

# CONSTITUTIONAL RIGHTS FOUNDATION

## *Bill of Right in Action*

Fall 1992 (8:4)

### **The Election of 1824-25: When the House Chose the President**

Twice in American history, the presidential election resulted in a deadlock, and the [House of Representatives](#) has had to choose the president. The close presidential election of 2000 showed that it might happen again.

In the [1800 election](#), [Thomas Jefferson](#) and [Aaron Burr](#) were [Democratic-Republican](#) candidates for president and vice president. In the electoral process at the time, the candidate with the most votes would become president and second place would become vice president. Unfortunately, they came out exactly tied. The race was thrown into the House, where it took 36 ballots for Jefferson to be chosen our third president.

Many legislators deplored this confusion. So in 1804 the [12th Amendment](#) was passed to require separate balloting for president and vice president.

In spite of the 12th Amendment, deadlocks can occur. Such was the case in the [election of 1824](#), and the House of Representatives once again was forced to choose.

#### **The Election of 1824**

Without the 12th Amendment, the election of 1824 might have been a nightmare. There were so many candidates—10—that the election was certain to be deadlocked. And they all belonged to the same party, the Democratic-Republicans. In earlier elections, presidential candidates had been chosen by a small circle of insiders in Congress called a "King [Caucus](#)." In reaction to this, state party caucuses started making their own nominations. Many separate caucuses in state legislatures and at state party conventions selected presidential candidates.

Only a few were serious contenders. The insiders in the King Caucus nominated Secretary of the Treasury [William H. Crawford](#). He was a slaveholder from Georgia and was the favorite of President [James Monroe](#). Crawford, however, had suffered a stroke.

The North's candidate was Secretary of State [John Quincy Adams](#) from Massachusetts. The son of former President [John Adams](#), he was strongly backed by commercial interests in New England. He played down his backers because much of the West and South resented New England.

[Henry Clay](#) was from the West and supported Western needs like roads and canals. A Kentucky slaveholder, he was speaker of the House of Representatives. Clay saw that the election would likely go to the House, where as speaker he would have the inside track.

The outsider among the top candidates was [Andrew Jackson](#) from Tennessee. He was famous as the general who had beaten the British at [New Orleans in 1815](#). He was a senator from Tennessee, but his political views were largely unformed and unknown.

The campaign quickly heated up, becoming America's first great mudslinging contest. Jackson was called a gambler, duelist, adulterer and military tyrant. Clay was called a drunkard and gambler. Adams was ridiculed for his slovenly dress. Crawford was attacked for dishonesty and mismanaging the budget.

When the votes of the 24 states were finally tallied, to no one's surprise, there was no majority winner. In popular vote, Jackson came in first with 42 percent, Adams took 32 percent, and Clay and Crawford had 13 percent each. In the crucial electoral vote, Jackson led with 99 electors from 11 states, 32 votes short of a needed majority. Adams had 84 electors from seven states. Crawford had 41, and Clay was last with 37.

Following the procedures of the 12th Amendment, the House of Representatives now had to choose the president from the top three: Jackson, Adams, and Crawford. At the time, Inauguration Day was in March, and the first months of 1825 became a frenzy of lobbying and back-room bargaining. Rumors spread that representatives were trading their votes for ambassador posts and cabinet jobs.

Henry Clay's fourth place finish shut him out of the presidency. He tried to use his post as speaker of the House to play kingmaker. He called in favors and worked behind the scenes to influence the vote. Jackson was a fellow Westerner, but Clay suspected that he would be a rival in future presidential races. Clay disliked Adams, but the two met privately a month before the House election. Both men denied making any bargains. But rumors said that Adams had promised to make Clay secretary of state.

As the vote neared, Clay worked hard for Adams. He won over some Western representatives whose states had voted solidly for Jackson. He even promised the votes of his own Kentucky, which had not cast a single popular vote for the Yankee Adams.

The House met to vote on February 9, 1825. After more than a month of arm twisting and bargaining, John Quincy Adams took exactly the 13 states he needed to win, Jackson won seven, and Crawford four. The public galleries in the house broke into such an uproar of booing and hissing that Speaker Clay ordered them cleared. Three days later, the new president nominated Henry Clay as his secretary of state. Charges of making a "corrupt bargain" would dog Henry Clay for the rest of his life.

The Jackson supporters were furious. After all, he had won by far the largest share of popular votes with 42 percent. Jackson immediately declared that he would run in 1828.

And he became the first major American politician to call for eliminating the [Electoral College](#) and electing the president directly by popular vote.

### **For Discussion and Writing**

1. Why was the presidential election of 1824 finally decided by the House of Representatives?
2. Which candidate do you think should have been elected president by the House in 1825? Why?
3. What is the purpose of the Electoral College? Do you think the president and vice president should be chosen entirely by popular instead of electoral votes? Why or why not?

### **For Further Information**

[Grolier Online: The American Presidency, Presidential Elections](#) This in-depth description of American presidential elections discusses and places in historical context the issues of the qualifications for candidacy, the development of presidential campaigning, past election outcomes, debates, campaign financing, and presidential succession.

[Election of 1800](#) Great collection of links on this election.

[Election of 1824](#) Summary of the election. From U-S-History.com.

[Election of 1824](#) By Brian Whitmer.

[Elections Affected by the Electoral College](#) Summaries of the elections of 1800, 1824, 1876, and 1888.

[1824: Jackson Invents the Popular Will](#) A defense of the electoral college and its role in the 1824 election. From the U.S. Electoral College Web Zine.

[Prospects for the Electoral College After Election 2000](#) Overview of the electoral-college debate and disputed elections in U.S. history with links to sites on the electoral collection. From *Social Education*.

[Map of the Presidential Election of 1824](#)

[The Congressional Caucus System and the Election of 1824](#) A senior paper at Yale.

[John Quincy Adams](#) A biography from the Internet Public Library.

[Andrew Jackson: Campaigns and Elections](#) From the American President.

[Andrew Jackson](#) Biography including the story of the 1824 election. From the State Library of North Carolina.

[Andrew Jackson](#) Slide presentation. By Mr. Willett.

[Jacksonian Democracy](#) Another slide show.

[Election of 1824: Electoral College Details](#) Information on each candidate and state in the electoral college. From the Political Graveyard.

[Election of John Quincy Adams](#) Photos and captions of a political cartoon and the Electoral College Tally Sheet. From the House of Representatives.

[Tally of the Electoral Votes](#) Photo of the tally sheet from the Electoral College of 1824. From the National Archives.

[Major Election Laws](#) The laws that covered the 1824 election.