

Mark Hanna's 1898 Senate Bribery Scandal

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Summary

In 1897, U. S. Senator John Sherman of Ohio resigned to become President William McKinley's Secretary of State. This move created a vacancy in the Senate. The governor of Ohio chose Mark Hanna to serve as senator until the Ohio legislature could elect a successor to Sherman.

In January 1898, the Ohio General Assembly voted to return Hanna to the Senate. Immediately after Hanna's election, however, disgruntled legislators appointed a committee to investigate whether Hanna had offered a bribe to an Assembly member. Hanna and his supporters refused to cooperate with investigators and ignored subpoenas to testify.

After months of inquiry, the committee concluded that Hanna's aides had offered cash to state representative John C. Otis in an unsuccessful attempt to get his vote. Hanna himself was not explicitly charged with a crime, but the committee sent a final report to the Senate requesting additional investigation.

The U. S. Senate, where Hanna was already a powerful force, refused to pursue the matter. The public, which had been fixated on the scandal at one time, lost interest in it.

The evidence against Hanna was imperfect. It showed, however, that he personally participated in a bribery scheme. Furthermore, his conduct during the election was worse than that of other Gilded Age senatorial candidates.

Hanna's Mixed Legacy

Gilded Age cartoonists loved to sketch Mark Hanna. Homer Davenport and others caricatured Hanna as a huge man, wearing a suit covered with dollar signs, who controlled tiny President William McKinley. For millions of American newspaper readers, Hanna epitomized political corruption.¹

Hanna's January 1898 Senate race did nothing to dispel this image. He was accused of bribery; the Ohio legislature investigated him for months. Although he was not convicted, lurid stories of midnight phone calls and cash in hotel rooms appeared in the press.² Political scientist William T. Horner has observed that even today Hanna's image is still "overwhelmingly negative" in popular culture.³

Among biographers and academics, however, opinions are mixed. Some writers question whether he paid a bribe during his Senate race at all. Some suspect that he might have paid a

NOTES

¹ William T. Horner, *Ohio's Kingmaker: Mark Hanna, Man and Myth* (Athens: Ohio University Press, 2010), 5.

² Philip W. Warken, "The First Election of Marcus A. Hanna to the United States Senate" (master's thesis, Ohio State University, 1960), 91-109, https://etd.ohiolink.edu/!etd.send_file?accession=osu1154654800&disposition=inline; Alfred Henry Lewis, "Hanna Bribe of \$10,000 for a Single Vote," *New York Journal and Advertiser*, Jan. 11, 1898.

³ Horner, *Ohio's Kingmaker*, 36, 5.

bribe, but if he did, we are told to consider the context; campaigns were brutal in Hanna's day and his behavior was not that unusual.⁴

The opinion of the general public is more accurate. "Uncle Mark" did try to bribe his way into the Senate. Although such behavior was not unheard of, his was more extreme than the norm.

In 1896, Hanna had managed McKinley's successful presidential campaign. McKinley rewarded Hanna by appointing Ohio's senator John Sherman as Secretary of State, creating a vacancy in the Senate, which McKinley induced the governor of Ohio to fill temporarily with Hanna.⁵ Hanna was sworn in as senator on March 5, 1897, to serve until a proper election could be held early the next year.⁶

At the time, state legislatures elected U.S. senators (popular election of senators would not take place until after the passage of the Seventeenth Amendment in 1913). The Ohio General Assembly, scheduled to convene in Columbus on January 3, 1898,⁷ would vote on whether Hanna would serve for the remainder of Sherman's term and for the next term, which would end in 1905.⁸

At first, Hanna seemed certain to return to Washington. The state Republican convention endorsed him in June 1897 and Republicans won a plurality in the November state legislative elections.⁹ But long-standing political competition resurfaced as the Senatorial election drew near. Some Republican politicians, including associates of Hanna's rival Joseph B. Foraker,¹⁰

⁴ See footnotes 39-44 and accompanying text.

⁵ Warken, "The First Election of Marcus A. Hanna," 11. Governor Bushnell initially opposed Hanna. "The fact is they [Bushnell and his allies] are ugly and do not intend to appoint me if they can possibly avoid it." M. A. Hanna to John Sherman, Feb. 6, 1897, box "596a Dec. 22, 1894 – June 5, 1900," John Sherman Papers, Manuscripts Division, Library of Congress.

⁶ "Hanna Becomes a Senator," *New York Times*, Mar. 6, 1897.

⁷ "The Preliminaries," *Los Angeles Times*, Jan. 4, 1898.

⁸ Sherman's term (the "short term") would extend until March 1899. The following "long term" would extend until March 1905. "The Voting," *Los Angeles Times*, Jan. 11, 1898; "Hanna Elected Senator," *New York Times*, Jan. 13, 1898.

⁹ Warken, "The First Election of Marcus A. Hanna," 36, 18, 35. Sixty-two Republicans were sent to the Ohio House of Representatives (including four elected on a joint or "fusion" ticket with Democrats) and forty-seven Democrats were elected. Eighteen Republican senators were elected (one being elected on a fusion ticket) and eighteen Democratic senators were elected. *Journal of the House of Representatives of the State of Ohio for the Regular Session of the Seventy-Third General Assembly Commencing Monday, Jan. 3rd, 1898* (Norwalk, OH, 1898), 93: 3,4; *Journal of the Senate of the State of Ohio for the Regular Session of The Seventy-third General Assembly, Commencing on Monday, January 3rd, 1898* (Norwalk, OH, 1898), 93: 3,4; "Majority Against Hanna," *New York Times*, Jan. 4, 1898.

¹⁰ Hanna's split with his former friend, Foraker, occurred in 1888 at the Republican National Convention. Hanna suspected that Foraker had been disloyal to John Sherman. Herbert Croly, *Marcus Alonzo Hanna: His Life and Work* (New York: The MacMillan Company, 1912), 137. Foraker suspected that Hanna had bribed delegates. Joseph Benson Foraker, *Notes of a Busy Life*, vol. 1 (Cincinnati: Stewart & Kidd Company, 1916), 363. After the split, Hanna's supporters and Foraker's divided into "established, antagonistic factions." Foraker's allies "were leading the fight against Hanna." Warken, "The First Election of Marcus A. Hanna," 3, 4, 14, 48.

Despite their falling out, Hanna and Foraker maintained a professional working relationship. Marcus A. Hanna to Joseph B. Foraker, Nov. 3, 1897 and Joseph B. Foraker to Marcus A. Hanna, Nov. 4, 1897, *Correspondence with Senator Hanna 1884 – 1903* [a printed, apparently unpublished, paper-back volume], 146, 147, box 2, Joseph Benson Foraker Papers, Library of Congress.

began collaborating with Democrats.¹¹ By the end of December, they were poised to block his election.¹²

Hanna's allies were furious. Party loyalty ran deep in the late nineteenth century. Republican legislators had been elected with the presumption that they would vote for Hanna. The pro-Hanna forces said their Republican opponents were "traitorous."¹³ Hanna's opponents were equally vehement about their right to vote as they pleased. Reports of campaign abuses by both sides filled the newspapers.¹⁴ Members of the General Assembly were reportedly courted, plied with alcohol and money, even bullied. Detectives and spies were "scattered everywhere,"¹⁵ including at least two spies in Hanna's headquarters.¹⁶ Commentators found that "the facts had to be toned down" for publication.¹⁷

The strength of Hanna's opponents was displayed on January 3, 1898, when they defeated candidates he had endorsed to lead the Ohio legislature.¹⁸ Hanna's top campaign official was distressed:

*The organization of the Legislature went against us. That was a very severe shock and ordinarily would have indicated Hanna's defeat. We lost the Senate and the House both.*¹⁹

By the day of the election, the fight to determine Mark Hanna's fate had disintegrated into "the bitterest political contest" in Ohio history.²⁰

On January 12, 1898, the Ohio legislature met in joint session and reelected Hanna by one vote.²¹ His victory was marred, however, by a charge of bribery. Just hours after the

¹¹ Warken, "The First Election of Marcus A. Hanna," 38. Some Republican legislators opposed Hanna because he supported corrupt Cincinnati Mayor George B. Cox. Others rejected Hanna's embrace of the gold standard. *Ibid.*, 12, 36, 51, 52.

¹² One "wild" guess was that twenty-seven Republicans might defect. *Ibid.*, 52, 53, 36. Hanna was concerned. Marcus A. Hanna to John Hay, Dec. 4, 1897, reel 8, John Hay Papers, Library of Congress; M. A. Hanna to William R. Day, Dec. 24, 1897, box 6, William R. Day Papers, Library of Congress.

¹³ R. Hal Williams, *Realigning America: McKinley, Bryan, and the Remarkable Election of 1896* (Lawrence, KS: University Press of Kansas, 2010), 2; Dictated Statement of Andrew Squire, Esq., to J.B. Morrow, Esq. May 23, 1905, p. 2, box 4, Hanna-McCormick Family Papers, Library of Congress.

¹⁴ Solon Lauer, *Mark Hanna: A Sketch from Life and Other Essays* (Cleveland: Nike Publishing House, 1901) 68; "One Short," *The Cleveland Leader*, Jan. 11, 1898.

¹⁵ Croly, *Marcus Alonzo Hanna*, 256.

¹⁶ One Democratic leader testified that "persons we had at Republican headquarters" had kept him informed of the activities of a key Hanna aide. 33 Cong. Rec. 6612 (1900).

¹⁷ John T. Kenny, "The Legislature That Elected Mr. Hanna," *The Arena* 21, no. 3 (Mar. 1899): 315.

¹⁸ "Majority Against Hanna," *New York Times*, Jan. 4, 1898.

¹⁹ Edited. Dictated statement of Senator Charles Dick, of Akron, Ohio, made in Washington, D. C., Feb. 10, 1906, Elmer Dover being present, p. 21, box 4, Hanna-McCormick Family Papers.

²⁰ 33 Cong. Rec. 6589 (1900).

²¹ All legislators voted, except one. Hanna received seventy-three votes (Senate – seventeen, House – fifty-six). His opponent, Robert E. McKisson, received seventy votes (Senate – nineteen, House – fifty-one). John J. Lentz received one vote. If one of Hanna's supporters had voted against him, the count would have been seventy-two for Hanna and seventy-two against him; Hanna would have failed to have obtained the necessary majority and would not have been elected. Of the 144 votes cast, seventy-three Republicans voted for Hanna; seven Republicans (Senator Vernon H. Burke, as well as six members of the House) voted for McKisson; sixty-three Democrats voted for McKisson; one Democrat voted for Lentz. *Journal of the House of Representatives of the State of Ohio*, 93: 40, 41; "They Stood by Hanna," *Washington Post*, Jan. 13, 1898.

balloting ended, a five-member committee was appointed by the Ohio Senate²² to investigate whether Hanna and his supporters had tried – without success - to buy the vote of Representative John C. Otis of Hamilton County.²³ The committee was overtly partisan. Of the five members, three were Democrats and one was a Republican opponent of Hanna's; only one was a Hanna ally.²⁴

Hanna brusquely denied the allegation.²⁵ During January, February, and March, 1898, the investigating committee called approximately 40 witnesses.²⁶ Most of the testimony obtained was hearsay evidence which would not be admissible in a court.²⁷ Hanna and his aides, following the advice of Hanna's attorney, disregarded subpoenas and declined to testify.²⁸

The majority of the committee prepared a report summarizing its conclusions, which the full Ohio Senate adopted on April 23, 1898. The report concluded that one man, Henry H. Boyce, had, indeed, paid a bribe to Representative Otis. The report also concluded that a young Hanna campaign worker, H. H. Hollenbeck, "aided" Boyce and that two of Hanna's top campaign officials - Major E. G. Rathbone and Major Charles F. Dick (an attorney) – participated in the plot, too.²⁹

The report never explicitly stated that Hanna himself authorized paying a bribe. But the sentiments of the committee were obvious:

*It would be a most violent presumption that Mr. Hanna knew nothing of what Dick, Rathbone, Hollenbeck, and Boyce were doing to obtain Mr. Otis's vote; it would be a most violent presumption that [the bribe was offered]... without Mr. Hanna's consent, concurrence, advice, and direction.*³⁰

²² The Ohio House of Representatives also appointed an investigating committee, but it took no substantive action. Warken, "The First Election of Marcus A. Hanna," 93; "Bribery and Corruption," *Atlanta Constitution*, Feb. 3, 1898.

²³ "Hanna Elected Senator," *New York Times*, Jan. 13, 1898.

²⁴ Warken, "The First Election of Marcus A. Hanna," 93.

²⁵ 33 Cong. Rec. 6635 (1900).

²⁶ *Ibid.*, 6595-6632; S. Rep. No. 55-1859, at 195-196 (1899).

²⁷ 33 Cong. Rec. 6633 (1900).

²⁸ Edited. Dictated statement of Hon. James R. Garfield, Commissioner of Corporations, Department of Commerce and Labor, made in Washington, D. C., February 14-15th, 1906, p. 10, box 4, Hanna-McCormick Family Papers; 33 Cong. Rec. 6594, 6595-6632 (1900).

Two Hanna supporters appeared before the committee, but refused to testify under oath. 33 Cong. Rec. 6599, 6614 (1900). In addition to the hearsay objection, Hanna and his friends noted that outside attorneys were prohibited from participating in the hearings. *Ibid.*, 6587, 6595, 6635.

The problem sounds more serious than it was. Lawyers could not address the committee, but they could attend the hearings and advise their clients. One witness had four lawyers with him. If Hanna or his aides had questions they wanted asked, they could have given them to Hanna's ally on the committee, Senator James R. Garfield (a lawyer), who would have asked them. *Ibid.*, 6599, 6595; "Jimmy Garfield's Advent," *Evening Star (Washington, D.C.)*, July 6, 1895.

Other reasons given by Hanna and his friends for boycotting the hearings included bias against them, lack of jurisdiction and the dubious character of the committee chairman (he was later disbarred, though eventually reinstated). 33 Cong. Rec. 6587, 6614 (1900); "V. H. Burke is Reinstated," *New York Times*, Dec. 23, 1900.

²⁹ "Hanna Bribery Case," *Los Angeles Times*, April 24, 1898; 33 Cong. Rec. 6592, 6599, 6613 (1900);

<http://bioguide.congress.gov/scripts/biodisplay.pl?index=D000302>.

³⁰ 33 Cong. Rec. 6594 (1900).

Four of the five members of the investigating committee signed the majority report.³¹ Only one member, Hanna's friend James R. Garfield, refused to sign. He submitted a brief minority report that took issue with the majority report's conclusions.³²

On May 26, 1898, the committee sent the majority report and a transcript of testimony³³ to the Republican-controlled³⁴ United States Senate. The committee asked the Senate to take "such action" as it "may deem advisable...." It concluded that if Hanna were found "guilty as hereby indicated," then he "should be expelled" from the Senate.³⁵

The U.S. Senate's Committee on Privileges and Elections reviewed all of the documents it received from Ohio. After nearly a year had passed, it reached its decision. The committee did not recommend expelling Hanna or starting an independent investigation. Instead, the committee concluded no additional action should be taken. Its brief report stressed that the evidence against Hanna was weak and that Hanna had not been prosecuted for bribery in Ohio.³⁶

Hanna stayed in the Senate. He was reelected by a substantial majority in January 1904,³⁷ but died a few weeks later.³⁸

Today, the bribery allegation that dogged him seems almost forgotten,³⁹ due to the ongoing influence of two flattering biographies. Herbert Croly, the author of a 1912 book financed by Hanna's family,⁴⁰ concluded that Hanna had "probably heard about the [Otis] matter, but had nothing to do with it personally."⁴¹ Thomas Beer, in his impressionistic and

³¹ Ibid.

³² Ibid., 6633-35. The majority report is reprinted in the *Appendix to Journal of the Senate of the State of Ohio for the Regular Session of The Seventy-third General Assembly, Commencing on Monday, January 3rd, 1898* (Norwalk, OH, 1898), 93: 83-94, but Garfield's minority report is not.

Garfield noted that the investigation had ignored the rules of evidence. He pointed out inconsistencies in the testimony and defended Hanna's refusal to appear. He suggested that Boyce was secretly working for Hanna's opponents in Ohio. See footnote 99.

³³ 33 Cong. Rec. 6592 (1900). The May 26, 1898 transmittal letter to the U.S. Senate does not refer to Garfield's minority report. Garfield's minority report was inserted into the Congressional Record by Senator Foraker on June 5, 1900. Ibid., 6589.

³⁴ After the 1898 elections, Congress remained Republican "by a strong working majority." "Will of the American People," *Los Angeles Times*, Nov. 9, 1898.

³⁵ 33 Cong. Rec. 6594 (1900).

³⁶ S. Rep. No. 55-1859 (1899). The committee's report was filed on February 28, 1899. 33 Cong. Rec. 6589 (1900). The report concluded there was "no direct evidence and substantially no presumptive evidence that Senator Hanna had any knowledge of what was going on." Ibid., 6590. This conclusion is correct if "evidence" is read to mean "legally admissible evidence." The absence of admissible evidence was likely the reason Hanna was not prosecuted for a crime in Ohio.

A minority report and one senator's request to refrain from expressing an opinion were also filed. The minority report argued that the documents submitted by the Ohio investigating committee did contain facts justifying a U.S. Senate investigation. Ibid., 6590-92.

³⁷ "Senator Hanna Re-Elected," *Chicago Daily Tribune*, Jan. 13, 1904.

³⁸ "Hanna's Fight for Life Ended," *New York Times*, Feb. 16, 1904.

³⁹ Even two scholars who criticize Hanna generally devote little attention to the specific facts of the Otis case. Robert Rienow and Leona Train Rienow, *Of Snuff, Sin and the Senate* (Chicago: Follett Publishing Company, 1965), 112-15.

⁴⁰ Hanna's family also retained "the power of censorship before publication." Croly remains an important source on Hanna, but writing the biography was "the most compromising intellectual act of Croly's career." David W. Levy, *Herbert Croly of the New Republic: The Life and Thought of an American Progressive* (Princeton: Princeton University Press, 1985), 146.

⁴¹ Croly, *Marcus Alonzo Hanna*, 262.

probably fictitious 1929 biography, called the bribery allegation “an inconclusive, wandering business.”⁴²

Even esteemed historian H. Wayne Morgan gave Hanna a pass. Although the U.S. Senate’s Committee on Privileges and Elections declined to call any witnesses, Morgan wrote that the Senate gave the case “a close investigation.” Morgan also wrote that “Hanna was cleared” by the Senate, when the committee stopped far short of proclaiming innocence.⁴³ Other scholars have been sympathetic in their assessments.⁴⁴

Mark Hanna’s rehabilitation has gone too far.

The Weekend of January 7, 1898

According to witnesses, the Otis bribery story began with a telephone call on Friday, January 7, 1898. John C. Otis, a forty-two year old member of Ohio’s House of Representatives, picked up the phone in his Cincinnati drugstore.⁴⁵ General Henry Harrison (“H.H.”) Boyce identified himself and said he had come from New York to see Otis about “very important business.”⁴⁶ Otis was a Republican, but he had been elected on a “fusion slate” with Democrats who opposed Cincinnati boss George B. Cox.⁴⁷ Otis had been lobbied hard for his vote for senator and likely knew what Boyce’s business was.⁴⁸ He agreed to visit with Boyce at the Gibson House hotel in Cincinnati later that day.⁴⁹

Boyce was a man with a past. Originally from Ohio, he served in the Civil War and was cited for gallantry. He moved to California where he made a fortune. He served as president of a

⁴² Thomas Beer, *Hanna* (New York: Octagon Books, 1973), 222. Beer falsified information in at least one other work. Lawrence Block, ed., *Gangsters, Swindlers, Killers, and Thieves: The Lives and Crimes of Fifty American Villains* (New York: Oxford University Press, 2004), 1; Kristie Miller and Robert H. McGinnis, “It Looks Like Mark Hanna’s Biographer Invented Quotes,” History News Network, Jan. 20, 2014, <http://historynewsnetwork.org/article/154480>.

⁴³ H. Wayne Morgan, *William McKinley and His America, Revised Edition* (Kent, OH: Kent State University Press, 2003), 227. The Committee on Privileges and Elections concluded that the evidence gathered by the Ohio investigators did not “fairly” tend to “prove” guilt. The Committee did not say whether it believed Hanna was innocent. 33 Cong. Rec. 6590 (1900).

⁴⁴ William T. Horner, author of a modern biography of Hanna, correctly concludes it is “difficult today to figure out what happened.” Horner is receptive, however, to several arguments supporting Hanna’s innocence. “Given Hanna’s determination to win and his willingness to play by the rules as they existed, money may have changed hands during the campaign, but if it did, it is important to remember the context.” Horner, *Ohio’s Kingmaker*, 229, 228.

According to Fred C. Shoemaker, “It is improbable that Hanna had any knowledge of such an amateurish bribery attempt.” Fred C. Shoemaker, “Mark Hanna and the Transformation of the Republican Party” (PhD. diss., Ohio State University, 1992), 245. ProQuest (9227379).

Philip W. Warken’s master’s thesis is reliable and comprehensive. Warken concludes that Hanna “would certainly have been aware” of Boyce, but Warken devotes only one paragraph of analysis to this issue. Warken believes Hanna’s behavior was “revealing of the ethics of the period.” Warken, “The First Election of Marcus A. Hanna,” 109.

⁴⁵ 33 Cong. Rec. 6592, 6622 (1900).

⁴⁶ *Ibid.*, 6622.

⁴⁷ Warken, “The First Election of Marcus A. Hanna,” 12, 51.

⁴⁸ 33 Cong. Rec. 6627 (1900).

⁴⁹ *Ibid.*, 6622. Otis testified that he had never heard of Boyce before the phone call on January 7, 1898 and that he had never seen Boyce until later that same day. Boyce, however, reportedly told C. C. Shayne of New York that he knew Otis “intimately.” *Ibid.*, 6623; “C. C. Shayne on Gen. Boyce,” *New York Times*, Feb. 6, 1898.

national bank and became a co-owner of the *Los Angeles Daily Times*.⁵⁰ He was active in Republican politics; in 1886, he chaired the Los Angeles County delegation to the Republican State Convention.⁵¹

As he progressed, he made enemies. He was frequently in court.⁵² One relentless adversary was the other owner of the *Times*, who described Boyce as “a pretender and a scoundrel.”⁵³ After Boyce sold his interest in the newspaper, articles caricatured him as “Smoothy.”⁵⁴ Eventually, Boyce left Los Angeles, moving first to Boston, then to New York.⁵⁵ During all this time, he maintained his interest in Republican politics, writing occasional letters to President McKinley to enclose newspaper clippings or to recommend candidates for political appointments.⁵⁶

In New York, Boyce became acquainted with C.C. Shayne, a prominent furrier and president of the Merchants and Manufacturers Board of Trade of New York.⁵⁷ Shayne was a McKinley supporter. He corresponded with the President and received frequent invitations to visit the White House.⁵⁸

McKinley wanted to keep Hanna in the Senate.⁵⁹ Boyce and Shayne were eager to help McKinley. Shayne had sent Hanna a five-page letter volunteering his services just days after the November legislative elections in Ohio.⁶⁰ By January 1898, Boyce had convinced Shayne that the best way to assist Hanna would be for Boyce to go to Ohio and reason with Otis. Shayne wrote to Hanna recommending the plan and Hanna discussed the proposition with Major Estes G. Rathbone, a detective by trade, who was working on the Hanna campaign. They agreed to let Boyce come. Shayne gave Boyce a hundred dollars to cover his expenses.⁶¹

⁵⁰ “Car Kills Gen. H. H. Boyce,” *New York Times*, Oct. 15, 1903; Frances Dinkelspiel, “Isaias Hellman and the Creation of California” in *A Cultural History of Jews in California: The Jewish Role in American Life – An Annual Review*, 7, eds. Bruce Zuckerman, William Devereil, Lisa Ansell (West Lafayette, IN, 2009), 1-2,

<http://books.google.com/books?id=sH0p4eq-TwgC&pg=PR7&lpg=PR7&dq=A+Cultural+History+of+Jews+in+California:+The+Jewish+Role+in+American&source=bl&ots=QYKGdvDKJQ&sig=KiZNgr5i2Jr15wws910rkdxUnY&hl=en&sa=X&ei=Bxq9Uo38DYXhoATaxiKwBg&ved=0CIYBEogBMAG#v=onepage&q=A%20Cultural%20History%20of%20Jews%20in%20California%3A%20The%20Jewish%20Role%20in%20American&f=false>; “Tell-Tale Telegrams,” *Columbus Evening Press*, Jan. 11, 1898, second edition.

⁵¹ “County Convention,” *Los Angeles Times*, July 29, 1886.

⁵² “\$1. The Assessed Value of a Shattered Reputation,” *Los Angeles Times*, Sept. 25, 1888; “Courts,” *Los Angeles Times*, Dec. 8, 1889; “The Law,” *Los Angeles Times*, May 9, 1890.

⁵³ Dinkelspiel, “Isaias Hellman and the Creation of California,” 1, 2.

⁵⁴ “More ‘Smoothy,’” *Los Angeles Times*, April 28, 1887; “Madstone,” *Los Angeles Times*, April 30, 1887.

⁵⁵ “Car Kills Gen. H. H. Boyce,” *New York Times*, Oct. 15, 1903.

⁵⁶ John Addison Porter to Henry H. Boyce, June 25, 1897 and Jan. 5, 1898, reels 19 and 25, William McKinley Papers, Library of Congress; George B. Cortelyou to Gen. Henry H. Boyce, Sept. 18, 1897, reel 21, William McKinley Papers.

⁵⁷ “C. C. Shayne on Gen. Boyce,” *New York Times*, Feb. 6, 1898; C. C. Shayne to President William McKinley, May 3, 1897, reel 2, William McKinley Papers.

⁵⁸ John Addison Porter to C. C. Shayne, June 3, 1897, reel 19, William McKinley Papers. See also John Addison Porter to C. C. Shayne, Nov. 10, 1897 and June 23, 1898, reels 23 and 30, William McKinley Papers.

⁵⁹ William McKinley to M. A. Hanna, Jan. 7, 1898, box 1, Charles W. F. Dick Papers, Ohio Historical Society, Columbus, OH.

⁶⁰ C. C. Shayne to Mark A. Hanna, Nov. 13, 1897, reel 2, William McKinley Papers.

⁶¹ Edited Dick statement, pp. 21, 23, Hanna-McCormick Family Papers; Statement of Major Estes G. Rathbone, taken in Washington, D. C., December 30, 1905, p. 2, box 4, Hanna-McCormick Family Papers; Croly, *Marcus Alonzo Hanna*, 262; “C. C. Shayne on Gen. Boyce,” *New York Times*, Feb. 6, 1898.

After Boyce left New York, Shayne sent a letter to President McKinley saying that he had “sent a man to Columbus” who would bring “strong influence to bear upon Otis....” Although Shayne promised everything would be “open and above board,” he wanted to make sure McKinley understood a key point:

*You will make a note of this that my men always win. I never lost a political fight in my life, and now that I have put my shoulder to the wheel for Mr. Hanna, you can depend upon it that he will be landed in the United States Senate.*⁶²

After reaching Ohio, Boyce went to Hanna’s headquarters in Columbus. He met with Rathbone, who was in charge of his activities.⁶³ From Columbus, Boyce took the train to Cincinnati and checked into the Gibson House, where he waited for Representative Otis.⁶⁴

Once Otis arrived, Boyce explained that he was a friend of Shayne, who was a friend of the President. Both were “very anxious about the Ohio situation” and hoped Hanna would be elected.⁶⁵

Although Otis was a Republican, he was a silver advocate and he told Boyce he was opposed to Hanna. It was clear to Otis, however, that Boyce planned to offer a bribe. Otis made a polite excuse to leave, but agreed to see Boyce again at 3:00 PM on the following day. Otis then left the Gibson House and went to consult his lawyer, Col. T. C. Campbell.⁶⁶

Otis told the lawyer what had happened and insisted to Campbell that he did not want to see Boyce again. But Campbell, who also opposed Hanna’s election, recognized an opportunity. He advised Otis, “This fellow is evidently a rascal,” but “you might as well... hear what he has to say anyhow.” A year later, a committee of the United States Senate reviewed these events and concluded that “Mr. Otis never had any intention of yielding to bribery. He encouraged Mr. Boyce by the advice of others only in order to entrap him.”⁶⁷

Meanwhile, back at the Gibson House, Boyce was creating a stir. Around 7:00 P.M., a young hotel employee, Allen O. Myers, Jr., notified Boyce that a long distance call had come in from Columbus. After Boyce took the call, Myers, Jr. overheard him say that “Hanna was sore.”⁶⁸

Although he was only 21 years old⁶⁹, Myers, Jr. was no novice to politics. He was the son⁷⁰ of the “erratic”⁷¹ Allen O. Myers, Sr., a hot-tempered Democratic leader and reformer from Cincinnati.⁷²

⁶² C. C. Shayne to President William McKinley, Jan. 7, 1898, box 66, George B. Cortelyou Papers, Library of Congress. After the scandal broke, Shayne first denied his involvement with Boyce, then admitted it. “Shayne Denies the Charge,” *Washington Post*, Jan., 30, 1898 and “C. C. Shayne on Gen. Boyce,” *New York Times*, Feb. 6, 1898.

⁶³ Rathbone statement, p. 2, Hanna-McCormick Family Papers. No evidence submitted to the investigating committee indicated Hanna met with Boyce.

⁶⁴ 33 Cong. Rec. 6622 (1900).

⁶⁵ Ibid. Boyce also said he represented J.P. Morgan.

⁶⁶ Ibid., 6627, 6622, 6624. Campbell was an associate of John R. McLean, a Hanna opponent. “Bribery Fake Exploded,” *Ohio State Journal*, Jan. 11, 1898.

⁶⁷ 33 Cong. Rec. 6622, 6627, 6590 (1900).

⁶⁸ Ibid., 6605, 6603.

⁶⁹ Ibid.

⁷⁰ Ibid., 6612.

⁷¹ “Democratic Despair in Ohio,” *New York Times*, Sept. 28, 1883.

After Boyce finished his telephone call, Myers, Jr. told the Gibson House manager what he had overheard.⁷³ The manager, another active Democrat,⁷⁴ was not taken by surprise. Possibly because of the informants at Hanna's hotel in Columbus, the manager knew of "reports that certain people were in Cincinnati for the purpose of buying votes...."⁷⁵ He told Myers, Jr. to direct Boyce upstairs to a private office if Boyce needed to use the telephone again.⁷⁶ Conversations on the upstairs private office phone could be overheard - unbeknownst to callers - on the phone in the downstairs hotel general office; the two telephones shared a line.⁷⁷

Later that night, a series of telephone calls and meetings began. Boyce twice spoke on the phone from the private office to someone he addressed as "Major" in Hanna's campaign headquarters in Columbus. Myers, Jr. secretly listened as the men discussed the amount required to bribe Otis, the delivery of the bribe and necessary paperwork.⁷⁸

Around the time of the calls, Jerry P. Bliss, an anti-Hanna operative from Columbus, arrived at the Gibson House and met hurriedly with the hotel manager.⁷⁹ Together, they telephoned the leaders of the Hanna opposition at their hotel in Columbus.⁸⁰

At this point, Hanna's adversaries apparently believed that Boyce was working with Hanna and his team to secure Otis's vote. Based on the overheard telephone conversations, they believed that one of Hanna's friends in Columbus, "Hollenbeck," would come to Cincinnati soon with bribe money.⁸¹

They could hardly contain themselves. They quickly instructed two men in Columbus to locate Hollenbeck and to shadow him on his trip to Cincinnati.⁸² In Cincinnati, they retained four detectives.⁸³ They hired a stenographer⁸⁴ who could eavesdrop on Boyce's future telephone conversations, take notes, and then make transcripts of what was overheard.⁸⁵

A young Hanna campaign worker, H. H. Hollenbeck, did leave Columbus on Saturday's 2:10 A.M. train, carrying a hand valise. After arriving at Boyce's hotel, Hollenbeck and Boyce rode on an elevator together, but were not observed speaking to one another.⁸⁶

⁷² Myers, Sr. became "enraged" during questioning by Senator Garfield. "Return to Columbus," *Washington Post*, Jan. 25, 1898; 33 Cong. Rec. 6612 (1900); Warken, "The First Election of Marcus A. Hanna," 37. He was the author of *Bosses and Boodle in Ohio Politics: Some Plain Truths for Honest People* (Cincinnati: Lyceum Publishing Co., 1895).

⁷³ Horace B. Dunbar. 33 Cong. Rec. 6603, 6605 (1900).

⁷⁴ *Ibid.*, 6604.

⁷⁵ *Ibid.*, 6603.

⁷⁶ *Ibid.*, 6605.

⁷⁷ *Ibid.*, 6603.

⁷⁸ *Ibid.*, 6605, 6606.

⁷⁹ *Ibid.*, 6611.

⁸⁰ Allen O. Myers, Sr. and Charles L. Kurtz. 33 Cong. Rec. 6611-12 (1900); "The Anti-Hanna Campaign," *New York Times*, Dec. 31, 1897. Myers, Sr. and Kurtz were staying in the Great Southern Hotel, the headquarters of the anti-Hanna forces. 33 Cong. Rec. 6606, 6633 (1900).

⁸¹ 33 Cong. Rec. 6611, 6605-06 (1900).

⁸² *Ibid.*, 6612. The two men might have been joined by a reporter. *The Columbus Evening Press* reported that Hollenbeck "did not know that he was being tracked by a representative of The Press and some other gentlemen...." "Mark Hanna is Caught!" *Columbus Evening Press*, Jan. 10, 1898, second edition.

⁸³ 33 Cong. Rec. 6611, 6607, 6615-16 (1900). The transcript indicates one detective was retained on January 6, but this is likely an error; no other evidence supports it. *Ibid.*, 6607.

⁸⁴ *Ibid.*, 6611.

⁸⁵ *Ibid.*, 6612.

⁸⁶ *Ibid.*, 6614, 6618.

Following Hollenbeck's arrival, Boyce handed a hotel clerk an envelope to be placed in the hotel safe. The clerk joked with Boyce. "Don't lose the key [to the safe], as it will cost you five [dollars] for a duplicate." Boyce smiled and replied, "There is more than five in there."⁸⁷

Hollenbeck returned to Columbus on Saturday afternoon.⁸⁸ Otis met with Boyce and introduced Boyce to his attorney, Campbell. Otis told Boyce to conduct all future negotiations with Campbell.⁸⁹

On Sunday, Campbell and Boyce met repeatedly. Eventually, Campbell "pretended to acquiesce" and told Boyce "that Mr. Otis had finally consented" to be bribed.⁹⁰ By Sunday night, Boyce had made two cash payments⁹¹ totaling \$1,750 for Otis's vote and had promised to pay much more soon.⁹²

On Monday morning, Boyce took the train to Columbus and was followed by a detective. In Columbus, he met with Major Rathbone of the Hanna campaign team. They spoke together in a horse-drawn carriage, ambling through town, until they realized they were being followed. Then Rathbone told the driver to "lose them" and they raced away.⁹³

Damage Control

Hanna's opponents were ecstatic. They knew they had completed a successful sting. Although their memories of the operation were sometimes inconsistent,⁹⁴ they hoped newspaper coverage of Boyce's adventure in Cincinnati would humiliate Hanna.⁹⁵

⁸⁷ Ibid., 6608.

⁸⁸ Ibid., 6618. The record of Hollenbeck's activities and the transcript of his dialogue seem realistic, with one exception. On January 8, 1898, Hollenbeck supposedly told his bosses in Columbus that he had traveled "down dark alleys and byways." Ibid., 6610. This language sounds suspiciously crime novelesque.

A professional stenographer swore that these words were "correct." She explained that, as she listened to Hollenbeck on the phone, she wrote down notes, which she later transcribed. Ibid., 6609-10. The transcript was prepared under the supervision of an attorney hired by Hanna's opponents. Ibid., 6612.

Maybe Hollenbeck uttered these exact words, possibly trying to be humorous or ironic. Maybe the stenographer made up this phrase and then lied under oath to strengthen the case against Hanna. Most likely, the stenographer looked at her sparse notes, tried to remember what she had heard, then wrote down what she thought best conveyed what was said.

⁸⁹ Ibid., 6622.

⁹⁰ Ibid., 6625. The Library of Congress contains a three page, typed document dated March 12, 1898 that appears to be a copy of an untitled affidavit prepared for Boyce's signature. The document contains no actual signature. The document denies that Boyce acted as Hanna's agent, but it does not address whether Hanna knew of Boyce's activities. Copy of Untitled Affidavit, Mar. 12, 1898, box 2, Hanna-McCormick Family Papers. See Croly, *Marcus Alonzo Hanna*, 261.

⁹¹ After Boyce made the first payment of \$1,000, he prepared a telegram to President McKinley for Otis's signature. In the telegram, Otis promised to vote for Hanna. Otis did not want to sign it himself, but Jerry P. Bliss signed it for him, with Otis's permission. 33 Cong. Rec. 6611, 6623, 6625 (1900).

⁹² Ibid., 6625. Early press accounts were garbled, but one seems to say a total bribe of \$10,000 was agreed upon before Sunday. Alfred Henry Lewis, "Hanna Persuades Legislators to Change Their Minds," *New York Journal and Advertiser*, Jan. 9, 1898.

⁹³ 33 Cong. Rec. 6616, 6627-28 (1900); Edited Dick statement, p. 22, Hanna-McCormick Family Papers.

⁹⁴ In one call, Boyce said Otis's price was \$20,000. 33 Cong. Rec. 6631 (1900). Yet Otis's attorney, Campbell, testified the total bribe was \$10,000. Ibid., 6626. This inconsistency can be explained. Boyce planned to get \$20,000 from Hanna, pay \$10,000 to Campbell, then pocket the "residue." Ibid.

Other differences are harder to explain. Otis and Campbell disagreed as to the denominations of the bills in the first cash payment. Ibid., 6623, 6625. One witness testified that Boyce used the upstairs telephone before going to the theater, but other witnesses testified he used the downstairs telephone. Ibid., 6607, 6603, 6605.

Hanna initially refused to respond to reporters when the scandal broke in the Ohio papers⁹⁶ on Monday, January 10.⁹⁷ By Monday evening, however, he knew he had to say something. He issued a terse denial.⁹⁸

His press office distributed a much longer statement to reporters, claiming the bribery charge was “false in every particular” and a “fairly story.”⁹⁹

Despite the confident tone of the press office statement, Hanna and his allies were alarmed. Years later, a top campaign official, Major Charles F. Dick, wrote an account. In his

Witnesses combined and confused the contents of Boyce’s two post-theater calls. Ibid. 6603, 6605, 6606, 6630, 6631.

The witnesses could have been lying. They all swore under oath, however, to tell the truth. Ibid., 6595-6632. Neither Hanna, nor his friends, ever testified under oath that any evidence presented against them was untrue.

⁹⁵ Bliss gleefully called Hanna’s aides “suckers.” “Mark Hanna is Caught!” *Columbus Evening Press*, Jan. 10, 1898, latest edition.

⁹⁶ Elements of the story were leaked in New York on January 9. Alfred Henry Lewis, “Hanna Persuades Legislators to Change Their Minds,” *New York Journal and Advertiser*, Jan. 9, 1898. Also see Alfred Henry Lewis, “Hanna Fights for One Vote,” *New York Journal and Advertiser*, Jan. 10, 1898. Croly gave January 9 as the date of first publication. Croly, *Marcus Alonzo Hanna*, 259.

⁹⁷ “Hanna Won’t Discuss It,” *Columbus Evening Press*, Jan. 10, 1898, latest edition and Jan. 11, 1898, second edition.

⁹⁸ Differing versions were reported. “Bolt the Caucus,” *Chicago Daily Tribune*, Jan. 11, 1898; 33 Cong. Rec. 6635; Croly, *Marcus Alonzo Hanna*, 261.

⁹⁹ “Tell-Tale Telegrams,” *Columbus Evening Press*, Jan. 11, 1898, second edition; “Was Otis Offered \$10,000?” *The Saint Paul Globe*, Jan. 11, 1898. The press office statement offered two different explanations for the scandal.

First, the statement blamed Hanna’s political opponents in Ohio for concocting the story. This theory was adopted and expanded upon by James R. Garfield, Hanna’s ally on the Ohio investigating committee. 33 Cong. Rec. 6634 (1900). According to this view, Boyce was secretly working for Hanna’s Ohio opposition, including Allen O. Myers, Sr., Jerry P. Bliss, and Charles Kurtz. No one described how Hanna’s opponents might have carried out this plan. Did they hire Boyce before C.C. Shayne in New York sent him to Columbus? Did they hire him before Rathbone sent him to Cincinnati? “C. C. Shayne on Gen. Boyce,” *New York Times*, Feb. 6, 1898; Rathbone statement, p. 2, Hanna-McCormick Family Papers.

The biggest problem with this explanation is that it contradicts the sworn testimony of multiple witnesses who stated, implicitly or explicitly, that Boyce was not a known co-conspirator. See, for example, 33 Cong. Rec. 6603, 6611, 6612, 6624-5 (1900).

The second press office explanation was that Hanna’s out of state political opponents were behind the story. The statement claimed that a man “with large sums of money” had been hired by a New York newspaper to spring “bribery fakes.” The *Ohio State Journal* amplified this explanation, claiming that William Randolph Hearst’s *New York Journal and Advertiser* had sent two operatives to Ohio. One was Boyce, a “smooth confidence man,” who would trap Hanna; the other was Alfred Henry Lewis, a “special high-priced” reporter, who could write bogus telephone conversations. “Bribery Fake Exploded,” *Ohio State Journal*, Jan. 11, 1898.

Part of this theory could be true. Boyce could have been a double agent who duped Shane into sending him to Ohio. It is doubtful, however, that Lewis, an attorney, would have risked criminal prosecution for concocting false evidence, even though he loathed Hanna and was in contact with Hanna’s enemies. “Alfred H. Lewis, Author, is Dead,” *New York Times*, Dec. 24, 1914; Alfred Henry Lewis, “Seven Years More,” *New York Journal and Advertiser*, Jan. 13, 1898 and “Hanna Fights for One Vote,” Jan. 10, 1898.

original, unedited, manuscript,¹⁰⁰ Dick acknowledged that Boyce had panicked even before the story had come out in the papers.

*Boyce...was in a great state of excitement, he insisted that he must be gotten away, that he didn't want to be subjected to arrest so [Major Estes G. Rathbone] ...got Boyce to the station, on the train and sent him out of the state.*¹⁰¹

Once the scandal had burst into print, Dick said, it “made a terrible sensation.”¹⁰²

Hanna and his supporters were still dealing with the crisis during the early morning of January 11. Dick reported that Rathbone appeared at his door, carrying a suitcase:

He [Rathbone] said, “I am going to leave town...I don't want to be arrested, I don't want to be arrested, put in jail, tried and all that sort of thing.”

Dick ordered Rathbone to stay and to “go around here with a smile on your face.” To do otherwise would be “a confession of guilt.”¹⁰³

In the pre-dawn hours, Hanna himself needed encouragement:

He said he wanted to talk with me a minute. He said, [“]Dick, everything looks pretty bad don't it? Everything is demoralized, everybody is gone....”

According to Dick, he consoled Hanna, who then left and went to sleep.¹⁰⁴

Certainly these conversations as described by Dick could have been embellished. But none of the other accounts furnished by Hanna's aides contradicted the tense mood that Dick recollected. Dick painted a picture of worried men - not of wrongfully maligned men.

Hanna's accusers, on the contrary, were filled with righteous indignation. They viewed Hanna's mocking press office denial as an attack on their integrity. On January 12, Representative Otis stood in the Ohio House of Representatives to defend his reputation:

*“Mr. Speaker – I rise to a question of privilege, a question both affecting my character as a legislator, and related to the proper performance by this body of its duty in the election of a United States senator.”*¹⁰⁵

He referred to an account of the bribery that he had given earlier.¹⁰⁶

“[S]ir, I made those charges upon my honor, as a man, and in response to my duty as a representative. If they are false I ought to be expelled from this body. If they are true...[Hanna]

¹⁰⁰ Original. Dictated statement of Senator Charles Dick, of Akron, Ohio, made in Washington, D.C., Feb. 10, 1906, Elmer Dover being present, box 4, Hanna-McCormick Family Papers. Dick's original statement was typed. The original wording can still be read beneath cross-outs and handwritten alterations made later.

¹⁰¹ *Ibid.*, 32.

¹⁰² *Ibid.*, 31.

¹⁰³ *Ibid.*, 32.

¹⁰⁴ *Ibid.*, 32, 33.

¹⁰⁵ “\$ Hanna's \$ One \$ Vote \$,” *Columbus Evening Press*, Jan. 12, 1898, latest edition.

¹⁰⁶ “Hanna Has One Margin,” *Columbus Evening Press*, Jan. 11, 1898, latest edition.

ought to withdraw from this contest....One of us is guilty; which is it? For my own honor and reputation, I demand that you ascertain and declare the truth.”¹⁰⁷

Although the Ohio Senate heeded Otis’s request and investigated Hanna, the failure of the U.S. Senate to act on the investigation report doomed further action. The bribery allegation faded from the news. It was replaced by more pressing concerns, including the Spanish-American War.

The issue surfaced dramatically one more time.¹⁰⁸ On June 5, 1900, Senator Richard Pettigrew, a Hanna foe, launched a personal attack against him on the Senate floor.¹⁰⁹ Laughing at one point,¹¹⁰ Pettigrew began reading out loud inflammatory passages from the Ohio bribery investigation transcript.¹¹¹

Hanna, who was present in the Senate chamber, responded. Addressing the Senate’s presiding officer, he denied all wrongdoing.¹¹² He then issued a challenge. As Pettigrew slouched in his chair, Hanna, “never taking his eyes from the back of Pettigrew’s head,”¹¹³ declared:

When it comes to personality I will stand up against him and compare my character to his. I will let him tell what he knows; then I will tell what I know about him.”¹¹⁴

A few months after the Senate encounter, Pettigrew sought reelection in South Dakota. Hanna travelled out to that state to campaign against him. Although Hanna spoke frequently, he was careful not to mention Pettigrew by name. But when Pettigrew lost, the *New York Tribune* interviewed Hanna, who reportedly observed:

“He had lots of money, too, and still he couldn’t win. Well, well, we’ll feel lonesome in the Senate without Pettigrew!”¹¹⁵

A Closer Look at the Croly Statements

Pettigrew lost his Senate race. But when Hanna ran for reelection in 1904, he won. His success was due partly to the loyalty of friends whose silence on the bribery issue protected him.

After Hanna’s death, scores of his friends submitted written statements to Hanna’s first biographer, Herbert Croly.¹¹⁶ Their statements, taken at face value, point to Hanna’s innocence. When analyzed critically, they point to his guilt.¹¹⁷

¹⁰⁷ “\$ Hanna’s \$ One \$ Vote \$,” *Columbus Evening Press*, Jan. 12, 1898, latest edition.

¹⁰⁸ Compilation of Senate Election Cases From 1789 to 1913, S. Doc. No. 62-1036, at 878 (1913), <http://babel.hathitrust.org/cgi/pt?id=nyp.33433075934699;view=1up;seq=9>.

¹⁰⁹ 33 Cong. Rec. 6582 -84 (1900).

¹¹⁰ *Ibid.*, 6585. Either Pettigrew himself was laughing, or the Senate as a whole was.

¹¹¹ Horner, *Ohio’s Kingmaker*, 282; 33 Cong. Rec. 6585–87 (1900). The transcript excerpts were included in the minority report prepared in 1899 by the U.S. Senate’s Committee on Privileges and Elections. Pettigrew also read a portion of the majority report.

¹¹² He said he had “begged” to testify, but “was told it was not necessary....” 33 Cong. Rec. 6587 (1900).

¹¹³ Kenneth Elton Hendrickson, Jr., “The Public Career of Richard F. Pettigrew of South Dakota, 1848 - 1926” (PhD. diss., University of Oklahoma, 1962), 267. ProQuest (6203955).

¹¹⁴ 33 Cong. Rec. 6588 (1900).

¹¹⁵ “Senator Hanna Here,” *New York Tribune*, Nov. 10, 1900. See also “New York State Will Be in the McKinley Column,” *San Francisco Call*, Oct. 18, 1900; “Meetings Between Old Foes,” *The Times (Washington, D.C.)*, Nov. 24, 1900.

Two quotations from Croly's collection have been offered repeatedly to support Hanna's innocence. They become unconvincing when placed in context.

James R. Garfield, the Ohio state senator who stood by Hanna during the Otis dispute, believed that Hanna did not know about the attempted bribery:

*Men came to him, his personal friends, men whom he had known all his life and insisted that the public exigencies required that he should shut his eyes to some things. But he declined to do it.*¹¹⁸

James B. Morrow, the editor of *The Cleveland Leader*,¹¹⁹ reported that Hanna said to him:

*"I would not give a sent [sic] for any man's vote. I am not engaged in that kind of business....If I am to be defeated by the use of money well and good but I shall not spend a dollar to prevent that defeat."*¹²⁰

These statements are not authoritative for several reasons. First, both Garfield and Morrow thought of themselves as principled men. Both men - generally - opposed vote buying, as Hanna knew. The earnest Garfield, in particular,¹²¹ had warned Hanna to his face, "If money is used I shall vote against you."¹²² Plus, Garfield believed that Hanna had personally promised him he was innocent.¹²³

¹¹⁶ Croly, *Marcus Alonzo Hanna*, v, vi.

¹¹⁷ Reminiscences of Hanna's attorney, Andrew Squire, provide an example. Squire prepared two statements for Croly. The first was in a question and answer format. This statement discussed the 1898 race. When asked if he saw "indications of any unfair methods employed by Mr. Hanna," Squire answered "no." Dictated Statement of Andrew Squire, Esq., to J.B. Morrow, Esq. May 23, 1905, p. 2, box 4, Hanna-McCormick Family Papers.

Squire also submitted a second statement. This statement was a narrative rewrite of the question and answer version. In the narrative, every reference to the 1898 election was eliminated. Dictated Statement of Andrew Squire, of the law firm of Squire, Sanders and Dempsey, Cleveland...May 23, 1905," pp. 2, 3, box 4, Hanna-McCormick Family Papers. These deletions suggest that Squire preferred not to be quoted about the 1898 race.

¹¹⁸ Garfield statement, p. 10, Hanna-McCormick Family Papers.

¹¹⁹ Dictated Statement of James B. Morrow made in Washington, D.C., April 17, 1906, pp. 6, 16, box 4, Hanna-McCormick Family Papers

¹²⁰ *Ibid.*, 10, quoted (and corrected) in Croly, *Marcus Alonzo Hanna*, 263.

¹²¹ On January 2, 1898, Garfield wrote in his diary, "How specious are the arguments for evil doing." Garfield Diary 1898, Jan. 2, 1898, box 5, James Rudolph Garfield Papers, Library of Congress. One doctoral dissertation on Garfield consistently referred to him as naïve. "Apparently, the G.O.P. boss [Hanna] convinced the puritanical young politician of his pristine honesty." Jack M. Thompson, "James R. Garfield: The Career of a Rooseveltian Progressive 1895-1916" (PhD. diss., University of South Carolina, 1958), 46, 99, 214, 50. ProQuest (5805576). Garfield "traveled an independent course." Hoyt Landon Warner, *Progressivism in Ohio 1897-1917* (Columbus, OH: Ohio State University Press, 1964), 255.

¹²² Garfield statement, p. 10, Hanna-McCormick Family Papers.

¹²³ *Ibid.*, 12. In 1910, Garfield described a letter in which Hanna denied "in the most positive way" the bribery charge, but this letter does not seem to be in Garfield's papers. James R. Garfield to Herbert Croly, Sept. 23, 1910, box 110, James Rudolph Garfield Papers.

Garfield did believe Hanna had used an intermediary to bribe Cleveland City Council members. Garfield statement, p. 13, Hanna-McCormick Family Papers. "[I] always felt that he lacked ideals, politically. He had been brought up in the school of practical politics....He said you had to take human nature as it came." *Ibid.*, 14.

Morrow admired upstanding candidates too; he scathingly described one politician as “utterly without political principles and wholly without the moralities which generally govern men...”¹²⁴ It is doubtful that Hanna, knowing the views of these men, would have revealed demeaning campaign secrets to them.

Second, both quotations arose when Hanna was being urged to buy votes from *Democrats*,¹²⁵ not from Republicans like Otis. Hanna was a political professional. He knew that Democratic legislators would be delighted to trick him into offering a bribe and then expose him.

The third reason for discounting the quotations is that both Garfield and Morrow prided themselves on being knowledgeable Hanna insiders, when they were not. Garfield, a supposed confidante of Hanna, knew nothing of Rathbone’s activities.¹²⁶ Morrow, who thought he “knew everything that was going on,”¹²⁷ never “saw any desire on his [Hanna’s] part to ‘dominate.’”¹²⁸

A confession made by another Hanna ally, George A. Myers, also showed that Garfield and Morrow overestimated their intimacy. Myers was a political force among Cleveland’s African-Americans. Long after Hanna’s death, Myers admitted bribing Representative William H. Clifford from Cuyahoga County to vote for Hanna in the Senate race.¹²⁹ Myers’s confession solved a mystery about Representative Clifford that had stumped the self-described insiders, Garfield and Morrow.

¹²⁴ Morrow statement, p. 8, Hanna-McCormick Family Papers. Morrow helped Croly prepare Hanna’s biography. Croly, *Marcus Alonzo Hanna*, v, vi.

¹²⁵ According to Garfield, a “delegation...from Cleveland” [Emphasis added] had urged Hanna to buy votes, but Hanna had “declined to do it.” The Cleveland delegation had urged Hanna to buy the votes of Democrats. Garfield statement, pp. 10, 7, Hanna-McCormick Family Papers. Garfield also described Hanna’s refusal to pay “two Democrats” to leave the state. *Ibid.*, 7.

Garfield mentioned several instances when Hanna reportedly declined to buy Republican votes, but it is unclear if Garfield personally knew of these refusals or if he simply was told about them. *Ibid.*, 3, 6, 7, 8. In some diary entries and correspondence with Croly, Garfield did not specify party affiliations of potential bribe recipients. Garfield Diary 1898, Jan. 1-3, 1898 and James R. Garfield to Herbert Croly, Sept. 23, 1910, James Rudolph Garfield Papers.

The Hanna quote (“I would not give a sent [sic]...”) contained in Mr. Morrow’s statement also came in response to the suggestion that Hanna pay off a Democrat. Morrow statement, p. 10, Hanna-McCormick Family Papers.

¹²⁶ Garfield statement, pp. 10, 12, Hanna-McCormick Family Papers.

¹²⁷ Morrow statement, p. 10, Hanna-McCormick Family Papers. See also Croly, *Marcus Alonzo Hanna*, 263, 264.

¹²⁸ Morrow statement, p. 16, Hanna-McCormick Family Papers. This was hardly an accepted view. Statement of Honorable Theodore E. Burton, Member of Congress from the Cleveland, Ohio, District, and Chairman of the Rivers & Harbors Committee, made April 16, 1906, p. 5, box 4, Hanna-McCormick Family Papers; Lincoln Steffens, “Ohio: A Tale of Two Cities,” *McClure’s Magazine* 25, no. 3 (July, 1905): 294, http://books.google.com/books?id=6q47AQAAMAAJ&pg=PA293&lpg=PA293&dq=%E2%80%9COhio:+A+Tale+of+T wo+Cities%E2%80%9D&source=bl&ots=NS3kAguoV1&sig=TYvQZsHAKTBpGzNccvSPMeW5CNM&hl=en&sa=X&ei=Ax-9UtyYey_2oAT_j4CIBg&ved=0CDwQ6AEwAg#v=onepage&q=%E2%80%9COhio%3A%20A%20Tale%20of%20Two%20Cities%E2%80%9D&f=false.

¹²⁹ John A. Garraty, ed., *The Barber and the Historian: The Correspondence of George A. Myers and James Ford Rhodes, 1910 – 1923* (Columbus, OH: Ohio Historical Society, 1956), 108; *Journal of the House of Representatives of the State of Ohio*, 93:3. Before bribing Clifford, Myers’s friends used other tactics. “I chased him [a man identified as “Cliff”] and we got him to our Hotel and they all jumped him...the whole gang.” Once there, Hanna “nailed him.” Jere Brown to George A. Myers, Dec. 31, 1897, The Ohio Historical Society, The African-American Experience in Ohio, George A. Myers Papers, <http://dbs.ohiohistory.org/africanam/page.cfm?ID=10982>.

Before the election, Clifford had inexplicably delayed in signing an agreement to vote for Hanna, even though he had previously said he would. According to Garfield:

*I never knew why Clifford delayed doing so. He always talked to me as though he certainly meant to vote for Mr. Hanna.*¹³⁰

Morrow thought he had an explanation. In 1906 he wrote:

*Now Clifford could have been easily bought. That he wasn't bought is proof of the integrity of Mr. Hanna's purpose.... When Clifford found that he could not get money he voted for Mr. Hanna, as he meant to all along.*¹³¹

Morrow's explanation was rousing, but wrong: Clifford's vote was bought. In 1920, Myers confessed:

*I served Mr. Hanna because I loved him and even though I put my head in the door of the Ohio Penitentiary to make him U.S. Senator....*¹³²

*When I paid Clifford to vote for M.A. [Marcus Alonzo Hanna] I did not think it a dishonest act. I was simply playing the game.*¹³³

Admittedly, Myers could have been lying about his role in obtaining Clifford's vote. It is possible he just wanted to appear important.¹³⁴ But without conflicting proof, his confession has to be viewed as credible.

Garfield and Morrow vouched for Hanna's innocence because they thought they knew more than they did.¹³⁵ If they were kept in the dark about Representative Clifford's bribe, they were likely kept in the dark about Representative Otis's bribe.

The statements prepared by Garfield and Morrow reflected naiveté. The statements of Dick and Congressman Theodore E. Burton reflected suspicions, but suspicions phrased so artfully they were easy to miss.

Burton and Dick were attorneys who chose their words carefully. Both men understood the benefits of seeming to say something without saying it. Burton, for instance, wrote:

¹³⁰ Garfield statement, pp. 6, 7, Hanna-McCormick Family Papers.

¹³¹ Ibid., 7 (a supplemental notation written by James B. Morrow).

¹³² Garraty, *The Barber and the Historian*, 118.

¹³³ Ibid., 108.

¹³⁴ "The men who obtained the one vote that elected Mr. Hanna in 1898 are numberless." Letter of George W. Gardner... May 14, 1905, p. 3, box 4, Hanna-McCormick Family Papers (a concluding notation written by J.B. Morrow).

¹³⁵ The slippery nuances of denial could have fooled Garfield. Garfield believed Hollenbeck was innocent because "Hollenbeck told me that the charge was absolutely untrue." According to Garfield, the "charge" Hollenbeck was accused of was "taking money to Cincinnati to give to Otis." Garfield statement, p. 11, Hanna-McCormick Family Papers. Hollenbeck might not have taken money. He might have taken documents that would entitle him to receive money from a bank. Plus, Hollenbeck did not give anything to Otis. He dealt solely with Boyce.

Garfield believed Andrew Squire, who said Hollenbeck had gone to Cincinnati to pay railroad bills. Ibid. Hollenbeck did visit railroad offices in Cincinnati. 33 Cong. Rec. 6618 (1900). However, it is doubtful this was why he took a train from Columbus in the middle of the night.

*I never saw any evidence of the use of money in Columbus and don't believe any money was used corruptly.*¹³⁶

By itself, this sentence seemed to say, “I do not believe Hanna ever authorized bribing Otis.” At the most basic level, however, the bribe offered to Otis was offered in *Cincinnati* – not Columbus. Speaking precisely, Burton’s sentence did not address the Otis controversy in *Cincinnati* at all.

Also, Burton’s sentence was embedded in a paragraph that provided context. The two sentences that followed it were:

*The legitimate expenses of the campaign were heavy and these, of course, Mr. Hanna met. I have every reason to believe that his conduct in all respects was honorable; that no man who voted for him did so except from party and patriotic motives.*¹³⁷

The concluding clause of the paragraph cannot be ignored. By adding it, Burton limited his preceding comments. He clarified he was only commenting on Hanna’s successful efforts to influence the men “who voted for him;” he was not commenting on Hanna’s unsuccessful efforts to influence men who voted against him, such as Otis.

Dick adopted the same approach in his statement, but he was more overt:

*Of course I have heard a great deal said about the use of money during that whole proceeding. I don't believe a cent went to any of the seventy-three who voted for Mr. Hanna. I don't believe one of that number ever received a dollar directly or indirectly to vote for Mr. Hanna.*¹³⁸

Dick was anxious to limit his assessment to “the seventy-three who voted for Mr. Hanna.” He did not want to give an opinion “about the use of money” to influence other Ohio legislators.

He drew this distinction again, in a passage describing a meeting he had with President McKinley after the scandal broke. Dick prepared two accounts: an original draft and an edited, final version. In his first draft, he stated he had told President McKinley there was nothing in “that whole affair” from “start to finish” that was not honorable.¹³⁹ Later, reviewing his language, he had second thoughts. He crossed out the original wording. In the final version, he reported telling the president there was nothing in “Mr. Hanna’s election” from “start to finish” that was not honorable.¹⁴⁰

A century has passed since Dick met with McKinley in the White House. It is impossible to know the words he uttered. He might have told McKinley the “whole affair” was honorable. He might have limited his assessment to the “election.” Regardless, he wanted to guarantee that

¹³⁶ Burton statement, p. 3, Hanna-McCormick Family Papers.

¹³⁷ *Ibid.*, 3, 4.

¹³⁸ Edited Dick statement, p. 24, Hanna-McCormick Family Papers. Also, “Not a dollar was paid for a vote to any man. A good many people may have felt that there was a cloud upon Mr. Hanna’s commission as a Senator, but his was as clean a title as any man ever had.” [Emphasis added] Again, Dick emphasized the legitimacy of Hanna’s victory, not the legitimacy of activities that did not result in votes. *Ibid.*, 25.

¹³⁹ Original Dick statement, p. 34, Hanna-McCormick Family Papers.

¹⁴⁰ Edited Dick statement, p. 24, Hanna-McCormick Family Papers.

Croly's readers understood a key point: he was vouching for Hanna's election, not for unsuccessful efforts before the election to secure votes.¹⁴¹

Dick's statement provided another clue as to what happened.

Rathbone told me that Boyce had reported that John C. Otis, member-elect of the Legislature and a druggist in Cincinnati, was in financial distress, having some indebtedness on his shop; that he had spent some money in the campaign and that there was an obligation on him that ought to be discharged. The whole thing was done without any consultation with me until it got up to the stage where Boyce appeared in Columbus [on Monday, after the alleged bribe was offered]. So I told Rathbone that he would have to handle Boyce himself; that it was a situation in which I did not want to interfere. It had been gone into, I think, by Rathbone after a talk with Mr. Hanna and without the matter ever having been reported to me.¹⁴² [Emphasis added]

This passage raises questions. Why would Boyce tell Rathbone that Otis's financial obligation "ought to be discharged"? What reason would Boyce and Rathbone have for discussing Otis's "financial distress"?

Rathbone realized how suspicious his conversations with Boyce appeared. In the statement he gave Croly, he addressed the question on everyone's mind:

He [Boyce] was not authorized by me nor by any other friend of Mr. Hanna nor by Mr. Hanna himself, who did not see him at all, to do anything more than to call on Otis in Cincinnati and use his personal influence to have Otis vote for the Republican candidate for United States Senator.¹⁴³

Thus, according to Rathbone, he and Hanna – *definitely* - never authorized a bribe.

Under normal circumstances, such an unequivocal assertion, made by a credible witness, would dispel doubts. There was a problem, however, in this case. Rathbone was not a credible witness; he was later proven to be a criminal.¹⁴⁴

Just months after the Ohio Senate's investigating committee finalized its report, Rathbone moved to Cuba, as the new director of the island's postal system under U.S. military occupation.¹⁴⁵ Soon, his extravagant expenditures gave rise to a corruption investigation. By May 1900 he had been suspended from office. In March 1902, he was sentenced to 10 years in prison for mishandling over \$100,000 of postal funds.¹⁴⁶

In June 1902, the Cuban congress passed a general bill of amnesty allowing him to return to the U.S. Rathbone spent his remaining years, with Hanna's help, trying to clear his name.¹⁴⁷

¹⁴¹ When Dick seemed to endorse the entire campaign, he still hedged. There were negotiations with Boyce but Dick was "unable to say" what they were. *Ibid.*

¹⁴² *Ibid.*, 22.

¹⁴³ Rathbone statement, p. 3, Hanna-McCormick Family Papers.

¹⁴⁴ Joseph L. Bristow, *Fraud and Politics at the Turn of the Century* (New York: Exposition Press, 1952), 102-106.

¹⁴⁵ "Cuba's Mails," *The Times (Richmond)*, Dec. 11, 1898. His appointment conveniently took him abroad.

¹⁴⁶ "Washington News," *The News-Herald (Hillsboro, Highland Co., Ohio)*, May 31, 1900; "Postal Frauds in Cuba," *New York Times*, Mar. 30, 1902; "Neely Quits Cuban Jail," *Chicago Daily Tribune*, June 12, 1902.

¹⁴⁷ "Amnesty to All Americans," *Washington Post*, June 8, 1902; "Rathbone's Fight for Vindication," *Washington Post*, Aug. 6, 1906; "E. J. [sic] Rathbone Fails," *Washington Post*, Mar. 21, 1917; "The Case of Estes G. Rathbone," *Washington Post*, April 4, 1906; "Gen. Wood is Accused by Estes G. Rathbone," *New York Times*, Aug. 6, 1906; Frank H. Rathbun, "Estes G. Rathbone Goes from Fame to Obscurity," Rathbun-Rathbone-Rathburn Family

Admittedly, criminals sometimes tell the truth. But Rathbone's statement contained other passages that made his portrait of campaign rectitude seem surreal. He acknowledged that, during the contest:

*[M]any things were done that were novel and perhaps unprecedented. It was a fight to the death with a band of very unscrupulous and desperate men.*¹⁴⁸

Rathbone believed he had to fight fire with fire. He reported that his friends had stealthily retrieved Representative John E. Griffith of Union County, together with his wife, from their hotel. The Griffiths were both placed in a carriage and were "rapidly driven" to Rathbone's hotel. Rathbone conducted "a long interview" with Mrs. Griffith, "from nine o'clock in the evening until three o'clock the next morning." Both Mr. and Mrs. Griffith were kept "practically under lock and key." Mrs. Griffith appeared to be "in great distress of mind...." But, in the end her husband "voted for Mr. Hanna and thus carried out his promise to his constituents...."¹⁴⁹

Even Major Dick, who strained to present himself favorably, recounted questionable campaign practices. According to his statement, Hanna's friends handed Dick \$50,000 in cash and told him to spend it "for any purpose that is required to make Mr. Hanna's election certain." When he told the men he could not use it (and he almost certainly did not use it), he was told "to put it under the bed...."¹⁵⁰

What's illuminating about Dick's story is not that he refused to use the money, but that the men thought he would use it. They had assumed Hanna would hire people who would accept cash to pay off legislators.

It's Over

The assumption that Hanna and his associates would use money unethically was understandable. Major Rathbone would eventually be convicted of a felony. Another top Hanna aide during the 1898 Senate race was Harry Daugherty. Daugherty escaped blame in the Otis affair and was later active in Warren Harding's presidential campaign. He was appointed U.S. Attorney General, but resigned because of his role in the Teapot Dome scandal¹⁵¹.

Historian 14, no. 1 (Jan. 1994): 4,5,9, www.michaelrathbun.org/14-1994/14-001.pdf. Hanna's loyalty to his friends was legendary. (Edited.) Dictated Statement of Mr. Elmer Dover. Washington, September, 1905, p. 26, box 4, Hanna-McCormick Family Papers. "He stood by men who were really scoundrels...." Garfield statement, p. 14, Hanna-McCormick Family Papers.

¹⁴⁸ Rathbone statement, p. 3, Hanna-McCormick Family Papers

¹⁴⁹ Ibid., 3, 4. Rathbone's version of the Griffith story agrees with Garfield's and Croly's. Garfield statement, p. 6, Hanna-McCormick Family Papers; Croly, *Marcus Alonzo Hanna*, 257.

Warren and the *New York Times* described an incident that occurred earlier, in which Griffith's wife was separately retrieved from her hotel after Griffith had already arrived at Rathbone's hotel. Warren, "The First Election of Marcus A. Hanna," 75, 76; "Majority Against Hanna," *New York Times*, Jan. 4, 1898.

¹⁵⁰ Edited Dick statement, p. 25, Hanna-McCormick Family Papers. Dick's assertion that if "any money had been used [unlawfully] it would have come from that pile...nobody else had any...." is perplexing. Ibid. "The Hanna organization was awash with money...." Shoemaker, "Mark Hanna and the Transformation of the Republican Party," 245.

¹⁵¹ Rathbone statement, p. 2, Hanna-McCormick Family Papers; James N. Giglio, *H. M. Daugherty and the Politics of Expediency* (Kent, OH: Kent State University Press, 1978), 91-116, 124, 173.

Theodore Roosevelt summed up the prevailing attitude. Hanna was “a burly, forceful man, of admirable traits” but he had “been trained in the post-bellum school of business and politics, so that his attitude towards life, quite unconsciously [was]... ‘If I like it, I’ll buy it.’”¹⁵²

Hanna and his allies believed their opponents would stop at nothing in the campaign:

*[M]oney and offices, threats and debauchery were resorted to.... I doubt if there is in the history of the country anything quite like it, quite as bad. You know nothing was left undone.”*¹⁵³

Hanna believed that opposition legislators were damaging the Republican Party by violating their promises to vote for him. He felt, in Horner’s words, that they were ignoring principles “that were good for the country.”¹⁵⁴

Fortified by this sense of mission, Hanna did what he had to do.

The transcripts of the secretly overheard telephone calls are the best evidence of his personal complicity.¹⁵⁵ The calls took place over three days - from Friday, January 7 through Sunday, January 9, 1898. Boyce was a speaker in most transcripts, but not in all. Other speakers included “Columbus,” “Major Rathbone,” or simply “Major,” among others.¹⁵⁶

One transcript introduced into evidence was “Exhibit XXX.” This transcript purported to describe a conversation that took place late January 7 or early January 8. Boyce was in the upstairs private office of the Gibson House in Cincinnati. Allen O. Myers, Jr. was secretly in the downstairs office listening in on the call. Myers, Jr. had plugged the mouthpiece of his phone and was calling out the conversation to the hotel’s night clerk, Russell H. Pryor, who wrote down notes of what was said.¹⁵⁷ The party on the other end of the line in Hanna’s hotel in Columbus was identified as “Major,” although it is uncertain whether it was Major Rathbone or Major Dick.¹⁵⁸

“BOYCE. Hello, Columbus! This you, Major?”

¹⁵² Theodore Roosevelt, *Theodore Roosevelt: An Autobiography* (New York: Charles Scribner’s Sons, 1920), 354, <http://babel.hathitrust.org/cgi/pt?id=wu.89058672973;view=1up;seq=23>. Hanna is not named, but Roosevelt had him in mind. The paragraph contains an anecdote about the same person who misunderstands the word “cosmos.” Scholars have linked Roosevelt’s cosmos story to Hanna. See Nathan Miller, *Theodore Roosevelt: A Life* (New York: Morrow, 1992), 402.

¹⁵³ Original Dick statement, p. 30, Hanna-McCormick Family Papers (softened slightly in Edited Dick statement, p. 21, Hanna-McCormick Family Papers).

¹⁵⁴ Marcus A. Hanna to John Hay, Dec. 4, 1897, John Hay Papers; Horner, *Ohio’s Kingmaker*, 229.

¹⁵⁵ Hanna usually was content to delegate. Dover statement, p. 17, Hanna-McCormick Family Papers.

¹⁵⁶ 33 Cong. Rec. 6610 (1900).

¹⁵⁷ *Ibid.*, 6605-07, 6630-31.

¹⁵⁸ Exhibit XXX contains a notation, “(DICK is speaking to HANNA.)” *Ibid.*, 6631. This notation indicates Major Dick was on the call with Boyce and that he stepped away to consult with Hanna. Major Dick, however, denied dealing with Boyce. “Tell-Tale Telegrams,” *Columbus Evening Press*, Jan. 11, 1898, second edition; “Was Otis Offered \$10,000?” *The Saint Paul Globe*, Jan. 11, 1898; Edited Dick statement, p. 22, Hanna-McCormick Family Papers.

Major Rathbone admitted working with Boyce. Rathbone statement, p. 2, Hanna-McCormick Family Papers; Croly, *Marcus Alonzo Hanna*, 262. C.C. Shayne also said he worked with Rathbone. C. C. Shayne to President William McKinley, Jan. 7, 1898, George B. Cortelyou Papers.

Myers, Jr. was probably never certain of the identity of Boyce’s callers. Of the two “Majors” working on the Hanna campaign in Columbus, Major Dick was the more senior and the better known. It would be reasonable for anyone listening in on a call with “Major” to assume that “Major” was Major Dick, not Major Rathbone. 33 Cong. Rec. 6612 (1900). Regardless of whether it was Major Dick or not, the notation tends to implicate Hanna.

“MAJOR. (Major.) Yes.

“BOYCE. What do you want?

“MAJOR. Have been talking to H. [Hanna], and he says: ‘Suppose he [Otis] won’t put signature on paper – what will we do?’

“BOYCE. I will fix that all right, but if I was in his place I would not sign paper, as it is a foolish play....How will you arrange matters?

“MAJOR. I will speak to HANNA. I will send Hollenbeck down in the morning. He will be there about 10; may be a little late. We are afraid that if Mr. O falls out the rest will go to pieces. We will make it in a package and give it to Hollenbeck, so as he can transfer it and not know what he is doing.”¹⁵⁹

Myers, Jr. was so excited after listening to this call, that he boarded a 3:25 AM train to Columbus, went to his father’s hotel room, and woke him up with the news.¹⁶⁰ His excitement was justified. If Major really had “been talking to H.,” as the conversation indicated, then Myers, Jr. had discovered proof of Hanna’s guilt.

In fairness, however, Major might *not* have ever talked to Hanna about the bribery plot. Major could have been lying; maybe he never talked to Hanna at all. But why would Major lie to Boyce - what incentive would there have been?

Or, maybe Myers, Jr. (as he listened in on the call) or Pryor (as he wrote down the words Myers, Jr. called out) concocted this dialogue. Both men would have had an incentive; they both would have realized that this text would implicate Hanna himself.

But Pryor swore under oath that the words he wrote down were correct.¹⁶¹ Myers, Jr. also swore he was telling the truth.¹⁶² And it would have been hard, probably impossible, for Myers, Jr. to have made up this dialogue on the fly, in this midst of calling out other sentences.

Plus, looking closely at these three men, who was most likely to bend the facts? Myers, Jr.¹⁶³ and Pryor, who appeared before the investigating committee, told their stories, and were cross-examined? Or Hanna, who left town, never swore to tell the truth and never answered any questions under oath?

If Hanna, Boyce, Major and the others had come to Columbus and testified, they could have explained all of the transcribed conversations, protected their reputations, and corrected the record. But they did not come. The committee had to rely on transcripts, which were hearsay.¹⁶⁴ As a result, based on well established rules of evidence, Hanna was never found guilty of a crime, nor should he have been.

But historians are not bound by the rules of judges or investigating committees. Historians can look at everything. Using this freedom, a central question about Hanna’s political

¹⁵⁹ Ibid., 6630-31.

¹⁶⁰ Ibid., 6606.

¹⁶¹ Ibid., 6607, 6630. Pryor was not sworn immediately prior to describing Exhibit XXX, but he had been previously sworn and remained under oath. Seymour D. Thompson, *A Treatise on the Law of Trials in Actions Civil and Criminal*, vol. 1 (Chicago: T. H. Flood & Company, 1889), 330, http://archive.org/stream/cu31924020164228/cu31924020164228_djvu.txt.

¹⁶² 33 Cong. Rec. 6605 (1900).

¹⁶³ This is not to say Myers, Jr. was a perfect witness. He was reluctant to admit that he had met with a newspaper reporter when he was in Columbus. Ibid., 6606, 6609. He liked to play jokes on reporters. Ibid., 6605. His sworn testimony, however, was never contradicted by anyone under oath.

¹⁶⁴ 33 Cong. Rec. 6633 (1900).

career can be answered: he did know about and approve the scheme of his campaign workers to bribe Otis.

But Wasn't Everybody Doing It?

Hanna's bribery scandal was not solely responsible for the Seventeenth Amendment that provided for the direct election of senators.¹⁶⁵ It did, however, move the process along. One contemporary editorial noted:

*The demand that United States senators should be elected directly by the people, gains strength day by day....[T]he open and flagrant degradation...by the use of money in senatorial elections, may be pushed too far. Possibly the election of Mr. Hanna may prove the last straw....*¹⁶⁶

It is impossible to know how much vote buying went on in the Gilded Age. But we should try to put Hanna's behavior into context.

Between 1872 and 1913, a total of 499 men served in the United States Senate.¹⁶⁷ Most of these senators were simply elected by their state legislatures. Some were appointed by governors, often to fill vacancies caused by death.¹⁶⁸ Some were appointed for one term, then elected for another term, like Hanna. Some were elected for multiple terms. Of the 499 men who served, 465 won at least one election in a state legislature.¹⁶⁹

The Senate rarely examined the means by which its elected members won their seats. Just sixteen senators out of 465 (less than four percent) were scrutinized by Senate committees for bribery.¹⁷⁰ Only one senator's election was ultimately declared invalid by the full Senate,

¹⁶⁵ Popular disgust with legislative deadlocks contributed to the amendment's passage. George Kennan, "Holding Up a State: The True Story of Addicks and Delaware," *Outlook* 73, no. 6 (Feb. 7, 1903): 277-283; no. 7 (Feb. 14, 1903): 386-492; no. 8 (Feb. 21, 1903): 429-436.

The desire to limit the power of political bosses and of corporations contributed too. "How We Elect Senators: from a Special Correspondent," *Outlook* 97, no. 8 (Feb. 25, 1911): 389-392; David Graham Phillips, *The Treason of the Senate*, ed. George E. Mowry and Judson A. Grenier (Chicago: Quadrangle Books, 1964).

Hanna's race was notorious, but so were others. J. Edward Addicks of Delaware had a fortune believed to be between ten and twenty million dollars. He spent an estimated three million dollars on multiple unsuccessful races for the Senate. "J. E. Addicks of Boston Finance Fame Dies at 78," *Chicago Daily Tribune*, Aug. 8, 1919.

¹⁶⁶ "Under the Rose: Reform in Senatorial Elections," *The Arena* 21, no. 3 (Mar. 1899): 391-2.

¹⁶⁷ Senators of the United States 1789-Present: a Chronological List of Senators Since the First Congress in 1789, 26-54, www.senate.gov/artandhistory/history/resources/pdf/chronlist.pdf. Monroe L. Hayward of Nebraska was elected to the Senate but is excluded from the list of 499 because he died before taking the oath of office. *Ibid.*, 48.

¹⁶⁸ S. Doc. No. 62-1036, at 146-156 (1913). This document lists senators appointed by state governors, but it omits Charles A. Towne, who should be included. See 34 Cong. Rec. 197 (1900); <http://bioguide.congress.gov/scripts/biodisplay.pl?index=T000324>.

¹⁶⁹ Senators of the United States, 26-54; S. Doc. No. 62-1036 (1913); Anne M. Butler and Wendy Wolff, *United States Senate Election, Expulsion and Censure Cases 1793 – 1990* (Washington, D.C.: Government Printing Office, 1995); George H. Haynes, *The Senate of the United States: Its History and Practice* (Boston: Houghton Mifflin Company, 1938).

¹⁷⁰ S. Doc. No. 62-1036, at xxvii, 1217 (1913); Butler and Wolff, *United States Senate*, 470; Haynes, *The Senate of the United States*, 127-37. The sixteen senators were: Samuel C. Pomeroy, Alexander Caldwell, George E. Spencer, Powell Clayton, Lewis V. Bogy, La Fayette Grover, John J. Ingalls, Elbridge G. Lapham, Warner Miller, Henry B. Payne, Marcus A. Hanna, William A. Clark, William Lorimer, Isaac Stephenson, Clarence W. Watson, and William E. Chilton. Senators Samuel C. Pomeroy and Alexander Caldwell are included because they served between 1872 and

although several senators resigned when such a vote appeared imminent.¹⁷¹ Hanna was one of the sixteen senators who were scrutinized.

Even though grumblings of bribery followed many Senate elections, they usually faded away. For these sixteen, it was different. Their foes back home alleged bribery, pushed hard, and would not give up until the U.S. Senate examined the documents and testimony they had submitted.

Such tenacity could be attributed to a variety of causes. Partisanship was surely one. Spiteful animosity could have played a part. In Hanna's case, his opponents' desire to embarrass President McKinley could have been a factor, too.

But some accusers might have persisted in their attacks because they knew they were right. Some of the sixteen senators singled out for scrutiny almost certainly were guilty.

Alexander Caldwell, for example, hailed from Kansas, where the buying and selling of legislators was openly discussed "almost as freely as the weather." Although "unknown as a politician," he was a man of "large wealth."¹⁷² The Committee on Privileges and Elections recommended that his election be voided,¹⁷³ but he resigned before the full Senate could vote on his fate.¹⁷⁴

Other senators scrutinized by Senate committees were more likely to have been innocent.¹⁷⁵

Some of the 449 elected senators who escaped scrutiny for bribery – maybe many of them - could have been guilty, too. There is no way to be sure today. Certainly, "dubious senatorial elections abounded."¹⁷⁶ But Hanna was in the group of sixteen, not in the group of 449. These numbers alone suggest – although they do not prove - that Hanna was unusually eager to buy votes.

But maybe there is another way to look at it. Of the sixteen senators accused of bribery, twelve, including Hanna, had never won a Senate election before.¹⁷⁷ Sophisticated men running for the Senate were well aware that money could help them win; but they also recognized that

1913, even though their elections were earlier. Senator Powell Clayton is included although he allegedly bribed legislators primarily with promises of lucrative jobs. Senator Elbridge G. Lapham and Senator Warner Miller are included but the bribery charges against them were incidental to alleged election law irregularities. "Rumors" of bribery were alleged against Lapham and Miller, but no evidence was presented. S. Doc. No. 62-1036, at 426, 478-479, 697-699 (1913). Senator Charles H. Dietrich is omitted from the list of sixteen because the bribery alleged was unrelated to his Senate election. *Ibid.*, 987-992. For a different total see, C.H. Hoebeke, *The Road to Mass Democracy: Original Intent and the Seventeenth Amendment* (New Brunswick, NJ: Transaction Publishers, 1995), 179-80.

¹⁷¹ Butler and Wolff, *United States Senate*, 283, 177, 264; Haynes, *The Senate of the United States*, 128, 135.

Haynes notes that the Senate's failure to act against a member was "not always the equivalent" of a "clean bill of moral health." George H. Haynes, *The Election of Senators* (New York: Henry Holt and Company, 1906), 57.

¹⁷² 1 Cong. Rec. 34 (1873).

¹⁷³ S. Rep. No. 42-451, at 6 (1873).

¹⁷⁴ "Exit Caldwell," *New York Times*, Mar. 25, 1873.

¹⁷⁵ For instance, Senators Lapham and Miller of New York were likely to have been innocent. S. Doc. No. 62-1036, at 698-99 (1913). Senators Watson and Chilton of West Virginia were accused by a state legislator who later recanted. Butler and Wolff, *United States Senate*, 288-89.

¹⁷⁶ Lewis L. Gould, *The Most Exclusive Club: A History of the Modern United States Senate* (New York: Basic Books, 2005), 10.

¹⁷⁷ The twelve senators were: Caldwell, Clayton, Bogy, Grover, Lapham, Miller, Payne, Hanna, Clark, Lorimer, Watson, and Chilton. For bribery allegations, see Butler and Wolff, *United States Senate*, 174-289 and S. Doc. No. 62-1036, at 444, 697, 1217 (1913). For elections, <http://bioguide.congress.gov/biosearch/biosearch.asp>.

judgment was required in using it. Promising state legislative candidates could be identified and helped. Aspiring U.S. senators could solicit campaign contributions for them or make contributions themselves to those candidates. When elected, those candidates would remember the men who had helped them and vote them into the Senate.¹⁷⁸ Envelopes stuffed with cash in hotel rooms were conspicuous and illegal.

Hanna knew his methods were crude, but he was desperate. His opponents were engaged in “Every species of boodle and corrupt politics known in any campaign....”¹⁷⁹ Despite his political acumen, he stumbled into an old fashioned sting operation.¹⁸⁰

Hanna’s responses to the scandal were similar to the responses of the other senators accused of bribery. At first he stonewalled, following the example of Henry B. Payne, another U.S. senator from Cleveland accused of bribery, who maintained, according to a friendly newspaper, a “manly and dignified silence.”¹⁸¹

But silence failed to quell the Otis story. So Hanna denied wrongdoing. On the Senate floor in 1900, he went beyond denial to attack. This was effective in the short run. But ultimately it is not convincing.

He could have said:

I swear to you, on my honor, I never knew or suspected that a bribe would be offered in my behalf or that a bribe was even being considered. If I had known, I would have promptly fired everyone involved. I will answer truthfully, under oath, every question anyone wants to ask about any alleged bribe and I implore all my friends to do the same.

He never said anything close to this. Yet many historians have given Hanna the benefit of the doubt.

Hanna was a vital, engaging man. People who knew him socially tended to like him. Even after his death, Croly and Beer wrote about him with affection. However, contemporary reporters and cartoonists who did not know him often judged him harshly.

¹⁷⁸ Senator Calvin S. Brice, an Ohio Democrat, served in the Senate from 1891 – 1897, just before Hanna’s first term. <http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000818>. Brice was “accused of buying his seat indirectly by contributing money to the campaign funds of men who were running for the legislature, but no formal charges were brought....” “A Whitewash Brush,” *Los Angeles Herald*, June 14, 1897; Allen O. Myers, *Bosses and Boodle in Ohio Politics: Some Plain Truths for Honest People* (Cincinnati: Lyceum Publishing Co., 1895), 280. Myers believed Brice also spent money after the election. *Ibid.*, 284-285.

Republican Senator James McMillan of Michigan, served from 1889 - 1902. When McMillan was the state party chairman, he raised money from donors and then carefully distributed it to legislative candidates, who rewarded him with their support. David J. Rothman, *Politics and Power: The United States Senate 1869-1901* (Cambridge, MA: Harvard University Press, 1966), 164-66.

¹⁷⁹ Edited Dick statement, p. 21, Hanna-McCormick Family Papers.

¹⁸⁰ Samuel C. Pomeroy of Kansas was similarly ensnared in 1873. State legislator A.M. York testified he accepted a bribe from Senator Pomeroy for the sole purpose of exposing the crime. S. Rep. No. 42-523, at 2 (1873); “Pomeroy Defeated,” *Chicago Daily Tribune*, Jan. 30, 1873.

¹⁸¹ “Senator Payne,” *The Hocking (Logan, OH) Sentinel*, Jan. 21, 1886. See Albert H. Walker, *The Payne Bribery Case and the United States Senate* (Hartford, CT: Clark & Smith, Printers, 1886).

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Today, scholars who have studied Hanna's life – read his letters and the statements of his friends collected by Croly – are likely to be lenient. But, now as before, people who have not been influenced by Hanna's rough charm have judged him more critically. In the case of his 1898 Senate election, they have been right to do so.