CHAPTER V

NEW ISSUES AND NEW AMBITIONS

In 1835 King wrote with approval of the Alabama legislature's nomination of Hugh Lawson White for the presidency, but predicted that various causes would work in favor of Martin Van Buren and probably insure his success in obtaining the Democratic nomination for President. Judge White, he said, was one of the purest men in politics, and, despite his limited information, possessed respectable talents.[1] As King predicted, the 1835 convention chose 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 Globe reported him "as firm a 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."[2] 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

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1 William R. King to John Gayle, March 5, 1835, Copy in William R. King Collection, Alabama Department of Archives and History. (Hereinafter cited as King Collection.)

2 Washington Daily Globe, November 7, 1835.

depend on Pennsylvania, and millions would be spent there to wrest it from the Democrats. If Pennsylvania were lost to the Democrats, that "vain ridiculous fellow Harrison" would be perched in the presidential chair where he would serve as a mere catspaw for other leaders. "From such a calamity Good Lord deliver us," he implored. If Harrison were elected and James Buchanan defeated for the Senate in Pennsylvania, King pledged himself to leave public life forever.[3] Fortunately for King, Van Buren defeated all three of the Whig candidates, William Henry Harrison, Hugh Lawson White, and Daniel Webster. King was in Washington on March 4, 1837, and offered a toast to the Van Buren administration: "The coming administration, should it equal that which has just expired, in maintaining the honor and promoting the best interests of the country, it cannot fail to command the respect and confidence of the American people."[4]

As a reward for his services to the Democratic Party, Van Buren offered King the post of Minister to Austria in March, 1837. He chose to remain in his Senate seat, however, and declined to accept the proffered post. He was influenced in making the decision by the fear that his acceptance of the position would be interpreted as a reward for his

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3 King to James Buchanan, October 5, 1836, in James Buchanan Collection, the Historical Society of Pennsylvania. (Hereinafter cited as Buchanan Collection.)

4 Washington Daily Globe, March 16, 1837.

services in the 1836 campaign. The Vienna mission would have been particularly agreeable to him, but he could not accept it under the circumstances, nor could he accept any other office at the hands of Van Buren.[5]

While on a trip to Alabama in the spring of 1837, King received a serious cut on the head. The stage on which he was riding upset;[6] King was pitched on his head, his skull was laid bare, and he suffered temporary insensibility. A doctor who was on the stage treated his injuries and, after a short delay, King was permitted to continue the journey. He spent several weeks with relatives in Tuscaloosa restoring his "shattered nerves, and mental debility."[7]

In the meantime, the panic of 1837 had struck the United States. Farm prices fell, banks and other businesses failed, and unemployment was widespread. General suffering prevailed throughout the country, and several states defaulted on their public debts. Describing conditions in Alabama, King wrote: "Times here are sadly out of Joint. Alabama from being one of the most prosperous States of the Union, has become one

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5 Washington Daily National Intelligencer, March 13, 1837; Tuscaloosa Flag of the Union, May 22, 1839, quoting Pottsville (Pennsylvania) Emporium.

6 Washington Daily Globe, March 29, 1837, quoting Charleston Courier.

7 King to Buchanan, June 3, 1837, Buchanan Collection.

of the most embarrassed."[8] He feared the effects on society and government, for people were in such pecuniary distress they might resist the due execution of the law. He himself had suffered personal distress; he had an entire crop of cotton on hand which would "scarcely sell at any price." Consequently he was forced to practice "rigid economy."[9] Well might he curse the depression, both for personal reasons and as a representative of Alabama.

The panic of 1837 was produced by a complex of causes. Among these were overspeculation in land and overexpansion in business and transportation. Credit had been made easy by numerous state banks whose easy credit policy was stimulated by the deposit of federal money that President Jackson had withdrawn from the Bank of the United States. The purchasers of public lands in the West and the promoters of canal building were especially guilty of overexpansion. The panic was precipitated by two measures of the Jackson administration, the Specie Circular and the Distribution Act. The Specie Circular ordered, with minor exceptions, that only gold and silver be accepted in payment for public lands. Its effect on the banking system, which had been furiously printing bank notes to meet the demands of the speculative boom,

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8 King to Asbury Dickins, June 1, 1837, in Miscellaneous Personal Papers, Manuscripts Division, Library of Congress.

9 King to Buchanan, June 3, 1837, Buchanan Collection.

was immediately seen. Bank failures came when public land purchasers called for specie. In an effort to meet the unusual demands for specie, banks called in loans and the whole community suffered. The Distribution Act, likewise, had an unfortunate influence on the banking system because in providing for the distribution of the federal surplus among the states it caused the withdrawal of funds from banks that were already suffering distress.[10]

King rightly placed the cause of the trouble when he charged that "overtrading and the most extravagant gambling speculations" threatened ruin to almost every branch of industry. He could not agree with those who maintained that the removal of the deposits and the destruction of the Bank of the United States had produced the trouble, but he joined those who denounced the Specie Circular.[11] He had long felt that the specie requirement was poor policy and had opposed it in the Senate. In 1836, King questioned Thomas Hart Benton's resolution in favor of specie payments; he later called the Specie Circular "ridiculous."[12] He charged that the "wise" scheme had come from Tom Benton and asked the question, "When will our rulers learn wisdom?" King

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10 Harold Underwood Faulkner, American Economic History, Fifth edition (New York: Harper and Brothers, 1943), pp. 167-168.

11 King to Buchanan, June 3, 1837, Buchanan Collection.

12 Register of Debates in Congress, 14 volumes (Washington: Gales and Seaton, 1825-1837), XII, 1271-1272; King to Buchanan, October 5, 1836, Buchanan Collection.

regretted that General Jackson had refused to listen to the disinterested advice of his friends and that Van Buren, out of a sense of loyalty to Jackson, had failed to remove the objectionable features of the Circular. But, said King, to attribute the whole trouble to the Specie Circular was like tracing the explosion of a volcano to the explosion of one grain of powder. The Specie Circular, however, had the effect of hastening the crisis. It had done no good and to the full extent of its power had worked mischief. "May God deliver us," he concluded, "from the experiments in the currency."[13]

King was greatly concerned lest the financial crisis cause a split in the Democratic Party. In the excited state of the public mind, Congress might recharter the Bank of the United States, and such a step would almost certainly split the party. A tremendous storm, he said, threatened the party ship. His friends urged him to seek shelter from the turmoil in the haven of the governorship of Alabama, but he declined to do so. If the party ship was destined to founder, he would prove a faithful sailor and go down with her.[14]

President Van Buren called a special session of Congress for September, 1837, to adopt measures for the relief of the government. King took little part in the debates but gave his support to the two most urgent bills that came before the

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13 King to Buchanan, June 3, 1837, Buchanan Collection.

14 Ibid.

Senate, a bill to suspend the distribution of surplus money to the states and a bill to permit the issuance of treasury notes to replenish funds in the treasury.[15]

The President also suggested a new plan for the handling of government funds. He called for the deposit of government money in agencies of the government rather than in private banks. Known as the Independent Treasury System, the plan was debated during the 1837 special session and approved by the Senate, but the bill failed of passage in the House of Representatives.[16] It was brought up on later occasions and finally passed in 1840 as the Independent Treasury Act.

Throughout the fight, King gave his support to the Independent Treasury scheme, and freely expressed his views on the subject.[17] Defending himself against accusations of a member of the Alabama legislature who charged him with failure to obey the instructions of the Alabama legislature to vote for the insertion of a specie feature into the bill in 1837, King declared that he had voted to insert the specie clause in the 1837 bill and had voted for the passage of the entire bill. And he had voted against the removal of the

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15 Register of Debates, XIV, 45, 75, 422.

16 Ibid., XIV, 105, 499-500.

17 Ibid., XIV, 511; Congressional Globe, 108 volumes (Washington: Globe Office, 1834-1873), VI, 264; VIII, 141.

specie clause in 1838.[18] During the debates that preceded final passage of the bill in 1840, he expressed his views fully. He favored a plan which would not subject the government to the inconveniences and losses consequent to dependence on state banks. They engaged in ruinous speculations which deranged the business of the country and terminated in the refusal to redeem their notes in specie and to return public money placed in them for safekeeping. He favored the collection of revenues in specie so as to enable the government to meet its obligations according to the requirements of the constitution. He had no intention, however, to interfere with state banks. Their regulation and control were left to the states where they properly belonged. "We are content," he declared, "to act within our constitutional spheres -- so to collect, keep, and disburse our revenue, as will enable us to meet, in good faith, all our obligations, and not again subject ourselves to the taunts and sneers ... that the Government was a bankrupt concern, because it could not compel the banks to pay over the deposits."[19] His object was neither to harm state banks nor to bring about exclusive specie circulation. He wanted to reform, not to destroy. He favored a mixed convertible currency with sufficient specie for necessary transactions. All classes,

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18 William R. King to Editor, February 20, 1839, quoted in Tuscaloosa Flag of the Union, March 13, 1839.

19 Congressional Globe, VIII (Appendix), 339. The full speech is reported on pages 338-339.

especially those who lived by the sweat of their brow, would have cause to rejoice at such a reform of the currency. King was a sound administration man on the Independent Treasury system.

King continued to favor graduation and pre-emption, measures designed to give benefits to the purchasers of public lands.[20] Speaking on pre-emption in 1838, he said he favored giving settlers on the public domain their homes and their little improvements in order that they might support their families. Further than this, however, he was not willing to go. He did not want a law so loosely worded that people could go through the country and take up the best lands under pre-emption for the purpose of selling at a profit. His object was to benefit the honest, industrious settler and cultivator only. For this reason, he favored requiring actual residence and evidence of cultivation of corn or other crops. Such a requirement would not be unfair to the settlers, for it would entitle them to the bounty of buying their choice of land for the minimum price. He wanted to protect this class of people in their rights to lands and to guard them against being driven from their homes by heartless speculators. It would not be unjust, however, to require that they show good faith by occupancy.[21]

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20 Register of Debates, XII, 1030-1031; Congressional Globe, VI, 130.

21 Congressional Globe, VI, 140-142.

King maintained a state rights viewpoint on internal improvements and opposed excessive expenditures for that purpose. During the late 'Thirties, Congress was constantly faced by the question of what to do about appropriations for the Cumberland Road. King called the road "an old offender against the Constitution and law of the land," and sought to keep appropriations for it as small as possible.[22]

In the mid-'Thirties the slavery question came to the front as one of the most persistent subjects of discussion. Several aspects of the subject, including a dispute over the sending of incendiary abolition literature to the South, a dispute over the right of petition, and conflict over the annexation of Texas after it won its independence, troubled the nation. King, who had spoken little about slavery in earlier years, was forced to take a stand on these issues. As a loyal Southerner and a slaveowner, he defended the slave system against what he felt were unjust attacks.

The dispute over incendiary publications came to a climax in 1835 when a shipment of abolition literature was taken out of the Charleston, South Carolina, post office and burned. When Congress reassembled, John C. Calhoun moved that the question of incendiary publications be considered by a select committee. King objected to referring the subject to a select committee because such a procedure would give "a

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22 Congressional Globe, VI, 145; see also Register of Debates, XII, 722-723.

greater degree of importance" to the question than he thought necessary. Congress had the power to regulate the mails, and the proper place to start an investigation was in the Post Office Committee. He felt that there was no disposition on the part of its members "to have the public mails prostituted to the purposes of fanatics." If that committee did not properly discharge its trust, however, some other mode of constitutionally restraining the circulation of these "mischievous publications" should be devised. His constituents, he pointed out, were almost as deeply interested in the slavery question as any other portion of the country; nevertheless, he was willing to rely on the northern states to put down the incendiary publications at home. The government, he declared, had no right to interfere with the slave question, but it was the duty of the Post Office Committee and Congress to put an end to the transmission of abolition literature through the mails.[23] Despite the opposition of King and other Southerners, Calhoun's motion to refer the subject to a select committee was adopted. This committee reported a bill to prohibit postmasters from receiving and transmitting printed materials the circulation of which was prohibited by state or territorial law. The bill, if passed, would have given individual states the power to dictate what mails were delivered within their bounds. It

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23 Register of Debates, XII, 26, 30-31.

was defeated, however, King voting with the minority.[24] Nevertheless, little more was heard of the question because postal authorities used discretion in the handling of such mails.

Abolition petitions were a more persistent source of trouble. Again, King took a moderate but firm stand. He advised the South to take a moderate view and called on the North to co-operate in quieting the dangerous agitation. He earnestly desired to avoid all possible excitement; consequently, he supported motions that petitions be read and rejected. In doing so he differed with such Southerners as Calhoun who argued that such petitions should not be received at all. King spoke several times in support of James Buchanan's motion that a Quaker memorial calling for the abolition of slavery in the District of Columbia be received and rejected. If the Senate followed such a course, said King, it would say to all abolitionists that no action other than rejection could be expected from any such memorials. Let the petitions be heard, but if they called for "intermeddling with the constitutional rights of any of the States," they should be stamped with the disapprobation they deserved. To receive and reject the petition would deny the demands of the petitioners without violating their rights.[25]

King's speech of March 3, 1836, voiced some of the

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24 Ibid., XII, 33, 383, 1737.

25 Ibid., XII, 100, 209-210, 579.

soundest thinking displayed during the petition controversy. He noted, first, that any discussion of the slavery question in Congress had a strong tendency to increase the prevailing excitement throughout the country and to add to the mischief which the fanatics who sent them were anxious to produce. Hence he favored a course which would give the petitioners no pretext to argue that the constitutional right of petition had been denied, yet would refuse to give the slightest countenance to their "wild and extravagant views." Such a course would serve to dispose of the petitioners without excitement and would show them that it was a hopeless task to secure any action from Congress on the subject. He admitted that some Southerners were pledged not to vote for reception of such petitions, but he could not agree with them that refusal to receive was the strongest action that could be taken. If the sacred right of petition were denied, many well-meaning citizens would array themselves on the side of the petitioners whose rights had been denied. They would unite with an enterprise with which they would not otherwise join. To deny the right of petition would be to shift the odium from the petitioners to the Senate for its denial of their constitutional right of petition. Even if he admitted the constitutional right of rejecting the petitions, which he did not do, King would hesitate to recommend such a course because of expediency. Already agents were distributing literature and pouring out money to subsidize presses in an effort to bring the full power of

abolition sentiment to bear on Congress with the design of forcing congressional action. "Silent contempt" would check this movement, but such discussion as had been in progress would stimulate it. Nothing should be done, he said, to defeat the end which most senators had in view of quieting the troublesome question.

King said the strongest vote against the petitioners, the one best calculated to quiet the agitation in the public mind, to put down the agitators and to prevent future recurrences of their misguided attempts to disturb the peace of the South, was to reject their prayer at once and show such men that their hopes of influencing Congress were delusive.

> We receive from the citizens of the United States who present themselves here, be they fanatics, incendiaries, or mistaken zealots, the expression of their wishes; but we go not one step further; we tell them that the prayer of their memorial is unreasonable, and cannot be granted; that to grant it would be contrary to the obligations of our duty; that it would be a violation of the constitution, and against every principle of justice; and we therefore stamped it with our unqualified reprobation.[26]

King looked with confidence on the wisdom, virtue, and patriotism of the majority in the North to aid in putting down the evil spirit and had no fear, which some Southerners professed to have, of the result. He recognized that a storm was brewing, but hoped that it would pass harmlessly

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26 Ibid., XII, 716. The entire speech is found on pages 714 to 721.

by and leave a purer and fresher atmosphere. Let all cherish the kindly feelings of each section for the other, and the union would be preserved, "upheld by a community of feeling, of interest, and of origin, as well as the ennobling recollection of the history of our common country."[27]

King declared, however, that the South would not permit its rights to be interfered with. If abolition should induce Congress to legislate on slavery in such manner as to threaten southern peace and safety, that section would consider the cords which bound the union together severed. He asked his northern friends to bear this in mind and called on them to use every power in their command to put an end to existing excitement before it produced further mischief. To those northern leaders who were working to put down the dangerous spirit of abolition, he expressed his gratification.

King denied that abolition could be carried out in the District of Columbia without violating an implied pledge to Virginia and Maryland that such action would not be taken. These states would never have given land for the District if they had thought abolition would ever take place. They would not have committed an act so dangerous to slave property within their borders. Good faith, sound policy, and the constitution forbade action upon slavery in the District.

King said, moreover, that abolition would accomplish no useful purpose. If District owners became convinced that

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27 Ibid., XII, 717.

slavery was to be abolished, they would sell their slaves to the South; slaves would be driven from homes that were dear to them and from masters who had reared them to toil in a distant land under the control of a new master. The free Negroes if abolition took place would constitute a "miserable, depraved, and degraded" group instead of being "well-fed, well-clothed, happy, and contented" slaves. Could pious reformers desire such a change?

To his friends in the South King said that if the time ever arrived when Congress should interfere with slavery he would be among the first to resist with all the means in his power all encroachments upon their rights. For the present, however, he felt that reception of the petition and rejection of its demands would serve the best interests of the South without abridging the right of petition.[28]

The "nullifier" press in Alabama, which took the Calhoun view about the petitions, criticized King's stand and upheld the Calhoun contention that petitions should not be received. He was defended, however, by those in the state who recognized that he was defending the right of petition and not the subject matter of the petitions.[29] In view of the bitter controversy caused in the House of Representatives by the so-called "Gag Resolutions," King's moderate program seems to have been a sensible method for regulating the reception of petitions.

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28 Ibid., XII, 717-721.

29 Tuscaloosa Flag of the Union, February 20, 1836.

In December, 1837, Senator Benjamin Swift of Vermont introduced a memorial and resolutions of the Vermont legislature opposing the annexation of Texas or the admission to the union of any new slave state, and asserting that Congress had the constitutional authority to abolish slavery in the District of Columbia and to prohibit the interstate slave trade. King rose immediately and called the Vermont memorial "an infamous libel and insult on the South" from whatever quarter it had come. It spoke falsely, said he, of the people of the South when it charged them with disregard of the laws, and he was surprised that any senator would present such a deliberate untruth. As the petition came from a state, he would not have objected to laying it on the table if the language had not been libelous.[30] Swift replied that the facts in the Vermont memorial had been drawn from newspapers and that his state would not be driven from the right to express its opinions either by "menace or invective."[31]

King answered in a speech of considerable length explaining his views. He did not question the right or the duty of the Vermont senators to present memorials from the legislature of their state, but warned them that in doing so they must take the consequences if they presented and sustained resolutions and memorials "calculated to wound the feelings" of those slandered in the documents. Why were the

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30 Congressional Globe, VI, 39.

31 Ibid., VI, 108.

Vermont senators trying to promulgate slander by insisting that the documents be printed? As state rights men, Southerners were willing to defend the legitimate rights of states to present their views, but they would not defend even a sovereign state when it asserted "calumny and falsehood." None would attempt to defend the language of the Vermont report; he held in contempt all those who called the South a degraded people. The southern states had little pride in the "fraternal embrace" of such people; Southerners felt that their own states stood "as high in honor and moral worth as any in the Union."[32]

The Vermont resolutions led John C. Calhoun to introduce resolutions declaring in part that the Constitution had been adopted by "free, independent, and sovereign States," that the states had reserved the "exclusive and sole right over their own domestic institutions," that the central government was a "common agent" of the states to carry out delegated powers, that other states were not justified in attacking slavery where it already existed, and that intermeddling with slavery in the District of Columbia or the territories would be "a direct and dangerous attack on the institutions of all the slaveholding states."[33]

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32 Ibid., VI, 108-109. The resolutions were finally tabled.

33 Ibid., VI, 55.

King spoke in favor of and voted for five of the Calhoun resolutions.[34] In his speech he declared that his sole desire was to "allay the excitement" in the country and to put a stop to the "spirit of abolition." He had given his votes to the Calhoun resolutions because they represented the "true principles of the government," but he was willing to accept modifications to make some of them more acceptable to northern senators. The South wanted no protection for its institutions. It only wanted to be let alone. The people of the South deprecated the slavery question from no personal fear, but from a fear that the union would be destroyed by continued intermeddling with rights secured by the constitution. If the adoption of the Calhoun resolutions failed to accomplish their purpose, if miserable, deluded men were able to connect themselves with party politics to produce results adverse to the interests of the South, he was prepared to resist them with as much force as any man living.[35]

Again in January, 1839, resolutions of the Vermont legislature were presented opposing the annexation of Texas and favoring the abolition of slavery in the District of Columbia and the interstate slave trade. King again came to the defense of the South, declaring that the union would not last twenty-four hours if the prayers of the resolution were

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34 Ibid., VI, 74, 81, 88, 91.

35 Ibid., (Appendix), VI, 60-62. Five of the Calhoun resolutions were adopted by large majorities. Ibid., VI, 74, 81, 88, 91.

adopted. In such an event, he would instantly return to his constituents and tell them that the compact was broken, the constitution violated and their property taken away from them, and that as their representative he could render them no further service where he was. He could not consent to the circulation of resolutions whose object was to encourage people to send out more memorials seeking interference with matters that did not belong to them. The South did not need advice from the Vermont legislature or from anyone else. The resolutions were tabled because of the opposition of King and others.[36]

King was first elected President pro tem of the Senate at the close of the first session of the Twenty-fourth Congress, and was reelected to that office until the close of the Twenty-sixth Congress in 1841.[37] Before that he had been called upon many times to preside over the Committee of the Whole or over the Senate in the absence of the presiding officer. He was recognized as the foremost expounder of senate rules, and his decisions were seldom questioned. When he took the chair for the second time in January, 1837, he made a short speech which summed up his feeling toward the Senate and his beliefs about the duties of a presiding

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36 Ibid., VII, 109-110.

37 Register of Debates, XII, 1914; XIII, 618, 1038; XIV, 551; Congressional Globe, VI, 490; VIII, 502; IX, 225, 231; Washington Daily National Intelligencer, February 26, 1839.

officer. Said King:

> The Senate of the United States, gentlemen, is from its very organization, the great conservative body of this republic. Here is the strong citadel of liberty. To this body the intelligent and the virtuous, throughout our wide-spread country, look with confidence for an unwavering and unflinching resistance to the encroachments of power on the one hand, and the effervescence of popular excitement on the other. Unawed and unseduced, it should firmly maintain the Constitution in its purity, and present an impregnable barrier against every attack on that sacred instrument, come it from what quarter it may. The demon of faction should find no abiding place in this chamber, but every heart and every head should be wholly occupied in advancing the general welfare, and preserving, unimpaired, the national honor. To insure success, gentlemen, in the discharge of our high duties, we must command the confidence and receive the support of the people. Calm deliberation, courtesy toward each other, order and decorum in debate, will go far, very far, to inspire that confidence and command that support. It becomes my duty, gentlemen, to banish (if practicable) from this hall all personal altercation; to check, at once, every remark of a character personally offensive; to preserve order, and promote harmony.[38]

By the latter part of 1838, interest was developing in the 1840 election. In November King wrote his niece, Catharine Ellis, urging her to have her husband interest himself in the 1839 Democratic Convention at Tuscaloosa and to secure adoption of resolutions "approbatory of the administration of Mr. Van Buren, and nominating him for election. Associating with him the great Tecumseh Killer [Richard M.

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38 Register of Debates, XIII, 618-619.

Johnson7 or such other little great man, as they think proper." Pennsylvania, said he, was ready to move in the matter as soon as the ball was put into motion.[39] Whether he was referring to himself when he spoke of any "other little great man" is open to conjecture. Alabama nominated him for the vice presidency in the 1839 convention and Pennsylvania was his other major stronghold. The implication, therefore, that King was referring to himself is very strong.

Support for King for the vice presidency gained considerable strength in 1839. After the Alabama Democratic Convention endorsed him for the office in January, Democratic newspapers over the state began to come to his support. For example, the Cahawba Southern Democrat endorsed him as a man of pure Democratic principles, an able presiding officer in the Senate, a gentleman with a fine order of intellect, and the representative of a state which had not wavered in its support of the Democracy.[40] The Tuscaloosa Flag of the Union declared that no man had served the party of Jackson longer or with more fidelity and that no man bore a more irreproachable character than King. He had often presided over the Senate in an able manner and deserved to be elevated to the vice presidency.[41] The Democrats of Dallas

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39 King to Catharine Ellis, November 18, 1838, King Collection.

40 March 16, 1839.

41 March 27, 1839.

County endorsed him as a neighbor who had been equally faithful to the poor and the rich, had fulfilled his duties as a citizen with scrupulous correctness, and had passed his whole life in such spotless purity that the breath of slander had never dared to touch him.[42]

While the Alabama press was boosting King at home, his friend Buchanan was pushing him as a candidate in Pennsylvania. Buchanan furnished his friends with biographical material about King which they in turn gave wide circulation in the Pennsylvania press.[43] Buchanan's correspondents wrote encouragingly of King's chances to win Pennsylvania's support at the convention if his campaign was conducted wisely.[44] The Lancaster Intelligencer, the Harrisburg Keystone, and the Franklin Telegraph advocated King, and their comments were widely copied.[45] The Harrisburg Keystone, using material probably furnished by Buchanan, declared that King by his "unwavering devotion to the pure and patriotic principles of the Democratic creed" and "his gentlemanly deportment and urbanity of manner" had endeared

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42 Tuscaloosa Flag of the Union, December 18, 1839.

43 George Plitt to James Buchanan, March 14, 1839; Henry Welch to Buchanan, April 15, 1839; A. K. McClanahan to Buchanan, July 6, 1839, all in Buchanan Collection.

44 Plitt to Buchanan, March 14, April 23, 1839; William B. Lewis to Buchanan, June 1, 1839; George S. Whorton to Buchanan, September 20, 1839, all in Buchanan Collection.

45 Plitt to Buchanan, March 14, 1839; Welch to Buchanan, April 15, 1839; McClanahan to Buchanan, July 6, 1839, all in Buchanan Collection.

himself to the party. Moreover, Alabama had remained firm for the Democracy when other states had wavered largely because of King's influence. King himself, said the paper, had ever been an able defender of popular rights and liberty.[46] The Lancaster Intelligencer presented a similar viewpoint as did other pro-King newspapers in Pennsylvania.[47]

King wrote Buchanan in June, 1839, that he had not moved a finger in his own behalf and had sought to avoid committing his friends, fearing that when the nominations were made they would be disappointed and mortified. He assured Buchanan that he would give his support to any candidate chosen by the party "without one feeling of regret."[48]

Writing to a Mobile group who had invited him to a dinner in his honor, King declared that he had ever been a member of the party of Jefferson, and had opposed the Alien and Sedition Acts in their day and the gag rule at the present time. He felt that the only security for the rights of the states was in confining the action of the general government "to the powers expressly granted, and to such incidental powers as were plainly and undeniably necessary

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46 Quoted in Tuscaloosa Flag of the Union, March 27, 1839.

47 See letters to Buchanan cited above.

48 King to Buchanan, June 29, 1839, Buchanan Collection.

and proper to carry the granted powers into effect." He had always been a state rights man, a strict constructionist who hunted up "no vagrant power on which to bottom legislation." Believing that every departure from the constitution had been attended with serious evils, he had opposed the United States Bank,[49] internal improvements, and the protective tariff. Strict adherence to the constitution was the only "effective shield" to protect the South against "the unprincipled efforts of those who would with a demoniac spirit" involve the section in the horrors of a servile war and drench its fair fields with blood. If the general government should ever use its powers to take away the constitutional rights of the South and enact legislation to enrich industry at the expense of all other interests, the days of the union would be numbered. King said he had given his cordial support to the Van Buren administration and would continue to do so as long as the President followed his current policies.[50]

Three other candidates were considered strong contenders for the Democratic vice presidential nomination: the

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49 The opposition press quickly pointed out that King had voted for the creation of the Bank of the United States and had been converted to the opposition view much later. Mobile Commercial Register, July 31, 1839, quoting Mobile Chronicle.

50 King to Mobile Committee, May 26, 1839, quoted in Tuscaloosa Flag of the Union, June 12, 1839.

incumbent Richard M. Johnson of Kentucky, James K. Polk of Tennessee, and John Forsyth of Georgia. A movement developed fairly early, however, in favor of deposing Johnson because of the feeling that his presence on the ticket would weaken it.[51] This movement gave the other candidates a better opportunity to seek the position. William B. Lewis wrote James Buchanan in June, 1839, that it was evident Johnson would be dropped. He would, therefore, favor King, who was well-qualified for the place. King, said Lewis, had always been a true friend of the party and was as much entitled to share "a portion of the honors" as any other person.[52] King early recognized the opposition he faced and knew that he might not be chosen. He felt that Forsyth was being supported by executive patronage and that Polk had the backing of Benton and other powerful men and would be a strong contender for the place, especially if he won the governorship of Tennessee.[53]

Before the Democratic National Convention met in 1840, King's hopes for the vice presidential nomination had been dashed. He had hoped to receive strong support from his native state of North Carolina, but no sentiment developed

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51 Johnson's popularity was weakened in the South because of his association with a Negro mistress.

52 Lewis to Buchanan, June 1, 1839, Buchanan Collection.

53 King to Buchanan, June 20, 1839, Buchanan Collection.

in his favor. Some county meetings in North Carolina endorsed Polk, but even Duplin and Hanover counties in King's old congressional district failed to endorse King. Nor did the North Carolina press come to his support. Finally, the North Carolina Democratic Convention, meeting in January, 1840, failed to endorse a vice presidential candidate.[54] King conceded that Polk would become the party nominee if his friends could convince the leaders in other states that he was the choice of North Carolina. Little as he cared for the office, he was mortified to find that his friends in Wilmington District had not come out for him and had silently abandoned the field to Polk. If they had only given their support, he complained, nothing could have prevented his nomination at the "Great Convention."[55]

Apparently King could have had the endorsement of the Pennsylvania Convention. He declined it, however, and the Pennsylvania Democracy then endorsed Richard M. Johnson at its March convention. King wrote his niece on March 6 that he was now out of the contest. The race would be between Johnson and Polk, and his friends in the middle and eastern states would give their support to Johnson. The Pennsylvania Convention, a majority of whom were his friends, had,

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54 Fayetteville North Carolinian, November 23, December 14, 28, 1839, January 18, 1840.

55 King to Thomas Kenan, November 28, 1839, quoted in Walter M. Jackson, Alabama's First United States Vice-President (Decatur: Decatur Printing Company, 1952), p. 24.

with his concurrence, already endorsed Johnson. He blamed Polk for the defeat of his aspirations. If Polk had not been actuated by selfish views and had been content to remain as governor of Tennessee, King felt that his own nomination would have been certain. But Polk had "thrust himself forward," and the result was the probable emergence of Johnson as the party nominee.[56] King protested that he felt "no anxiety to obtain the situation" and felt no mortification at his defeat, but his harsh criticism of Polk shows that he suffered considerable disappointment at not being given the Democratic nomination for the vice presidency.

Andrew Jackson, still a power in the Democratic Party, was using his influence against the nomination of Johnson and in favor of Polk. Johnson, he said, would be a "dead weight" upon the party. A selection for the vice presidency should be one to give strength to the ticket instead of weakness. Polk would help to carry the southern and western states. Forsyth or King, he noted, would be stronger than Johnson.[57]

When the national Democratic convention met in May, 1840, Van Buren was chosen as the presidential nominee, but

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56 King to Catharine Ellis, March 6, 1840, King Collection; see also John W. Forney to James Buchanan, March 5, 1840, Buchanan Collection.

57 Andrew Jackson to Amos Kendall, April 16, 1840, in John Spencer Bassett, Correspondence of Andrew Jackson, 7 volumes (Washington: Carnegie Institution, 1926-1935), VI, 58.

the committee in charge of nominations reported that the states which had supported Van Buren had failed to agree on a single name for the vice presidency and declined to make a choice between those that had been proposed. A motion from the floor to accept Johnson was voted down; consequently, each state was given the opportunity of supporting the candidate of its choice. The Democrats hoped, however, that support would develop in favor of one of the prominent candidates so that the states could unite later and give him their united support.[58]

Apparently believing that Johnson had a better chance for the office and desirous of insuring party harmony, King shortly requested that his name be withdrawn from the race and asked newspaper editors to take his name from the mastheads of their newspapers.[59] One of the last newspapers to carry out his wish was William Lowndes Yancey's Wetumpka Southern Crisis which accepted Johnson with great reluctance. Perhaps, said Yancey, if military fame and achievements had not been heralded to the people as presenting stronger claims to office than civil qualifications, King might have been more fortunate in bringing his claims forward. King's claims were not founded upon service on battlefields, but on

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58 Washington Daily Globe, May 5, 1840; Huntsville Democrat, May 23, 1840.

59 Tuscaloosa Flag of the Union, July 1, August 12, 1840.

a long career of "at least equal usefulness to his fellow-citizens in the halls of the Senate."[60] In view of the election results in 1840, King might well have been happy that the "Tecumseh Killer" had been brought forward in preference to himself.

Though he had failed to win the Democratic nomination for the vice presidency, King took an active part in the campaign. In May he joined several members of the Alabama congressional delegation in sending out an address to the Democratic Party of Alabama, in which they pointed out the extraordinary exertions that were being used to mislead the public mind in the coming election. The Democratic Party was facing not only the old Federalist Party, disguised as Whigs, backing General Harrison but also the whole banking power of the country. Four-fifths of the press had surrendered to this immense power and were playing up Harrison and attacking Van Buren. Wagon loads of political propaganda were being sent out, and organizations were being set up all over the country to promote the banking interests. The banks, said the address, were even increasing the pressure to produce hard times in order to injure Van Buren and were blaming the financial troubles upon the Sub-Treasury system which had not even gone into operation. The signers of the address called on the industrious producing classes -- mechanics and agriculturalists -- to sustain the cause of

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60 October 10, 1840.

equality in opposition to the powerful foes standing for privilege. Let everyone be informed that General Harrison represented those who avowedly stood for restoring special privilege to the banks and that the choice was between the Whigs and rule by the banks, and the Democrats and rule by the people. Harrison's election would mean the restoration of Federalist policy; furthermore, he was unsafe on the abolition question. In short, his election would mean a triumph of "Northern Federalism, Bankism, and Abolitionism"; it would bring into power a political party whose ascendency would be "fatal to the rights and institutions of the South"; it would be followed by a strong federal government, a high tariff, a national bank, internal improvement at federal expense, and the subversion of the rights of the states and the liberties of the people. A circular letter accompanying the address called on Alabama leaders to set up a counter-organization to inform the people of the true nature of the coming election.[61] The address and circular

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61 Circular and Address of the Democratic Delegation in Congress from Alabama, quoted in Washington Daily Globe, May 23, 1840. In July King presided over a Washington meeting of Southern Democrats who drew up an address declaring: "The true course of the South is to reject and repudiate all connection, direct or indirect, with abolition and its allies. It is, to vote for no man for any office in the Government, who will not openly renounce and denounce all connection with abolition, direct or indirect, and pledge himself to exert all the powers vested in him by the Constitution and laws, to protect the constitutional rights of the slaveholding States." Address to the People of the Slaveholding States, by the Democratic Republican Members of Congress from Those States (n. p., 1840), p. 10.

letter produced criticism in some quarters,[62] but undoubtedly helped save Alabama for the Democracy in November.

King's personal views about the presidential contest are revealed in a June letter he wrote to a correspondent in Sampson County, North Carolina. Harrison, he said, had been "associated in principle" with the party which favored broad construction of the constitution, a protective tariff, and the construction of internal improvements at the expense of the national government. Moreover, it was notorious that a large portion of Harrison's friends looked forward to his election to insure the reestablishment of a national bank. Harrison's nomination, King said, had been procured by a union of Federalists, Anti-Masons, and abolitionists, and he might be considered the candidate of that "holy combination." No southern man, therefore, could afford to enlist under the Whig banner.[63]

King was detained by illness at the Virginia springs during the summer of 1840, but arrived in Alabama in time to take part in the final stages of the campaign.[64] He presided over the Alabama Democratic Convention held in early

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62 Washington Daily National Intelligencer, June 2, 1840.

63 William R. King to William McKoy, June 30, 1840, in An Address to the Citizens of the Fifteenth Electoral District (Broadside in the North Carolina Collection, University of North Carolina.)

64 Huntsville Democrat, September 19, 1840.

October and made a speech about two hours in length in which he exposed the "numerous humbugs" being practiced by the opposition to confuse the people and vindicated Van Buren from charges made against him.[65] Later that month he defended the administration in a three-hour speech at Cahawba. According to one newspaper, even the Whigs blushed with shame when King defended Van Buren against charges of protracting the Florida War, of condemning Lieutenant Hooe on Negro testimony, of maintaining a standing army of 200,000 men, and of extravagant expenditures.[66] Van Buren won Alabama's electoral vote but lost the presidency to General Harrison.

Shortly after the presidential election of 1840, a joint session of the Alabama legislature met to choose a successor for King whose term in the Senate expired in March, 1841. King's opponent for the post was John Gayle, his old friend of days gone by but now a member of the Whig Party. Although the Democratic Party had sufficient strength to vote King into office on a joint ballot, the Whigs were able to delay the election until after the presidential election had been held. They hoped that Democratic legislators from counties that voted for Harrison would feel obligated to vote for Gayle. The Whigs, therefore, followed a policy of obstruction during the early days of the legislative session. The Democrats, on the other hand,

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65 Tuscaloosa Flag of the Union, October 7, 1840.

66 Wetumpka Southern Crisis, November 7, 1840.

maintained that the people had spoken in the August election so far as the state legislature was concerned. Some objected to King's support of the Sub-Treasury plan and insisted that the decision of Alabama in the presidential election should be considered in regard to this question. The opposition attacked King further by asking what he had done during his twenty-one years in the Senate to make him indispensable. They charged that he had actually done very little during his long service. King's defenders, in answer, pointed to his career as proof of his fitness for the office. He had helped Alabama especially in his work dealing with the public lands and in his support of President Jackson. Despite the delay forced by opposition maneuvering and despite attacks on his record, King was elected over Gayle by a vote of 72-55. Legislators stood behind the party that had supported them in August.[67] Some were charged with violating the faith of the people of their counties in supporting King after the counties had voted for Harrison, but they maintained that they had been instructed in the August election to vote for King.[68]

King began his fifth term in the Senate just as the Whig Party came into control of the executive department for the first time. As a member of the opposition party he was

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67 Tuscaloosa Flag of the Union, November 11, 18, 1840.

68 Ibid., December 2, 1840, quoting Mobile Advertiser.

to follow a different course from that he had earlier pursued.