

CHAPTER IV

A JACKSONIAN SENATOR

During the years 1829-1837, William Rufus King was a leading figure in carrying out the program of Andrew Jackson. Jackson, generally with King's support, checked appropriations for local internal improvements by his Maysville Road 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 eastern 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 our observation, in which so little business has been done, good, bad or indifferent."¹ Another newspaper, commenting upon the situation, declared that almost everyone was chiefly

¹ Washington Daily National Intelligencer, March 4, 1829.

interested in the "general scramble" for office under the new administration.² King was absent a great deal of this session because of an inflammation of his eye that confined him to his room for about six weeks.³ He returned to his seat, however, toward the close of the session.⁴ Thus he was present when Jackson took the oath of office as President on March 4, 1829.⁵ He must have looked on approvingly as Jackson, the people's representative, replaced Adams in the White House.

King took no part in the Webster-Hayne debate which occupied a great deal of time during the First Senate session after Jackson's accession to office. The debate grew out of a resolution introduced by Senator Samuel Augustus Foote of Connecticut, calling for an inquiry into the expediency of stopping the survey of public lands until those already surveyed had been sold. From a discussion of land policy the debate developed into a full-scale discussion of the nature of the union, in which Daniel Webster of Massachusetts was the proponent of nationalism and Robert Y. Hayne of South Carolina was the proponent of state rights and nullification.⁶

² Mobile Commercial Register, February 25, 1829.

³ William R. King to W. White, March 3, 1829, in Simon Gratz Collection, Historical Society of Pennsylvania.

⁴ Mobile Commercial Register, March 18, 1829.

⁵ Washington Daily United States Telegraph, March 5, 1829.

⁶ Register of Debates in Congress, 14 volumes (Washington: Gales and Seaton, 1825-1837), VI, 31 ff.

Although King took no part in these debates, he apparently favored taking ground somewhere between the national views of Webster and the state rights views of Hayne. A short time after the debate in the Senate, he spoke to a Mobile gathering in "terms of pointed reprobation to the dangerous doctrines of nullification." He admitted that some laws operated oppressively on the cotton growing states; nevertheless, he contended that it was "the dictate of patriotism to resist them as become intelligent free-men, in the manner pointed out by the Constitution."⁷ Thus he seems to have favored constitutional resistance to unjust legislation instead of more drastic methods.

The subject of internal improvements became a topic of general discussion in 1830 as a result of Jackson's veto of the Maysville Road bill. Believing it unconstitutional for the United States government to assist in building a road entirely within Kentucky, Jackson vetoed the bill and thereby subjected himself to censure from the advocates of internal improvements at national expense. King did not speak at the time the bill was under discussion but later pointed out that he had opposed the measure because it was local in nature. King added, however, that he favored appropriations for internal improvements such as the grant of land that had been made to Alabama in 1828 for the purpose of improving

⁷ Mobile Commercial Register, April 2, 1831.

navigation on the Tennessee River because such a project was of national importance. He favored building up the defenses of the country and improving its commercial facilities by a judicious exercise of the powers vested in Congress by the federal constitution but condemned wasteful expenditures for local improvements.⁸

Conflict within the Jackson Cabinet between the friends of John C. Calhoun and those of Martin Van Buren attracted a great deal of attention during the early years of the Jackson administration. It finally led to a break-up of the Cabinet in 1831 and the substitution of Van Buren for Calhoun as heir apparent of the Jackson dynasty. Two highlights of the controversy were Jackson's attempt to force the wives of Calhoun and the Cabinet members to accept socially Peggy Eaton, wife of Secretary of War Eaton, and the famous 1830 Jefferson Day dinner in which Jackson threw out a challenge to the state rights group who had planned the dinner in the form of a toast: "Our Federal Union; it must be preserved." Not a member of the Cabinet, King escaped involvement in the Eaton affair and apparently did not attend the Jefferson Day dinner.⁹ No evidence is available to reveal his exact views on these events. After the break-up of the Jackson Cabinet in

⁸ Ibid. Washington Daily Globe, October 18, 1831.

⁹ Washington Tri-Weekly United States Telegraph, April 17, 1830.

the summer of 1831, newspapers throughout the country speculated whether such southern senators as King would follow Calhoun or Jackson now that the split had come. The National Republican claimed that King, Hayne, and several others composed a "little Senate" to which Calhoun gave the laws, but the administration Globe answered that King and Hayne were "both personal as well as political friends of the President."¹⁰ The Montgomery Alabama Journal, in a similar vein, pointed out that if King was a Calhoun supporter his conversion to the cause had been a recent one.¹¹ King's Mobile speech of March, 1831, in part quoted above, shows that he was no supporter of Calhoun's nullification doctrines,¹² and his course in succeeding years shows that he was nearer to Jackson in his thinking than to Calhoun even though he broke with the President on the Force Bill in 1833.

In the summer of 1831, King had a personal problem far more important to him than any of the political questions then troubling the country; he was engaged in a correspondence with M. J. Kenan and John C. Perry in which he was first challenged to a duel by Kenan and later by Perry. The challenges grew out of an incident on May 21 in which King and Kenan were involved. King was in Cahawba conversing

¹⁰ Washington Daily Globe, October 13, 1831.

¹¹ Montgomery Alabama Journal, November 5, 1831.

¹² Mobile Commercial Register, April 2, 1831.

with friends when Kenan offended him by accusing him of electioneering for John Murphey and cursing him. King answered that he would electioneer for whomever he pleased and vote for whomever he pleased. When Kenan cursed King further, the latter told Kenan that he was good for nothing and that his influence was not to be feared. Kenan then clenched his fists and violently thrust King aside. King drew a sword cane, but instead of thrusting it through Kenan's body, drew it across his face. On the advice of friends he then left Kenan spouting a "torrent of abuse" and declaring that he would hold King responsible.¹³

The next day, Kenan sent a note to King saying that the latter had subjected him to indignity by striking him with his cane and calling on him "to point out the mode of adjustment."¹⁴ King answered immediately that, considering Kenan's conduct of the previous evening, he was surprised at the tenor of his note and that he would "ever repel violence" on his person.¹⁵ In a second note, Kenan charged

¹³ Huntsville Democrat, November 17, 1831, quoting Tuscaloosa Inquirer. M. J. Kenan and John C. Perry were local politicians of Dallas County and of little significance except as participants in the attack on King. John Murphey was a former governor of Alabama and a member of Congress. Ibid. See also Albert Burton Moore, History of Alabama (University, Alabama: Alabama Book Store, 1934), p. 169. (Hereinafter cited as Moore, History of Alabama.)

¹⁴ M. J. Kenan to William R. King, May 22, 1831, quoted in Tuscaloosa Alabama State Intelligencer.

¹⁵ King to Kenan, May 22, 1831, ibid.

that King had left the impression the night before that he was an "honorable and responsible man" and called on him to let his "acts" comport with his "words."¹⁶ King replied that the attack of the previous night was "rude and insulting," that if he had considered Kenan worthy of notice he would have demanded satisfaction himself, but that he had determined "not to descend to the level of a man who could so far debase himself" as Kenan had done.¹⁷ So far as King was concerned, Kenan was beneath fighting in a duel, but the latter set out to establish his right to be called a gentleman by securing testimonials from leading men who knew him.¹⁸

Subsequently, John C. Perry, Kenan's intermediary in the passage of notes, chose to take the part of Kenan. King, in the meantime, had gone to Tuscaloosa to visit relatives after waiting two weeks for further developments.¹⁹ On June 27, five weeks after the original incident, William Taylor, Perry's second, handed King a note from Perry challenging him to a duel.²⁰ King accepted the challenge and chose as his

16 Kenan to King, May 22, 1831, ibid.

17 King to Kenan, May 22, 1831, ibid.

18 Kenan to King, May 26, 1831, ibid.

19 Huntsville Democrat, November 17, 1831.

20 John C. Perry to King, June 25, 1831, ibid.

second General John Coffee.²¹ He sent his brother Thomas D. King to Cahawba to complete the negotiation. For weapons he chose swords, with the proviso that pistols could be resorted to if, in the opinion of the seconds, either man were so disabled as to be unable to use a sword. For the place of meeting, King chose Mississippi, as near as practicable to the Chickasaw Agency and for the time he chose August 8.²²

Perry was slow in giving an answer, but his second finally sent a note accusing King of not choosing the manner usual and customary among gentlemen. Perry, he said, was totally unskilled in the use of swords and greatly inferior in strength to King; the choice of weapons, therefore, was designed to make the encounter as unequal as possible. Perry's second questioned the selection of Mississippi as the place of meeting. The Indian agency was three hundred miles distant and the date chosen gave little time for preparations. He suggested that the duel be fought with pistols or other firearms at any distance and that a place be chosen equidistant between King and Perry. If King would not fight

²¹ King to Perry, June 28, 1831, *ibid.*; King to John Coffee, July 13, 1831, in John Coffee Papers, Alabama Department of Archives and History. King wrote Coffee that the quarrel was "intensely political" and that he desired him as a second because of his "political integrity, and personal firmness."

²² Thomas D. King to William Taylor, July 21, 1831, quoted in *Huntsville Democrat*, November 17, 1821.

on terms of equality, he threatened that the usual course would be followed.²³

King replied through his second in a caustic note denying the charges made in the Perry note and making counter-charges against Perry. He declared that swords were in customary use by gentlemen and had been chosen by John Forsyth and Judge James Wayne of Georgia. Moreover, it was the right of the challenged party to choose the weapons. Perhaps, suggested the King note, Perry was anxious that firearms be used because he was skilled in their use and had been practicing in the five weeks' interim between the challenges. As to the time and place, the arrangement had been made for the convenience of General Coffee and to make sure that state laws forbidding duelling were not violated. Perry wanted to name the weapons, the place, and the time after making the challenge. Such a demand was not proper etiquette. King insinuated that Perry was trying to get out of a situation which his rashness had brought upon him. In closing, he declared that Perry, having charged him with unfairness, could expect no concessions.²⁴

King turned the correspondence over to General Coffee who declared that Perry's decision not to accept the meeting on terms proposed by King had put an end to the affair and

²³ William Taylor to Thomas D. King, July 23, 1831, ibid.

²⁴ Thomas D. King to William Taylor, July 30, 1831, ibid.

refused to renew the correspondence.²⁵

Later the people of Alabama were treated to a war of crimination and recrimination among the three parties involved. Kenan led the way by publishing the correspondence in the Tuscaloosa Intelligencer in October, along with the charge that King had sought to give the impression that he was a brave man but that he had been proven an imposter. He had promised to give satisfaction for the sword cane incident but had taken refuge behind his congressional dignity and declared Kenan to be beneath his notice. Under the circumstances, he must pronounce King "a pitiful coward!!!"²⁶ King answered the charges in the Tuscaloosa Inquirer. He pointed out that the charges of a "drunken bully" had been given circulation and that to protect his reputation he was forced to present his side of the story. He said that political as well as personal reasons had inspired the attack upon him.²⁷ Perry brought the charges and countercharges to a close by publishing his own defense in the Alabama Intelligencer of December 3. He took issue with the charges made in one of King's letters that the vindictive spirit shown toward him was an outgrowth of a "deep rooted political hostility" which caused some to seek his life. He maintained that he challenged King

²⁵ John Coffee to William Taylor, August 31, 1831, ibid.

²⁶ Tuscaloosa Alabama State Intelligencer, October 29, 1831.

²⁷ Huntsville Democrat, November 17, 1831.

out of friendship for Kenan and not for political reasons.²⁸

An impartial consideration of the evidence indicates that King's honor was undamaged despite the fact that no duel was fought with either Kenan or Perry. After having struck the drunken Kenan for cursing and shoving him, King could not well have treated the latter as a gentleman. When Perry sent a challenge in Kenan's stead, King offered to give him the satisfaction he demanded. If anyone was at fault it was Perry who refused to accept the terms proposed by King after the challenge. The statement of General Coffee, who put the blame on Perry, seems to be very close to a correct judgment of the affair. It had come as a result of an argument about politics and had no doubt been exploited by King's enemies for political reasons.

After the duel controversy ended King returned to Washington and took his seat in the Twenty-second Congress. Shortly after Congress met, King wrote General John Coffee that President Jackson's Annual Message was a most able state paper and that it had completely nonplussed the opposition who could not shut their eyes to the fact that unexampled success had crowned all his efforts to obtain redress from foreign nations and to place American commercial relations on a favorable footing. Jackson had seen to it that the laws were faithfully executed and was working to extinguish the national debt rapidly. His recommendation that

²⁸ Tuscaloosa Alabama State Intelligencer, December 3, 1831.

the tariff be modified so as to give relief from its "unequal and oppressive operation" could not fail to meet the approbation of the intelligent people of the country. The proposed reduction of duties might not provide complete satisfaction for the South, but would go far "to relieve them from present burthens" and would, King felt, "effectually destroy the monster nullification." He concluded:

Clay may make speeches, and laud the American System. Calhoun may write essays; and Wirt may spur the Anti-Masonic hobby, but naught will it avail. Their united strength would scarcely be felt in opposition to the Old Chief.²⁹

Much of the time during the subsequent session was taken up with debates dealing with the tariff. King took an active part in these debates. He expressed low tariff views and called on the protectionists for conciliatory action. In the debate over resolutions introduced by Clay instructing the Finance Committee to bring in a bill to lower duties on certain unprotected articles, King declared:

Mr. President, no man in this Senate, or in this nation, feels more sensibly than I do, the unjust operation of the tariff upon the section of the country in which I reside; and no man is prepared to go farther, in a constitutional resistance to this oppressive system, than I am; but, sir, I had hoped, most ardently hoped, that a spirit of conciliation would have guided the deliberations of this Congress, that discontents

²⁹ King to Coffee, December 10, 1831, in John Coffee Papers, Alabama Department of Archives and History. (Hereinafter cited as Coffee Collection.)

would be removed by just legislation; and that harmony would be restored to our distracted country.³⁰

But, said King, the course being followed by Clay and his friends was well calculated to weaken the hope that the question was to be adjusted amicably. Revenues were to be reduced, not by reducing oppressive protective rates, but by repealing duties on unprotected articles. Referring to the "inequality, injustice, and oppressive" operation of the protective system, he warned that if instead of giving relief to the South from the burden of which she complained, the majority chose to render the situation more aggravated by reducing or removing revenue duties for the benefit of manufacturers and to the detriment of the agricultural interest, they must "prepare themselves to meet the consequences" which their oppressions would inevitably produce.³¹

When the Committee on Manufactures reported in favor of a plan to reduce tariff rates on such articles as tea, coffee, spices, medicines and other unprotected articles but to leave undisturbed the protective system, King warned:

So sure ... as there is a God above, if the majority will persist in this species of injustice and oppression; if, when we invoke justice, they turn a deaf ear, and meet our entreaties to give some small relief to our suffering people with insult added to injury, consequences will

³⁰ Register of Debates, VIII, 617.

³¹ Ibid., VIII, 617-618.

result which I shudder to think of. Sir, this is no idle threat; in this there is no gasconade. I stand here as one of the most moderate of those who are opposed to the miscalled American system, advocating conciliation, union; and those I represent well know it.³²

Continuing, he declared that the people of the South did not want to prostrate the manufacturing industry of the country. Any charge to this effect was without foundation; the South was willing to bear much. Let the revenue be fixed at an amount to provide for the ordinary wants of the government, and Southerners would be willing to give a fair and reasonable encouragement to manufactures. They would do so even though they knew the burdens would fall more heavily on them. King called on the advocates of protection to meet Southerners on middle ground, settle the distracting tariff question, and save the government. He asked that the Committee on Manufactures reconsider the tariff question and give justice to the agricultural sections. If such a step were not taken, he would lose all hope that the troublesome problem could be settled on terms satisfactory "to the aggrieved and suffering portions of the community." If the hope, to which the South had so fondly clung, that Congress would not adjourn without providing relief for her suffering, went unfulfilled, consequences would "throw a dreadful weight of responsibility" upon those whose injustices had produced them.³³

³² Ibid., VIII, 661-662.

³³ Ibid., VIII, 647-650, 661-662.

King again attacked the policy of protection when the House sent its version of the tariff bill to the Senate. He supported amendments designed to secure reductions for the benefit of the South and offered an amendment of his own to replace the specific duty on flannels with an ad valorem duty so that the minimum feature would be removed. As the bill neared passage, he pointed out that he would have been willing to vote in favor of an equitable adjustment of the tariff but said that the bill as it stood took the burden off manufacturers and placed it on those least able to pay. The majority had pursued a course which demonstrated that they intended for protection to be a permanent system and that they were willing to carry it through by the strength of numbers despite the complaints of the oppressed South. He could not support a bill which left no hope for tariff revision downward in the near future.³⁴

The amended bill was sent to a conference committee where some of the provisions most odious to the planting interests were removed. King reluctantly gave his support to this modified plan because it offered "some mitigation" of the protective system. In voting for the bill, however, he declared that he was not giving up his low tariff principles. He was merely voting for a lesser evil than the old tariff

³⁴ Ibid., VIII, 1186, 1203, 1206-1207. King voted against passage of the bill. Ibid., VIII, 1219.

of 1828. He promised that in the future he would be found fighting for a lower tariff.³⁵

Closely related to the tariff problem was the question of the distribution of surplus revenue. As the government found itself with an income in excess of its needs, it had to work out a plan for reducing and disposing of the surplus. The protectionists opposed reducing government income by reducing the tariff; hence they sought some other method of disposing of the surplus income. Distribution was coupled with the public land question by the Committee on Manufactures which, after considering the advisability of reducing the price of public lands or of ceding them to the states, reported against the use of either of these means for reducing government income and in favor of distributing the proceeds from public land sales among the states.³⁶ The question, however, was later referred to the Public Lands Committee, under the chairmanship of King, which reported against distribution and in favor of the reduction of the price of public lands.³⁷ The Clay report from the Committee on Manufactures and the King report from the Committee on Public Lands are able expositions of the views of the protectionists and the low tariff group on what use should be

³⁵ Ibid., VIII, 1293-1294.

³⁶ Ibid., VIII, 785.

³⁷ Ibid., VIII, 907, 931.

made of the proceeds of the public lands.

The Clay report ably set forth the view that any plan to reduce the price of land or to cede public lands to the individual states was poor policy and suggested instead the distribution of the proceeds of public lands as a solution. The price of public lands should be reduced, it said, only if the government was demanding more than a fair price and if the old system was retarding settlement of the public lands. It found that the existing system neither charged prices that were too high nor retarded settlement. To reduce the price of public lands would reduce the value of all privately owned land by flooding the market with cheap land, would stimulate the spirit of speculation, would tend to drain population from the settled areas, and would drive down the value of state lands that were for sale. Lands were unsold not because prices were too high but because there was too much land to be absorbed by the population. Money paid into the treasury for public lands was not a tax and should not be treated as such by Congress. The lands were held in trust by the general government, and no one was forced to buy them. Land sales figures and population statistics, said the report, were proof enough that the old system was promoting western growth. To cede lands to the individual states would be to give up a fruitful source of revenue that might later be needed; it would violate the terms by which the land had been ceded to the general government by the original states; and it would be contrary to justice to give

lands purchased by treaty from the common fund to individual states. In order to escape the dangers inherent in reduction or cession, the committee proposed that ten per cent of the proceeds of land sales be given to the states in which public lands were located and that the residue be divided among the states according to their federal population, to be used for internal improvements, education, and other stated purposes.³⁸ This plan had the advantage, according to the Clay group, of disposing of the revenue accruing from the public lands and reducing the government surplus without reducing the tariff.

King maintained that the Clay report was defective in many ways because members of the Committee on Manufactures had only a limited knowledge about the subject of public lands. He felt, therefore, the "erroneous statements and principles" of the report should not be allowed to go before the country without a counter-report by the Committee on Public Lands to answer the false views.³⁹ Clay charged King with imputing unfairness to the Committee on Manufactures. He denied the charge of unfairness and demanded that King show proof if the report was unfair.⁴⁰ King denied that he had imputed unfairness to the committee. He had merely meant to say that because of their local situations, their habits of thinking and their lack of knowledge of the subject, they

38 Ibid., VIII (Appendix), 112-117.

39 Ibid., VIII, 871.

40 Ibid., VIII, 884.

could not possibly reach conclusions which were beyond dispute. The Public Lands Committee, he pointed out, was composed of men more conversant with the subject, and he hoped they would be allowed to present their views.⁴¹ The Senate, by the casting vote of Vice President John C. Calhoun, permitted the King group to restudy the land question and distribution.⁴²

The King report challenged the Clay report at almost every point. Public lands, it said, should be looked on as a source of revenue and the price reduced along with other reductions in revenue. Instead of using the public lands merely as a source of revenue, the government should seek to put land into the hands of the people so that taxes could be raised from the proceeds of cultivation, production, and trade. The report presented other arguments in favor of reduction: (1) the new states were entitled to a reduction of the rate charged on the chief article used by them; (2) much of the land had little value and could not be sold even at the existing minimum price; (3) government title to land within states ought to be extinguished so that states could act more independently; (4) rapid selling of the public lands would reduce the patronage problem by closing land offices; and (5) money paid for public lands impoverished

41 Ibid., VIII, 903-904.

42 Ibid., VIII, 907.

public land states. The committee also pointed out the danger of a multitude of projects for the disposal of the proceeds of public lands, or their distribution among the states or the people. In some projects the constitution of the United States would be disregarded, the rights of new states sacrificed, the purity of legislation endangered, and the lands "set up as a prize to be scrambled or bargained for" as interest or ambition might suggest, or uncontrollable majorities might decide. Distribution would give the states an individual interest in the lands equivalent to a division of the lands among them. Legislation, therefore, would be governed by the desire of more populous states to promote their own interests. No reduction would ever be voted under such a plan, nor would relief laws for the benefit of those living on the public lands be passed. As a solution to the problem before them, the Public Lands Committee proposed an amendment to the tariff bill calling for the reduction of the minimum price of newly opened public lands to \$1.00 per acre and of lands which had been on the market for five years to fifty cents. It proposed that the entire distribution bill be struck out except the part which proposed to give ten per cent to states where lands were sold and that this sum be raised to fifteen per cent.⁴³

⁴³ Ibid., VIII (Appendix), 118-126. Distribution was not adopted because the House of Representatives postponed action on the Distribution bill to the following session. Ibid., VIII, 3853.

In succeeding years the two reports formed subject matter for many debates on distribution and the land question. King later declared that his report recommended reduction and graduation in order to "encourage a bold and enterprising population" to occupy the exposed frontier, to fell the forests, and to cultivate the soil, "thus contributing to increase the wealth and add to the revenues of the nation, at the same time that they stood ready to guard it from aggression." The plan did not remove public land revenues from the control of the general government as distribution did, but allowed the government to spend it as it saw fit.⁴⁴

A third important issue before Congress in 1832 was that of rechartering the Bank of the United States. For political purposes, the National Republican party pushed the question before Congress even though the charter would not expire until 1836. At the time debates began on the recharter question, King favored the Bank, but he was a party regular and opposed the recharter bill because of the circumstances under which it was presented.⁴⁵ He did not take a prominent part in the long debates growing out of the recharter proposal but voted for amendments to the bill that he felt were

⁴⁴ Congressional Globe, 108 volumes (Washington: Globe Office, 1834-1873), XI, 332.

⁴⁵ Thomas Cadwalader to Nicholas Biddle, December 21, 1831, in Reginald Charles McGrane, ed., The Correspondence of Nicholas Biddle (Boston: Houghton Mifflin Company, 1919), p. 149.

improvements upon it, and cast his vote against the final passage of the bill.⁴⁶ King expressed his views on the question at some length in a public letter dated June 13, 1832. Never, said he, had he witnessed such a departure from principles to promote political objects and the advancement of political aspirants as had characterized the session. Losing sight of the public interest, certain men had brought forward the Bank question and pressed it upon the deliberation of Congress for partisan purposes. Nobody believed it necessary for the operation of the Bank that the charter should be renewed four years before its expiration. Unconnected with the politics of the day, few, if any, would have been willing to press the issue at so early a date. None could fail to see the object in view in pushing it forward. The best friends of the Bank regretted the course that had been taken. For himself, he had been friendly to the institution, believing it necessary for the fiscal operation of the government and greatly beneficial in maintaining a sound monetary system in the country, and would have been willing to vote for recharter at the proper time and with "some modifications to correct abuses." He could not, however, support the bill under the circumstances.⁴⁷ The Bank bill passed, nevertheless, despite strong opposition and was

46 Ibid., VIII, 980, 1010, 1013, 1043, 1073.

47 King to editor of the Register, June 13, 1832, quoted in Mobile Commercial Register, July 6, 1832.

vetoed by President Jackson. As King and others had noted, the issue was used extensively in the ensuing presidential election in which the National Republican supporters of the Bank, led by Henry Clay, sought to unseat President Jackson.

King took a prominent part in the Democratic campaign of 1832. He represented Alabama at the Baltimore Convention which was called in May to choose a vice presidential candidate to run with Andrew Jackson on the Democratic ticket. King was appointed to the committee on rules. Speaking for the committee, he reported rules to the convention, one of which was the famous two-thirds rule. In reporting the two-thirds rule, King noted that there was no disagreement in regard to the nomination for the presidency, but since differences of opinion prevailed in regard to the second office and a number of prominent names had been suggested, the committee deemed it wise to suggest a course unlikely to produce objections. As a nomination made by two-thirds of the whole body of the delegates would show a "more general concurrence of sentiment" in favor of a particular candidate, would carry with it a greater moral weight, and would be more favorably received than one made by a smaller number, he hoped the resolution would be adopted.⁴⁸ Despite some opposition the rule was adopted and continued in use by the Democratic

⁴⁸ Washington Daily Globe, May 24, 1832; see also Huntsville Democrat, January 19, March 15, 1832.

Party until 1836.

The convention then turned to the nomination of a vice presidential candidate. Martin Van Buren received an overwhelming majority over the other two contestants, Richard M. Johnson of Kentucky and Phillip P. Barbour of Virginia, but he did not receive the vote of King.⁴⁹ King had announced prior to the convention that he could not vote for Van Buren even though Van Buren enjoyed a great popularity because of his rejection as Minister to England by the casting vote of Vice President Calhoun. King disliked Van Buren because he and his friends in Congress had refused to help relieve the South from the "burthens of the Tariff." "Once fully convinced of this," wrote King, "no earthly power would be strong enough to force me to support Van, or any other man, for any office, high or low, who either in his person, or by his friends, rivets this accursed American System upon us."⁵⁰ True to his word, he, along with most of the Alabama delegation, cast his vote for Barbour.⁵¹ There is no evidence, however, to show that he withheld his support from the party

⁴⁹ Washington Daily Globe, May 24, September 1, 1832.

⁵⁰ King to John Gayle, undated [Spring, 1832], Copy in William R. King Collection, Alabama Department of Archives and History. (Hereinafter cited as King Collection.)

⁵¹ Tuscaloosa Spirit of the Age, June 6, 1832. King had voted for Van Buren's confirmation as Minister to England, and the action had proved popular in Alabama. Washington Daily Globe, January 28, March 7, 9, 1832.

because of the Van Buren nomination. The Democracy again proved triumphant over the National Republican ticket; Alabama, King's home state, gave its vote to Jackson and Van Buren.⁵²

During the campaign and immediately thereafter, trouble was developing in South Carolina as a result of dissatisfaction with the Tariff of 1832. By this measure the protectionists had made protection a settled policy of the government. To such a policy South Carolina was unwilling to submit, and called a convention which put Calhoun's nullification doctrines into effect by nullifying the tariff laws of 1828 and 1832 within the limits of the state. When Congress met in December, 1832, the country was faced with the question of whether the United States would make concessions to South Carolina or whether South Carolina would give up its nullification pretensions. Throughout the South, the question provoked a great deal of interest. In Alabama some sympathized with South Carolina and proposed that Alabama pursue a similar course; but most of the leaders, even though they opposed the tariff, denounced the doctrine of nullification.⁵³ Governor John Gayle, for example, in his 1832 message to the Alabama legislature, spoke of the injustice of the tariff but declared in regard to nullification: "Whenever

⁵² Moore, History of Alabama, p. 165.

⁵³ Ibid., p. 163.

a State shall venture upon this deplorable experiment, she will soon find that she will have to abandon the Union, or return to it with feelings of disappointment and humiliation."⁵⁴

Like his friend Gayle, King opposed nullification doctrines. As early as April, 1831, he had spoken against the "dangerous doctrines of nullification" and had advocated resistance only "in the manner pointed out by the Constitution."⁵⁵ In December of that year he expressed hope that tariff revision would effectually destroy "the monster nullification."⁵⁶ Finally, in a letter of October 4, 1832, "To Citizens of Perry County," Alabama, he declared that he had constantly labored against the American System which imposed oppressive and unequal burdens, alienated the affections of the oppressed sections from the national government, and greatly weakened the bonds of union. He felt that the system was destined to yield to the force of public opinion and that at no distant day a further reduction of duties would bring down the revenue to the reasonable and proper demands of the government.

⁵⁴ Alabama Senate Journal (1832, special session), p. 14.

⁵⁵ Mobile Commercial Register, April 2, 1831.

⁵⁶ King to Coffee, December 10, 1831, Coffee Collection.

Thus believing I am decidedly opposed to the plan proposed by the advocates of Nullification; I view it as neither peaceful nor constitutional, but clearly revolutionary in its character, and if persevered in, must, in the nature of things, result in the severance of the Union. From such a calamity may God in his mercy deliver us.⁵⁷

On December 6 King wrote Gayle that he was "using every exertion to inculcate here the necessity of great moderation and forbearance." He was confident that this was the only true course, for violent action on the part of the general government would enlist the sympathies of the whole South in behalf of South Carolina or perhaps even array them on her side. As the situation stood, the course of South Carolina met with general reprobation, and she must sink under the public condemnation. He urged the Alabama legislature not to pass any resolution that would give encouragement to the "rascally tariff men" who had placed the government in jeopardy by their oppressions.⁵⁸

On December 10 President Jackson issued his ringing proclamation to the people of South Carolina in which he declared that the powers claimed in the nullification ordinance were "incompatible with the existence of the union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on

⁵⁷ King to Citizens of Perry County, October 4, 1832, quoted in Huntsville Southern Advocate, October 27, 1832.

⁵⁸ King to Gayle, December 6, 1832/2/, Copy in King Collection.

which it was founded, and destructive of the great object for which it was formed." Later the Force Bill, as it was called, was introduced and passed to permit Jackson to use the army and navy to enforce the collection of duties if obstruction prevented collection by ordinary means.

Throughout the debates on the Force Bill, King occupied the ground midway between Jackson's policy of coercion and South Carolina's policy of nullification. Speaking on January 24, 1833, he declared that he was willing to give the national government and the President "such powers as would be necessary to uphold and enforce the laws," but was unwilling to vote for a measure which in his judgment interfered with "the rights of the States or those of the people, or which would place in the hands of the President power which the constitution never intended." He had hoped that the returning sense of justice on the part of those who had forced the protective system on the country would have caused them to take steps to calm the South and thus have prevented the necessity of clothing the President with such extraordinary power as that conferred by the bill. As this action had not been taken, he conceded that the Force Bill would have to be examined and voted on.⁵⁹ Again he wrote Governor Gayle that he was opposed to the doctrines of the President's Proclamation. "I have opposed throughout," he said, "the bill to place the whole military power of the Government at

⁵⁹ Register of Debates, IX, 186.

the discretion of the President. I can never consent, however great my confidence in the executive, to cloth any mortal with such tremendous powers."⁶⁰ When the vote was taken on the engrossment of the bill, King cast his vote in the negative, along with seven others. He absented himself at the time the final vote was taken, but declared the next day that he had already recorded his opposition to the bill by his vote against engrossment.⁶¹ Jackson accused King, and others who acted as he did, of going over "with the nullifiers." Such men, he said, might pass as good Jackson men at home; but there could be no nullifier who was not at heart "a traitor to our happy constitution, and our union."⁶² Such a charge was unfair to King, for he was certainly no nullifier. He had simply been forced to choose between Jackson and the coercion of a state and the nullifiers. State rights man that he was, and assured that the dispute could be settled without bloodshed through the adoption of the compromise tariff, he could scarcely have voted otherwise. Although he had acted independently in this case, he was still a supporter of Jackson generally.

While the Force Bill was under discussion, efforts were

⁶⁰ King to John Gayle, February 26, 1833, Copy in King Collection.

⁶¹ Register of Debates, IX, 601, 688.

⁶² Jackson to Hardy M. Cryer, quoted in John Spencer Bassett, ed., Correspondence of Andrew Jackson, 7 volumes (Washington: Carnegie Institution, 1926-1935), V, 19.

being made to revise the tariff system in such a way as to remove the objections that had caused South Carolina to adopt nullification. The plan eventually accepted, calling for a gradual scaling down of duties so that all schedules would be reduced to twenty per cent ad valorem by 1842, was suggested by Henry Clay. As early as January 9, 1833, King had predicted that the tariff question would be adjusted, perhaps not at that session, but certainly at no distant day. Said King, "When the danger of a disruption of the Government becomes iminant, Clay will step forward as a mediator, the great pacificator, the work will be done, and the Presidency will be his reward."⁶³ True to King's prediction Clay presented a compromise proposal, but he never attained the presidency. King listened to Clay's proposal with "unmixed pleasure" and, although he was not willing to accept the bill precisely as it was, he expressed hope that Clay's attitude would be imitated by those who followed him. He hoped the vexed tariff question would be settled in a "peaceful and equitable manner" and favored consideration of the Clay plan because it "held out the promise of a restoration of peace to the country." He favored submission of the proposal to a select committee rather than to the Committee on Manufactures because of the peculiar nature of the circumstances

⁶³ King to Martin Van Buren, January 9, 1833, in Martin Van Buren Collection, Manuscripts Division, Library of Congress. (Hereinafter cited as Van Buren Collection.)

and the need to "harmonize conflicting interests."⁶⁴ When the Compromise bill came to a vote in the Senate, he gave it his support.⁶⁵ King gave chief credit for the tariff adjustment to Henry Clay who, he said, had "acted nobly."⁶⁶

King was well satisfied with the turn events had taken, for, although the Force Bill had been passed contrary to his wishes, the Compromise Tariff left a way open for South Carolina to recede from her advanced stand honorably and without bloodshed. "The absurd and mischievous doctrines of the nullification," he wrote, "will now die a natural death; and fraternal feelings return, and render our Union perpetual."⁶⁷ He had earlier written that Calhoun was politically "a dead cock in the pit" and, under no circumstances, could ever receive the support of the southern states.⁶⁸ Throughout the first session of the Twenty-second Congress, King had upheld the rights of the South but had sought to encourage moderation on both sides. And with Clay he must be given credit for the compromise settlement of the tariff issue which prevented further trouble over nullification and took the tariff

64 Register of Debates, IX, 462, 480, 485.

65 Ibid., IX, 809.

66 King to John Gayle, February 26, 1833, Copy in King Collection.

67 Ibid.

68 King to Van Buren, January 9, 1833, Van Buren Collection.

out of politics for almost ten years.

Because of his failure to support nullification, King came under attack in the nullification press of Alabama. He was sustained, however, by the pro-Jackson press. The Huntsville Democrat pointed out that he was the chief object of the attack by the nullifiers because his term of service in the Senate expired in 1834. Despite the attacks upon him, the Democrat felt he should not be alarmed. Calling him a "Union man, an independent friend and supporter of Jackson and his administration," it maintained that he had received, and deserved to receive, the approbation of friends of the administration for his work.⁶⁹

Meanwhile, trouble was developing in Alabama over a treaty made with the Creek Indians. In this controversy stalwart supporters of Jackson on the nullification issue became stalwart champions of state rights. Such a man was Governor John Gayle who broke with Jackson and, to some extent, with his old friend King as a result of the Creek issue. The dispute grew out of the Treaty of Cusseta, entered into between the United States and the Creeks on March 24, 1832, which provided for the cession of Creek lands east of the Mississippi in exchange for a sum of money and lands in the West. The treaty expressly provided, however, that any Creeks could remain on the ceded lands if they chose to do so.

⁶⁹ Huntsville Democrat, March 14, 1833.

The fifth article of the treaty proved to be most troublesome. It provided that white intruders could be removed from the Creek lands by federal authorities until the lands had been surveyed and until Creeks, who chose to remain, had selected tracts for themselves. Only those settlers who had planted crops and had not molested the Indians were exempt under the article, and they were to be allowed to remain only to gather their crops. In violation of the treaty, however, white settlers already on the Indian lands refused to move, and thousands of new settlers rushed into the disputed area. A crisis developed in August, 1832, when the federal marshal, backed by troops, sought to drive the settlers out.⁷⁰

Efforts were made to reach an agreement between state and federal authorities so that trouble could be averted. In December King called on President Jackson and received assurances that no measures would be taken for the removal of those settlers who had not interfered with the Indians. King, Clement C. Clay, and Samuel Hardis later contacted Secretary of War Lewis Cass and explained the distress that removal would involve for many citizens of Alabama. Cass

⁷⁰ Huntsville Democrat, September 12, 1833; Moore, History of Alabama, pp. 165-166; Theodore Henley Jack, "Alabama and the Federal Government; the Creek Indian Controversy," Mississippi Valley Historical Review, III (December, 1916), 302-304. (Hereinafter cited as Jack, "Creek Controversy.")

⁷¹ Lewis Cass to William H. King and others, December 6, 1832, quoted in Huntsville Democrat, September 12, 1833.

⁷² Alabama Senate Journal (1832), p. 10; Jack, "Creek Controversy," pp. 304-305.

requested that they write a note on the subject, and they complied with his request.⁷¹ In response to their note, Cass gave settlers already on the land permission to occupy their tracts provided they had obtained peaceable possession and would agree to relinquish possession within thirty days if their lands were selected by the Indians.⁷² Cass's letter gave settlers living on the Creek lands a feeling of security and encouraged others to come. At the opening of the 1832 session of the Alabama legislature, Governor Gayle asserted Alabama's right to jurisdiction over the territory, and the legislature laid it off into nine counties.⁷³ At this stage there was hope that no more trouble would follow.

Such was not the case, for trouble broke out again in 1833. The Indians complained that they were being molested, and Secretary Cass in August, 1833, revoked the permission he had given to the settlers in his December letter. Harde- man Owens, a minor Alabama official, was killed by troops under the command of a deputy marshal who was acting in pursuance of the order to remove settlers who were interfering with the Indians. Although Owens was probably a ruffian and had been responsible for the incident, opposition to the

71 King to John Gayle, December 6, 1832, Copy in King Collection.

72 Lewis Cass to William R. King and others, December 8, 1832, quoted in Huntsville Democrat, September 12, 1833.

73 Alabama Senate Journal (1832), p. 10; Jack, "Creek Controversy," pp. 304-305.

policy of the general government developed throughout the state. Mass meetings were held to protest the removal policy, and Governor Gayle engaged in correspondence with Secretary Cass in which he protested against the use of the military forces of the United States within the state of Alabama when state laws and state courts were available. He eventually issued a proclamation ordering the people to submit to the courts of the United States, to look to the law for protection, to let the Indians alone, and to co-operate in the apprehending of offenders.⁷⁴

President Jackson commissioned Francis Scott Key to go to Tuscaloosa to conduct negotiations with the Alabama government for settling the dispute. King saw him in Montgomery and advised him to meet Gayle "in the undisguised spirit of political confidence, and personal respect." Back in Washington King contacted the President so as to remove from his mind any unfavorable impression which the controversy had produced.⁷⁵ Key negotiated a settlement with Gayle which conceded practically all that the state of Alabama had asked for.⁷⁶ King deserves much credit for acting as a peacemaker in the affair. His policy of mutual forbearance and

⁷⁴ Alabama Senate Journal (1833), pp. 13-19; Washington Daily Globe, August 22, October 21, November 1, 1833.

⁷⁵ William R. King to John Gayle, March 18, 1834, Copy in King Collection.

⁷⁶ Moore, History of Alabama, p. 169.

compromise assisted in solving a problem that had very nearly resulted in tragic consequences.

The main issue before Congress in 1833-1834 was the one growing out of the removal of government deposits from the Bank of the United States. This removal took place only after President Jackson had replaced two Secretaries of the Treasury who questioned the action with the compliant Roger Brooke Taney who issued the withdrawal order. The move provoked a great deal of opposition from friends of the Bank. Soon after Congress met in December, 1833, Henry Clay introduced a resolution calling on Jackson to furnish the Senate with a copy of a paper he had read to the Cabinet on removal.⁷⁷ King pointed out that the Senate had no right to call on the President for the document and that Jackson would be justified in refusing to communicate it.⁷⁸ Jackson, as King had prophesied, refused to submit the information.⁷⁹ Clay then introduced two resolutions. The first declared that the President had assumed a power over the treasury of the United States not granted to him by the constitution and laws in dismissing the Secretary of the Treasury because he would not consent to the removal of the deposits; the second declared that the reasons assigned by Secretary Taney for

⁷⁷ Register of Debates, X, 27.

⁷⁸ Ibid., X, 36.

⁷⁹ Ibid., X, 37.

removing the government deposits were unsatisfactory and insufficient.⁸⁰ After long debate, both resolutions were passed in a somewhat modified form. One declared Taney's explanation unsatisfactory, and the other declared that Jackson had "assumed upon himself authority and power not conferred by the constitution, but in derogation of both" when he had refused to submit the documents called for by the Senate.⁸¹ Jackson protested the Senate's censure of his course.⁸² The debate was then reopened. Jackson's enemies attacked him for questioning the right of the Senate to censure him and criticized the language that Jackson used in the protest. His friends defended Jackson's policy and his right to protest the Senate's action.

King came to the defense of Jackson in a speech of considerable length. He charged that the censure resolutions were a political movement, that the opposition party supposed that by their condemnatory sentence they could shake the confidence of the people in the purity and integrity of Jackson and thus impair the weight and influence of the administration so as to elevate their own political friends. He expressed indignation that senators had accused Jackson of falsehood for expressing his opinions about the censure

⁸⁰ Ibid., X, 58.

⁸¹ Ibid., X, 1187.

⁸² Ibid., X, 1317.

resolutions. Such action, he declared, was unusual and unbecoming in the Senate. To those who charged that Jackson had trumpeted his own praise in the protest, King answered that the President had a right to recur to those events in his past which proved his devotion to the principles of liberty and the sacrifices he had made in defending the rights of the United States when charged with violating the constitution and with usurping undelegated powers. Said King, "The fame of that man will live in the grateful recollections of a republican people throughout this widely-extended empire, when the little politicians of the day will sink into oblivion, and be remembered no more forever."⁸³

King asked the anti-Jackson men why they questioned the President's right to make appointments and removals. Did not the constitution delegate to the President the right to nominate and, with the consent of the Senate, appoint men to office? For forty years it had been a settled policy that the absolute right of removal was vested in the President and had been unquestioned in preceding administrations. Now, however, some senators had suddenly discovered that the power of removal had never existed and that the exercise of it was a violation of the constitution. Jackson, said King, had done only what Washington, Jefferson, and all the preceding Presidents had done in making removals.

⁸³ Ibid., X, 1361.

Some had charged that Jackson had usurped power in making extensive use of the veto. King answered that Jackson had merely acted to arrest what he believed to be laws enacted in violation of the constitution or designed greatly to injure the general interest. In vetoing the Maysville Road Bill he had arrested the action of the general government in aiding works of internal improvement, saved the country vast sums of money, and preserved from violation "the sacred character of the people's rights." Some who applauded the veto when it was made, charged King, now condemned Jackson for the act. His veto of the Distribution bill prevented the destruction of the best interests of the new states if not a violation of the constitution itself. His veto of the Bank bill had saved the country from "the blighting influence of this great moneyed institution."⁸⁴

King said he feared legislative usurpation more than he did executive usurpation. The Tariff of 1828 had been passed with the avowed purpose of protection, but few from the South would call a purely protective tariff constitutional. To the remonstrances of the oppressed section, the majority had given no heed. Even the messages of Jackson in favor of tariff relief went unheeded. Special interests, rather than the constitution, determined action in the legislative halls. Bills to give relief to minority sections were defeated.

⁸⁴ Ibid., X, 1361-1362.

"Tell me not, then," he declared, "that it is executive usurpation from which we have most to fear."⁸⁵

Jackson, said King, could rightfully claim the supervisory power of seeing that governmental agents faithfully carried into effect the laws passed for their control. He had been selected by the American people because they felt that he was honest and patriotic and would compel all under his authority to do their duty to the people. This, and this only, he claimed the right to do. For attempting to free himself from the unprecedented censure passed by the Senate by stating his grounds for committing the act, however, Jackson was met by "a degree of vituperation and denunciation" which had astonished, if it had not disgusted, most of those who had heard it.⁸⁶

To those who had accused others of subserviency to the administration King admitted that he was a personal and political friend of Jackson and that he had generally given the administration a firm and zealous support. But he denied that he stood with it in all instances, and cited his opposition to the Force Bill as an example of his independence. Base subserviency, he declared, would never win the respect of Jackson.⁸⁷

85 Ibid., X, 1362-1363.

86 Ibid., X, 1363.

87 Ibid., X, 1365.

The protest, warned King, could not be smothered. It would go out before the people and be read with avidity. The motive for its adoption would be detected and senators would find "that they must abide the decision."⁸⁸ Despite the exertions of King and other friends of Jackson, the Senate passed resolutions that the presidential protest was inconsistent with congressional authority and refused to receive it.⁸⁹ Jackson received his vindication, however, in 1837, when the censure resolution was expunged from the Senate Journal.

Although King had come to the defense of Jackson when he was under attack, he did not agree with the President on the subject of removal. King felt that the removal of deposits was indiscreet, but in the warfare between the Bank and administration he felt compelled "to rally under the Banner of the Government."⁹⁰ King wrote in January, 1834, that friends of the Bank in Congress were trying desperately to secure a vote in favor of restoration of deposits because they reasoned that restoration would, under the circumstances, amount to recharter.⁹¹ He wrote in March that there was little hope for recharter of the Bank but that some substitute

⁸⁸ Ibid., X, 1366. March 18, 1834, Copy in King Collection.

⁸⁹ Ibid., X, 1711.

⁹⁰ King to John Gayle, March 18, 1834, Copy in King Collection.

⁹¹ King to Gayle, January 4, 1834, Copy in King Collection.

plan might be acceptable in Congress. The administration, he pointed out, preferred the use of state banks as fiscal agents of the government.⁹² The deposits were never restored, and the charter was never renewed despite the efforts of Congress and the action of the Bank in contracting credit to an unusual extent.

King's positions on national issues were of importance in the senatorial election of 1834. The nullifiers had condemned King for his stand on nullification, and plans were made to exploit the ill-feeling that had developed between King and Governor Gayle as a result of King's efforts to secure a settlement to the Creek controversy.⁹³ Dixon Hall Lewis, a close friend of John C. Calhoun, was prominently mentioned as the candidate of the nullifier faction.⁹⁴ From time to time, letters from Alabama were printed in the United States Telegraph, purporting to be favorable to King but actually designed to influence the people against him and undermine his chances of reelection. One writer, for example, spoke of the illegality of the removal of deposits and predicted that if the representatives of the people did not vindicate and sustain the constitution against such tyranny

92 King to Gayle, March 18, 1834, Copy in King Collection.

93 Huntsville Democrat, April 3, July 23, 1834; King to Gayle, March 18, 1834.

94 Huntsville Democrat, April 3, 1834.

"they had better return quietly to their homes."⁹⁵ Another correspondent wrote in May that South Alabama was decidedly anti-administration and that there was strong opposition in North Alabama. He surmised, therefore, that King would have stronger opposition than he was aware of.⁹⁶

The administration Globe, however, expressed surprise that the opposition press and its correspondents could know so much more about Alabama politics than the elected representatives of that state, and the Huntsville Democrat called on Jackson supporters to look to the August election to insure that King would be sustained when the legislature met.⁹⁷ King himself wrote a letter to Governor Gayle in which he explained his course during the Creek controversy and admitted that honest differences of opinion had existed, but he declared that his friendship for Gayle had not been impaired.⁹⁸ Gayle accepted the explanation as satisfactory and announced in July that no misunderstanding any longer existed between him and King. Gayle wrote: "On the subject of the Indian Controversy we differed in opinion on one or two points; but he [King] has not failed to do justice to the motives which impelled me to embark on that

95 Washington United States Telegraph, March 20, 1834.

96 Ibid., June 7, 1834.

97 Washington Daily Globe, April 26, 1834; Huntsville Democrat, April 3, 1834.

98 King to Gayle, March 18, 1834, Copy in King Collection.

controversy."⁹⁹ About the same time, Lewis declined to run against King, and he was left with only slight opposition.¹⁰⁰ The Jackson party defeated the "Nationals and Nullifiers" in the August election, and King's election to the Senate was assured.¹⁰¹

When the legislature met in November to elect a senator, King was practically unopposed. Only thirteen scattered votes were cast for all his opponents, including Lewis and Gayle.¹⁰² A correspondent wrote the editor of the Athenian: "The oppositionists could not succeed in raising the wind -- they had therefore to lie low, and see Col. King walk over the track without opposition."¹⁰³ Dixon Hall Lewis made an appearance in Tuscaloosa at the beginning of the legislative session, possibly to feel out the prospects for his own candidacy, but did not become a strong contender for the office.¹⁰⁴ Those who had predicted that King had "barked up the wrong tree" in supporting Jackson found out that they had misjudged Alabama opinion. The Alabama legislature not

⁹⁹ Huntsville Democrat, August 6, 1834.

¹⁰⁰ Ibid.

¹⁰¹ Washington Daily Globe, August 23, 1834.

¹⁰² Alabama Senate Journal (1834), pp. 16-17.

¹⁰³ Quoted in Huntsville Democrat, December 3, 1834.

¹⁰⁴ Ibid.

only reelected King to the Senate, but instructed Senator Gabriel Moore to resign because he had supported the nullifier group and had opposed the party of Jackson.

In the meantime, King had been receiving a friendly reception at meetings throughout Alabama. On his way home from Washington in August, 1834, he was invited to a public dinner at Huntsville which he was forced to decline because of the press of private affairs at home. His letter to the committee declining the invitation, however, was a ringing vindication of the Jackson administration and his own course during the previous session. He lamented that during the stormy session just past Jackson's enemies had denounced him as a ruthless tyrant. He assured the people of Huntsville that Jackson had not trampled under foot their rights and liberties. A calm and dispassionate examination of his acts would show them to be in strict conformity with the principles of American government. The forces opposing Jackson were bound together in indiscriminate opposition to the Jackson administration and were seeking mostly to defeat the Democratic Party.¹⁰⁵ At a meeting in Cahawba, attended by about five hundred, King charged that an alliance had been made between the Bank of the United States and political aspirants for the purpose of coercing the recharter of the Bank and placing in office those who would forward its views.

¹⁰⁵ Huntsville Democrat, August 6, 1834.

Jackson, he said, had drawn upon himself the whole power of the Bank and its friends by his veto of the recharter bill.¹⁰⁶ At Tuscaloosa King again reviewed topics that had troubled the country for the past months and spoke approvingly of the course followed by the party of Jackson.¹⁰⁷ At these meetings toasts were drunk to both King and Jackson. Representative examples of these toasts were: "William R. King: A Democrat of the Jeffersonian school, an honest and fearless advocate of the rights of the people. Alabama will appreciate his worth, and in her gratitude will reward his services," and "Andrew Jackson, President of the United States: He has met and vanquished the combined powers of the Bank of the United States, the leaders of Federalism, the American System and Nullification."¹⁰⁸

Returning to the Senate in December, 1834, King continued to support the Jackson administration. On January 24, 1835, he introduced resolutions of the Alabama legislature instructing Alabama's senators to use their untiring efforts to cause to be expunged from the Senate Journal the resolutions of censure against President Jackson. He had no intention of moving an expunging resolution but left this to be done by Thomas Hart Benton who had given notice at the

¹⁰⁶ Huntsville Southern Advocate, September 9, 30, 1834.

¹⁰⁷ Ibid., September 30, 1834.

¹⁰⁸ Ibid.

past session that he would make such a motion. If Benton failed to present such a resolution, however, King pledged himself to present one at the proper time. Some questioned the propriety of expunging the resolution from the Journal, but King declared that the people of the country had passed judgment on the truthfulness of the facts stated in the Journal. They had declared that these charges were untrue, that the condemnation pronounced against the President for having violated the constitution was false, and that it was high time that the resolution was stricken from the Journal it disgraced.¹⁰⁹ Benton later presented an expunging resolution which was defeated in 1835.¹¹⁰ He continued to bring it forward, however, and it was eventually passed in January, 1837. The secretary was ordered to draw a circle around the resolution censuring Jackson and endorse it "expunged by the order of the Senate." In the chair at the time, King looked with favor upon the vindication of his old

¹⁰⁹ Register of Debates, XI, 253-256, 266-267; Thomas Hart Benton, Thirty Years' View; or, a History of the Working of the American Government for Thirty Years, from 1820 to 1850, 2 volumes (New York: D. Appleton, 1856), I, 524. (Hereinafter cited as Benton, Thirty Years' View.)

¹¹⁰ Register of Debates, XI, 727. When Calhoun charged the supporters of Jackson of being "supple tools of executive power," King succinctly summed up the feelings of a great many when he answered that there were "certain disappointed aspirants to power who always viewed things through a gloomy medium, who were ever croaking over the imaginary ruin of our free institutions." Ibid., p. 723.

¹¹¹ Register of Debates, XIII, 182.

friend. As the speechmaking ended, he ordered the final roll call to be taken.¹¹¹ So ended the campaign, in which Benton and King were the leaders, to clear the Senate Journal of a censure against the chief executive.

In 1836 a Distribution Act was passed to relieve the treasury of surplus funds accumulated from tariff duties and public land sales. The act provided that all funds in the treasury over \$5,000,000 from whatever source derived should be deposited with the states, subject to recall, in quarterly installments in proportion to their representation in both houses of Congress. King voted for the bill believing that in so doing he was making the "safest and least objectionable disposition of the vast sum accumulating in the Treasury."¹¹² He realized that the large amount of money in the treasury could not be appropriated without resorting to such extravagant expenditures "as no administration could even approach and retain the confidence of the country." Under the circumstances, he favored a scheme by which the treasury could be relieved of the excess of revenue and the administration freed from suspicions of using the surplus for improper purposes. He and his friends concluded that the least objectionable way to solve the problem was to deposit the money with the people of the states from whom it had

¹¹¹ Ibid., XIII, 504-506; Benton, Thirty Years' View, I, 730.

¹¹² Register of Debates, XIII, 162.

been unnecessarily drawn. The states could then use the money at their discretion. As a permanent solution to the problem of government surpluses, King favored a reduction of taxation although he admitted that the Compromise Tariff of 1833 should not be disturbed without good cause. Under no circumstances would he vote for a plan of outright distribution, but under the deposit system the general government could always recall money that it needed.¹¹³ With the coming of the depression of 1837 the problem of the government became one of shortages rather than of surpluses, and the Distribution Act was soon repealed.¹¹⁴

Texas won its independence during Jackson's second administration, and the United States was faced with the problem of whether or not to recognize the new republic. Because of probable consequences with Mexico and because of political reasons, President Jackson delayed until the very last days of his administration before granting such recognition. In discussing the problem in 1836 King expressed views close to those of the administration. He suggested that immediate recognition might be unwise. He admitted that Americans could not but sympathize with those who were contending for their rights and must feel "a powerful sense of indignation at the blood-stained atrocities which had marked the desolating progress of their cruel oppressors";

¹¹³ Ibid., XIII, 160-162.

¹¹⁴ See Chapter 5.

but however strong American feelings might be for the Texans and however much Americans might detest the conduct of the Mexican invaders, the adoption of measures looking to independence seemed premature. He opposed any measures "calculated to detract from the exalted character of this country for good faith and an undeviating adherence to all its treaty stipulations." The United States could not, because of an "effervescence of feeling," abandon the course it had always followed toward foreign powers. Had not the Latin American republics been required to establish independent governments before they were recognized? Let reliable information be furnished that Texas had formed such a government; then it would be proper for the United States to act. President Jackson, he felt, would oppose premature action on the subject.¹¹⁵

King ardently supported the President in his losing battle for appropriations for a "defense fund" in case of a war with France and for sending a special representative to England in 1835. To the argument that the defense fund was not specific and would give the President too much power, King pointed out that general appropriations were quite regular where emergencies existed. He urged the appropriation

¹¹⁵ Register of Debates, XII, 1286, 1529-1530. Benton wrote, "Mr. King, of Alabama, counselled moderation although he was aware that in the present excited feeling in relation to Texas, every prudent course would be misunderstood." Benton, Thirty Years' View, I, 666.

for the special minister and charged that the opposition was motivated by partisanship in its attempt to restrict the President's control over foreign affairs. But all in vain, the appropriations were denied.¹¹⁶

Evaluating the Jackson administration, King declared that, despite the efforts of the opposition, Jackson had been triumphant. The alliance of "Nullifiers and Nationalists" had been entirely mistaken in its predictions that Jackson's policies would bring ruin to the country. Instead the people were enjoying unprecedented prosperity. Good fortune seemed to have marked Jackson for its own. Do what he would, success always attended him. Internal improvements by the general government disappeared at his touch, said King. The protective tariff, under his sentence of condemnation, had been abandoned. The Bank, with all its ramifications and all its influence, had been attacked, defeated, and destroyed. Even its most ardent supporters admitted that the monster was dead, never to be revived. In bringing France to terms, Jackson was indeed "a favorite of fortune." Jackson was victorious in foreign policy as well as in domestic affairs. With true insight, King gave the secret of Jackson's success. To his friend Gayle he wrote:

116 Register of Debates, XI, 712-713, 738-739, 744.

They much mistake him who suppose that in affairs of state he is governed by passions; he calculates the chances, counts the cost, takes his ground, and maintains it with a firmness which nothing can shake, such is Jackson, and here we have the secret of his success; posterity will do him justice by awarding to him patriotic devotion, honesty of purpose, with a clear discriminating judgment...¹¹⁷

In recounting the successes of the Jackson administration, King gave expression to personal pride for, except in a few cases, he had been a firm supporter and defender of Jackson and had helped to make the success possible.

King predicted, the 1838 convention gave Van Buren for its candidate, and King gave Van Buren his support. When King's loyalty to the Jackson party had been questioned in 1835, the Times reported him "as 'first party man as any in the Senate' and a friend of Van Buren. Furthermore King pledged himself to support 'the ticket most likely to carry the election against the opposition.'" During the presidential campaign King predicted that Alabama would give Van Buren a good majority and would have given him a greater one except for the "ridiculous Treasury circular" issued during the canvass by the administration of Andrew Jackson. Georgia, he declared, would probably be lost because of poor management on the part of Democratic leaders. The election would

¹¹⁷ William M. King to John Gayle, March 5, 1835, Copy in King Collection, Alabama Historical Society, Montgomery, Ala.

¹¹⁸ Washington Daily Globe, November 7, 1838.