

## CHAPTER III

### A NEW STATE AND POLITICAL PREFERMENT

William Rufus King moved to Alabama in 1818, aided in drafting the state's first constitution in 1819, and returned to the national political scene in the fall of that year when he was chosen by the state legislature as one of Alabama's first United States senators. He was reelected by that body in 1822 and 1828. During this portion of his career the national government was controlled by politicians of the old Jeffersonian school. James Monroe was elected to a second term as President by a virtually unanimous vote in 1820, and John Quincy Adams succeeded him after he had been elected by the House of Representatives in early 1825. Significant developments during the period included the panic of 1819, the Missouri controversy, and growing sectional conflict resulting from disputes over the tariff, internal improvements, public lands, and the national bank. Although King made no great contribution to lawmaking and speechmaking during the period, he sought in an unobtrusive way to promote the best interests of Alabama and the nation.

Returning from abroad in 1818, King joined the movement westward which followed the cession of Indian lands at the conclusion of campaigns led by Andrew Jackson against the tribes in Alabama. Alabama Territory was the land of promise for eastern planters who desired to make more substantial profits from their investment in land and slaves. The

price of cotton rose to the unprecedented figure of thirty-four cents a pound in 1818, and planters rushed to the rich western lands.<sup>1</sup> On October 21, 1818, King purchased three tracts of land in Alabama totalling 750 acres at a total cost of \$15,539.<sup>2</sup> Located on the Alabama River in the vicinity of the town of Cahawba, this land formed the nucleus of King's Dallas County holdings down to the time of his death in 1853.

In leaving North Carolina for Alabama, King was probably motivated by two main reasons, the desire to better himself economically and to return to politics. Before he went to Europe, he had sold his estate and had resigned his seat in the House of Representatives. Now that he was home, he had neither land nor political place. Alabama, as a budding state, offered him an opportunity to solve both his problems. He must have known about the possibilities in Alabama as early as February, 1816, because he wrote a letter at that time recommending a fellow congressman from North Carolina, Israel Pickens, for the post of receiver in the land office in the

---

1 Thomas Perkins Abernethy, The Formative Period in Alabama 1815-1828, Publication of the Alabama State Department of Archives and History Historical and Patriotic Series No. 6 (Montgomery: Brown, 1922), pp. 50, 53. (Hereinafter cited as Abernethy, Formative Period.)

2 Records of the Receiver's office in Milledgeville, 1818, pp. 287, 292, Manuscript volume in Alabama Department of Archives and History.

territory. Pickens, he pointed out, was planning to go to Alabama shortly.<sup>3</sup> Doubtless Pickens, and others from North Carolina who left for Alabama early, sent back favorable reports which influenced others to follow. In Alabama, King obtained both good land and political office.

One of the earliest actions of a public nature performed by King after his removal to Alabama was the part he played in the founding of the town of Selma. He appears to have been one of the guiding hands in the Selma Land Company which was organized at Cahawba on March 19, 1819. On March 20, he paid \$80 as his part of the subscription and received ten shares of stock in the company. On the same day the town site was purchased on the bank of the Alabama River. One hundred lots were laid off and offered for sale. King bought five of these lots for the sum of \$990.<sup>4</sup> On December 4, 1820, the state legislature passed an act incorporating the town of Selma and appointed King and three others to serve as commissioners until an election could be held to put a formal government into operation. King had suggested the name Selma, after one of

---

<sup>3</sup> King and others to J. Meigs, February 16, 1816, in Simon Gratz Autograph Collection, Historical Society of Pennsylvania.

<sup>4</sup> Minutes of the Selma Land Company, *passim*, Manuscript volume in Alabama Department of Archives and History; see also undated clippings in William R. King Collection in the Carnegie Library, Selma, Alabama.

the residences of the blind poet Ossian.<sup>5</sup> In 1821 a traveler spoke of "a neat little village on the west bank of the Alabama" which had been named Selma by Senator King who resided "near that place."<sup>6</sup> For many years King took an active interest in the company; and when he was absent, his younger brother John Devane King voted his stock. That King made an effort to profit from land manipulation in Selma is attested by his purchase of lots in the town at different times for future sale to others.<sup>7</sup> Natives of Selma recognize him as one of the founders of their town.

King had been living in Dallas County only a few months when the people chose him as their representative to the Alabama constitutional convention of 1819.<sup>8</sup> Meeting at Huntsville in July, this body included many able men, some of whom had served in high office in other states. Among the forty-five men chosen were at least eighteen lawyers, four physicians, two ministers, one surveyor, one merchant, and four planters and farmers. King, Israel Pickens, and

<sup>5</sup> John Hardy, Selma; Her Institutions and Her Men (Selma: Times Office, 1879), pp. 8-9; Willis Brewer, Alabama: Her History, Resources, War Record, and Public Men. From 1540 to 1870 (Montgomery: Barrett and Brown, 1872), p. 208. (Hereinafter cited as Brewer, Alabama.)

<sup>6</sup> Montgomery Republican, July 21, 1821.

<sup>7</sup> See Minutes of Selma Land Company, and Dallas County, Alabama, Deed Book D, pp. 129, 132-136, 450.

<sup>8</sup> Huntsville Republican, May 29, 1819.

Marmaduke Williams had all served as representatives of North Carolina in the Congress of the United States, and others had served in high office in Alabama Territory or elsewhere. Among the group were six future governors, six judges of the state supreme court, and six United States senators. King, Pickens, John Williams Walker, Gabriel Moore, Clement Comer Clay, and Henry Chambers all served in the United States Senate before many years had passed.<sup>9</sup> A member of the convention wrote: "The Convention is composed of 44 members and I have never seen in any deliberative body for the number more urbanity and intelligence. It would be no discredit to any country however old and respectable."<sup>10</sup> Despite the high level of ability present, King proved to be one of the leaders of the gathering.

Early in its proceedings, the convention directed President John W. Walker to appoint a Committee of Fifteen to draw up a proposed constitution for consideration by the full body. The committee as chosen by Walker comprised most of the talent and experience of the convention. Among its members were King, Pickens, Clay, and Chambers, all future senators; Thomas Bibb, later a governor of the state; and Arthur Francis

---

<sup>9</sup> Malcom Cook Macmillan, "Constitutional Development in Alabama, 1819-1901" (Unpublished doctoral dissertation, the University of North Carolina, 1948), pp. 46-49. (Hereinafter cited as Macmillan, "Constitutional Development.")

<sup>10</sup> John Campbell to John Campbell Sr., July 10, 1819, in David Campbell Collection, the Duke University Library. (Hereinafter cited as Campbell Papers.)

Hopkins, many times a Whig candidate for the Senate. During the week of July 6-13, this committee held its deliberations and reported its suggested plan of a constitution on July 13.<sup>11</sup> King, in the meantime, had been further honored by being placed on a committee of three to reduce the rough draft of the constitution worked out by the Committee of Fifteen to a finished form suitable for presentation to the convention.<sup>12</sup> Since the remarks of individual members during discussions in the Committee of Fifteen were not recorded, it is impossible to know exactly what contributions King made.

In the two weeks following the report of the Committee of Fifteen, the convention debated the proposed constitution, much of the time in Committee of the Whole. During these debates, King made use of his talents as a presiding officer and as a speaker. Several times, he was called on to preside over the Committee of the Whole, and on many occasions he took part in the debates.<sup>13</sup> King favored a conservative constitution rather than one characterized by extreme democracy.

<sup>11</sup> Macmillan, "Constitutional Development," pp. 51-52.

<sup>12</sup> Brewer, Alabama, pp. 352, 394; Albert James Pickett, History of Alabama and Incidentally of Georgia and Mississippi from the Earliest Period. Owen's Edition (Birmingham: Webb Book Company, 1900.), p. 644. (Hereinafter cited as Pickett, History of Alabama.)

<sup>13</sup> Journal of the Convention of the Alabama Territory Begun July 5, 1819. Reprint (Washington: Statute Law Book Company, n. d.), pp. 13-36. (Hereinafter cited as Journal of the Convention.)

He favored, for example, an amendment to the original draft which would have taken the selection of sheriffs from the hands of the people.<sup>14</sup> He opposed an amendment designed to make clerks of the several courts elective rather than appointive. After this amendment had been passed, he supported the conservatives in an effort to require that clerks prove that they were qualified for office either before or after election.<sup>15</sup> He and the conservatives successfully fought an amendment that would have required state judges to be elected for a term of six years instead of being appointed on good behavior.<sup>16</sup> Elective sheriffs and clerks prevailed despite opposition from King and others of his class. They were sustained, however, on the subject of an appointive judiciary. Worked out by both the democratic and the conservative element, the constitution proved to be a compromise midway between the wishes of the two groups.

As the people of Alabama prepared to put the new constitution into effect, different candidates made arrangements to seek the better offices available in the new state. Perhaps the most desirable offices were the two seats in the United States Senate. Already at the time of the Huntsville Convention, certain men were measuring their chances of

---

14 Mobile Gazette, August 25, 1819.

15 Journal of the Convention, pp. 24-26.

16 Ibid., p. 29.

winning the coveted seats. An arrangement was worked out which provided that North Alabama was to choose one senator and South Alabama the other. North Alabama seems to have had little trouble in choosing as its candidate John W. Walker, territorial leader and President of the Huntsville Convention.<sup>17</sup> On the other hand, South Alabama had two prominent contenders for the other place, William R. King and Charles Tait, formerly a senator from Georgia but now a resident of Alabama. Tait, in the summer of 1819, had the support of leading Georgians who had moved to Alabama. On July 14, William Wyatt Bibb (later to be Alabama's first governor) wrote Tait that he was promoting Tait's interests at the Huntsville Convention but that jealousy of the Georgia group made caution necessary.<sup>18</sup> Before long, however, South Alabama turned to King as its candidate. On August 11, John Campbell, who had been secretary of the Huntsville Convention, wrote that King would be the second senator, along with Walker.<sup>19</sup> As a consequence, the legislature had little trouble choosing senators when it met in October, 1819. North Alabama joined South Alabama in giving King fifty-six votes

---

17 Abernethy, Formative Period, pp. 46-47.

18 William Wyatt Bibb to Charles Tait, July 14, 1819, in Charles Tait Papers, Alabama Department of Archives and History. (Hereinafter cited as Tait Papers.)

19 John Campbell to David Campbell, August 11, 1819, Campbell Papers.

out of a total of sixty-nine cast, and South Alabama joined North Alabama in giving Walker fifty-nine votes out of sixty-nine. After noting that both men had been elected "almost without opposition," the Huntsville Republican declared that "from the high character and distinguished talents of these gentlemen, we have every reason to believe the people will find no cause to complain of the selection made by the Representatives."<sup>20</sup>

There was, however, dissatisfaction with King's election in certain quarters. Charles Tait, the Georgia aspirant for the office, was deeply disappointed. William H. Crawford, Secretary of the Treasury of the United States, was also unhappy that his old friend Tait had not been returned to Washington. In control of the patronage, Crawford had sought to get King out of the way of Tait's senatorial ambitions by offering him the receivership in the land office at Huntsville. He wrote Tait on November 7, "To King has been offered the place of Receiver at Huntsville. If he is not politically mad, he will accept it."<sup>21</sup> King, however, had already been elected to the Senate. He had either spurned the patronage offer or had never received it. On November 29, Crawford again wrote Tait that he planned to see

---

<sup>20</sup> Huntsville Republican, October 30, 1819.

<sup>21</sup> William H. Crawford to Charles Tait, November 7, 1819, Tait Papers.

King in Washington and talk to him about the receivership.<sup>22</sup> If he ever spoke to King, he was unsuccessful in his effort to buy him out of the Senate, for King remained in that body until 1844. In fact, the manipulations of the Georgia group apparently antagonized other elements in Alabama and tended to unite them in opposition against the Georgia influence.<sup>23</sup>

King was still a young man when he entered the Senate but he had already had wide experience in politics. A friend at the Huntsville Convention wrote of him in the summer of 1819: "He is about 33 years of age and a very gay elegant looking fellow. He is a fluent speaker and a man of respectable talents.... He has some very fine qualities and I cannot but feel gratified in seeing him occupy any situation he wishes."<sup>24</sup> After the adjournment of the Convention in early August, he returned to his old home in North Carolina to make arrangements for removal of his remaining property to Alabama and was elected to the Senate while in North Carolina. He learned of his election when he reached Milledgeville, Georgia, on his way home and left immediately for Washington

---

<sup>22</sup> Crawford to Tait, November 29, 1819, Tait Papers.

<sup>23</sup> Abernethy, Formative Period, p. 47.

<sup>24</sup> John Campbell to David Campbell, August 11, 1819, Campbell Papers.

where he took his seat in the Senate on December 22, 1819.<sup>25</sup>

The Senate of which King became a member in December, 1819, included some of the truly great men of the day and was destined to act upon several vital questions. Among its membership were such men as Nathaniel Macon of North Carolina, Harrison Gray Otis of Massachusetts, William Pinkney of Maryland, and Rufus King of New York. In the White House as President was King's old friend James Monroe. Among the important issues which came before the 1819-1820 session of Congress were the Missouri Compromise, the public land question, and the tariff bill of 1820. Although King, as befitted his newness in the Senate, took relatively little part in the debates on these issues, he spoke occasionally and began his long service as a presiding officer over the Senate by serving on numerous occasions as chairman of the Committee of the Whole.<sup>26</sup>

The Missouri Compromise debates, which grew out of the application of Missouri for statehood, included some of the most eloquent and able speeches that had so far been made in the Senate and resulted in the well known compromise by which Missouri was admitted as a slave state and Maine as a

---

<sup>25</sup> Pickett, History of Alabama, p. 644; Annals of Congress, 1789-1824, 42 volumes (Washington: Gales and Seaton, 1834-1856), XXXVI, 33.

<sup>26</sup> Annals of Congress, XXXVI, 520, 534, 541, 623, 628, 636.

free state and the territory in the Louisiana Purchase north of thirty-six degrees and thirty minutes was made forever free. King did not speak extensively during the debates, but one may ascertain his views from his votes at various stages in the deliberations and from references that he made to the subject on later occasions. He opposed all efforts to secure the splitting of the Maine bill from the Missouri bill and voted for the final Senate bill which called for the admission of Maine as a free state and Missouri as a slave state and divided the unorganized territory between slavery and freedom.<sup>27</sup> The House of Representatives, however, where opposition to the admission of Missouri was stronger, refused to accept the Senate plan. When the House proposed a conference to settle differences between the Senate and House versions of the bill, King opposed any conference and favored adherence to the Senate bill in a debate characterized by "some vehemence and warm feeling."<sup>28</sup> He held a strong southern viewpoint in regard to the question, but he was willing to make concessions "for the purpose of conciliation."<sup>29</sup> In May, after the Senate bill had been adopted, he wrote that the people of the Southwest had great reason to congratulate

---

<sup>27</sup> Ibid., XXXVI, 118, 424, 428.

<sup>28</sup> Ibid., XXXVI, 458.

<sup>29</sup> Register of Debates in Congress, 14 volumes (Washington: Gales and Seaton, 1825-1837), XII, 1135.

themselves at the preservation of their political rights which had been "most shamefully invaded." He felt that the country was indebted to the Senate for its firmness in preventing the "incalculable mischief" which would have come from the measure as proposed by the House.<sup>30</sup>

Of great interest to the people of Alabama was the public land question. In the expansive days before the panic of 1819, lands had sold for sums ranging up to \$100 per acre, with average cotton lands selling at from \$20 to \$30 per acre. As a consequence, the land debt of the state had mounted to \$11,000,000, or more than half the total of the entire country. As the depression tightened and the price of cotton dropped, the prospect of paying for lands bought at abnormally high prices became almost hopeless.<sup>31</sup> Congress soon turned to the question of providing relief for such people. A bill was introduced in the Senate providing for selling land in lots as small as eighty acres, abolition of the credit system, and reduction of the minimum price per acre.<sup>32</sup> Walker of Alabama proposed an amendment to the bill permitting purchasers to forfeit lands on which they were unable to meet payments with the proviso that they would be

---

<sup>30</sup> King to T. A. Rodgers, May 8, 1820, in Alabama Governors' Files, Alabama Department of Archives and History. (Hereinafter cited as Governors' Files.)

<sup>31</sup> Abernethy, Formative Period, pp. 53-54.

<sup>32</sup> Annals of Congress, XXXVI, 437.

reimbursed for what they had already paid on the lands from the proceeds of any subsequent sale if the resale price exceeded the minimum price of public land. This plan, he pointed out, would give relief to owners who had already bought lands.<sup>33</sup>

King, likewise, felt that Congress should take into consideration the condition of those who had already bought land from the government and fought to secure relief for such people. If the proposed changes were made in the land law, without the Walker amendment, King said that old owners might be worse off than new owners who purchased under the new system. "You lower the value of their property," he declared, "and extend to them no relief." If settlers were not permitted to forfeit their lands in advance of their delinquency in meeting payments, they would not attempt to improve their property, nor would they furnish a proper population on an exposed frontier. Strangers would be brought forward to buy up lands, perhaps at a price below what the original owner would have been willing to pay. In replying to those who said that original owners should not be reimbursed because they had already profited from the use of the land, King answered that they had "gone through the wilderness, suffered all the inconvenience of settling public land," and had gained nothing but "a mere subsistence." The amendment did

---

<sup>33</sup> Ibid., XXXVI, 444-445.

not propose an outright gift to anyone; it merely proposed to repay the owner for his investment if the resale price were sufficient. Political expediency demanded that something be done for these people with such heavy debts hanging over their heads.<sup>34</sup>

Although the Walker amendment was finally defeated, the land act abolishing the credit system, reducing the minimum purchase to eighty acres, and setting the minimum price at \$1.25 per acre passed with King's support.<sup>35</sup> He wrote of the new law: "The change in our system in the disposing of the public lands will I trust be attended with beneficial consequences; it will at all events put a stop to that rapid accumulation of public debt, which began to be viewed with apprehension, by the best men of the country, as a serious political evil."<sup>36</sup>

In the next session King supported a land act which permitted purchasers of land to forfeit part of their purchases and to use what they had already paid on the larger tract as the full purchase price of a smaller tract. It also provided for an extension of time and for a reduction

<sup>34</sup> Ibid., XXXVI, 448-449.

<sup>35</sup> Ibid., XXXVI, 489; see also Abernethy, Formative Period, p. 54.

<sup>36</sup> King to Rodgers, May 8, 1820, in Governors' Files.

of 37½ per cent for cash payments.<sup>37</sup> King received the plaudits of the Alabama press for his exertions in favor of a bill which provided such great benefits for his debt-ridden constituents.<sup>38</sup>

Throughout the remainder of the 1820's King continued to support measures beneficial to purchasers of public lands. In January, 1824, he introduced a resolution instructing the Committee on Public Lands to inquire into the expediency of extending the provisions of the act of 1821 permitting purchasers of public land to forfeit part of their lands and to receive discounts for cash payments. The resolution was referred to the Public Lands Committee, of which he was a member, and he later reported a bill designed to carry out the desired objects.<sup>39</sup> The amended bill was finally passed extending the provisions of the 1821 law to April 10, 1825.<sup>40</sup> King praised it because it would help "save Alabama from the ruin which was impending over it" by preserving the surrender principle, giving a discount for cash payments, and granting an extension of time so that purchasers could use

<sup>37</sup> Annals of Congress, XXXVII, 1795-1796.

<sup>38</sup> Montgomery Republican, March 24, 1821.

<sup>39</sup> Annals of Congress, XLI, 84, 90, 287.

<sup>40</sup> Ibid., XLII, 3219-3220.

<sup>41</sup> Register of Debates, II, 783, 783.

the proceeds of the coming crop in making payments.<sup>41</sup> In 1826 he complained that the sale of public lands drained money from the western states. Alabamians had long been paying money into the land office, and the money had gone "to the East to pay the pensioners and support the fortifications." Instead of merely granting relief to land purchasers, Congress should turn the lands over to the states where they could be parcelled out among the people.<sup>42</sup> In 1827 he sought to secure passage of a bill designed to permit purchasers who had forfeited land to repurchase it at a fixed price of one-fourth what they had paid for it. He felt that this was an act of clemency, based upon the fact that the government itself, in some measure, had been the cause of land speculation. If offered at public sale, the lands in question would probably be bought by speculators at the minimum price, and old purchasers who had given up their land would have to repurchase it from greedy speculators whenever they sought to expand their farms. If passed, the bill would double the money brought into the treasury and save the original owner from paying an exorbitant price. The bill succeeded in the Senate but failed in the House of

---

41 William R. King to Bolling Hall, May 17, 1824, in Bolling Hall Collection, Alabama Department of Archives and History. (Hereinafter cited as Hall Collection.)

42 Register of Debates, II, 761, 763.

43 William Crawford of Alabama should not be confused with William M. Crawford, the Secretary of the Treasury.

44 Crawford to Hall, June 3, 1827, Tall Paper.

Representatives.<sup>43</sup> King declared that the measure would have broken the hard grip of the "merciless speculator" on the people and secured to them their homes. This bill and one for the graduation of the price of public lands, which he strongly supported, would have helped free Alabama from the "emence debt" then hanging over her and enabled her at no distant day to "become one of the most prosperous and wealthy of the States of the South."<sup>44</sup>

When King took his seat in the Senate in 1819, he and Walker drew slips to determine the length of their terms, and King drew a term which expired in 1823. Hence he faced reelection in 1822 at the hands of the Alabama legislature.<sup>45</sup> King might well have despaired of reelection because he was opposed by two powerful forces -- the Georgia faction, which favored Charles Tait, and Andrew Jackson, who had much influence on North Alabama. King expected that Tait or William Crawford,<sup>46</sup> another favorite of the Georgia group, would be his successor. "I do not know," William H. Crawford wrote Tait from Washington, "whether he expects that this will be without, or with his consent."<sup>47</sup> Some believed that

---

<sup>43</sup> Ibid., III, 308, 334.

<sup>44</sup> King to Israel Pickens, February 10, 1827, Copy in Governors' File.

<sup>45</sup> Annals of Congress, XXXVI, 35.

<sup>46</sup> William Crawford of Alabama should not be confused with William H. Crawford, the Secretary of the Treasury.

<sup>47</sup> Crawford to Tait, June 3, 1822, Tait Papers.

King expected to be given a mission to South America, but Crawford wrote in September that there had been no further news about his being employed abroad.<sup>48</sup> On the other hand, James Jackson, a candidate for the Alabama legislature, wrote Andrew Jackson: "I still think I'll be elected, should that be the case and I find Mr. King the man He is represented to you, He'll not visit Washington City with my consent If better can be done."<sup>49</sup> The Jackson group chose to support William King, an ex-army colonel who had fought with Jackson in his Florida campaign.<sup>50</sup>

When the joint session of the Alabama legislature met in December to choose a senator, William R. King won after one of the hardest fights in his entire career. Although Charles Tait was not presented as a candidate, King faced William Crawford, a prominent resident of St. Stephens and later a district judge of Alabama, William King, backed by some of the Jackson group, and John McKee, a prominent resident of Tuscaloosa.<sup>51</sup> On the first ballot Crawford led William R. King by a vote of thirty-two to twenty-seven,

---

48 Crawford to Tait, September 11, 1822, Tait Papers.

49 James Jackson to Andrew Jackson, July 24, 1822, quoted in John Spencer Bassett, ed., Correspondence of Andrew Jackson, 7 volumes (Washington: Carnegie Institution, 1926-1935), III, 170-171.

50 Andrew Jackson to Richard K. Call, February 3, 1833; ibid., III, 185-186.

51 Biographical data from Brewer, Alabama, pp. 392, 552.

with seventeen votes divided between William King and McKee. Crawford continued to lead until the fourth ballot when, after McKee had withdrawn, William R. King took the lead by a vote of thirty-six to thirty-three. On the seventh ballot, after William King had withdrawn, William R. King was able to win by the narrow vote of thirty-eight to thirty-five.<sup>52</sup> After meeting this serious threat, he never again faced any real danger of losing his seat until his voluntary retirement in 1844.

The election left hard feelings between King and Crawford because King heard that Crawford had written a letter to Alabama in an attempt to defeat him. The letter allegedly said that Tait should be elected and that a land office receivership should be given to King. Crawford later denied that he had interfered in the election, however, and King accepted the explanation.<sup>53</sup> An unidentified correspondent wrote from Washington in early 1823: "Mr. Crawford has always, and still does, consider Col. King his personal friend, nor has he any reason to view him as a political enemy."<sup>54</sup> Actually, it is quite possible that the controversial letter

<sup>52</sup> Mobile Argus, December 19, 1822; Cahawba Press and Alabama State Intelligencer, December 14, 1822.

<sup>53</sup> William H. Crawford to Charles Tait, February 16, 1823, Tait Papers.

<sup>54</sup> Mobile Commercial Register, March 20, 1823; see also the issue of September 18, 1823.

had been written in 1819 and not in 1822. At that time, Crawford had attempted to secure Tait's election and had urged the Huntsville receivership upon King. Doubtless Crawford still favored Tait in 1822 but may not have tried to interfere to secure his election.

King was temporarily detained by illness from attending the first session of the Eighteenth Congress which met in December, 1823,<sup>55</sup> but he arrived in time to resist an effort made during the session to increase the tariff. His viewpoint was still much the same as it had been in 1820 when he had helped to block a bill designed to increase the tariff and had rejoiced that Southerners were "still free from the burthens" which others had tried to impose upon them.<sup>56</sup>

During a considerable portion of the tariff debates in 1824, King was acting as chairman of the Committee of the Whole; hence, he made few speeches. His votes on the bill, however, show that he was a consistent opponent of a high tariff. From time to time, he voted for amendments designed to make the bill more acceptable to Southerners. He voted, for example, in favor of one to strike out the minimum feature as applied to cotton goods, one to limit the wool duty to twenty-five per cent, and one to exempt cotton bagging from

---

<sup>55</sup> Mobile Commercial Register, November 29, 1823, quoting Cahawba Press, November 15, 1823.

<sup>56</sup> Annals of Congress, XXXVII, 672; King to T. A. Rodgers, May 8, 1820, Governors' Files.

duty. All of these amendments failed, but some concessions were given to the low tariff group in the form of lowered duties on several products, such as worsteds, blankets, ducks, and osnaburgs.<sup>57</sup> King, nevertheless, cast his vote against the amended bill.<sup>58</sup> Writing a friend in May, he declared, "The Tariff Bill has become a Law but so modified and amended by the Senate, that most of its oppressive, and objectionable features are removed." Still he considered it "a Law for taxing the agricultural industry of the Country to build up manufacturing establishments," and he had given it in every form his "decided negative."<sup>59</sup>

Again in 1828 King voted against the policy of protection when the "Tariff of Abominations" came before the Senate.<sup>60</sup> Protective in nature, the Act of 1828 was designed to secure Andrew Jackson's election to the presidency rather than to establish a sound tariff policy. It proved quite unpalatable to Southerners and led John C. Calhoun to pen his South Carolina Exposition in defense of state rights and nullification. The people of Alabama exhibited an almost universal dissatisfaction with the tariff measure, for they felt that the

<sup>57</sup> Ibid., XLI, 594, 618, 654, 702-713.

<sup>58</sup> Ibid., XLI, 744.

<sup>59</sup> King to Bolling Hall, May, 1824, in Bolling Hall Collection, Alabama Department of Archives and History. (Hereinafter cited as Hall Collection.)

<sup>60</sup> Register of Debates, IV, 786.

interests of the cotton states were being sacrificed to those of the manufacturing districts. Protests went up on all sides, and some were even willing to go to the extreme of forcible resistance.<sup>61</sup>

Although King detested the tariff act, he did not favor taking forcible measures to resist it. In a speech made in Selma in October, 1828, he condemned the tariff, but denied that there was a threat of disunion. Nevertheless, said King, with a view

to effect political objects, a systematic effort has been made to impress the belief upon the people of the country, that the high minded and patriotic inhabitants of the South and South West -- The advocates and supporters of a most distinguished and meritorious citizen -- are engaged in planning the dissolution of the union; the destruction of this federative Government -- the legacy of our patriotic and sainted Fathers.<sup>62</sup>

On the occasion of the speech many toasts, including the following, "The Union of the States -- Palsied be the arm that shall be raised to sever it," and "The Tariff -- Unconstitutional in principle, unjust and unequal in its operation -- we will not oppose it with violence and passion, but by relying on our own resources,"<sup>63</sup> were drunk. Judging from King's views expressed before and after 1828, the sentiments expressed in the last toast must have been quite close to

---

61 Abernethy, Formative Period, pp. 117-118.

62 Huntsville Democrat, November, 7, 1828.

63 Ibid.

his own; he generally opposed the tariff but favored constitutional resistance to it.

To Alabamians the question of Indian removal was one of the most important issues of the 1820's, for Indians occupied much land within the state. Residents of Alabama rejoiced when the Treaty of Indian Springs was signed in 1825, ceding to the United States all Creek lands in Georgia and about two million acres of the best land in Alabama.<sup>64</sup> President Adams repudiated the treaty, however, when a large number of Indian chiefs and warriors objected on the grounds that those who signed the treaty did not have the power to cede Creek lands and that undue influence had been exerted upon them.<sup>65</sup> The Treaty of Washington was signed in early 1826 in order "to remove the difficulties" that had grown out of the earlier treaty and to reconcile the contending parties into which the Creek nation had been divided. By this new treaty and a supplement the Creeks ceded their lands in Georgia for a fixed sum of money and a perpetual annuity.<sup>66</sup>

King was one of the leaders in the fight against the substitution of the Treaty of Washington for the Treaty of

---

<sup>64</sup> Cahawba Press and Alabama State Intelligencer, March 26, 1825; see also Charles J. Kappler, ed., Indian Affairs: Laws and Treaties, 2 volumes (Washington: Government Printing Office, 1904), II, 214-215. (Hereinafter cited as Kappler, Indian Affairs.)

<sup>65</sup> Register of Debates, II, 769.

<sup>66</sup> Kappler, Indian Affairs, II, 264-266.

Indian Springs. He protested against any treaty formed short of the Treaty of Indian Springs and introduced a resolution calling on the President to lay that treaty before the Senate with such evidence as might be in his possession "to show that said treaty was not signed by persons competent to make a treaty, or that it is not now binding on the parties, or ought not to be carried into effect." The old treaty had been ratified, said King, and was a part of the supreme law of the land. His resolution was voted down, however, and the Treaty of Washington was ratified by a vote of thirty to seven.<sup>67</sup>

In debates over the appropriation of money to carry the treaty into effect, King further explained his views. He charged that the adversaries of the Treaty of Indian Springs had not produced proof that it was founded on fraud. The Treaty of Washington, he felt, should be recalled because it violated the constitutional rights of Alabama and Georgia in taking lands away from them by substituting one treaty for another which had been duly ratified and had become the law of the land. He declared that he had told the Secretary of War that, if the "usual course" were resorted to and presents given, an arrangement could be made "satisfactory to all parties." Instead the Secretary had entered into the new treaty with the full knowledge of the "most infamous frauds ever

---

<sup>67</sup> Senate Executive Journal (1826), 533.

committed by a set of Indian chiefs." The second treaty, he said, was founded on bribery. Money for the lands of the Creek people was to be put into the hands of "rascally chiefs." He preferred the Treaty of Indian Springs which was less stained with fraud; and he wanted the money paid for the lands to go to the Creeks rather than to agents or chiefs.<sup>68</sup>

Trouble developed between the national government and the state of Georgia over the constitutional question whether the Senate could abrogate the Treaty of Indian Springs and substitute for it the Treaty of Washington. Governor George M. Troup of Georgia, who took a prominent part in the affair, contended that it could not and began preparation for an immediate survey of the Creek lands and for occupation after September 1, 1826. He ordered the state surveyors to begin work on September 2, although, under the Treaty of Washington, the Creek title to their lands was to continue until January 1, 1827. President Adams was faced with the dilemma of supporting Troup's policy in violation of a duly ratified treaty or imposing force against a state to force it to obey the principles and policies of the national government. Adams chose to deal with Georgia by civil processes; consequently, Secretary of War James Barbour ordered the arrest of persons who had entered Creek lands in violation of the treaty. At

<sup>68</sup> Register of Debates, II, 780-781.

the same time Barbour wrote Troup that he would use all the means under his control to maintain the faith of the nation by executing the supreme laws of the land. Troup interpreted the message as a military threat against Georgia and treated it with defiance, ordering the militia to stand ready to repel any attack by United States forces. Negotiations were arranged by the United States government with the Creeks, however, to secure the contested lands, and the controversy came to a close.<sup>69</sup>

As a defender of the state rights point of view and as a champion of Alabama's claims to lands lost by the substitution of the new treaty for the old, King took an active interest in the Georgia affair. He expounded his views in a letter to Israel Pickens in February, 1827. He noted the decision of President Adams to use force against Georgia if she continued to violate the Treaty of Washington and declared that the threat of making war on a sovereign state for taking steps to test the power of the President and the Senate to deprive her of a vested right would operate against the Adams administration. He correctly predicted that the controversy would result in the purchase of the disputed strip of land from the Creeks, "a course which a wise statesman, would have taken in the first instance,"

---

69 Porter L. Fortune Jr., "George M. Troup: Leading State Rights Advocate" (Unpublished doctoral dissertation, the University of North Carolina, 1949), pp. 211-228.

Alabama Book Store, 1935, p. 124.

instead of threatening Georgia with fire and sword. Because Alabama had as much interest in the case as did Georgia, he regretted that the subject had not been brought before the Supreme Court. Before the court the question could have been determined whether a right vested in a state by treaty could be divested by a subsequent treaty without the assent of the state involved.<sup>70</sup>

Alabamians generally felt that both Adams and Troup had behaved badly, that the United States was obliged by treaty obligations to remove the Indians, but that Georgia should not have taken such violent measures. Whatever the case, the settlement of the controversy was welcomed by both King and the public in general.<sup>71</sup>

At the same time when he was taking part in the consideration of such matters of national significance as the tariff, the public lands, and the Indian question, King also took an interest in subjects of local concern in Alabama. He manifested a special interest in the Bank of Alabama, public schools, and internal improvements.

Almost from the time of its foundation, King was actively concerned with the affairs of the Bank of Alabama. In May, 1824, he was sent north as an agent of the newly created bank for the purpose of securing a loan of \$100,000 so

---

<sup>70</sup> King to Pickens, February 10, 1827, Copy in Governors' Files.

<sup>71</sup> Albert Burton Moore, History of Alabama (University, Alabama: Alabama Book Store, 1934), p. 124.

that it could go into operation.<sup>72</sup> That he was a good promoter of Alabama is evidenced by a letter he wrote Nicholas Biddle in an effort to secure a loan from the Bank of the United States. He spoke of the increasing population of Alabama and its good soil and climate and expressed the conviction that it would soon rank as one of the chief exporting states of the union. Cotton, the valuable staple of the state, would continue "to preserve it from the pecuniary embarrassments" which had "overwhelmed the western states."<sup>73</sup> A second agent was sent out by the bank commissioners in July to aid King.<sup>74</sup> Although their exact movements and financial transactions are not known, they disposed of the bonds.<sup>75</sup> In 1826 King sought in vain to prevent the establishment of a branch of the Bank of the United States at Mobile because it would compete with the state bank, an enterprise jointly owned by the people of Alabama.<sup>76</sup> On another occasion, he

---

72 Bank Commissioners to William R. King, March 27, 1824, Governors' Files; Huntsville Alabama Republican, July 16, 1824.

73 King to Biddle, May 19, 1824, in Etting Papers, Historical Society of Pennsylvania.

74 Bank Commissioners to Andrew Pickens, July 5, 1824, Governors' Files.

75 Huntsville Alabama Republican, November 12, 1824.

76 Mobile Commercial Register, November 2, 1826; see also William R. King to Nicholas Biddle, April 16, 1825, in Simon Gratz Collection, Historical Society of Pennsylvania.

sought to secure the deposit of public funds in the state bank, but he again failed in his purpose. Funds of the United States government were placed in the branch bank of the United States at Mobile.<sup>77</sup>

Throughout the Twentieth Congress, King sought unsuccessfully to secure passage of a bill to permit Alabama to exchange its sixteenth sections of school lands that had proved barren and unproductive for better lands. He maintained that more and better schools were needed in areas where lands were poorest because the poorer lands were occupied by poorer white settlers, whereas good lands were generally occupied by planters who needed few public schools. He argued that failure to grant Alabama's request and provide land that could be sold would defeat the design of the national government in granting land for schools. Provision for schools would be left to mere chance. Those districts whose section sixteen lands proved unproductive were not provided for. Despite his efforts, no action was taken to remedy this defect in the land system.<sup>78</sup>

King, supported by other members of the Alabama delegation, was able to secure passage of a bill in 1828 granting 400,000 acres of public land to the State of Alabama for the purpose of improving navigation on the Tennessee River by

---

<sup>77</sup> King to Richard Rush, April 1, 1826; Rush to King, April 7, 1826, quoted in Mobile Commercial Register, May 16, 1826.

<sup>78</sup> Register of Debates, IV, 479-480; V, 10-11.

making it navigable at Muscle Shoals.<sup>79</sup> Speaking in favor of the bill, King noted the geography of the country which made improvements necessary and the vast benefits which would accrue to the whole country if they were carried out. The proposed project at Muscle Shoals would benefit not only Alabama but the whole country as well. Moreover, he said, Alabama had never received "one foot of land for the construction of roads and canals, or for any other improvement." Instead she had had to appropriate money from her own resources for such purposes.<sup>80</sup>

Between 1824 and 1828 King took part in significant developments in the field of presidential politics. So far as can be determined from existing evidence, he did not take an active part in the four-cornered contest between John Quincy Adams, Andrew Jackson, Henry Clay, and William H. Crawford in 1824. King did not attend the caucus held in February at which Crawford was nominated, nor was he in Alabama to vote in November.<sup>81</sup> By a process of elimination, however, one can deduce that he was a supporter of Jackson. He could not have been a supporter of Clay because of Clay's high tariff views, nor would he have likely supported Crawford who had

---

<sup>79</sup> Huntsville Southern Advocate, April 11, June 13, 1828.

<sup>80</sup> Register of Debates, IV, 454-455. Jackson supporters

<sup>81</sup> Washington Daily National Intelligencer, February 26, October 24, 1824.

worked against him in Alabama. Between Adams and Jackson, King probably would have chosen Jackson. This conjecture is borne out by the fact that he soon joined the opposition and became highly critical of Adams after he was elected to the presidency by the House of Representatives. As a senator, King had no direct part in the election in the House of Representatives, but he subjected himself to censure in his home state by voting to confirm Clay as Secretary of State in spite of the "corrupt bargain" he was supposed to have made with Adams to secure Adams' election. A letter, signed "Many Citizens of Alabama" which appeared in the Huntsville Democrat, maintained that Jackson had been kept from the presidency by the duplicity of Clay. Since King had voted to confirm Clay, his integrity was subject to question. In voting against the expressed will of the people, said the letter, King had proved an unsafe depository of the public trust and had forfeited all claim to the confidence of the people of Alabama. The legislature, therefore, should ask him to surrender the trust which had been given him.<sup>82</sup> Although the letter had little influence on King's political career, it does show the bitterness felt by Jackson supporters toward those who were connected with the "corrupt bargain" between Clay and Adams.

Throughout the Adams administration, Jackson supporters

---

<sup>82</sup> Huntsville Democrat, November 11, 1825.

conducted a campaign to secure his election to the presidency in 1828, and the supporters of Adams sought to defend their leader. Among the friends of Jackson was William R. King. As early as March, 1827, the National Intelligencer noted that he had voted with the Jacksonians for Duff Green as printer for the Senate and had joined with them on other occasions.<sup>83</sup> Writing to a friend in Alabama, King noted that Jackson's stock was rising, that "nothing but destiny could prevent his success at the next election, without troubling the House of Representatives." The people would see to it that Jackson was elected. Adams, he noted, would have had a much better chance of being reelected if he had avoided the "agitation of doubtful matters."<sup>84</sup> In supporting Jackson, King was going along with most of the voters of Alabama. Adams electors were nominated in 1828. Jackson, however, carried the state by an overwhelming vote, and won a majority of votes in the electoral college.<sup>85</sup>

King himself faced reelection in 1828. When the joint session of the state legislature was held on December 1 for the purpose of choosing a senator, however, no other name was

---

<sup>83</sup> Washington Daily National Intelligencer, March 9, 29, 1827.

<sup>84</sup> King to Israel Pickens, February 10, 1827, Copy in Governors' Files.

<sup>85</sup> Abernethy, Formative Period, p. 121.

put in nomination, and he received all the ninety votes cast.<sup>86</sup> Thus he and General Jackson began their new terms together, Jackson his first as President and King his third as senator. Throughout most of the stormy years that lay in the immediate future, King remained a loyal supporter of the administration.

Several important measures by his majority and veto, destroyed the bank of the United States, by his veto of the recharter bill and the withdrawal of government deposits, and defeated nullification in South Carolina by securing the passage of the Force Bill. The Indian problem in the western states was solved by removal treaties negotiated during his administration. Only in the removal of government deposits and the passage of the Force Bill, did King seriously oppose the Jackson program. Although King spoke less often than some Jackson supporters, Jackson often relied on King to secure adoption of his measures.

The last months of the Adams administration passed without the transaction of much business. The National Intelligencer declared "never has a session passed under the observation, in which so little business had been done, good, bad or indifferent." Another newspaper, commenting upon the situation, declared that almost everyone was chiefly

---

<sup>86</sup> Alabama Senate Journal (1828), p. 37. March 7, 1828.