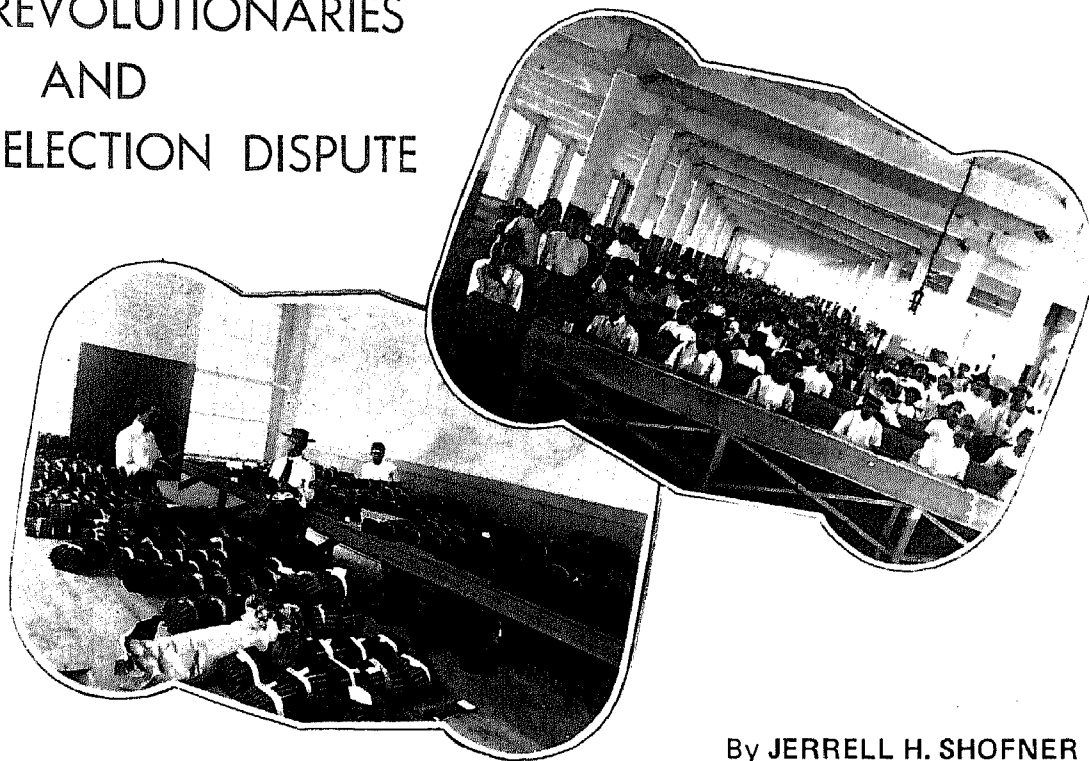


# CUBAN REVOLUTIONARIES AND THE 1876 ELECTION DISPUTE



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On October 10, 1876, Frank Wicker, chairman of the Monroe County, Florida, Republican executive committee, wrote Presidential candidate Rutherford B. Hayes that "I have taken the liberty of assuring [the Cubans] of your friendship for the cause of 'Cuba Libre,' and a telegram from you which could be read to them before the election would be of great benefit. They are a very impulsive and excitable people, but not given to enthusiasm for any great length of time." Wicker was referring to the more than four thousand Cuban immigrants who had come to Key West from their native island since a violent revolution began there in 1868. About 1,032 of them were registered voters intending to participate in the forthcoming Presidential election between Republican Rutherford B. Hayes and Democrat Samuel J. Tilden.

About the time of the revolution Martinez Ybor had moved his cigar factory from Cuba to Key West because of continuing difficulties with labor unions on the Spanish-owned island. Others followed him. Many of the immigrants to Florida were permanent settlers coming to work in the

emerging cigar industry at Key West. Many others, however, had been driven from their homeland by the ravages of civil war and the bloody efforts of the Spaniards to suppress it. Most of these also intended to stay in the United States and become citizens, but a sizable number were merely awaiting the restoration of peace to return to their homes. And some were residing in Key West simply because it was a convenient base from which to launch raids on the Spaniards in Cuba. Because American elections were conducted on local as well as national issues, the question of Cuban independence was more important on the island of Key West than that of whether a Democrat or a Republican succeeded Ulysses S. Grant in the White House on March 4, 1877. It was for this reason that Wicker was earnestly trying to enlist Rutherford Hayes at least temporarily in the cause of Cuban independence. That was the way he could best deliver the local vote for the Republican Party on November 7, 1876.

The disputed Presidential election of 1876, however, is not remembered as a factor in the long struggle for Cuban independence. It has intrigued

historians and students of American politics for nearly a century because it strained the nation's electoral process to its limits and frightened many patriotic citizens into believing that the system was about to fail. For nearly four months (from November 7, 1876, to March 2, 1877) the outcome of the Presidential election was unknown. Business was adversely affected by the stalemate and businessmen clamored for a settlement. Some Democratic governors threatened to use state militias to seat Samuel J. Tilden by force. Joseph Pulitzer called for 100,000 armed Democrats to march on Washington. President Grant strengthened the armed forces around the national capital. It was the worst crisis to which the Presidential election system has ever been subjected.

But cooler heads were busily trying to work out a compromise. Their task was a difficult one. The nation had been divided for the past sixteen years by a bloody civil war followed by a violent period of reconstruction in which the national government had incurred the wrath of most Southern whites for trying to rebuild their society to give newly-freed Negroes a place in it. Republican parties emerged in

each of the Southern states with predominantly black voting strength and white leaders who were contemptuously referred to by most native Southerners as "carpetbaggers" and "scalawags." Hostility toward black voters forced native whites of diverse political backgrounds to unite as Conservative-Democrats against these Republican parties and attempt to restore white supremacy or "home rule." Elections became violent episodes in many Southern states and fraudulent voting was commonplace. Gradually blacks were bludgeoned or intimidated into submission and native whites acting through the Democratic Party regained control of all the former Confederate states except Florida, Louisiana and South Carolina.

In this bitter context the 1876 Presidential election took place. The scandals of the Grant administration sent the Republican national nominating convention searching for a reformer as their candidate and Rutherford B. Hayes, the three-term Governor of Ohio, was nominated. His Democratic opponent was Samuel J. Tilden, Governor of New York, who also had a reform image. With such similar candidates, the parties resorted to personal attacks. The Republicans warned voters that Democrats could not be trusted because of their former identification with those who had broken up the Union. By the time the election was held on November 7, people were angrily aroused over the same issues which had divided the country since 1860. Noting that the election was going to be very close, political observers remarked on the intense sectional animosities which the campaign had aroused. The *New York Times* prophetically observed in late October that with passions so aroused it would be unfortunate if a disputed election occurred. The paper pointed out that there was no machinery established by Congress to decide between conflicting certificates of election from a single state and that the mood of the nation was not conducive to compromise if such duplicate certificates should be sent to Washington for counting.

When the polls closed and unofficial returns began to be reported on November 7, it appeared that Tilden and the Democratic Party had won the Presidency. Nearly every newspaper in the country except the *New York*

*Times* declared Tilden the winner. The *Times* merely noted that the election was in doubt. And indeed it was. Election to the Presidency in 1876 required 185 electoral votes and it appeared that Tilden had received 184 which no one questioned. Hayes had 166 undisputed votes. No one was sure who had received the nineteen electoral votes of Florida, Louisiana and South Carolina. Since Tilden needed only one of them to win and Hayes had to have them all, the Democrats were comparatively optimistic about their situation.

That the disputed electoral votes were in the three Southern states where Republican regimes were still in office was crucial. Disorderly elections, fraudulent practices in counting the votes and alterations by election boards were common in those states, but the Republicans had a distinct advantage. Each of the contested states had a canvassing board, appointed by the governor, with power to review all county returns, reject those believed to be fraudulent or erroneous, determine the outcome of the election and declare the results. Both national parties sent prominent representatives to Tallahassee, Baton Rouge and Columbia to watch the boards' proceedings and protect their respective party interests. Violence and grossly fraudulent election returns had marred both the Louisiana and South Carolina elections while it was virtually impossible to tell how much the presence of federal troops had influenced the South Carolina election or how many thousands of votes had been affected by Democratic violence in Louisiana, the canvassing boards in both states altered enough county returns to declare Hayes the winner. Most historians agree that an unfettered election in both these states would have produced the same results.

The Florida case was different from the other two. Both sides had resorted to intimidation and other illegal acts, but the election was much more orderly and less violent than in South Carolina and Louisiana. Both sides had kept a close watch on registration lists during the campaign and had poll watchers at every ballot box to prevent illegal voting. Since the election had been closely scrutinized by both sides at every level, it was difficult for illegalities to go undetected. With a

two to one majority of the state canvassing board, the Republicans had an advantage in Florida just as in the other two states, but their actions had to be plausible enough to satisfy an aroused and interested public. By the time the canvassing board convened in Tallahassee on November 27, the eyes of the nation were fixed on its every move.

Both parties in Florida issued boastful claims of victory by as much as 2,000 votes, but as the returns began drifting in from the county seats, it was clear that the election would be decided by a mere handful of votes. William E. Chandler, New Hampshire Senator and Republican national committee secretary, who supervised Republican efforts in Tallahassee, wrote Hayes that he was afraid the Democrats had a small majority.

The canvassing board's procedural rules for conducting its count were a critical matter. It was agreed that the returns from all thirty-nine counties would be called off in alphabetical order and the initial results would be counted and recorded merely as a preliminary total which was subject to possible future alteration. As the county names were called off each side would have an opportunity to protest the results and its arguments would be heard later. The board would consider all the arguments offered and make such alterations as it deemed proper before issuing its final, official count.

During the preliminary count, each of the county returns was challenged by one of the parties, but the result showed a Republican majority of 43 votes out of about 48,000 cast. These figures were telegraphed all over the country and printed in newspapers as representing the vote of Florida. Many changes were made in the initial count during the next few days and the official vote showed Hayes the victor by several hundred votes. The apparent reason for the difference was that the Republican state candidates had run so far behind Hayes that the forty-three vote margin in his favor would have left them defeated by the Democratic candidates for state offices. Since the state canvassing board members had no wish to see the Democrats replacing them in office, they threw out enough opposition votes to find a majority for the Republican state ticket as well as Hayes. But

in doing so, they acted with such flagrant disregard of propriety that the Florida Supreme Court vacated their decision and gave the state election to the Democrats while leaving Hayes's electoral victory intact. The narrow forty-three vote margin on the initial count thus played a decisive role.

There is no way to be certain how many of the 1,032 Cubans registered to vote in Monroe County, Florida, in 1876 were alien revolutionaries intent on eventually returning to Cuba and how many were bona fide future United States citizens. But that a number of those registered were Cuban nationals fighting the Spaniards from their Key West base is certain. There were also several transient Negro laborers from the Bahamas who were registered to vote in the election. Both groups raised the ire of editors on the mainland. The Republican Tallahassee *Sentinel*, believing that the Cubans were hostile to its candidate, declared that the Cubans and Nassau Negroes at Key West "are not naturalized and therefore cannot vote." The Tampa *Tribune* and the Monticello *Constitution*, both Democratic papers, protested the possibility of aliens from the two islands participating in the election. The Tallahassee *Floridian*, whose well-informed Democratic editor hoped for a while that his party would benefit from the foreign voters, was more moderate. Its editorials pointed out that it was entirely legitimate for a person to vote who had lived in the state for one year and declared his intention of becoming a citizen. It hastened to add that "permanent abode" was the test and no one had intended that "foreigners seeking temporary refuge on our shores from oppression should be allowed to control our state." There was never any likelihood that the number of Cuban nationals who voted were significant enough to "control the state," but it is entirely possible that they were enough to influence the Presidential election.

Whether they were bona fide settlers intent on working in the cigar factories located at Key West or merely temporary visitors using the island as a base for operations against the Spaniards, thousands of Cubans immigrated from their native island to Florida during the ten-year revolution which lasted from 1868 to 1878. There were nearly 5,000 of them there

in 1876. All were eligible to declare their intention of becoming United States citizens and taking out first papers as soon as they arrived. One year later they would be eligible to register and vote. These immigrants were responsible for considerable excitement on the island after 1868 and "Cuba Libre" became the dominant political issue. Just as politicians in the northeastern part of the country at the time were "twisting the British lion's tail" for the benefit of the Irish voters in Northern cities, Florida politicians cast a few verbal stones at Spain and made known their support of Cuban independence.

While most of the Cubans favored independence, there were enough pro-Spaniards at Key West to cause considerable disruption when the two groups met. The Spanish consulate in Key West was a frequent target of the revolutionary sympathizers. The military commander at Fort Taylor was alerted on several occasions to the possibility that some of them planned to cut the telegraph cable from Cuba to Key West. When Gonzalo Castanon, editor of the influential pro-Spanish newspaper, *Voz de Cuba*, came to Key West to speak to a group, he was met at the dock by an incensed crowd which was barely restrained from violence by a soldier escort. On the following day he was killed in a shootout in a Key West hotel. Tempers were at fever pitch while former Confederate Secretary of the Navy Stephen R. Mallory escorted the editor's body back to Havana for burial.

By 1872 the Cubans were a powerful force in Monroe County politics. They decided the local elections in that year and again in 1874. With 1,032 of them registered to vote in 1876, no serious politician dared to leave Key West off his campaign itinerary or fail to make frequent reference to his desire for Cuban independence. Florida's representatives in Congress made several speeches in favor of the Cuban cause, both state parties mentioned it in their campaign platforms and the legislature passed resolutions supporting it. There was good reason for this solicitous cultivation of the Cubans at Key West. The Republicans and Democrats were so closely divided in Florida that a thousand voters could very well decide the outcome of a statewide election.

The Cubans were at first sympa-

thetic with the Florida Republican Party. But with the Democrats chipping away at their tenuous hold on Florida's state government after 1872, the Republicans wasted much of their energy on intra-party bickering which, among other things, cost them some of the support they had enjoyed from the Cubans. The most important Cuban policy-making body was the local *Junta* which was heavily influenced by the New York *Junta*. But as Florida politicians began vying for their support as individuals rather than party members, the Cubans tended more often to disagree and the likelihood of a Cuban bloc vote was correspondingly diminished.

After 1873 one of the several Republican intra-party rivalries was between Governor Marcellus L. Stearns and United States Senator Simon B. Conover. The Senator was better able to attract Cuban support because he could help them obtain a share of the numerous federal appointments in the custom house, marine hospital and navy yard at Key West. Conover and Florida Congressman William J. Purman, in whose district Key West was located, were alarmed when a sizable number of Key West Cubans voted the Democratic ticket in 1874. Anxious for their undivided support in the 1876 contest, the two men began trying to satisfy Cuban desires for public office early in the year.

Two of the most influential Cuban leaders were Manuel Govin and C. M. de Cespedes. Both of them were naturalized citizens who had lived in the United States several years and both had held offices in the United States customs service. Unfortunately they had also been removed from office for malfeasance. It appeared that they had mishandled public funds and that Senator Conover had been involved with them. But restitution of the money had been made and no charges were filed.

Floridians were understandably astounded when Manuel Govin was suddenly appointed to the vacant postmastership of Jacksonville in 1876. This most desirable of all postal jobs in the state was coveted by several powerful East Florida politicians who considered it a possession of their region. Either tremendous audacity or dire necessity motivated the Florida delegation to give the position to a man whose political base was so far

removed from that Republican stronghold. Govin's appointment was considered absolutely necessary if the Cuban vote was to be delivered to the Republican Party in 1876.

Conover and Purman encountered more difficulty in finding another appointment for Cespedes. The only suitable position was in the customs office from which he had already been removed for cause. Collector Alva A. Knight, who had been immensely relieved to be rid of both Govin and Cespedes, was reluctant to agree to the re-appointment of the Cuban political boss. But Purman and Conover insisted. With the Senator's endorsement, Purman wrote Knight, whose own job was an appointive one and therefore vulnerable, that "the appointment of Cespedes is utterly imperative and cannot be deferred any longer. *Action is a political necessity . . . and if you do not [appoint him], I will be forced*

to the conclusion that you are unfriendly to my political interests. . . . By this I will judge your friendship towards myself and vice versa." Knight squirmed under the pressure but stuck to his original decision. Both Govin and Cespedes worked diligently for the Republican ticket in Key West in 1876.

At the Republican state nominating convention, Governor Stearns won renomination in an angry, disorderly battle with Senator Conover who also sought the gubernatorial post. Unsuccessful in the convention the Senator accepted the nomination of a rump meeting and the Republicans had two gubernatorial candidates campaigning across the state. Conover finally withdrew from the race in early September at the insistence of the national Republican committee which felt that the state division was hurting Hayes's chances of winning the Presidency.

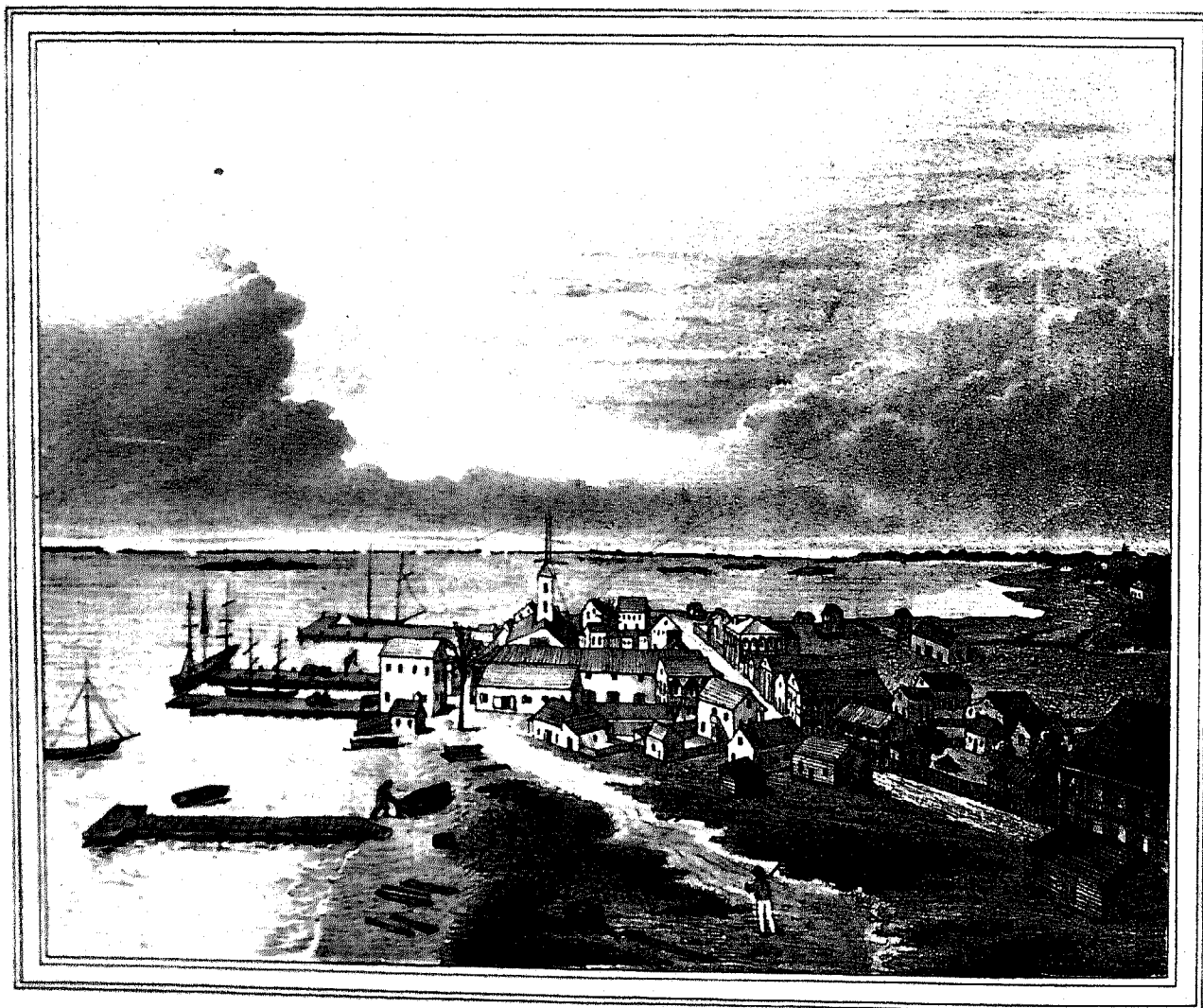
Out of the race, Conover still retained a sizable amount of support among the Key West Cubans whose disdain for Stearns made it difficult for them to work up much enthusiasm for the Republican cause.

With the Cuban voters so undecided, both state parties spent a disproportionate amount of time on speaking engagements at Key West. Purman, who was fighting for his own political life, urged Govin and Cespedes to work for Hayes's election as well as his own and they dutifully complied. But he did not stop there. A defunct Spanish language newspaper, *El Republicano*, was revived to appeal for Cuban support.

Recognizing the influence of the New York *Junta* on the local Cuban leaders, Purman also visited that group and asked its endorsement for the Republican ticket. But he was beaten to New York by the Democrats.

Key West

Illustrations: Strozier Library, Florida State University



George D. Allen, a longtime resident of Key West who had been a Republican before switching to the Democrats in 1872, wrote George M. Lapham, a New York acquaintance who had the respect of the *Junta* in that city, asking him to intercede in behalf of the Key West Democrats. Lapham conferred with General Aldaince, head of the New York *Junta*, and convinced him that the Democratic Party was a friend to Cuban independence. The General endorsed the Democratic Presidential ticket in a letter to the Key West *Junta*. Although it was late in the campaign when the letter was received, a Cuban Democratic club was organized and was claiming about 300 members before the election.

The Democratic club may have over-estimated its membership, but it frightened the local Republican leaders. It was at this time that Wicker wrote the previously mentioned letter to Rutherford Hayes asking for the pre-election telegram. There were 2,828 voters registered in Monroe County in 1876, nearly all of whom lived in Key West. Almost a thousand of them were native whites, about 800 were native Negroes and a few were Bahama blacks erroneously registered for the election. Cubans who were registered numbered slightly over a thousand. Wicker claimed a membership of 832 for the Cuban Republican club, and the Democrats claimed 300 members for theirs. Someone was exaggerating slightly, but the estimates were not far wrong.

There is no way to tell exactly how many Cubans voted for each party, nor is it clear how many were future United States citizens and how many were revolutionaries living in exile. But it is clear that the Cubans split their votes with a minority supporting Samuel J. Tilden and the Democratic state ticket. The election took place in an atmosphere of excitement with some alleged voter intimidation and irregular conduct on the part of election officials, but there was no violence. Only 2,027 of the 2,828 registered voters cast their ballots. The Democrats carried Monroe County by the slim margin of 1,047 to 980. The returns were tallied by the county canvassing board and forwarded to Tallahassee where they were received along with the returns from the other thirty-eight counties. On its initial count of the votes from the county returns, the

canvassing board found the slight majority of 43 votes which was mentioned earlier. It was that initial majority which ultimately sustained Hayes's electoral victory in Florida. Without the Cuban votes he would never have received even that narrow majority.

When the electoral college met on December 6, the votes of Florida, Louisiana and South Carolina were all cast for Hayes and certificates to that effect were forwarded to the President of the United States Senate. Democrats in each of the contested states also sent electoral certificates proclaiming Tilden's victory. It was these duplicate certificates which threw the nation into the four-month quandary which some people thought might result in a renewal of the Civil War. The problem was a constitutional one. The Presidential article merely stated that the electoral certificates were to be opened by the President of the Senate in the presence of both houses of Congress jointly assembled and "the votes shall then be counted." But it did not say who was to count them and that was the decisive point. If Republican Senator Thomas W. Ferry were to do so as the Republicans said he should, he would simply count the Hayes certificates and ignore the Democratic ones. The Democrats said that the House of Representatives which had a Democratic majority should decide since no candidate had a clear majority.

A joint committee of Congress met in December and eventually came up with an acceptable compromise. An electoral commission of fifteen members, chosen from both houses of Congress and the Supreme Court was to decide between the contested certificates. It ultimately decided by a partisan vote of eight Republicans to seven Democrats that Republican Rutherford B. Hayes had been elected to the Presidency in 1876. Meanwhile, rumors spread that the Democrats would not abide peacefully by such a decision. Hurried conferences were held between prominent men on both sides and another compromise was worked out. Under Congressional authority there were federal troops stationed in Baton Rouge and Columbia protecting Republican state administrations against contesting Democratic ones. This was a situation which Southerners desperately wanted ended. Accordingly, it was decided,

among other things, that if Hayes would agree to remove the troops from the two Southern capitals when he became President, the Democrats would not oppose his inauguration. Hayes was inaugurated on March 5, 1877 and about six weeks later he withdrew the soldiers. Since this was the last time that federal military authority was used for purposes of reconstructing the South after the Civil War, the peaceful resolution of the disputed Presidential election has long been regarded as the "compromise of 1877" and the end of Reconstruction.

The election crisis made evident the shortcomings of the electoral college system and for a while there was a discussion of changing it. But many people pointed with pride at the controversy and applauded the American people for finding a peaceful solution and abiding by the outcome rather than staging a violent revolution as might have been done in countries where the democratic process was less firmly established.

Little was said about the lax voter registration rules in the states, where total authority for regulating elections rested. Nor was there much comment about the disparity between the local issues over which Americans often divided at home and which frequently influenced the way they voted on the national elections. While Reconstruction of the South was an issue which overshadowed local issues in many places across the country in 1876, the Key West election turned on the unrelated question of "Cuba Libre." Whether it was revolutionaries in exile or future citizens of the United States, about a thousand of the people who cast votes on that island on November 7, 1876 were more concerned with Cuban independence than whether a Republican or a Democrat won the Presidency. If they had not gone to the polls, there is every likelihood that Hayes would not have received his miniscule 43 vote majority on the Florida canvassing board's initial count. Without that boost to their cause, the Republican visiting statesmen would probably have been unable to place Florida in their column for the Presidential election. If they had failed in that, there would have been no disputed election of 1876, and Rutherford B. Hayes would not have become President.