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As much as any U. S. Senator of the post-Civil War generation, George F. Edmunds represents the character, ideas, and influence of a particular wing of the Republican Party. . . .

## George Edmunds of Vermont: Republican Half-Breed

By RICHARD E. WELCH, JR.

AMONG the major New England politicians of the post-Civil War generation, one of the more elusive is George F. Edmunds of Vermont. A United States senator from 1866 to 1891, he was recognized by leaders of both parties as one of the hardest workers in the senate and perhaps its ablest constitutional lawyer. After his retirement from politics, he was a highly successful corporation lawyer, a prominent spokesman for the Anti-Imperialist movement of 1898-1900, and a family monarch until his death in 1919 at the age of ninety-one. His was a full and an active life, but it has received little attention from historians. There exists no biography of Edmunds, nor even a biographical notice later than the publication of the *Dictionary of American Biography* in 1931. He has faded into the shadow-land reserved for the footnote figures of American history.

One reason for this is the absence of a collection of "Edmunds Papers." There is a strong correlation between the size of a man's documentary legacy and the fascination he holds for historians. Edmunds left orders that all his personal papers be burned upon his death, and they were.

There are, of course, other possible reasons for Edmunds' neglect by the historical profession. The biographer who seeks a colorful subject would not find Edmunds attractive. It would not be unjust to say that Edmunds was suspicious of charm and carefully avoided the danger of being charming. Cold, austere, and reticent, he possessed a sharp tongue and a contentious disposition. Or—to use a more New England expression—he was contrary-minded. For the historian who seeks a subject of warm human sympathies and psychological complexity, Edmunds has little appeal. Moreover, Edmunds lived his senatorial years under the

shadow of the more expansive personality of Justin Smith Morrill, a man who possessed the good sense to limit his senatorial interests and to attach his name to those bills in which he was interested.

There are few congressional statutes of the post-Civil War generation bearing Edmunds' name, and this perhaps has furnished yet another reason for historians to ignore his career and to doubt his historical significance. There is reason, however, to claim major significance for Edmunds and documentary evidence now available to support the claim. The recently opened papers of Edmunds' senatorial colleague, George Frisbie Hoar of Massachusetts, provide some of this evidence as do the papers of John Davis Long and Justin Morrill. They indicate that the significance of Edmunds' political career as a Vermont senator lies primarily in his exemplification of a particular wing of the Republican party. As much as any senator of the post-war generation, George F. Edmunds stands as representative of the character, ideas, and influence of the Republican Half-Breeds, and the Republican Half-Breeds provide an essential chapter in the history of the Republican party between the presidencies of Ulysses S. Grant and Theodore Roosevelt.

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The term, "Half-Breed Republican" is usually identified with the factional divisions of the Republican party in New York state or confined to the personal supporters of James G. Blaine and the personal enemies of Roscoe Conkling. Such an identification erroneously limits the significance and duration of the Half-Breed tradition in the post-Civil War history of the Republican party. The Half-Breeds would never operate as a formally organized or disciplined bloc, but by the late 1870's there were Republican politicians such as George Frisbie Hoar, Henry L. Dawes, William Wheeler, George McCrary, William M. Evarts, Stanley Mathews, John Sherman, and George F. Edmunds who sought in conscious fashion to establish a new center amidst the factional divisions of their party. These men were the original Half-Breeds and they are to be distinguished from both the Stalwart Republicans, who had dominated the party in the Grant regime, and the Liberal Republicans, who had unsuccessfully sought to contest the power of the Stalwarts in 1872. Men such as Edmunds had no use for either political independents or party spoilsmen. They would attempt to prevent the success of the one by seizing the leadership of the party from the other. They found a sympathetic friend in the harassed figure of Rutherford B. Hayes and it was in the Hayes' presidency (1877-1881) that they first gained form and influence.

The political style of the Half-Breeds was less personal and more intelligent than that of the Stalwarts. They believed in party loyalty but saw the Republican party as an instrument for the formulation of legislative policy as well as the frustration of the Democratic opposition. If they expressed no clearly articulated political philosophy, they did possess certain definite political goals. Identifying the future of the country with

The Half-Breed Republicans received their name because the Stalwart Republicans accused them contemptuously of being half-hearted Republicans. The name stuck.

its industrial strength, they were concerned to maintain social harmony while encouraging economic growth. They desired the expansion of foreign markets, the protection and diversification of industry, an improved standard of living for the American workingman, and a national banking and currency system suitable for the needs and safety of American business.

Most Half-Breeds were aware that the changing economic patterns of America raised new political problems which deserved the attention and perhaps the intervention of the National Government. Later some would express an erratic suspicion of trusts and monopolies. But at all times they sustained a faith in the welfare potential of American business. Not prepared to play the role of toadies to particular business interests, they saw their own conscious promotion of industrial expansion as exemplifying a necessary partnership. Politics and Business were equal partners in the economic and social progress of America.

As a separate faction within the Republican party, the Half-Breeds are distinguishable only in the period, 1878-1890, but the Half-Breed tradition would outlast the life of its earliest spokesmen. The hopes and limitations of such men as George F. Edmunds would be reflected in the Full Dinner Pail of William McKinley and still later in the Trade Association Movement of Herbert Hoover.

The Half-Breeds were intelligent conservatives, and their aims as their ideals were typified by George F. Edmunds.

Edmunds spent the last dozen years of his senatorial career as a Half-Breed, and three episodes of those years illustrate with particular clarity his position as an exemplar of the Republican Half-Breeds: his role in the Republican Convention of 1880; his support of the Pendleton Act of 1883; and his partial authorship and restricted interpreta-

tion of the Sherman Anti-Trust Act of 1890. To describe these episodes is to describe the mixed goals of the Half-Breeds and the historical position of Edmunds of Vermont.

## I.

The spring of 1880 saw the Half-Breed leaders suffering quiet anguish. The leading contenders for the Republican presidential nomination were Ulysses S. Grant and James G. Blaine, and the choice of either man threatened a sharp decline of Half-Breed influence in Washington. Blaine was at this time not a Half-Breed but the leader of a dissident group within the ranks of the Stalwarts. Grant in turn was viewed as the unwitting creature of Zack Chandler and Ben Butler. His restoration would mean a return of the personal politics of the spoilsmen. The Republican Convention must be persuaded to select neither Blaine nor Grant, but rather "a third man," and this a Half-Breed.

It was left to the Half-Breed leaders of Massachusetts—men such as George Hoar, Henry Dawes, and John Long—to formulate strategy, and in that strategy the key figure was Edmunds. The plan was to utilize Edmunds to prevent the Massachusetts delegation from endorsing either Blaine or Grant, to promote Edmunds in the Republican Convention so long as there appeared any chance of his selection, and then to swing the votes of Massachusetts and other like-minded delegations to a more politically available Half-Breed if—as was feared—"the honest Edmunds" failed to generate sufficient enthusiasm. For these Massachusetts men, the choice of a New England Half-Breed represented the ideal, but they were from the first prepared to settle for the desirable.

The strategy was developed by early March, 1880, but it was disclosed only by careful degrees. There were at least two reasons for caution. The Half-Breed strategists were understandably reluctant to excite the Blaine and Grant men in Massachusetts by too early a disclosure of plans, and they had to face the fact that Edmunds, though strongly opposed to the candidacies of Blaine and Grant, had little taste for the burdens of presidential power and no intention to assume the labors of an active candidacy. He would, however, consent to be drafted as an instrument of Half-Breed tactics.<sup>1</sup> For the purposes and plans of the Half-Breeds this was sufficient.

With early April, Senator Hoar was informing his political followers

1. For the formulation of Half-Breed strategy and the position of Edmunds, see G. F. Hoar to T. C. Bates, April 4, 1880, Edmunds to Hoar, May 28, 1880, Hoar Papers, Massachusetts Historical Society; Hoar to J. Everts Greene, April 9, 1880, Misc. Papers, New York Public Library; G. F. Hoar, *Autobiography of Seventy Years* (N. Y., 1903), I, 385-388.

that Massachusetts must send to Chicago "men with no labels about their necks" and arranging simultaneously that the delegates-at-large from Massachusetts to the Convention be men who might be labelled as "favorable to Edmunds." Later that month the Massachusetts state convention did its part by endorsing the candidacy of Edmunds and then authorizing the state's delegation to Chicago to assume full liberty "to promote the cause of true Republicanism" as conscience and conditions dictated.

In the Chicago Convention, Edmunds never received over forty votes but the hopes of the Edmunds men were well met. The desirable was attained if not the ideal, and the Stalwarts were defeated with agreeable consistency. The latter were coerced to accept Hoar as Convention chairman, thwarted in their efforts to have the Convention adopt the Unit Rule, and finally forced to accept the nomination of James Garfield of Ohio as a result of a last-minute alliance between the Half-Breeds and the supporters of Blaine.

Garfield was a man of Half-Breed complexion if of vacillating disposition, and the Half-Breeds could legitimately claim victory. None did so more heartily than Edmunds. He had served his party while remaining untainted by any exhibition of presidential ambition. At times it did appear possible for a man to both enjoy and possess the cake of political virtue.

On one count, however, Edmunds stood apart from his fellow Half-Breeds. When during the Republican campaign of 1880, James G. Blaine worked zealously in behalf of Garfield and later accepted the first post in Garfield's cabinet, such Half-Breeds as Hoar and Dawes were prepared to welcome Blaine as an honest convert. Blaine for his part was by the early 1880's quite prepared to move from the outmoded posture of the Stalwart and join the Half-Breed ranks. It was under Blaine's leadership that the Republican party became in the decade of the 1880's a party clearly identified with the needs and ambitions of the New Industrialism. A staunch advocate of that identification, Edmunds would never accept the leadership of Blaine. He viewed him as a false convert and in the Election of 1884 refused to give him credence or support.<sup>2</sup>

2. Other Half-Breeds, such as Hoar and Justin Morrill, opposed the selection of Blaine by the Republican Convention of 1884 on the score that Blaine's past record would prove an embarrassment to the party, but then supported Blaine in the following campaign. Edmunds, a more willing and presumably a more disappointed candidate in the 1884 convention than four years earlier, considered Blaine's selection not only imprudent but a defeat for Half-Breed principles. Only the urging of Justin Morrill persuaded Edmunds to give a tepid endorsement to the Republican ticket in the last days of the campaign. Edmunds' stand was the source of distress to certain of his Vermont supporters and of

It was Edmunds' belief that any true Half-Breed must support civil service reform, and when such Half-Breeds as Edmunds and Hoar were laboring in behalf of the Pendleton Act, Blaine had offered neither aid nor encouragement.

## II.

The Pendleton Act of 1883 was the posthumous legacy of the assassinated Garfield, but it was as well the culmination of a long series of efforts to rescue at least a part of the growing federal bureaucracy from the inefficiency of the spoilsmen. Many of those efforts bore a Half-Breed stamp. Edmunds had offered a bill for the regulation of the Civil Service as early as 1871 and with Hoar and other early Half-Breeds had cheered the ineffectual civil service order of President Hayes in 1877.

Prior to Garfield's assassination, Edmunds had expressed some distrust of a civil service *commission*—it hinted of British practice and might be staffed by the doctrinaire. He had favored an arrangement limited in character and divorced from all connection with the Executive. By the fall of 1882, however, he was prepared to endorse the concept of a presidentially-appointed commission and a merit system that would extend through the lower ranks of the federal bureaucracy. A certain degree of centralized control was necessary for the proper establishment of such a system and Republicans raised in the tradition of Lincoln should readily accept this fact. Edmunds approved the Pendleton Act and promoted its passage.<sup>3</sup>

This was true of almost all of the Half-Breed Republicans, and the Pendleton Act was indeed a typical example of Half-Breed caution in the field of political reform. It posed no threat to party organization and loyalty while it sought to improve the efficiency of the federal bureaucracy and lessen the opportunities for inefficient and corrupting favoritism. Certainly the Pendleton Act was not as bold a reform as certain of its

sharp attack by such ambitious Vermont Republicans as Luke Poland. See Lucius Bigelow to Justin S. Morrill, April 22, 1884; Morrill to Redfield Proctor, April 26, 1884; Warren Gibbs to Morrill, August 9, 1884; Charles Sheldon to Morrill, August 23, 1884; Edmunds to Morrill, August 26, 1884, Papers of Justin S. Morrill, vol. 49, Library of Congress. Also, Edmunds to John D. Long, June 7, 1884; Luke P. Poland to Long, November 17, 1884, Papers of John D. Long, Massachusetts Historical Society.

3. *Congressional Record*, 47th Cong., 2nd sess., 604, 608-609; 644, 646-648, 656, 660-661 (December 23; 27, 1882).

With the passage of the Pendleton Act, Edmunds and other Half-Breeds relaxed their interest in civil service reform. In this connection, Edmunds would oppose in 1886 the repeal of what remained of the Tenure-of-Office Act of 1867. Here he stood opposed to his fellow Half-Breed, Senator Hoar. Edmunds was probably motivated by a strong sense of the rights and dignity of the senate and a strong reluctance to lend any support to those who would denigrate the program and ideals of his earliest colleagues, the Radical Republicans.

supporters claimed. It placed but a minority of federal officers on the enumerated list—appointment to which would be by competitive examination under rules prescribed by a five-man Civil Service Commission. The principle of non-political selection had been established, however, and it was a principle of importance for a nation whose federal bureaucracy was in another generation to experience geometric increase.

A further effect of the measure was to heighten the dependence of the two parties on corporate contributions. By discouraging political assessments on office holders, civil service reform would indirectly increase the value of corporate political donations and so the political influence of corporate wealth. This consequence was not foreseen by Edmunds and other Half-Breed champions of the Pendleton Act. Had they foreseen it, they would have been most uncertain of the proper instrument of correction. The Half-Breeds distrusted the growing economic and political power of industrial combinations, but distrusted even more those who would endanger economic expansion by indiscriminate attacks on Big Business.

This was the ultimate paradox of the Half-Breed creed, and it is nowhere better illustrated than in the relations of Edmunds and the Anti-Trust bill of 1890.

### III.

Edmunds was by the late 1880's aware of a growing clamor against the "avaricious trusts." Among the complainants were business men suffering or anticipating injury from the large combinations; their protests were worthy of Half-Breed attention. Edmunds was by 1890 quite prepared to see the federal government attempt to curb the conduct of the more aggressive trusts, but he felt that any federal anti-monopoly statute must be carefully drawn. It should offer no harmful restraint to honest corporations or business prosperity. The measure introduced by Senator John Sherman on December 4, 1889 was so vague that he feared that it might have such an effect. Senator Hoar entertained similar worries and the two senators in effect re-wrote the Sherman bill in the Senate Judiciary Committee. The measure that passed, after long struggle, on July 2, 1890, was in fact the Edmunds-Hoar Anti-Trust Act.<sup>4</sup> It

4. The authorship of the "Sherman Anti-Trust Act" has been the subject of excessive controversy. There would seem to be little profit in reviewing in detail the rival claims offered by the supporters of Senators Sherman, Hoar, Edmunds, and William Evarts. The following works offer a representative sampling of the literature of this controversy: Joseph B. Foraker, *Notes of a Busy Life* (Cincinnati, 1916), II, 160-167; Winfield S. Kerr, *John Sherman: His Life and Public Services* (Boston, 1908), II, 199-207; John D. Clark,



was an act that represented neither a major defeat for the accelerating political authority of Big Business, nor an evil conspiracy in behalf of Industrial Capital.

The key section of the act was its first, prohibiting "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations." In the Judiciary Committee it had been decided by Edmunds, Hoar, and their fellow committee members not specifically to define a "combination" or "trust," not to include intra-state commerce, and not to widen the prohibition to include combinations in restraint of production as well as trade. Though some writers have seen in this careful delimitation a pro-Business conspiracy,<sup>5</sup> it was in fact the result of honest caution and a firm faith in the competence and wisdom of the federal judiciary.

Edmunds and Hoar were keenly aware that Congress was engaged in a pioneer operation of public regulation and anxious that it not do more than seemed immediately necessary. What they primarily desired was a measure that would make clear the authority of the federal judiciary to enforce the old common-law prohibition against illegal combinations in restraint of trade. As men trained in the law, they believed it was safer to put the real but elusive problem of the trusts in the hands of the courts than in those of a presidentially-appointed commission. By the same token, they were determined that the measure be constitutional; specifically, that it find clear justification in the commerce clause of the Constitution. It was on that ground that they doubted the wisdom of including within the act's enumerated prohibitions combinations in restraint of production or intra-state trade.

In one sense, the approach of Edmunds and Hoar was conservative; they were fearful of hampering industrial expansion and sought to go slowly. Yet, in another sense, their approach was not dissimilar to that associated with the name of Theodore Roosevelt in a later decade. As would Roosevelt they viewed the danger of trusts in a selective way and believed that it was the conduct and not the size of a trust which embodied that danger. When in 1890 they determined to build their anti-trust act around the term "in restraint of trade," they expected the

*The Federal Trust Policy* (Baltimore, 1931), 52-56; Fred Shannon, *Economic History of the People of the United States* (N. Y., 1934), 509; Marvin H. Bumphrey, *Authorship of the Sherman Antitrust Law* (Washington, 1912), 3-10; Hans B. Thorelli, *The Federal Antitrust Policy: Origination of an American Tradition* (Stockholm, 1954), 197-214. See, too, Edmunds own essay on the authorship and initial objectives of the act: George F. Edmunds, "The Interstate Trust and Commerce Act of 1890," *The North American Review*, vol. 194, 801-817 (December, 1911).

5. See, for example, Matthew Josephson, *The Politicos, 1865-1896* (N. Y., 1938), 458-459.

courts to interpret that phrase as a technical term in English law, intended to prohibit only those combinations "improperly in restraint of trade and . . . contrary to public policy."<sup>6</sup> It was a point of view judged unsatisfactory by Henry Demerest Lloyd and other of the early Muckrakers, but it was the position of honest men<sup>7</sup> and a position illustrative of the ambivalent attitude of the Half-Breeds towards the political and economic power of Big Business. That attitude was the product of confusion as well as caution, but it represented a significant stage in the evolution of the federal government towards the regulatory concepts of the Progressive period.

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The Half-Breeds wished equal justice to be done and did not wish to rock the boat. If only labor would be sensible and industrialists not too greedy, they were sure that industrial expansion would lead to a better life for all Americans. Government regulation was not in itself improper, but it was potentially disturbing to the natural operations of free enterprise capitalism. Certain that the laws of historical growth were beneficial in their long-term operation, the Half-Breeds were wary of doctrinaire solutions for reform. They were prepared to sponsor national legislation that would discourage the illegal activities of the few, but such legislation must be drafted with great care lest industrial enterprise be discouraged.

Such a philosophy dictated the formulation of the Anti-Trust Act as it shaped the senatorial career of George F. Edmunds. That career exhibited few personal triumphs or moments of high drama. It achieves historical significance only as it bears witness to the ideas and faith of the Republican Half-Breeds and, in particular, to their attitudes respecting the relation of government policy to the economy. Edmunds was one with his Half-Breed colleagues in his conviction that there was a close correlation between industrial prosperity and national progress.

6. See Hoar to Joseph B. Foraker, May 28, 1903 (Copy), Hoar Papers, Massachusetts Historical Society; Hoar to Foraker, June 27, 1903, Papers of Joseph B. Foraker, The Cincinnati Historical Society. See too, Edmunds' article in *The North American Review* (December, 1911), *op. cit.*

7. Matthew Josephson has done Edmunds and history a disservice by suggesting that the authors of the Anti-Trust Act of 1890 were public deceivers, motivated by self-interest: One provision [of the act] . . . written by Edmunds and Hoar, furnished . . . "guideboards for persons desiring to evade the law." In after years these eminent lawyers and constitutionalists, Hoar and Edmunds, both pursued a most lucrative practice of advising combinations, pools, and Trusts exactly when their contractual arrangements were valid and would be upheld by the courts and when they contravened statutory prohibitions.

Josephson, *The Politicos, 1865-1896*, 459. Josephson gives as his reference a page in Foraker's *Notes of a Busy Life* which offers no documentary evidence and has little relevance.

The man of capital, though occasionally a danger to political purity, was a vital instrument for national progress. It was the role of Government to occasionally investigate and even prohibit well-proven abuses, but always to avoid direct involvement in the contractual relations of businessmen and their customers.

The economic analyses of the Half-Breed Republicans often relied on distinctions more neat than practical, but they were the distinctions of sincere men trying to meet the problems of a new economic era. For the historian who would study the political history of the post-Civil War generation, the Half-Breeds are more instructive than any other faction. In an age of economic revolution, they made an honest if insufficient effort to understand that revolution and its direction. Their answers were limited and at points self-contradictory, but they helped to guide national politics towards the Twentieth Century.

