would destroy the representation of the states as states in the Senate as originally contemplated by the framers of the Constitution.⁶¹ He countered this contention with his old argument that the ultimate sovereignty of a state rested with the people and that there was no better way for this sovereignty to be expressed than by direct election of senators.⁶² Opponents also argued that the process of electing senators indirectly "through the medium of the Legislatures elected by the people, tends to secure a more conservative class of man less liable to the fluctuations of popular sentiment."⁶³ To this, Tucker replied that, before the Civil War, election by the legislature rather than the people had produced more responsible senators. He continued:

Times had changed however, the history of the election of senators since the war, in the changed condition

of our country with its ever varying political elements struggling for supremacy, with its large increase of corporate interests, and with the open attempt of those interests to control in government affairs, make it exceedingly questionable whether the conservative forces of the country do not rest rather with the people of the country than the great corporations which selfishly seek to control it.⁶⁴

Tucker's resolution again passed the House, but it was not ratified by the required two-thirds of the states until 1913, when he was temporarily out of Congress. Though it took twenty three years, it was highly fitting that a man dedicated to the Constitution sponsored an amendment that made it more responsive to the people.

As a loyal Democrat, Tucker favored the reduction of the tariff. But he was less interested in the tariff than in the direct election of senators. As a result, the debates over the tariff question afford an excellent view of Tucker as a party man. Tucker was elected in 1888 on a Democratic platform whose main plank called for a reduction of the tariff duties. Throughout Tucker's early career, the tariff remained a critical issue in the agricultural tenth district and throughout the South. Allen W. Moger offers what perhaps is the best insight into the fears of Virginia farmers in the nineties. He states:

As the plight of the farmers became worse, the Virginia farmer complained bitterly about the tariff, discriminatory taxes, trusts, railroads, and declining farm prices, deflation of the currency, and the federal tax on tobacco and fruit brandies. He believed these evils to be a conspiracy between urban industrial interests and the governments which profited from them.⁶⁵

On May 19, 1890, Tucker addressed the question of the protective tariff and the excise tax on tobacco. The House was then sitting in Committee of the whole considering a bill to "reduce the revenue and equalize duties on imports."⁶⁶ Tucker first offered an amendment to abolish all taxes upon tobacco.⁶⁷ He quoted the Republican national platform of 1888 which promised a repeal of the tobacco tax. He lambasted the Republicans, and pointed the Democratic achievements in the Wilson-Gorman Tariff of 1894: "I have stood, sir, with the great party to which I belong for many years advocating the total abolition of this tax, and by the efforts of that party, we at last got the tax reduced to four cents a pound. . . ."⁶⁸ Tucker compared the failure of the Republicans to satisfy Virginia's demand for free tobacco to the Democrats success at wiping out the tax during the previous Congress.⁶⁹ He condemned the inequity of a tax system in which tobacco growers were taxed four cents a pound and silk and sugar cultivators were paid a bounty of two cents per pound:

Such a system as this bill presents of compelling the tobacco-grower to pay money out of his already

depleted pocketbook to the silk-grower and sugar-producer that they may grow richer while he grows poorer, is unfair and without the semblance of justice and unworthy of the American Congress, and against it in behalf of my hard working, tax-ridden people, I most earnestly protest.⁷⁰

The Republican majority of 1890 rejected the pleas of Tucker and other southern congressmen. They claimed the tobacco tax raised revenue necessary to provide relief for the Union veterans of the Civil War.⁷¹

Tucker delivered his major speech on the tariff on January 30, 1894. He reviewed the history of the tariff, contrasted Republican and Democratic measures and attacked the principle of protection. It was an excellent summary of the dispute over the tariff which raged on between the Republican and Democratic parties during the 1890's, and shows Tucker at his rhetorical best. The fundamental difference between the Democratic and Republican parties, he insisted, involved their conceptions of the nature of government. "The Republican idea is that the Government is an institution which can be used--nay, more, that ought to be used--for the purpose of promoting individual interests. The Democratic idea is that it can only use those powers which are given to it in the Constitution for the purposes therein given. . . ."⁷² The tariff, Tucker said, was the perfect example of the Republicans

using the government to make one set of people rich at the expense of another.⁷³ He then traced the Republicans' efforts to justify the tariff. First, they argued that the tariff was necessary to protect "infant industries." When this was no longer possible, they argued that the tariff protected the working classes from "the pauper labor" of Europe. Finally, Tucker continued, with the McKinley Tariff of 1890, the Republicans stood for "protection for protection's sake."⁷⁴ They maintained that from 1850-1860 there were high prices in the United States due to a low tariff. Since then, there has been a high tariff which has resulted in low prices and more prosperity for all. Therefore, a high tariff was beneficial in that it made for low prices. He shattered this argument by pointing out that in Great Britain too there had been lower prices since 1860 and that England was a free trade country.⁷⁵

The remainder of Tucker's speech consisted of a comparison between the "Wilson bill," the eventual Wilson-Gorman Tariff of 1894, and the Republican "McKinley bill." The fundamental difference in the two, he said, was that the McKinley bill "taxed by specific duties, the thing itself, without regard to value and the Wilson bill wipes out this inequality and

taxes according to the value of the thing."⁷⁶ Tucker charged that the McKinley bill often put the highest rate of duty on the cheapest goods and the lowest on the higher quality merchandise, placing the burden of taxation on those least able to bear it and relieving those most able to carry it without difficulty.⁷⁷ The Republican tariff catered to the rich and oppressed the working man while the Democratic measure taxed all products according to their value. He concluded in a grandiose manner, with a paragraph that might have been more appropriate on the stump rather than in the House:

In a country like ours where conditions of life are so varied; where one man is rich and another man is poor, it is absolutely essential to civil liberty that the equality of right should be recognized, and where a system is proposed and solemnly enacted into law by the Republican party, which lays taxes according to the poverty of the people and not according to their property, it is not difficult to account for the revolution of 1892.⁷⁸

Tucker's speech and many of a similar partisan nature served as building blocks to secure the final passage of the Democratic Wilson-Gorman Tariff of 1894.

One of the most important issues to arise in Tucker's first congressional term concerned gold and silver. From 1893 to 1896 the silver issue overshadowed all others in Virginia and in the nation. Cleveland's biographer, Allan Nevins, likens the advent of the debate to an avalanche: "a mere whisper

at first, then a half imperceptible shift in the landscape, and suddenly a roar, a crack, an irresistible cataclysm."⁷⁹

The government's official policy was to maintain a bimetallic standard in these years, under which all currency was redeemable in gold or silver, by insuring a treasury gold reserve of at least \$100,000,000 for redemptions on demand.⁸⁰ The Republican Party officially endorsed the gold standard and vigorously upheld by the northeastern monied interests. Sentiments for the use of silver as legal tender ran highest in the West and the rural South where the amount of currency in circulation was small and suspicions of Wall Street were high. The issue took on sectional and emotional overtones which caused public sentiment in agricultural areas to see silver as a financial savior. The economic depression of 1893 added an overwhelming sense of urgency to an already emotionally charged issue.

As the nation cried for relief, President Grover Cleveland moved to combat the crash. Cleveland blamed the crash on the Sherman Silver Purchase Act which he had actively sought to repeal since his election in 1892. The Silver Purchase Act was a Republican creation which required the government to purchase 4.5 million ounces of silver a month, and to issue notes based on specie that would be legal tender

for payment of all debts.⁸¹ Cleveland believed that this monthly purchase of silver constituted an undesirable strain on the gold supply, and demanded its immediate repeal. He called a special session of Congress to meet August 7, 1893, to deal with the issue.⁸²

In Virginia, Cleveland's sound money stand proved a highly divisive issue within the Democratic party. For Virginia Democrats the dilemma was clear: How could they reconcile their pro-silver views with the hard money views of Cleveland and the national leadership? The Democratic party was split into "gold" and "silver" factions though a majority of Virginia's congressmen were in favor of free silver and believed that the Sherman Act did not do enough to promote its coinage.⁸³ As the state's newspapers, the business interest and the politicians argued over the merits of free silver, the demand for repeal of the Sherman Act grew louder. The business interests agreed with Cleveland's rationale for repeal, but many Democrats endorsed repeal only as a means to clear the way for free and unlimited coinage of silver.⁸⁴ Carter Glass, ardent free silverite and editor of the Lynchburg News, led the attacks on Cleveland's position in Virginia and expressed the silverite view of the crash of 1893: "the New York banks stand unqualifiedly responsible for creating a run upon the treasury gold

which has produced the present financial humiliation of the government and created general financial confusion."⁸⁵ Most papers, however, supported repeal, and a survey conducted by the New York World in September reported a great deal of sentiment for immediate and unconditional repeal.⁸⁶ In Virginia the desire for repeal was strongest in the manufacturing and commercial centers, while the farming districts were in favor of free silver, and supported repeal as a first step.⁸⁷

In Congress the Virginia delegation supported the President's position by eight to two. Though previously on record as opposed to unconditional repeal, the congressmen succumbed to continuous propaganda and a sense of party loyalty.⁸⁸ That loyalty did not last long; for on the same day they stated a desire for free silver to be included in the Democratic platform by a similar vote of eight to two.⁸⁹ Though Cleveland was greatly encouraged when the Wilson Repeal bill passed the House by a vote of 239 to 108, he was shrewd enough to see the magnitude of the crisis that was approaching in the Senate. The Republicans had voted for sound money by a solid four fifths majority, the Democratic vote on free and unlimited coinage of silver was evenly divided.⁹⁰

It was against this background that Tucker took the most significant and controversial stand of his political career.

Tucker was a sound money man at heart, carrying on the conservative monetary policies of his father, though somewhat altered.⁹¹ The silver question was a consistent issue of Tucker's first eight years in Congress, not always in the lime-light but always the most important. Tucker was not a "gold bug," who advocated the absolute exclusion of silver as legal tender. On the contrary, his record showed a consistent support of silver measures until the crucial year of 1896. In 1890 Tucker sponsored "a bill to establish the free coinage of silver in the United States," but it failed to pass the House.⁹² Tucker's stand on the issue became apparent on August 28, 1893, when he voted to support President Cleveland on the repeal of the Sherman Silver Purchase Act. On that same day, however, he, along with fellow Congressman G. O. Wise, opposed free silver at a ratio of ten to one.⁹³ Tucker and Wise remained in the opposition through three more votes setting ratios of seventeen, eighteen, and nineteen to one. Each time among Virginia's ten Congressmen the vote divided eight to two. At the vote for a ratio of twenty to one, Tucker changed his vote and accepted free silver.⁹⁴ Congressman Wise remained a "gold bug" to the end.⁹⁵ In 1893 the ratio of silver to gold was not the critical issue it later became. Congressman William Jennings Bryan⁹⁶ explained the situation in a speech

he delivered in the House of Representatives August 16, 1893:

Among those in favor of bimetallism and in favor of independent action on the part of the United States, there is, however an honest difference of opinion as to the ratio at which the unlimited coinage of silver should be undertaken. The principle of bimetallism does not stand upon any certain ratio but may exist at one to thirty as well as one to sixteen.⁹⁷

The current issue continued to divide Grover Cleveland from a large fraction of Virginia Democrats. By the congressional election of 1894, all political parties favored some form of silver coinage as a means of countering the deepening depression of 1893.⁹⁸ The Republican Party, however, naturally wanted limitations. Tucker openly opposed to the sixteen to one ratio but accepted the twenty to one ratio. He was reelected to Congress with his position on the issue known.⁹⁹ In 1894, Tucker and Virginia's other nine Congressmen voted to coin about \$55,000,000 of silver bullion which had accumulated in the treasury. President Cleveland vetoed the bill, which only served to increase the alienation of most of Virginia's congressmen from the President.¹⁰⁰ Bryan, whose presidential ambitions were well known, was one of Cleveland's harshest critics. To him, the money issue thoroughly divided the party between the silver Democrats and Cleveland Democrats.¹⁰¹

The agitation for free silver took on the appearance of a zealous crusade as the depression deepened. William L.

Wilson of West Virginia, Tucker's colleague in Congress, described the situation with growing alarm: "I have never seen the masses of people so wild over a question that they know little or nothing about. To reason with them is as impossible as to talk down an angry cyclone."¹⁰² The outlook in Virginia was becoming bleaker with each passing month. Skepticism gave way to panic in Virginia business circles as land development projects from the early nineties began to collapse. Produce prices dropped to record lows with the farmers taking the brunt of the loss. Wheat in Virginia went for forty-seven cents per bushel, and the prices for cotton and tobacco were abysmal. A shortage of money and credit became increasingly critical and directly touched almost every individual in the state.¹⁰³ All across Virginia there was a growing belief that silver was the friend of the people and a key to better times.¹⁰⁴

As the election year of 1896 began, the public increasingly associated fiscal conservatives such as Tucker with the "bankers, capitalists, monopolists and millionaires."¹⁰⁵ Gold became a symbol of oppression, hard times and the Republicans. Silver seemed to be the only answer to the problems facing the common man. The issue gripped the Democratic party like a fever. It was now a widespread belief that silver provided the only immediate remedy to the critical shortage of currency.

When William Jennings Bryan used the phrase "crucified upon a cross of gold," he might well have applied it to Tucker's 1896 bid for reelection.¹⁰⁶ In February, 1896, Congress was considering a bill, to "maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue."¹⁰⁷ The bill included a section providing for the free and unlimited coinage of silver at a ratio of sixteen to one.¹⁰⁸ Tucker stuck to his former position in the face of enormous pressure from his own party. He told the House:

I can not give my sanction to the bill now before the House. . . . I have been unable, with the best thought I could give to the subject, to bring myself to the conclusion that the "free and unlimited coinage of silver at a ratio of sixteen to one" by the United States under present conditions, would be of any benefit to the people of the country or consistent with good financial legislation. . . . Would such a step by the United States alone bring the value in the silver dollar up to par?¹⁰⁹

Tucker then pointed out that the ratio of sixteen to one had been established by the Government in 1836. He stressed that, although the ratio of sixteen to one was acceptable in 1836 when silver had been worth \$1.29 per ounce, it was no longer acceptable sixty years later when silver was worth only sixty-five cents per ounce.¹¹¹ He explained the decline of the value of silver by citing its demonetization in 1873 by the Republican party, remarking that dozens of foreign countries

had soon followed suit.¹¹¹ Tucker's argument against the ratio was skillful, resting solidly on common sense:

If I could believe that the action of the United States alone would bring the intrinsic value of the silver dollar up to par, I should welcome it as one of the most important measures that could be brought to the attention of the American Congress. More than that, sir, I would vote most cheerfully, as I have done before, for any measure looking to the free and unlimited coinage of silver, with the addition of enough silver to the dollar to make it the equal of any other dollar.¹¹²

Tucker declared that the depreciation of silver made the true ratio closer to thirty-two to one. He argued that, if the law were passed, "bankruptcy and ruin would mark its adoption, and to every man in the country who is laboring under a load of debt it would be the beginning of the end."¹¹³ The laboring man would be the first to suffer. He would receive his wages in the depreciated dollar and his "sweat would be coined into poverty and misery instead of comfort and happiness."¹¹⁴ The farmer too would be paid for his crops in cheaper money. The last to feel the effects would be the banker, who was always able to take care of himself.¹¹⁵ Tucker concluded his speech with a sentiment that he repeated frequently in 1896 and for many years to come:

I can never vote for a bill that would create one dollar less valuable than another, and I stand ready at all times to vote for any bill to legitimately increase the volume of currency and create a dollar which shall be the equal of every other dollar in the land. To do

otherwise, with my belief of the result, would be little short of criminality.¹¹⁶

Tucker was aware that his stand on the silver issue placed his chances for renomination in great danger. His mail was full of warnings and assessments of the strength of silver sentiment in the counties of the tenth district. In Fincastle, Dr. I. R. Gordon reported that "the people are so rampant for free silver that I am afraid they lose sight of any other merit."¹¹⁷ Such warnings prepared Tucker for the state Democratic convention which was held in Staunton in June.¹¹⁸

The Richmond Times called the convention "a silver carnival."¹¹⁹ The free silver forces were led by long-time silverites such as U.S. Senator John W. Daniel and Congressman Peter T. Otey. They called for adoption of a sixteen to one platform.¹²⁰ Senator Thomas Staples Martin had previously supported sound money, but he too jumped on the silver bandwagon to save his career. At the convention, he delivered a blistering attack that labeled Cleveland as a "party wrecker."¹²¹ Tucker followed Martin to the podium.¹²² In one of the most courageous speeches of his career, Tucker tried desperately to defend Grover Cleveland against the assault of his enemies. He was the only Democrat to do so: "Cleveland has not upheld the course that has been satisfactory to me . . . and I have voted against him,

but he is our man and I am not going to stand up here among Virginia Democrats and blackguard a man whom we elected."¹²³ Tucker acknowledged that the Democratic party was split between "gold bugs and silver bugs," and he implored all Democrats to stand together.¹²⁴ There was more to democracy, he maintained, than gold and silver.¹²⁵ He left the stage amid the boos and hisses of the assembled delegates.¹²⁶ The convention, "without waiting for the assault or concurrence of any other nations, demanded the free and unlimited coinage of silver at a ratio of sixteen to one."¹²⁷

Reactions to Tucker's defense of Cleveland varied widely in the days after the convention. Men who wrote directly to Tucker were usually full of praise: "I believe in free speech and am glad to see that you had too much guts to be hooted down by a pack of idiots."¹²⁸ His unsigned friend assured him that "all the good men of Richmond are speaking of you today in the brightest of terms."¹²⁹ He later remembered the reaction. In 1932 he told Allen Nevins that after the speech old friends snubbed him and former supporters shook their fists in his face. He had feared physical attack as he walked the streets.¹³⁰

The weeks between his speech and the convention of the Democrats of the tenth district at the Amherst Courthouse on July 30 were incredibly trying for Tucker. Most of his friends

advised him that his chances for renomination were slim.¹³¹

Hal Flood's announcement of his candidacy for the congressional seat in the tenth district made it even less likely that Tucker could win renomination. Flood had ceased to support Tucker in the early 1890's and cultivated political ambitions of his own ever since. The two men finally split in 1894 over the silver issue when Flood advocated free coinage at sixteen to one.¹³² Flood seemed sure to ride the silver wave into Congress. No doubt the threatened loss of the nomination to his cousin caused Tucker a degree of resentment, even though relations between the two remained cordial. One week before the tenth district convention, the Democratic national convention in Chicago endorsed free coinage at sixteen to one and nominated William Jennings Bryan for president. Now Tucker faced the most difficult political decision of his life. He wrote to his father on June 29, "Can I now make the race consistently with the party? Of course I can try and run on my record, but that is against sixteen to one. . . ." ¹³³

Tucker's action at Amherst Courthouse provoked the single greatest controversy of his career. The first official action of the convention was to adopt the Chicago platform of the National Democratic Party. Once this was completed Tucker appeared before the Convention. In what came to be known as

"the dog cart" speech, Tucker withdrew his name from consideration as a nominee for Congress. He began: "Mr. Chairman and Fellow-Democrats of the old Tenth District: It may test your credulity, but I beg you to believe me when I say this is the proudest moment of my life. . . ." ¹³⁴ He declined the unoffered nomination and then explained his objections to the sixteen to one ratio. He claimed that he could not go before the people of Virginia and endorse free silver:

I would despise myself if I did. How could I go and ask the people of this district to endorse principles that I do not believe in myself? They tell me to jump in the bandwagon and ride on it. For myself, I would rather ride in dog cart right than in the bandwagon at the expense of my convictions. ¹³⁵

Loud applause accompanied Tucker as he left the stage. The convention then nominated Hal Flood on the second ballot. ¹³⁶

Tucker claimed he had made a great political sacrifice to his personal convictions, and his former constituents agreed.

Some wrote to Tucker, describing his stand in flowery terms:

"Well done thou good and faithful servant of the people. You believed you were right and you upheld your belief. . . ." ¹³⁷

Others compared Tucker grandly with figures from history:

"You have emulated the example of Pope Pius VII who declared 'I will not surrender my conscience to recover my crown.'" ¹³⁸

To others it was a much simpler matter: "You feel no doubt as I do, that we have been badly licked. . . ." ¹³⁹ However his

constituents described the situation Tucker would soon be out of office for the first time in eight years.

Tucker's critics recognized that his emotional speech at the Amherst convention was a face saving ploy by a candidate who knew he did not stand a chance. In later years, they charged that had the convention nominated Tucker, he would have gladly accepted, the sixteen to one ratio notwithstanding. This charge was fueled by the rumor that just prior to the Amherst convention, Tucker let it be known that were he nominated, he would stand on the Chicago platform of silver at the sixteen to one ratio. The charge was substantiated by a letter Charles H. Paxton wrote to Tucker on July 15, roughly two weeks before the convention at Amherst:

Your letter received and it did me some good. I will be on hand Saturday since you assured me that you would stand on the Chicago platform . . . I tell the silver men that is all they could ask. . . .¹⁴⁰

Paxton's letter suggests that Tucker was indeed prepared to accept the ratio of sixteen to one silver at the last minute, if that were the price of retaining his seat. It is impossible to be sure that Charles Paxton understood Tucker correctly. One reference to^a conversation that may never have occurred cannot erase Tucker's firm stand of three years. But it does suggest that the charges may not have been entirely without substance. Whether true or false, Tucker was forced to defend his actions for the

rest of his political career.

Critics later charged that Tucker bolted the Democratic party after his Amherst speech and refused to support the party in the election of 1896. This claim is totally without substance. Tucker supported the party in 1896, and voted for both William Jennings Bryan¹⁴¹ and his successor Hal Flood. On the same day he withdrew from the race, he cabled Bryan: "As you and I once carried William L. Wilson out on our shoulders in triumph, we will put our shoulders together again to carry McKinley out to his burial this fall."¹⁴² Tucker sent Bryan other notes of encouragement throughout the fall, and repeatedly tried to arrange for the presidential candidate to speak at Staunton.¹⁴³ He also maintained a good relationship with the state and national Democratic organizations.¹⁴⁴ He even took to the stump late in the campaign to speak on "the well known lines of Democratic policy,"¹⁴⁵ and earned a note of thanks from Flood.¹⁴⁶

In November William McKinley thoroughly defeated Bryan. Jacob Yost soundly beat Flood as well and reclaimed the tenth district for the Republican party.¹⁴⁷ Tucker himself began an eight year absence from active participation in Democratic politics as a result of his disillusionment.

CHAPTER II
THE INTERMEDIATE YEARS

In March of 1897 Tucker retired from Congress with vague plans of returning to legal practice. In April, two events occurred at Washington and Lee University which changed his plans: the Board of Trustees named William L. Wilson as President of the University, and John Randolph Tucker, professor of law, passed away.¹⁴⁸ The Board of Trustees offered Tucker his father's position which he immediately accepted. In the summer of 1897 Tucker moved from Staunton to Lexington where he purchased a large home known as "Col Alto."¹⁴⁹ For the next three years the new professor of Constitutional Law and Equity concerned himself with his students, with making plans for a memorial hall to his father on campus, and to editing a finished manuscript left by his father entitled Tucker on the Constitution. The latter was published in 1899.¹⁵⁰ In 1900 President William Wilson died suddenly and Tucker was made acting President of the University until a replacement could be found the following year. In 1900, Tucker's first wife, Henrietta also passed away.¹⁵¹

In 1901 Tucker's excellence as an educator was acknowledged when the Conference on Southern Education took note of his fine work at Washington and Lee. In 1901 the Conference established the Southern Educational Board and appointed Tucker

and Dr. Robert Frazer, president of the Virginia State Normal School, its Virginia representatives.¹⁵² The movement for improved Southern education was just gaining momentum. In 1898 Robert C. Ogden had established the Conference of Education.¹⁵³ Ogden, a wealthy merchant from New York, was deeply interested in promoting the cause of education in the South. His driving enthusiasm prompted the cause to take its name from him: "the Ogden Movement." This movement was an admirable and successful effort to better educational conditions in the South. Its emphasis on cooperation between North and South did much to heal old war wounds. The movement advocated education for every southern child, black and white. Ogden, however, realized that if he insisted on racial integration in southern schools he would destroy the movement. Tucker served as its Virginia representative for two years, making speeches and drumming up support for better education in the South.¹⁵⁴ Toward the end of his life, Tucker remembered his association with Ogden with fondness; even though it later became a political liability.¹⁵⁵

In 1903 Tucker accepted the position of Dean of the Department of Law and Jurisprudence at Columbia University in Washington, D.C.¹⁵⁶ He retained the position until 1905.¹⁵⁷ In 1903 Tucker also remarried. His second wife was Martha Sharpe of Wilkes-Barre, Pennsylvania.¹⁵⁸ Tucker also served as President of the American Bar Association from 1904 to 1905.¹⁵⁹

Outside the world of academia, Tucker was appointed as President of the Jamestown Tricentennial Exposition in 1905. The Exposition at Hampton Roads was a huge celebration to honor the three hundredth anniversary of the founding of the Jamestown settlement. Agitation for such an event had begun as early as 1900. The Association for the Preservation of Virginia Antiquities sponsored the project. In 1902 the association formed a company, with Fitzhugh Lee as President, to raise funds and make plans for the festivities in 1907.¹⁶⁰ Lee died in 1905, however, and President Theodore Roosevelt appointed Tucker his successor.¹⁶¹ For the next two years Tucker traveled all over the world as a goodwill ambassador and President of the Exposition. He visited such dignitaries as King Edward VII of England in his endeavors to win friends and financial backing for the project.¹⁶² Though Tucker did his best for two years, the project was unsuccessful from the start. Its location was relatively inaccessible and attendance was poor. It was subsequently placed in the hands of receivers a month after it closed in 1907. For his part, Tucker had made an admirable attempt to finish a job started by another.¹⁶³

The next chapter in the political career of Henry St. George Tucker deals with his ardent bid for the Democratic gubernatorial nomination in 1909. This was the first of his two unsuccessful bids for governor; the second occurred in 1921.

At the turn of the century, the Republican party had

ceased to be a serious political contender in Virginia. As Beverly Tucker phrased it, The Republicans in Virginia... were as scarce as hen's teeth in that day.¹⁶⁴ The ninth congressional district of the Southwest remained their only Virginia foothold.¹⁶⁵ Without a serious threat from the Republicans the action centered on factional fights within the Democratic party between the organization or "machine" of Senator Thomas S. Martin and the independent Democrats whose nominal chief was Governor Andrew Jackson Montague.¹⁶⁶ Harry St. George Tucker was solidly in the independent camp as always. Tom Martin was a true power in Virginia politics in these years and would prove an overpowering enemy of Harry Tucker in 1909. Martin, as an unknown, had defeated the seasoned Fitzhugh Lee¹⁶⁷ for the senate race of 1893 in a dramatic upset.¹⁶⁸ In the same year, "boss" John S. Barbour, the first organizer and undisputed leader of the Democratic machine in Virginia, died. The reins soon fell to Senator Martin where they had firmly remained ever since.¹⁶⁹ Andrew Jackson Montague, on the other hand, had captured the governor's chair in 1901 on a progressive and independent Democratic ticket. He advocated such reform measures as better roads, education for every child, labor reform and, most importantly, the provision for a party primary in which the people could be directly represented.¹⁷⁰ The machine naturally opposed those progressive measures. As an independent governor,

Montague was thoroughly harassed by the machine-controlled state legislature and could actually achieve very little.¹⁷¹

So it went in Virginia until 1905 when the battle reached a climax that would determine political sovereignty in the state for many years to come. The culmination of the struggle was the 1905 senatorial race¹⁷² in which Martin thoroughly defeated Montague to gain a nearly complete ascendancy in the state.¹⁷³ This was coupled with the gubernatorial defeat of the temperance candidate, Judge William Hodges Mann, by the machine candidate, Claude A. Swanson.¹⁷⁴

In 1909, the year Harry St. George Tucker finally decided to re-enter politics, the situation stood thus: In the U.S. Congress the Martin machine could claim seven seats, while the independent Democrats were represented by Carter Glass and William A. Jones and the Republicans by Bascom Slemph from the ninth district. In Virginia, the organization had the governorship and uncontested control of both houses of the General Assembly.¹⁷⁵ At the outset, four men announced their candidacy for the Democratic gubernatorial primary: Judge William Hodges Mann, Henry St. George Tucker, Carter Glass and Henry C. Stuart. By February Glass and Stuart had withdrawn. Glass and Mann were both renowned temperance men. When it became public knowledge that Mann would carry the support of the Anti-Saloon League of Virginia and its powerful leader, the Reverend James Cannon Jr., Glass felt offended and withdrew from the race with a great deal of bitterness.¹⁷⁶

Stuart, nephew of the famed J. E. B. Stuart, had announced his candidacy before Tucker. Stuart, an Abingdon man, shared Tucker's independent Democratic status. His base of support was virtually the same as Tucker's, thus necessitating a withdrawal from the race and a united independent front to challenge the machine. Stuart obliged, citing his wife's ill health and his need for a trip abroad.¹⁷⁷ Tucker returned the favor in 1913 and Stuart secured the governor's seat unopposed.¹⁷⁸ By March, therefore, the race became a solid two way confrontation between Harry St. George Tucker and his opponent Judge William Hodges Mann.

The man who defeated Harry Tucker in 1909 was a formidable political adversary indeed. In the 1905 governor's race he had received the second largest vote without the official endorsement of either faction of the Democratic party. His appeal had been noted by the machine men and even then he was spoken of as a probable contender for the 1909 race.¹⁷⁹ Hailing from Nottoway, Judge Mann, had no formal education, but rose to the position of a lawyer and then was elected the first County Judge of Nottoway as a young man of twenty-seven.¹⁸⁰ After twenty-two years of "esteemed" service on the bench with only two decisions reversed, Judge Mann voluntarily retired in 1892. He was a beloved man, a distinguished ex-Confederate soldier, an elder of the Presbyterian Church and a life-long supporter of the Prohibition movement in all of

its stages.¹⁸¹ "A bearded Virginia gentleman with a kindly manner and a cherubic face",¹⁸² he was the Democratic party leader in the state senate, and by 1909 a faithful supporter of Senator Thomas Martin, Congressman Hal Flood, and the organization Democrats. The organization had denied him its full support, however, primarily because of his reputation as a militant "dry".¹⁸³ This, then, was Harry Tucker's opponent in 1909 and the next governor of Virginia.

In 1909, therefore, the election was won in the primary. Whichever candidate secured the Democratic nomination was a certain winner against whomever the Republicans might present as a token candidate in the election. To the entrenched machine and the hungry independents of the Democratic party, the stakes were high and the rivalry far from friendly. It was only after the primary that the Democrats closed ranks and presented a unified front to defeat the Republicans. As Beverly Tucker put it, "stump speaking between two intra-democratic factions was an event and often tinged with bitterness."¹⁸⁴ Bitter is indeed the best word to describe the primary battle of Harry St. George Tucker and William Hodges Mann. The 1909 race at times took on the unfortunate quality of a mudslinging campaign between the two men. This was distasteful in the eyes of the press which considered Virginia politics as something lofty and somehow above it all. However, the accusations and attacks on Tucker's record serve to shed

some light on incidents that might have otherwise faded into obscurity. It is in this manner that the personal and "dirty" aspect of the Democratic primary of 1909 becomes historically priceless.

In a close primary in which the two Democratic candidates shared roughly the same stand on the issues, the temptation to attack one another in vulnerable spots was indeed tempting. Harry Tucker, as the underdog, certainly came in for his share in 1909. This is not to suggest that he was above striking back with force by any means. He was repeatedly criticized for his refusal to leave personal attacks out of a "friendly" Democratic rivalry. The Virginian Pilot described the two candidates as "independent bushwackers, shooting pots and kettles at each other to the detriment and best interests of the Democratic party of Virginia."¹⁸⁵ The editor henceforth refused to support either candidate.

Harry Tucker's most vulnerable point was his celebrated bolt from the Democratic party in 1896. It will be remembered that on July 30th at the 1896 Amherst convention, Tucker announced that he would not allow his name to be put forward as a candidate for renomination for the congressional seat in the tenth district. In his "dog cart" speech, he attributed his decision to the unacceptability of the Democratic party's platform plank of supporting the free ratio of silver at a sixteen to one ratio of gold.¹⁸⁶ The congressional nomination

went to Tucker's cousin, Hal D. Flood, with full machine support. Thus in 1896 began Tucker's "absence from the house of his fathers" which was to haunt him in Democratic politics from that time on.

Judge Mann and his supporters naturally played this issue up in 1909. They openly questioned Tucker's loyalty to the Democratic party. Many Virginia newspapers shared Mann's position, and one described Tucker's actions in 1896:

The Register has therefore shown that Mr. Tucker had made an active canvas for delegates and strenuously sought to secure renomination after all the world knew that the Democratic party, state and national, was absolutely committed to the free and unlimited coinage of silver at the ratio of 16 to 1. It was not until the night before the Amherst Convention which nominated Flood, that Mr. Tucker after a count of noses, realized that he was a beaten man, and it was then that he made his speech of renunciation upon which he now so plumes himself for his courage and fidelity to conviction.¹⁸⁷

Unfortunately for Tucker, this memory of events thirteen years ago was widely remembered across the state. One paper tersely stated, "if he had secured delegates enough to have nominated him, he would have been only too glad to have accepted the nomination."¹⁸⁸ As he campaigned in 1909, Judge Mann attempted to prove that Tucker showed "no Democratic enthusiasm"¹⁸⁹ from the time of his defeat in 1896 until the Parker campaign of 1904, when he was a Democratic elector for his state.¹⁹⁰ Judge Mann even suggested that after "sulking in his tent"¹⁹¹ through the remainder of the convention, Tucker betrayed his

party by lukewarm support of Hal Flood and William Jennings Bryan and by actually encouraging the opposition. Mann claimed he had permitted his Congressional frank to be used to circulate Republican campaign literature.¹⁹² The severity of the damage done to Tucker's political career by these revelations was most severe. It seems that the merest hint of an anti-Democratic spirit was enough to ruin a man.

Tucker went to great lengths to persuade the voters of Virginia of the inaccuracy of these reports and of his utmost loyalty to the Democratic party. He told the voters that the nomination of 1896 had been his and that his convictions would not let him accept it because of his well known anti-silver stand. He prided himself on this great sacrifice to principle, and attempted to clear his record in an open letter to Judge Mann published in The Richmond News Leader:

Your attempt to show my party disloyalty in 1896 is indeed futile. That I voted the party ticket in 1896 has not been denied. Second, that I spoke for the party ticket in 1896 has not been denied. Third, that the people of Virginia appreciated and understood my position in that fight was known to every man who was at the state convention in Staunton in June 1896. I took my position then and maintained it during my whole canvas, and in 1904, eight years later, the Democrats assembled in convention in Richmond, nominated me by a 300 majority over my nearest competitor as one of the electors at large (and you doubtlessly voted for me) and when the results came in I had the largest vote of any man on the ticket. Am I correct in assuming that you voted for me?¹⁹³

Tucker made much of his position as an elector-at-large in 1904. In his view it served as a justification of his place in the Democratic party. An elector was certainly a true Democrat. He saw no reason why his loyalty should be questioned in 1909 when his good standing in the party had been confirmed in Richmond five years earlier. Many newspapers were unconvinced, however, and cited Tucker's failure to speak for the party from 1896 to 1904, during his "retirement". One paper sneered that it was only in 1904 that "the political bee had again begun to buzz in Mr. Tucker's ear",¹⁹⁴ and it wondered "whether his campaigning was done for the Democratic party or for Harry Tucker."¹⁹⁵ Tucker's "absence from the house of his fathers" was the major controversy of his career and returned to haunt him in 1909 and for the rest of his political life.

As if his 1896 actions were not enough, Tucker also found himself explaining his role as President of the Jamestown Tercentennial Exposition of 1907. Upon appointment, Tucker had received a salary of ten thousand dollars to serve as the president of the Exposition. At the end of the Exposition, the organization was placed in receivership. This was in no way the fault of Harry St. George Tucker. For his opponents, however, it made excellent ammunition in the mudslinging campaign. One newspaper sarcastically listed thirteen reasons why Tucker should be the next governor of Virginia:

Because he served the Jamestown Exposition as president at a salary of \$10,000 a year, and ran it into the hands of receivers. Because he is now counsel for the receivers of the Jamestown Exposition and will eventually get a good big fee for assisting in winding up affairs of a concern that went to smash under his mismanagement.¹⁹⁶

To blame Tucker for the financial woes of the Exposition was undoubtedly unfair, as he in no way managed its finances. His critics do point out a serious conflict of interest in his dual positions as president and later as paid counsel for the receivers. They suggested that he had profited from his own previous ineptness as president. This certainly seems an unfortunate move on Tucker's part, considering his desire to continue in politics in those years.

Unlike what happened at the time of his break with the Democratic party in 1896, much of the press rallied to Tucker's defense in 1907. This was especially true in the Tidewater area where the Exposition was located. Newspapers there recalled what they considered Tucker's excellent service in winning the cooperation of American and foreign states, and as one said, "discharged with remarkable faithfulness a routine of ceremonial duties which would have broken the health of most men. . . ."¹⁹⁷ They asserted that Tucker was "never understood to be the business manager of the Exposition,"¹⁹⁸ and that "it is well known that Mr. Tucker's expenditures while President of the Exposition far exceeded his salary".¹⁹⁸ Though meant to cast aspersions on his managerial abilities, the Jamestown Exposition issue

did Judge Mann more harm than it did Tucker; it evoked the sympathy of Tidewater voters for the victim of unfair harassment. Tucker himself offered the best explanation of his function in those years, and cast a good deal of light on his activities from 1905-1907:

One simple fact is sufficient to show that I was not employed by the Exposition Company to manage its business affairs. It is this - by the terms of my employment I was to undertake to get the appropriations from Congress, the participation of the states of the Union, and the representation of foreign countries at the Exposition. This would necessarily keep me from Norfolk a large part of my time, and could not have undertaken work that required me to be at Norfolk constantly, as to the business side of the Exposition exacted....²⁰⁰

Tucker was not the innocent victim of a campaign to discredit his past actions. Instead, he was a seasoned, tough and sometimes dirty fighter. Tucker questioned Mann's consistency on the Prohibition question, and cast aspersions on Mann's relations with Senator Thomas Martin and the liquor interests.²⁰¹ Tucker was the more brutal and dirty fighter in 1909. His position as the underdog no doubt had much to do with his campaign strategy. He refused to stick to the issues in spite of exhortations that he conduct a more dignified race. The Bristol Herald Carrier lamented, "He has so far conducted his campaign, not upon the record of his own merits and qualifications, but upon allegations of shortcomings on Judge Mann's part."²⁰² This seems to have been the over all flavor of the campaign although both candidates

protested to be acting only in self defense. The overriding consensus concerning Harry Tucker seems to have been that had his speeches dealt more with his own claims and less with insinuations against his opponent they would have in all probability gained more votes.²⁰³

Another issue which stirred up some controversy and no doubt lost votes for Tucker involved a "faked" news story favorable to Tucker. Coming from The Richmond Times Dispatch, the story was carried by many newspapers:

Gubernatorial Fight Warms Up...Tucker grows strong... Surprising strength in the Fourth, Seventh, and Ninth districts--Stuart's supporters rallying to him-- the 'machine' seems split wide open.²⁰⁴

Upon examination it seems clear that if all the article claimed was true then Judge Mann would stand absolutely no chance of election.²⁰⁵ The claims that Tucker would carry Mann's own fourth district and that "the Stuart supporters have arrayed themselves under the Tucker standard," smack more of campaign literature than of unbiased election coverage. This, as it turns out is exactly what the situation was. The story was paid for by Tucker's supporters which was in some manner masqueraded as a bona fide news story. There is nothing to link this directly to Tucker other than Judge Mann's accusation:

You were publishing in the newspapers, stories in reference to your strength, that are not true and which, although they purport to be news stories, are really prepared by you...I have in my possession written proof, which cannot be denied as to a 'faked' story that recently appeared in 31 county newspapers.²⁰⁶

This is not to suggest that such trivial matters were of primary importance in Tucker's campaign or that they were anywhere near as harmful to him as his "absence from the house of his fathers." Such illustrations serve merely as indicators that "dirty tricks" politics were nothing new in 1909.

The campaign of 1909 was not fought solely on a personal level. As Democrats, both Harry Tucker and Judge Mann adhered to the same political doctrines, although they did disagree about a number of issues. For instance, compulsory education was very much on the minds of the voters that year. Unfortunately for Tucker, his past once again supplied ample ammunition for a hostile machine. Tucker's employment with Robert C. Ogden and the other northern educational philanthropists of the "Ogden Movement" has previously been dealt with. The significance of Tucker's 1902 employment for his gubernatorial bid seven years later lies in the hostile light in which his adversaries were able to place him on this issue. The Ogden Movement had stressed the need to educate all Southern children of both races, but not integration.²⁰⁷ No matter how delicately handled, however, laws providing for compulsory education and for the education of Negroes were sore issues in Virginia. Seven years after his Ogden connection the forces opposed to Tucker were able to cast unsavory aspersions on his association with Ogden:

1

Mr. Tucker in the past has had some sort of connection with the Ogden educational movement. This was a move, upon the part of a man named Ogden, and other rich men of New York, who, with more money than brains, conceived the idea that the people of the South were incapable of dealing with the question of educating the children of the South. And it was this party of Northern money bags who first started this asinine talk of compulsory education, concluding, in their ignorance that the people of the South were unable to deal with the all important question of education for their children. Therefore, they decided that what Southern fathers and mothers needed was a law which would force them to send their children to school.²⁰⁸

Judge Mann and his machine supporters opposed a education law in any form, as contrary to Democratic principle. Tucker, unfortunately, handled his pronouncements on compulsory education in a manner which did more harm than the Exponent's editorial. On the twelfth of February in an early campaign speech in Nansemond County Tucker said, "I approve the law enacted by the last General Assembly making optional compulsory education. The man who has children and don't send them to school ought to be made to send them. Ignorance, which breeds vice, is just as 'ketchin' as small pox."²⁰⁹ In April, when questioned by The Culpepper Exponent on how he would vote on a compulsory education election in his home county Tucker took the opposite stand:

At the present time I would vote against it. It is a condition that confronts us and not a theory, and the conditions in Virginia are such that as Governor of the State, I would veto a state-wide compulsory education bill.²¹⁰

The March editorials and Judge Mann's use of the issue no doubt accounted for the discrepancies between Tucker's February and

April stands on the education issue. This cost him dearly, especially in the rural counties where the opposition to compulsory education was strongest.

As vital an issue as the education question was, however, it was soon eclipsed by the major theme of the 1909 primary: the liquor question. Without a doubt, the all encompassing issue of the 1909 race was Prohibition. Here the candidates took radically different stands on the issues.

To attain a proper perspective on the Prohibition issue in 1908 it is essential to examine the primary from a broader perspective as, indeed, Prohibition was a nationwide issue. In 1909 it was certainly nothing new in state politics. Temperance sentiment had always been strong in Virginia; but efforts at Prohibition had been sporadic and unsuccessful prior to the turn of the century. In 1900, however, Prohibition began to "sweep across the Southland like a fever."²¹¹ By 1909 the prohibition zeal had engulfed Oklahoma, Alabama, Georgia, Mississippi, North Carolina and Tennessee.²¹² The prime mover of this tidal wave of reform was the Anti-Saloon League of America, founded nationally in 1895.²¹³ Its motive was clear and simple: destruction of the saloon, that "menace to the church of God, blight upon civilization, wrecker of homes, and destroyer of health, wealth and happiness...."²¹⁴ With fanatical devotion and increasingly effective organization the league pressed for eventual Prohibition all across the South. On March 12, 1901 the Anti-Saloon League of Virginia

was established at the Second Baptist Church in Richmond.²¹⁵ Prior to this time the Virginia temperance forces were weak and disorganized.²¹⁰ The Anti-Saloon League strove to unite all of Virginia's "dry" interests into a common front. In 1903 the General Assembly passed the Mann Bill which closed nearly five hundred saloons in rural Virginia.²¹⁷ Using the tools of local option, legislative enactment, and local restrictions the league began winning its battle. From 1900 to 1909 the state's saloons decreased from 1,795 to only 742 and the number of dry counties increased from twenty-seven to eighty-six. The League maintained that it was not involved in politics but was "omnipartisan."²¹⁸ In 1905 the League resolved to make it "impossible for any man to be elected to public office who favors the licensed saloon."²¹⁹ By the time the 1908 state convention met, its demands had escalated even further. Although it officially endorsed local option once again it was clear it would soon endorse total prohibition.²²⁰

In 1908, Senator Thomas Staples Martin was still boss of the powerful Democratic machine in Virginia. The current governor, Claude Swanson, was a firm Martin supporter, but the 1909 election was fast approaching and Martin was anxious to find a suitable replacement.

Martin had extremely close ties to the state's liquor interests.²²¹ Judge Mann was the state's most ardent advocate of temperance. Conflict seemed inevitable. Congressman Hal

Flood, a close friend of both Mann and Martin, brought the two men together. By 1907 Martin had made up his mind to endorse Judge Mann as the strongest candidate available. His task was formidable: to keep his organization behind Mann, even though Mann was the sworn enemy of the liquor interest on which Martin's strength was heavily based.²²² Martin's support of Judge Mann serves as a true indicator of the depths of the animosity between Tucker and Martin. Ideologically speaking, Tucker was a far more likely candidate for Martin's support in an election conducted primarily on the liquor question. Martin preferred splitting his machine to seeing Tucker become governor. Although he was confident of his political strength, Martin confided to Flood, "It will not be an easy matter to get our friends together for him [Mann]."²²³ In a series of meetings that occurred throughout 1907 and 1908 between Mann, Martin, Flood and other machine Democrats, the dilemma was discussed. Martin stressed that it was imperative for Mann to take as "conservative" a stand on the liquor question as possible. At some point, Mann assured Martin "in the most unmistakable terms"²²⁴ that he was opposed to prohibition. This was all Martin needed; Martin and Flood devoted their time to keeping the reluctant liquor interests in line. In spite of the grave doubts of many of Martin's men, he and Flood placed the organization at Mann's disposal.²²⁵ Equally as important was the need for Mann's allies, the Anti-Saloon League to act cautiously. If it did not, Martin's "wet"

supporters might rebel and Harry Tucker might receive the nomination.²²⁶ The coalition was successful in keeping Harry Tucker from the governor's chair.

Tucker's support was minimal and scattered. He was opposed the Martin machine in general and to his cousin, Hal Flood, in particular. His strength came from the independent Democratic factions across the state and other anti-machine men such as ex-Governor A. J. Montague who believed that "Tucker will not make a great or brilliant governor," but he at least would not be dominated by "this very damaging and corrupt machine..."²²⁷ At first, Tucker hoped to avoid the liquor question, but soon felt compelled to make a statement to gain support. He opposed Prohibition, favored local option, and supported "all sound Temperance legislation". This was a cautious position, aimed at both wets and dries.²²⁸

In February of 1909, the true test of the Martin-Mann alliance arrived. The Anti-Saloon League held its state convention in Norfolk. If it came out for Prohibition, the Mann candidacy was ruined. Judge Mann was vice-president of the league.²²⁹ The "wet" factions of Martin's machine would be forced to support Tucker. The decision lay in the hands of one man, the Reverend James Cannon, Jr. Cannon, the "Dry Messiah",²³⁰ was the driving force behind the League. Cannon's word was law. His recommendations on policy were invariably adopted. Martin, therefore, knew that it was imperative for Bishop Cannon to recommend a continuation of the local option

during the coming year in his report to the League. Mann approached Cannon and at last convinced him that the time was not ripe for Prohibition. The League reaffirmed its policy of local option for another year; Martin and Flood were greatly encouraged. The political significance of Martin's victory was not lost on the public at large. The editor of the South Hill Enterprise wryly remarked, "we have been in poltiics long enough to spot a game of politics when we see it, and if there was ever a nice, sleek game of politics pulled off it was that by Mann and Cannon at Norfolk."²³¹ The deed seemed to sew up the race for Mann. Tucker, however, refused to concede. In his opening campaign speech at the Richmond Academy of Music on February 24, 1909, Tucker hit hard at the issue of state-wide Prohibition, hoping to force Judge Mann to do the same:

Should an election for state-wide Prohibition be held in the near future, I would vote wet. Should a local option election be held in my home town [Lexington], which is a college town and where there are naturally many young men, I will vote dry. Should Lexington grow to be a great city, with large, progressive and varied interests, and a local option election is called, I would be prepared to be governed by conditions.²³²

This was an obvious politician's ploy to please both sides. It no doubt annoyed many who heard it but it did raise the issue of state-wide Prohibition. Tucker was astute enough to realize that once his position was known Judge Mann would be forced to discuss the issue. As the weeks passed and the pressure mounted, Judge Mann concluded that he could not hide behind the League's support for local option much longer. The voters, dubious

of Mann's connections with the Martin machine, wanted to know his stand on the issue. Tucker finally prodded Mann into discussing the subject during a joint debate in April at Boydton. Mann faced the problem far more squarely than Tucker:

I will vote dry in any state-wide or local option election...and while it may not seem technically consistent it is consistent with my life. I cannot vote for the saloon. I am going to advocate local option in every way that I can but if the majority of the people force the state-wide issue on me - I hope the situation won't come - I am going to vote dry.²³⁴

Mann's remarks badly confused the voters. The Martin organization had assured them that, although the judge was a temperance man, he would vote against state-wide prohibition. Tucker was elated, and Martin was astonished. In a letter to Flood, Martin exclaimed, "It is, of course, useless for me to undertake to describe the way I felt when I saw he had declared a purpose to vote for the thing he had assured me he was distinctly opposed to. It does seem impossible to me for him to have been sincere in his previous declarations if it is his purpose to vote for state-wide Prohibition the first chance he gets."²³⁵

In the heat of the campaign, William Hodges Mann had showed his true convictions. The damage to his campaign was minimal. Martin was able to hold the liquor interests behind him.

Tucker was perplexed at Mann's continued strength, but he fully understood what he was dealing with. Tom Martin had pulled strings and "passed the word down the line."²³⁶ In

his canvass, Tucker found the liquor men consistent in their support for Mann. They told him that Martin took care of them and they had to reciprocate. It was a simple rule of political life, and one which frustrated Tucker throughout his career as an independent Democrat. A. J. Montague deftly summerized the situation; Judge Mann, he said, was "the candidate of one of the most remarkable combinations ever made in the politics of this state - running as a temperance man and supported by the machine saloon influence."²³⁷ Tucker was aware that this "remarkable combination" spelled certain defeat for his candidacy but he refused to concede. With little to lose, Tucker launched into a vicious assault against his enemies. He accused Judge Mann of joining an "unholy alliance" between the temperance forces and the whiskey interests. All across the state, Tucker tried to expose the shady coalition. In the Richmond Times Dispatch, Tucker explained:

Judge Mann is held up in Virginia as the only original simon pure temperance man...but I want to tell you that the leaders of the liquor element of the cities are supporting him....Judge Mann says he has never approached the whiskey leaders. Well, then, somebody has done so in his behalf, for in the cities they are forhim...they are supporting him with some idea of restitution....The attempt has been made to put the whiskey people and the temperance people in the same bed, but it won't do. One will kick the other out.²³⁸

Again and again Tucker hammered at the accusation that Mann had made some sort of sinister deal. In a speech delivered in April in Reedville, he depicted the alliance as an "unholy communion"

at a wedding. Judge Mann was the groom, his bride was the church, and the father giving her away was W. R. Boss (Whiskey Ring Boss). Tucker depicted himself as the gallant gentleman who prevented the unholy ceremony. Unfortunately the tactic backfired; Tucker was accused of sacrilege.²³⁹ Undaunted, Tucker continued his accusations until Judge Mann became exasperated, and wrote to Tucker in an attempt to clear the air; "I say positively and emphatically that no such deal has been made by me or by any one for me...and that none will be made....I again deny your charge and call for your proof, and if you cannot product it, you should publicly withdraw your charge."²⁴⁰ Tucker's refusal to drop the charge engendered real bitterness between the two men. For all his efforts, Tucker could not bring down the coalition that had formed against him. His repeated attempts to cause a rift between Mann and Martin failed. A letter from Hal Flood to Senator Martin show just how thorough the machine opposing Harry St. George Tucker was. It also serves as an excellent reminder of just how far from the speaker's platform the campaign is sometimes won. Congressman Hal Flood again enters the picture. It seems he hinted strongly to the current Virginia governor, Claude A. Swanson, that should Mann fail to carry Swanson's home district, the chances of the governor's receiving an appointment to the U.S. Senate, in the event of a vacancy, were slim at best. "He knew what I meant," Flood wrote to Martin, "and he promised to pack [his] grip and leave on the next train."²⁴¹

In the light of such organization Harry Tucker must certainly be admired for the persistence he consistently showed in opposing the machine.

The vote itself was anticlimatic. On August 5, 1909, Judge William Hodges Mann won the nomination by a majority of 5,078 votes.²⁴² The Judge received a popular vote of 27,849 to Tucker's 22,771.²⁴³ In a breakdown of the ten districts Tucker took only four: the first district with 2,672 to 2,597, the third with 4,541 to 3,165, the eighth with 2,439 to 1,772 and his own tenth district with 2,959 to 1,811. Mann received comfortable majorities in the second, fourth through seventh and the ninth districts.²⁴⁴ In the wet cities of Alexandria, Portsmouth and Richmond, the Judge had shown solid strength. To Martin's credit, he had also carried the "soaking-wet" Norfolk by a two to one margin.²⁴⁵

Following his 1909 defeat, Tucker immersed himself in private life, even though he remained active in the Democratic Party. In 1913 he vigorously supported his friend, Woodrow Wilson, for the Presidency. As a result, his name was widely suggested in the state press for a cabinet position in the new President's administration.²⁴⁶ Tucker's support transcended state lines, both Senator John Sharpe Williams of Mississippi and Senator George E. Chamberlain of Oregon, two highly prominent Democrats, supported him. They went to Trenton, New Jersey, and personally recommended Tucker to Wilson.²⁴⁷ A cabinet

position, however, never materialized. The following year, Tucker again considered making a race for the Governorship but never seriously entered the contest. Henry C. Stuart, formerly an independent, but now assimilated into the ranks of the organization, secured the office unopposed.²⁴⁸

Tucker devoted his time during these years to his health problems and his two literary endeavors. In 1915 he published his first book, Limitations on the Treaty-Making Power under the Constitution of the United States. In this work Tucker set out the limits of the treaty making power. True to form, he maintained that the power could not be superior to the Constitution itself and that the President and the Senate had no authority to make treaties which would ultimately affect the country like a Constitutional change.²⁴⁹ In 1915 Tucker also underwent the first of his several operations for cataracts. His failing eyesight had been causing him a great deal of discomfort.²⁵⁰ He was plagued by poor eyesight for the rest of his life. In 1916, Tucker published his second work, Woman's Suffrage by Constitutional Amendment. He did not argue for or against the proposed Seventeenth Amendment granting women the right to vote, but instead discussed the powers of the State and Federal governments under the Constitution. Tucker saw the proposed amendment as an attempt to break down the equilibrium between the two. Reviews pronounced his argument valid, and his performance futile.²⁵¹

In 1920, at the age of sixty-nine, Tucker decided to actively/reenter politics. On February 27, 1920, in a letter to State Senator Thomas H. Downing, he announced his candidacy for the 1921 gubernatorial primary a full eighteen months in advance.²⁵² Tucker's race for the governor's seat is highly reminiscent of his 1909 bid, but the situation in Virginia had changed. Boss Tom Martin had died in 1919. Martin's position of leadership in Virginia's Democratic organization was assumed by Harry Flood Byrd. Byrd, former editor of the Winchester Star, had risen quickly in the ranks of the party organization under the tutelage of Martin and his uncle and namesake, Hal Flood.²⁵³ With Flood entrenched in the tenth district congressional seat, Byrd was the natural choice for State Democratic Chairman. After Judge Mann's term as governor had expired in 1914, Henry C. Stuart captured the office. Stuart's former status as an independent blurred, and his four years as governor were marked by increasing cooperation with Martin and his forces. In 1918, however, the machine suffered a severe setback when Westmoreland Davis, an independent Democrat was elected governor. Running as the "farmers' candidate" on a vaguely "wet" platform, Davis won the nomination with a plurality over two candidates who divided the "dry" vote between them. His four years in office were enlivened for his outspoken opposition to Martin, Flood and their henchmen.²⁵⁴ Governor Davis added a degree of urgency to the

hour by announcing his intention to enter the August primary election for the Senate seat held by Claude A. Swanson.²⁵⁵

In 1921, then, Tucker reentered politics at a time when Byrd was anxious to consolidate his leadership of the party, and determined to restore the governor's office to machine control.

Tucker announced his platform at the outset of his campaign. In his letter to Thomas H. Downing, he revealed his slogan: "Back to the Constitution."²⁵⁶ He then elaborated upon its meaning:

What we need is an old time revival of pure and undefeated Democracy, with all the "isms" except "Americanism" relegated to the scrap heap. . . . Such a platform adopted by Virginia which practically made the Constitution, as against the meaningless platitudes so often adopted only to be broken, would enlist the enthusiastic support not only of thousands of Virginians, but of tens of thousands of loyal Democrats throughout the whole country. . . .²⁵⁷

In The Lexington Gazette the following January, Tucker was more specific. He deplored any further concentration of power in the Federal government at the expense of the reserved powers of the state. "I would have our people consider soberly the dangers of an overly-amended Constitution in the future."²⁵⁸ He then called for an enlargement and modernization of Virginia's budget system, for better public schools and for the speedy construction of the state highway system.²⁵⁹

At the suggestion of Byrd and Flood, machine support in the primary race went to E. Lee Trinkle.²⁶⁰ Trinkle was a state senator from Wytheville and a fiercely loyal organization

man. In 1916 he had unsuccessfully tried to unseat Republican Bascome Slemp from his ninth district Congressional seat. Trinkle was best known for his ardent support of both prohibition and woman's suffrage.²⁶¹ Tucker, on the other hand, still opposed both on principle. He was careful, however, to clarify his position:

My opposition to the ratification of woman's suffrage by Federal amendment was the expression of my convictions. That issue, like prohibition is settled, and I accept unreservedly, the will of the majority; and if elected Governor of Virginia, I shall cheerfully welcome women to the full enjoyment of their rights of citizenship. . . .²⁶²

The campaign was not particularly vigorous. Voters recognized that both candidates were honorable men, worthy of the office. The Roanoke Times clarified the major distinction between the two candidates: Trinkle was a "young, progressive, forward looking Democrat" while Tucker was "a reactionary . . . looking to the past for his inspiration."²⁶³ Tucker realized that "Back to the Constitution sounded somewhat dated in the progressive business-oriented atmosphere of 1921, and he hastened to add that he was whole-heartedly in favor of "progressive economy and productive efficiency."²⁶⁴ The campaign remained subdued, so subdued, in fact that The Lexington Gazette concluded that the old organization and anti-organization battle lines had eroded with time.²⁶⁵ The conclusion was ridiculous; Byrd, Flood and Senator Claude A. Swanson were active in Trinkle's camp, as was Governor Davis in Tucker's.²⁶⁶

One month before the primary, the race appeared to be

already decided; Tucker, as the more widely known and senior politician, would carry the day. But on July 22, The Danville Register, owned by loyal organization man Roger A. James, launched a vigorous attack on Tucker.²⁶⁷ In an article entitled "Mr. Tucker's Record Reviewed," the editor raised the tired issue of Tucker's bolt from the Democratic party in 1896.²⁶⁸ On July 31, he published a slanderous cartoon which depicted Tucker as a "prodigal son" dressed in rags and returning to the "house of his fathers."²⁶⁹ The cartoon was widely reprinted throughout the state in the remaining two days before the primary on August 1.²⁷⁰ Tucker bitterly resented these last minute attacks upon his character and threatened to sue James and the Danville Register.²⁷¹ He was so incensed, in fact, that he published a twenty seven page booklet in yet another attempt to clear his name of disloyalty to the Democratic party.

The damage to Tucker's gubernatorial aspirations was beyond repair. On August 1, Trinkle surprised Virginia voters by winning a clear majority of 22,526.²⁷² In the end, seven of Virginia's ten Congressional districts went for Trinkle.²⁷³ Once more, the Democratic machine defeated Tucker the independent. Without a major issue such as prohibition to rely on, the organization's maneuverings were the deciding factor.

CHAPTER .III

THE FINAL CONGRESSIONAL YEARS OF HENRY ST. GEORGE TUCKER

The second congressional term of Henry St. George Tucker came about by chance. On December 7, 1921, Hal Flood died of a heart attack after serving twenty-three years in Congress.²⁷⁴ Tucker's old tenth district congressional seat fell vacant for the first time since Flood had captured it in 1898. In spite of his gubernatorial defeat the month before, Tucker immediately began a vigorous canvas to regain his old seat. Popular sentiment was very much with him. One friend wrote to say that it was truly heartwarming "to know that he [Tucker] is again in the chase although he may have a little rheumatism in his legs; but thank God there is none in his voice or in his heart and he is just as ready to tree a Republican fox as he was in his younger days."²⁷⁵

Tucker's race for Congress was unique in his long career. In 1922, he added machine support to his own independent base for the first time in thirty-four years of political life. This new-found support was the result more of the actions of ex-Governor Westmoreland Davis than to any

rapprochement between Tucker and the Byrd machine. With E. Lee Trinkle safely in the Governor's mansion, the Democratic organization was in the strongest position it had reached in four years. Davis, however, posed a continual threat to its consolidation of power. Immediately after leaving office in 1921, Davis launched a campaign to prevent the reelection of Senator Claude A. Swanson, who had the support of the machine. As a result of Davis's challenge the organization began to close ranks in opposition.²⁷⁶ It welcomed many former independents back into the fold on what was sure to be the winning side. This closing of ranks in preparation for the onslaught against Davis greatly benefitted Tucker who many felt deserved to return to Congress in the first place.²⁷⁷

On February 14, 1922, the tenth district held a special convention in Staunton to name Flood's successor.²⁷⁸ As a sentimental favorite with machine acquiescence, Tucker won the nomination on the first ballot. The vote stood at Tucker, 79; Aubrey E. Strode of Amherst, 19; Floyd W. King of Clifton Forge, 16; Richard E. Bierne of Alleghany, 8; and H. H. Byrd of Bath, 6. The delegates then made the nomination unanimous.²⁷⁹ They ushered Tucker to the podium amid cheers and gave him a standing ovation. In a highly emotional acceptance speech he stated, "When I think of the noble young men who contested

with me for this honor, my feeling is not one of exaltation but of obligation and service." He then paid tribute to the memory of Hal Flood.²⁸⁰

The Democrats set a special election for March 21 to fill Flood's unexpired term which ended March 4, 1923.²⁸¹

Although the outcome was assured, Tucker followed his triumphant nomination with a vigorous letter writing campaign, searching for support among his old constituency. His letter read:

You tried to make me Governor. Can you now fail to help me attain a position that I am better suited for than that? Did Providence deny me the Governorship because He intended me for this work as better suited to me? "There is a divinity that shapes our ends, rough hew them as we will."²⁸²

The response was immensely gratifying to Tucker. His cousin, Dr. Beverly R. Tucker of Richmond, pledged his support and added, "I only wish cousin H.D. [Flood] were here so you could beat him out."²⁸³ His old friend H. L. Wallace declared that in failing to secure the nomination for governor Tucker had, "done slipped upward. . . . to use an old darkey's expression."²⁸⁴ On March 21, Tucker won re-election to Congress without opposition. The Republicans had failed to name a candidate and the voting was miniscule. An unsigned card sent to Tucker following his victory summarized the district's joy at Tucker's political renaissance: "Hip Hip Hurrah! There

is nothing like retribution. I hope Hal Flood is wriggling in his grave!"²⁸⁵ After a twenty-five year absence from office, Democracy's "prodigal son" had at last come back into his own.

On March 28, 1922, Tucker took his old seat in the House of Representatives amid a highly emotional standing ovation from both sides of the aisle.²⁸⁶ At the age of seventy, he found only four members who had served with him during his first years in Congress. This made his warm reception all the more meaningful.²⁸⁷

Times had changed since Tucker had first served in the House. The business of government had become much more complex. Automobiles were rare in 1897. Now legislation to regulate both was necessary. Since Tucker left the Congress, the United States had enacted nation-wide prohibition and fought an European War. Both events had passed. Though Tucker's interests were now more diverse, as reflected in his speeches and comments during his last ten years in Congress, his defense of states' rights against the ever widening power of the Federal government and the strict interpretation of the Constitution remained the driving force in all of his actions. To many of his younger colleagues, Tucker championed a dated

cause.²⁸⁸ He himself viewed the Federal government's gradual assumption of the functions of the states as an issue of grave and timeless importance. Every day he saw alarming indications of the growing power of the central government and rose to the states' defense at every opportunity.

Tucker saw the efforts of the Congress to regulate child labor as a clear case of infringement on states' rights. Reformers had long sought to protect minors from the harshness of industrial work conditions. The election in 1912 of President Woodrow Wilson and a Democratic Congress had raised their expectations. In 1916, the Congress used the interstate commerce clause of the Constitution to justify Federal intervention, and passed an act to prohibit the interstate shipment of goods manufactured in mills and factories employing children under fourteen years of age. It prohibited employing children between fourteen and sixteen years of age for more than eight hours a day, or at night.²⁸⁹ Wilson strongly supported the act. He saw it as the "Magna Charta for the children of the Republic."²⁹⁰ Tucker disagreed. In a speech before the Florida Bar Association on July 25, 1916, Tucker first argued that the legislation was not needed and second that it violated the Constitution. The Staunton News Leader called him the "only Congressman to stand on the burning, sinking ship of strict construction of

the Constitution."²⁹¹

The Supreme Court, however, agreed with Tucker. In the case of Hammer vs. Dagenhart, which it decided on June 3, 1918, by a five to four decision, it ruled the Child Labor Act unconstitutional. The Court held that manufactured articles were not subject to laws regulating interstate commerce until they were actually shipped.²⁹² As the underaged children worked on such articles before shipment, they were in no way a part of interstate commerce.²⁹³ Congress responded by passing the Revenue Act of 1919. The act stipulated that any manufacturer employing children under fourteen years of age or employing children between fourteen and sixteen years of age for more than eight hours a day should pay a tax of ten per cent on gross production of their mines and factories.²⁹⁴ This act was also declared unconstitutional by the Supreme Court in the case of Bailey vs. Drexel Furniture Company, upon the ground that the taxing powers of Congress could not be used as a means of preventing child labor in the states.²⁹⁵

By 1924 the issue had taken the form of a proposed twentieth amendment to the Constitution. On April 26, 1924, H.T. Res. 184 proposing an amendment to the Constitution which would grant Congress the power to regulate and prohibit the labor of all persons under the age of eighteen, came up for

discussion.²⁹⁶ The seventy-two year old Tucker rose to combat it. Advocates of the ^{proposed} amendment claimed that three per cent of the nation's children were engaged in "dangerous occupations," but he insisted that the actual figure was only six tenths of one per cent.²⁹⁷ Tucker admitted that the unfortunate minority needed government protection, but that it was state, not federal, action that would best solve the problem. Tucker then asked if there were a single man present who had not done many hard days work before he was eighteen years old. The proposed amendment would rob a child of its manhood and bring starvation to the negroes of the South. "What would you do with them," he added "if they could not work after school?"²⁹⁸ Tucker later extended his remarks in the Congressional Record:

The southern states have made wonderful progress in child labor laws, in the limitations of hours, and in compulsory education laws; and the state of North Carolina passed in the years from 1916 to 1923 more child labor laws than any state in the union. The proposed amendment is without merit. What is proposed by it for the federal government has already been done by the states, and better done than the federal government could ever do it. The rights of childhood are best protected at home or near home. . . .²⁹⁹

Despite the labors of Tucker and other advocates of states rights, the proposed amendment passed the House and the Senate and was submitted to the States for ratification. In the states the amendment failed. The debate centered on states' rights

and not social justice. Hostility to the amendment was strongest in the agricultural areas of the country where there was a widespread opposition to legislation by constitutional amendment.³⁰⁰ By February of 1925, more than one quarter of the states had already rejected the amendment, preventing the three-fourths majority needed for ratification.³⁰¹ In Virginia, Tucker's mail was full of praise for his efforts in the House. One constituent, G. W. Hook, stressed the old maxim that the devil would find work for the hands of idle children.³⁰² Frederic W. Keough, president of The National Committee for the Rejection of the Twentieth Amendment saluted his efforts: "If we had more two-fisted battlers like yourself with us, this preposterous 'child-labor' amendment would be thrown in the rubbish heap of every state."³⁰³ On the state level, Tucker had raised his voice in opposition to what he saw as a flagrant attempt to usurp the rights of the states.

Tucker also fought all efforts to pass a maternity bill during the last ten years of his life. The various maternity bills shared the well meaning intentions of the Child Labor Act. Tucker believed they posed an equally serious threat to the sovereignty of the states. The same reform spirit that had pressured Congress to enact child-labor legislation demanded federal action to improve the welfare of mothers and their

babies. Congress responded on November 23, 1921, by passing "an act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes."³⁰⁴ It provided federal funds to assist in upgrading the states' services for expectant mothers for a trial period of five years.³⁰⁵ In 1926 the five year period expired. Supporters introduced a bill to extend the law for two years to allow the states which had accepted Federal funds to adjust to the expiration of the law.³⁰⁶ On March 3, 1926, Tucker attacked the Maternity Bill in the House. He objected to the Federal Government's assumption of state powers by a broad interpretation of the general welfare clause of the Constitution. The Constitution provides: "The Congress shall have power to lay and collect taxes, duties, imports and excises, to pay the debts and provide for the common defense and general welfare of the United States. . . ." ³⁰⁷ It then lists seventeen specific grants of power. Tucker attacked the Maternity Bill by arguing that it was unconstitutional. He denied the validity of a broad interpretation of the general welfare clause which the bill's supporters used to justify it. To him the clause was a threat to the republican form of government. He quoted at length from Judge Joseph Story on the Constitution:

The Constitution was, from its origin, contemplated to be the frame of a national government of special and

enumerated powers and not of general and unlimited powers. If the clause "to pay the debts and provide for the common defense and welfare of the United States" is construed to be an independent and substantive grant of power, it not only renders wholly unimportant and unnecessary the subsequent enumeration of specific powers but it plainly extends far beyond these and creates a general authority in Congress to pass all laws which they may deem for the common defense or general welfare. Under such circumstances the Constitution would practically create an unlimited national power.³⁰⁸

What was the value of the other seventeen enumerated powers of Congress, Tucker asked, if the general welfare clause gave Congress the power to do everything anyway? He then described his own interpretation of the clause:

The words "common defense" and "general welfare" which are found in this first clause relate to every grant of power in the whole sentence. The sentence is not completed with a full stop until the end of the eighteenth grant of power. These are words of general import; indeed, that is emphasized by the fact that they are in the preamble of the Constitution. It is recognized that they carry no force, no power, but are in the preamble merely to indicate the general scope and purpose of the Constitution which is to follow.³⁰⁹

Tucker then quoted Chief Justice John Marshall's decision in the case of Gibbons vs. Ogden in which he discussed the power of taxation belonging to the states and the Federal government. Congress, Marshall had argued, was not empowered to tax for purposes which the Constitution reserved exclusively to the states.³¹⁰ Laws concerning health was one such area.³¹¹

Tucker then narrowed his attack to the Maternity Bill. He stated that the bill's appropriated approximately \$1,232,079 for the welfare and hygiene of mothers and infants was unconstitutional: "We have been appropriating money for that purpose and it looks as if we were trying to adopt a principle by which Uncle Sam is to be the midwife of every expectant mother in the country. This is state socialism, and I am against it. I am against the federal government appropriating any money to any function which belongs to the States."³¹² In spite of his argument detailing the unconstitutionality of the Maternity Bill, the bill extending its life for two years passed the House.

In January of 1927 the Senate amended the House bill to insure its demise. The amendment read: "That said act (H.R. 7555) entitled 'an act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes' approved November 23, 1921, shall, after June 30, 1929, be of no force and effect." The House agreed to the proposed termination date.³¹³ For Tucker this was sufficient. He pointed out in his remarks in the Congressional Record that two more years of Federal appropriations were of little importance in comparison with the "great end attained in wiping from the statute books of the country a law unconstitutional from the

beginning . . ."³¹⁴ He insisted that the states could take care of themselves, and that in his state of Virginia there were adequate hospital facilities in every county. He concluded by stressing the basis of his opposition to the measure:

I rejoice that this law, humane in its intent but unjustified under the Constitution of the country, is at last repealed, and that the same happened to be on the 19th of January, the birthday of General Robert E. Lee, the great Confederate hero who fought the battles of the South for the great doctrine of local self government and the rights of the states. . . .³¹⁵

The Sterling-Towner Education Bill was the major target in Tucker's battle against a broad interpretation of the "general welfare" clause of the Constitution. In 1922 the chairman of committees appointed him to the Committee on Education, the only committee with a vacancy at the time of his return to Congress.³¹⁶ Tucker's experience as a professor of law and the dangers he saw inherent in the bill combined to make the issue a crucial one for him. On January 3, 1924, Tucker delivered the longest and best known speech of his later career. Holding the floor for more than two hours, he began by briefly outlining the features of the bill: First, it provided for the creation of a Secretary of Education, who would be a member of the President's cabinet. Second, it authorized a federal appropriation of \$100 million to the states to encourage public

education. Third, it imposed various conditions that the states had to meet to secure the appropriations. Fourth, it provided for the creation of a National Council of Education to advise the Secretary of Education.³¹⁷ The supporters of the bill argued in favor of its constitutionality by citing the general welfare clause of the Constitution. Tucker turned to a lengthy discussion of the drafting of the Constitution and the correct interpretation of the words "the general welfare." His argument repeated his attack against the Maternity Bill, but he also cited the opposition of the states to the Constitution at the time of its adoption. Those with Republican sympathies feared federal powers would annihilate the states. In ratifying the Constitution, seven states had offered a total of 126 amendments to limit federal power, but not one had mentioned the general welfare clause.³¹⁸ Tucker concluded that, because these "watchful critics" of federal power had seen no threat in the clause, there had been no inherent federal power in the clause itself at the time of its creation.³¹⁹

Tucker then attacked the Sterling-Towner Education Bill itself. He admitted that the act itself was harmless, but its long-range impact was extremely dangerous: "In this bill the camel only desires to get his neck under the tent covering. . . ." ³²⁰ It was the eventual assumption of state power

by the federal government that he feared. He used the example of state roads to clarify his point. The federal government provided half of the money spent to build and maintain the roads. State authorities administer the funds. The appropriation started just as this bill did, very innocently and with proper regard for the rights of the states, and "yet today not a mile of road can be built in any state of the union with federal money without the declaration of the officers of the federal government that it measures up to their requirements of a road. . . ." ³²¹ Then, having established the unconstitutionality of the bill to his satisfaction he attacked its imperfections. First, he said, the advocates of the bill wished to "nationalize, federalize and standardize" education in the United States: ³²²

The federal government is given power to appropriate money to the schools and second, to lay down conditions upon which the money can be received by the states. Those conditions will bring about the standardization of education into one uniform, inflexible system common to all the states, while the bill on its face gives the complete control of the school to the states. . . . To standardize the school system of America is merely another word for transferring the system bodily from the control of the state to the control of the federal government. ³²³

Next, Tucker attacked the provision to establish a Secretary of Education. He insisted that the creation of such a department would bring the schools of the country into politics

and make them a "football" of the political parties.³²⁴ "The vitality, the force, and efficiency of the schools depend on their absolute freedom from any political influence, and this security can not be had when the controlling power of the schools would be a political appointee."³²⁵ Tucker also argued that the claim that the Secretary of Education would be above political bias was too absurd for consideration.³²⁶ Should the bill become a law, it would result in the "impairment or the destruction" of the school systems of some states rather than their improvement.

Tucker was primarily interested in defending the peculiar social structure of his state and section. In 1924 seventeen of the forty-eight states maintained separate schools for blacks and whites. The seventeen were all southern or border states. Tucker pointed out that the other thirty-one states had 283 members in Congress compared to only 132 members in the seventeen segregated states. "With the power to fix conditions upon which the money shall be spent, will not thirty-one states control seventeen in eliminating the separation of races in the schools? To allow our school systems in the south to be put in this dangerous position cannot be tolerated."³²⁷ Tucker then pointed out that the bill gave Congress the power to appropriate money to the states and then to "relinquish any

control whatsoever of the money granted."³²⁸ Congress, said Tucker, was responsible for the people's money. To hand over the money to another government and to give up all control over its expenditure was a clear abandonment of its responsibility.³²⁹ Tucker attacked the cost of the bill. He asked: "Why should we by this bill increase the debt of the government \$100,000,000, or more likely by \$300,000,000 in five years when every patriot in the country is striving to reduce it?"³³⁰ He concluded his speech by invoking the evils of the Federal government's usurping the powers of the states:

This bill also represents a large spoke in the large wheel of consolidation, which unless checked will finally place all of the interests of the people of the United States, national and local, in a consolidated empire in Washington. Time would fail me to regard even a partial list of the bills that have become laws and those that are pressing for consideration involving appropriations to the states. Each is a spoke in this great wheel of consolidation.³³¹

Tucker's effort was greatly applauded both by his colleagues and his constituents. George S. Graham, Chairman of the House Judiciary Committee, wrote to Tucker requesting a copy of the speech and vowing to save it as a "valuable document for reference and guidance."³³² The House voted down the bill, for which Tucker certainly deserves considerable credit. He did express the fear that the bill had nine lives, and he vowed to go on fighting it for nine more lives of his own.³³³

Tucker's second term in Congress is notable more for his devotion to principle than for any masterful constitutional debate. In February of 1925, Congress voted to increase the salary of congressmen and senators from \$7,500 to \$10,000 a year.³³⁴ Tucker vigorously opposed the pay raise. He demanded a roll call vote to place on the record each member's stand on increasing his own pay. This stipulation was voted down.³³⁵ Tucker stated his general objections to the pay raise in a brief speech on the floor of the House:

This action is in itself unwarranted, and the fact that we are beneficiaries of the action aggravates the evil of it. . . . But if the increase is to be made, I would much prefer to see it become effective two years hence than now, for then I would know that neither I nor other members would receive the increase for a two year term to which we have already been elected.³³⁶

On February 26, Tucker followed rhetoric with action. He wrote to Joseph Rodgers, Sergeant-At-Arms of the House, instructing him to withhold the monthly increase from his own paycheck. This gesture naturally attracted attention from the newspapers and caught the public's fancy. Mrs. Bertie Hamen wrote from Baltimore, to inform Tucker that her Emanuel Lutheran Church could certainly use the money if he could not.³³⁷ Though unselfish, Tucker's gesture was hardly original. In 1816, his grandfather, the first Henry St. George Tucker, had refused a pay raise from \$6 to \$8 a day.³³⁸

Tucker's second congressional career lasted ten years. In the winter of 1931 he was stricken with influenza. He returned to his home, "Col Alto" in Lexington, Virginia, to recuperate. In 1932 he developed heart disease and his strength failed. In July he lay critically ill for ten days, his third wife Mary Jane and his six grown children at his bedside. On July 23, at the age of eighty, he suffered a heart attack at seven o'clock in the evening and died. He was buried in the Lexington cemetery; scores of his constituents with tears in their eyes lined the streets to pay their respects.³³⁹ He was eulogized in Congress as a courageous politician who loved his fellowman, and as "one of the happiest mortals who ever lived."³⁴⁰ Riding back to Washington from his funeral, Senator Carter Glass summed him up aptly: "no one would have enjoyed his own funeral more than Harry Tucker."³⁴¹

FOOTNOTES

¹Congressional Record, 72 Cong., 2 Sess., LXXVI, Feb. 17, 1933, 4357-4361.

²Tucker, Beverly, Tales of the Tuckers, 2.

³Congressional Record, 72 Cong., 2 Sess., LXXVI, 4357-4361.

⁴Tucker, 65-66.

⁵Dictionary of American Biography, 33.

⁶The Lexington Gazette, July 25, 1932, p. 2.

⁷Tucker, 65-66.

⁸Unknown Staunton druggist to Tucker, Tucker Family papers, McCormick Library, Lexington, Virginia, September 2, 1888.

⁹Obituary of Henry St. George Tucker from an unidentified newspaper, Rockbridge Historical Society, McCormick, Library, Lexington, Virginia, July 28, 1932.

¹⁰1909 clipping in which a Mr. Wysor urges election of Tucker for Governor, J. Taylor Ellyson Collection, University of Virginia Manuscript Collection.

¹¹Description of Tucker from Congressman John W. Flannagen of Virginia's ninth district, Congressional Record, 72 Cong., 2 Sess., 4357-4361.

¹²Ibid.

¹³Obituary of Henry St. George Tucker from an unidentified newspaper, Rockbridge Historical Society, McCormick Library, Lexington, Virginia, July 28, 1932.

¹⁴Ibid.

¹⁵Letter from William C. Preston to Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, August 1, 1888.

¹⁶Letter from R. B. Robinson to Tucker, Ibid., April 16, 1883.

¹⁷Speech of George M. Harrison delivered at the Democratic Convention in Staunton, Ibid., August 1, 1888.

¹⁸Ibid.

¹⁹The Lexington Gazette, August 5, 1888, 1.

²⁰Ibid.

²¹Ibid.

²²Ibid.

²³The Lexington Gazette, September 20, 1888, 2.

²⁴Ibid.

²⁵The Lexington Gazette, October 11, 1888, 1.

²⁶Ibid.

²⁷Ibid.

²⁸By coincidence, John Randolph Tucker had defeated Yost with the same margin in the congressional race of 1884. Lexington Gazette, November 11, 1888, p. 3.

²⁹Ibid.

³⁰Letter of congratulations to Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, November 9, 1888.

³¹Congressional Record, 72 Congress, 2 Sess., LXXVI, Feb. 17, 1933, 4357-4361.

³²Ibid., 53 Cong., 1 Sess., XXV, September 26, 1893, 1803-1811.

³³Ibid., 72 Cong., 2 Sess., LXXVI, February 17, 1933, 4357-4361.

³⁴Ibid.

³⁵Unknown letter to Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, October 30, 1893.

³⁶Congressional Record, 51 Cong., 2 Sess., June 26, 1890, 6560-6567.

³⁷Ibid.

³⁸Ibid.

³⁹Ibid.

⁴⁰Ibid.

⁴¹Ibid.

⁴²Ibid.

⁴³Letter from H. H. Stuart to Tucker, Tucker Manuscripts, Southern Historical Collection, University of North Carolina Library, July 19, 1890.

⁴⁴Congressional Record, 53 Cong., 1 Sess., September 26, 1893, 1808-1811.

⁴⁵Ibid.

⁴⁶The Lexington Gazette, February 15, 1894, 2.

⁴⁷Ibid.

⁴⁸Congressional Record, 72 Cong., 2 Sess., LXXVI, February 17, 1933, 4357-4361.

⁴⁹Ibid., July 12, 1892, 6060-6067.

⁵⁰Ibid.

⁵¹Ibid.

⁵²Ibid.

53 Ibid.

54 Ibid.

55 Ibid.

56 Ibid.

57 Ibid.

58 Letter from B. T. Gordon to Tucker, Tucker Manuscripts, Southern Historical Collection Library, University of North Carolina, July 4, 1892.

59 Congressional Record, July 12, 1892, 6060-6067. These states included: New York, Louisiana, Illinois, Oregon, California, Idaho, Iowa, Wisconsin, Indiana, Kansas and Kentucky.

60 Moger, 115.

61 Ibid.

62 Unknown letter to Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, January 4, 1894.

63 Congressional Record, 53 Cong., 2 Sess., XXVI, July 20, 1894, 1134-1136.

64 Ibid.

65 Ibid.

66 Ibid.

67 Moger, Virginia Bourbonism to Byrd, 86.

68 Congressional Record, 52 Cong., 1 Sess., XXIV, May 19, 1890, 179-181.

69 Ibid.

70 Ibid.

71 Ibid.

⁷² Congressional Record, 53 Cong., 2 Sess., XXVI,
January 30, 1894, 431-437.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Ibid., Tucker referred to the Democratic majority
elected to Congress in 1892.

⁷⁹ Nevins, Allan, Grover Cleveland A Study in Courage,
689.

⁸⁰ Moger, Allan W. Virginia Bourbonism to Byrd, 145.

⁸¹ Nevins, 465.

⁸² Moger, 146.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid., 147.

⁸⁶ Ibid., 148.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid., 149.

⁹⁰ Nevins, 540.

⁹¹ In 1878 John Randolph Tucker was the sole Democrat in
Congress to oppose both the "Bland Allison Act" for increasing
the coinage of silver and the propagation of greenback ideas.

⁹²Congressional Record, 51st Cong., 2nd Sess., XXIII,
July 10, 1890.

⁹³Congressional Record, 53rd Cong., 1st Sess., XXV,
August 28, 1893, 1003-8.

⁹⁴Ibid.

⁹⁵Ibid.

⁹⁶William Jennings Bryan was later to become a flaming
advocate of the sixteen to one ratio; which was the primary
issue in the 1896 Democratic Presidential bid.

⁹⁷Booklet entitled "A Statement of Henry St. George
Tucker of Lexington, Virginia," Rockbridge Historical Society,
Lexington, Virginia, 14.

⁹⁸Moger, 155.

⁹⁹Rockbridge Historical Society booklet, 13.

¹⁰⁰Moger, 155.

¹⁰¹Ibid., 156.

¹⁰²Nevins, 693.

¹⁰³Moger, 150-151.

¹⁰⁴Ibid.

¹⁰⁵Ibid., 157.

¹⁰⁶Congressional Record, 54th Cong., 1st Sess., February
6, 1896, 2427-2429.

¹⁰⁷Congressional Record, 54th Cong., 1st Sess., XXVIII,
February 6, 1896, 2427-2429.

¹⁰⁸Ibid.

¹⁰⁹Ibid.

¹¹⁰Ibid.

111 Ibid.

112 Ibid.

113 Ibid.

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115 Ibid.

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120 Ibid.

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132 Letter from Tucker to H. D. Flood, Tucker Family Papers, McCormick Library, Lexington, Virginia, September 8, 1893.

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134 Booklet, "A statement of Harry St. George Tucker of Lexington, Virginia," ll.

135 Ibid.

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137 Letter from R. G. Wright to Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, July 31, 1896.

138 Letter from Marriot Brosius to Tucker, Ibid.

139 Letter from Benjamin Hayden to Tucker, Tucker Family Manuscripts, University of North Carolina Southern Historical Collection, November 12, 1896.

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143 Letter from Bryan's secretary, W. T. Schwind, to Tucker, The Tucker Family Papers, McCormick Library, Lexington, Virginia, September 17, 1896.

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145 Ibid.

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- 148 Unidentified obituary of Harry Tucker, Rockbridge Historical Society, Lexington, Virginia, July 28, 1932.
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- 150 Ibid.
- 151 Ibid.
- 152 Dabney, Virginius, Virginia, The New Dominion, 448.
- 153 Ibid.
- 154 Moger, 24.
- 155 Letter from H. Tucker to George Foster Peabody, Tucker Family Papers, McCormick Library, Lexington, Virginia, February 17, 1925.
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- 157 Unidentified obituary of Harry Tucker, Rockbridge Historical Society, Lexington, Virginia, July 28, 1932.
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- 162 Tucker, Tales of the Tuckers, 150.
- 163 Dabney, Virginia, The New Dominion, 454.
- 164 Tucker, Beverly, Tales of the Tuckers, 147.
- 165 Moger, Allen W., Virginia Bourbonism to Byrd 1870-1925, 203.
- 166 Ibid.

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215 Hohner, 89.

216 The Good Templars, The Woman's Christian Temperance Union, and the Multitudes of the Methodist and Baptist Churches. Hohner, 89.

217 Ibid., 90.

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- 231 Hohner, 99.
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- 248 Moger, Virginia Bourbonism to Byrd, 308.
- 249 Book Review Digest, vol. LXXII, 1915, 403.
- 250 Tucker, Tales of the Tuckers, 148.
- 251 Book Review Digest, LXXIII, 1916, 334.

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254 Ibid., 318.

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259 Ibid.

260 Moger, Bourbonism to Byrd, 327.

261 Dabney, Virginius, Virginia: The New Dominion, 473.

262 The Lexington Gazette, January 19, 1921, 2.

263 Ibid., January 12, 1921, 3.

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265 Ibid., February 9, 1921, 1.

266 Moger, Virginia, Bourbonism to Byrd, 328.

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271 Ibid.

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- 273 The Richmond Times-Dispatch, August 7, 1921, 1.
- 274 John L. Williams to H. Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, December 8, 1921.
- 275 F. L. Larue to H. Tucker, January 4, 1922, Ibid.
- 276 Moger, Bourbonism to Byrd, 331.
- 277 In the democratic senatorial primary of August 1922 Swanson easily defeated ex-Governor Davis in a test of the newly consolidated Byrd machine. Senator Swanson was returned to his seat with a vote of 102,045 over Davis' 37,871. Tucker's sentiments were no doubt with the independent Davis. He remained silent on the issue, however, as it was the politically expedient thing to do. Moger, Bourbonism to Byrd, 331.
- 278 The Lexington Gazette, February 15, 1922, 2.
- 279 Ibid.
- 280 Ibid.
- 281 Ibid., March 22, 1922, 2.
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- 289 Congressional Record, 68th Cong., 1st Sess., LXV, April 26, 1924, 7311-7315.

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- 295 Ibid.
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- 300 The Lexington Gazette, February 4, 1923, 2.
- 301 Ibid.
- 302 Letter from G. W. Hook to H. Tucker, Tucker Family Papers, McCormick Library, Lexington, Virginia, January 12, 1925.
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- 316 Ibid., 71st Cong., 3rd Sess., LXXIV, February 17, 1932, 4357-4361.
- 317 Ibid., 68th Cong., 1st Sess., LXV, January 3, 1924, 536-560.
- 318 Ibid.
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338 The Lexington Gazette, February 25, 1925, 3.

339 Tucker, Tales of the Tuckers, 152.

340 Congressional Record, 72nd Cong., 2nd Sess., LXXVI, February 17, 1933, 4357-4361.

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