CHAPTER VIII

RETURN TO THE SENATE

While in France King continued to take an active interest in political affairs at home. Though his chief concern was that of foreign relations, he kept in close touch with other developments. In 1845, for example, he advised James Buchanan to use his influence in securing downward revision of the tariff of 1842, pointing out that advantages would come to the United States in the form of reduced sectional friction and increased trade.[1] Later he wrote that Sir Robert Peel's plan for reducing English duties would open up "the best market in the world to the provisions of the United States."[2] He deplored divisions which threatened to split the Democratic Party and factional disputes which developed among party members over the Texas question and the Oregon boundary dispute.[3] From time to time, he advised Buchanan to conduct his work as Secretary of State wisely and well so that he might obtain the presidential nomination in 1848, and he advised against Buchanan's acceptance of a proffered federal judgeship which would remove

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1 King to Buchanan, January 28, 1845, in James Buchanan Collection, Historical Society of Pennsylvania. (Hereinafter cited as Buchanan Collection.)

2 King to Buchanan, January 27, 184/6/, Buchanan Collection, Historical Society of Pennsylvania.

3 King to Buchanan, November 28, 1845, July 15, 1846, Buchanan Collection, Historical Society of Pennsylvania.

him from politics.[4]

King also manifested a desire to return to the United States Senate. Realizing that he would be recalled if Henry Clay were elected to the presidency in 1844, King expressed the desire to return to the Senate if such were the case.[5] In the meantime, Dixon Hall Lewis had been appointed to occupy King's seat until the next meeting of the Alabama legislature. When the legislature met in 1844 to elect a senator, the Democrats held a caucus to decide whether to support Lewis or someone else for the remaining two years of King's term. King's friends brought his name before the caucus but withdrew it when they found that Lewis was generally the favorite of party members. Lewis became the Democratic nominee by an overwhelming vote and went on to defeat the Whig candidate Arthur Francis Hopkins for the Senate seat. Lewis' victory over all opposition in the Democratic caucus was generally interpreted as a victory of the extremists and a defeat for moderate Democrats.[6]

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4 King to Buchanan, January 27, February 28, 1846, Buchanan Collection, Historical Society of Pennsylvania.

5 Hilliard M. Judge to John C. Calhoun, December 6, 1844, in Chauncey Samuel Boucher and Robert Preston Brooks, eds., Correspondence Addressed to John C. Calhoun 1837-1849, Annual Report of the American Historical Association for the Year 1929, p. 268. (Hereinafter cited as Boucher and Brooks, Calhoun Correspondence.)

6 Clement Claiborne Clay to Clement Comer Clay, December, 1844, in Clay Papers, Duke University Library; Hilliard M. Judge to John C. Calhoun, December 6, 1844, Boucher and Brooks, Calhoun Correspondence, p. 268; Mobile Register, December 25, 1844.

The short term to which Lewis had been elected was to expire in March, 1847, and interest in the contest for the next full term never died down. Buchanan and Alabama's other senator, Arthur P. Bagby, kept King informed about the situation in Alabama. King contemplated returning from Paris when he heard that the election for the next full term might be held late in 1845, but, remembering that he had written letters to leading men in Alabama saying that he would not return before the following spring, he decided against it. He feared that to hasten home would prejudice, rather than advance, his prospects. Too, he realized that he was not sufficiently informed about the state of public feeling in Alabama and feared that the legislature might decline to support him. Said King: "To return and find myself set aside for another; or to be presented for the situation, and beaten, would be to me truly mortifying."[7] Although King's friends determined to support him for the post, King wrote Buchanan that he feared his absence from the country would be fatal to his prospects.[8] His fears were unnecessary, however, because the legislature chose not to hold the senatorial election in 1845. Hearing that the election had been postponed, King wrote that postponement would give him a fair prospect of success. He declared that he would be

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7 King to Buchanan, September 29, 1845, Buchanan Collection, Historical Society of Pennsylvania.

8 King to Buchanan, November 28, 1846, Buchanan Collection, Historical Society of Pennsylvania.

"truly gratified to be reinstated in the Senate," and expressed hope that his friends would use their influence to prevent a special session of the legislature from being called to choose a successor for Lewis before he could reach home.[9] Weary of his post in France, King wrote Buchanan, "Most sincerely do I wish that we had both remained in the Senate."[10] King arrived in the United States in November, 1846, only to learn that the election had again been postponed. Consequently, the rivalry between King and Lewis for the leadership of the Alabama Democratic Party continued for another year with both aspirants present on the field of battle.

Since King was very popular throughout Alabama, his name was prominently mentioned for various offices both before and after he returned from France. As early as July, 1846, he was mentioned as a suitable candidate for the governorship, and in November a rumor gained currency that Arthur P. Bagby, Alabama's second senator, would resign to follow King as Minister to France and that King would take his Senate seat.[11] About the same time a movement developed

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9 King to Buchanan, March 28, 1846, Buchanan Collection, Historical Society of Pennsylvania.

10 King to Buchanan, April 30, 1846, Buchanan Collection, Historical Society of Pennsylvania.

11 Tuscaloosa State Journal and Flag, July 10, 1846; Huntsville Southern Advocate, December 24, 1846. Bagby's resignation did not take place.

in some of the Democratic press to secure King's nomination for the governorship in 1847. These newspapers favored his candidacy on the grounds that his presence on the ticket would strengthen the Democratic Party for the critical 1847 election.[12] Some supported King for more devious reasons. "Civis," writing in the Huntsville Democrat, pointed out that King's candidacy was being promoted by pretended friends who wanted him to be shunted into the governorship so that he would not oppose Lewis in the 1847 senatorial election.[13] Some newspapers showed outright hostility toward King. For example, the Talladega Watchtower declared: "It seems to us that there ought to be some period in the life of a public man, when he and his friends should be willing to see him become a mere private citizen, and should cease to manifest a disposition to give him a monopoly of every office suited to his taste."[14]

While these discussions were going on, King lived in retirement at his home near Selma and visited friends and relatives at Mobile and Tuscaloosa. He was inactive much of the time during the winter of 1847-1848 because of a

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12 Huntsville Democrat, January 6, 1847.

13 December 30, 1846.

14 Quoted in Huntsville Democrat, January 6, 1847.

severe case of influenza.[15] Although there was much talk of his being chosen governor, his real goal seems always to have been his old seat in the Senate.

During his retirement King continued to give advice to Buchanan about national affairs. Deprecating wrangling that was going on in Congress, he said that a large part of the Democratic membership would "disgrace the tenants of a Lunatic Asylum." They seemed to be interested only in building up or tearing down men, not in looking after the great interests of the country.[16]

King wrote Buchanan in February, 1847, that the Mexican War should be closed at the earliest practicable moment and upon any terms that were honorable. He considered the war unfortunate because it cost lives and money and made the American people unfit for civil life and led them to desire military leaders for the chief offices of the country. He feared that it would become a war of extermination and hoped that the United States would offer peace terms that could be accepted by Mexico, a proud but feeble nation. Let the United States show its magnanimity now that it had shown its

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15 King to James Buchanan, February 10, 1847, Buchanan Collection, Historical Society of Pennsylvania; King to Catharine Ellis, February 10, 1847, in William R. King Collection, Alabama Department of Archives and History. (Hereinafter cited as King Collection.) See also Huntsville Democrat, January 6, 1847.

16 King to Buchanan, February 10, 1847, Buchanan Collection, Historical Society of Pennsylvania.

power. In doing so it could free itself from the charge that it was a grasping nation, ready to seize upon territory belonging to its neighbors regardless of right. King wanted no territory acquired which would cause the South to be insulted by the Wilmot Proviso, but he wanted the South to have equality in all territory acquired by the peace treaty. He wrote Buchanan:

> We are grossly calumniated when charged with being activated by the desire of acquiring Territory, for the extension of the area of Slavery. But we cannot; and we will not consent, to be excluded from a fair participation in all that belongs, or may hereafter be acquired by the Joint efforts of the confederacy. Perfect equality, as secured by the constitution, is all we desire -- and that we will have, in despight of political and fanatical Demagogues.[17]

In October, 1847, after General Winfield Scott had captured Mexico City, King became worried lest the Mexicans would not accept peace terms honorable to the United States. There was reason to fear that the war might still become a stalemate. Already he was hearing cries of dissatisfaction. Additional military victories were needed to keep the war spirit alive. He wished that the United States had asked for only a strip of New Mexico and Upper California. Then Mexico would have been satisfied and the Wilmot Proviso might have been put to rest.[18] King was highly gratified

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17 King to Buchanan, February 10, June 11, 1847, Buchanan Collection, Historical Society of Pennsylvania.

18 King to Buchanan, October 5, 1847, Buchanan Collection, Historical Society of Pennsylvania.

when the Treaty of Guadelupe Hidalgo brought the war to an end. By the treaty the United States acquired a vast territory in the Southwest which, as King had feared, led to a serious sectional controversy over slavery in the territories.[19]

In the meantime, the Alabama Democratic Convention had met on May 3, 1847, with the Lewis-Yancey faction in control. King was a delegate from Dallas County and was chosen president of the convention by acclamation.[20] On taking the chair he made a speech urging harmony and conciliation and, according to a critic, cleverly insinuating "that he was now out of employment, and would take great pleasure in serving the dear people once more."[21] Early in the convention a delegate moved that King be nominated for governor by acclamation.[22] Two groups would have supported him if he had chosen to seek the nomination: his real friends who earnestly wanted him to be governor, and Lewis' friends who knew that if King were elected governor Lewis' reelection to the Senate would be certain. King foiled the Lewis supporters by withdrawing his name from consideration. To keep out of

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19 See Chapter 9.

20 Journal of the Democratic Convention [1847] ([Montgomery, 1848]), pp. 1-2. (Hereinafter cited as Convention Journal (1847).)

21 Huntsville Southern Advocate, May 21, 1847, quoting the Talladega Watchtower.

22 Convention Journal (1847), pp. 4-5.

the net set for him without offending anyone caused King "no little difficulty."[23]

After King's withdrawal, the convention nominated Reuben Chapman, whose name had been presented by Yancey, for the governorship.[24] The nomination carried a greater import than mere personal success for Chapman, for it marked the ascendancy of a great national policy. Lewis, Yancey, and Chapman were personal friends and political allies, differing from King on the subject of state rights. They would allow King to be president of the convention, or even governor if he had desired it, but they would not permit him to unseat Lewis in the Senate without a fight. The party platform showed the direction Alabama Democrats were taking. Some of the resolutions, framed by Yancey, foreshadowed the famous Alabama Platform of 1848. The ninth resolution, for example, declared:

> Any territory acquired [from Mexico] will become the common property of the States of the Union, and will be held by the general government as their joint agent and representative; having no right to make laws or do any acts whatever, which shall directly or by their effects make any discrimination between the States of

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23 King to Buchanan, June 11, 1847, Buchanan Collection, Historical Society of Pennsylvania.

24 Convention Journal (1847), pp. 5-6.

> the Union, by which any of them shall be deprived of equal and full rights in such territory.[25]

In the platform Alabama inaugurated a popular movement to meet the hated doctrine of the Wilmot Proviso. Alabama Democrats formulated a southern absolute of equal rights in the territories to meet the northern absolute of no slavery in the territories. King agreed in general with the resolutions. He wrote Buchanan that the South would not consent "to be excluded from a fair participation" in territory to be acquired, and that it desired and would have at all costs "perfect equality, as secured by the constitution."[26]

During the months following the May convention, King looked forward to being elected to the Senate when the legislature met in November. In June he wrote that he would be supported by "a very large proportion of the Democrats of the next Legislature" and that the Whigs seemed generally to desire that he be "reinstated in the Senate."[27] He feared, however, that Lewis' supporters would seek to hold the election of both senators at the same session so that they could

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25 Convention Journal (1847), p. 7; John Witherspoon Du Bose, The Life and Times of William Lowndes Yancey. A History of Political Parties in the United States from 1834 to 1864; Especially as to the Origin of the Confederate States, 2 volumes. Reprint (New York: Peter Smith, 1942), I, 203-204. (Hereinafter cited as Du Bose, Yancey.) The two factions in the Party were called the Hunkers and the Chivalry. King led the Hunkers and Lewis the Chivalry.

26 King to Buchanan, June 11, 1847, Buchanan Collection, Historical Society of Pennsylvania.

27 King to Catharine Ellis, June 6, 1847, King Collection, Alabama Department of Archives and History.

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27 King to Catharine Ellis, June 6, 1847, King Collection, Alabama Department of Archives and History.

bargain away Bagby's seat in exchange for support of Lewis for the other seat. King believed that he would be able to defeat Lewis if he accepted Whig support, but refused to seek their aid. "I must be the choice of the Democracy," he declared, "or I shall continue in private life."[28] In August and September he traveled in the mountains of North Alabama partly to restore his health and partly to confer with friends about his political prospects in the coming election. King wrote confidently in October that his election was certain unless the representatives played the people false. He doubted that the plan of the Lewis faction to bargain away Bagby's seat to the Whigs would work because the two groups could not trust each other. Some of the Whigs, in fact, had pledged to vote for King in order to win their own election.[29]

Alabama newspapers took great interest in the bitter campaign between King and Lewis, although some expressed regret that the two distinguished Democrats were pitted against each other. The Whig press, as a rule, did not interfere in favor of either candidate but noted the private quarrel within the Democratic ranks. The Democratic press divided its support between King and Lewis. Each group

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28 King to James Buchanan, June 11, 1847, Buchanan Collection, Historical Society of Pennsylvania.

29 King to Buchanan, October 5, 1847, Buchanan Collection, Historical Society of Pennsylvania; see also Huntsville Democrat, September 1, 1847.

defended its favorite and bitterly attacked his rival. Each group sought Whig help and castigated the other for attempting to do so. Lewis was attacked chiefly because of his close ties with John C. Calhoun and his alleged disloyalty to the Polk administration. King was attacked because of the barrenness of his long political career.[30]

Techniques of the press campaign are well illustrated in the columns of the Mobile Register, one of King's strongest supporters. The Register charged the pro-Lewis press with attempting to coerce legislators into voting for their candidate by threats and denunciations and in October threw its columns open to King supporters. It printed a letter from a correspondent who said that the Senate needed men "true to the South," but men who at the same time had "a just estimate of the union of the States" and appreciated its "priceless value." Such a man was King.[31] The Register called King "a wise and safe legislator, a cool and sagacious statesman -- and emphatically a man to be trusted." Charging that the Senate was controlled by a small Calhoun faction which held the balance of power, it asked if Alabama wanted to increase factionalism by retaining Lewis, a Calhoun supporter.[32] A correspondent displayed similar

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30 Tuscaloosa Independent Monitor, September 2, 1847; Huntsville Southern Advocate, November 6, 1847; Huntsville Democrat, November 24, 1847.

31 Mobile Register, October 30, 1847.

32 Ibid., November 18, 1847.

feelings when he compared Lewis and King, "one a wanderer from the democratic fold, ever following the erratic course of the great South Carolinian -- the other a faithful and devoted disciple of the principles of Jefferson and Madison." King's whole political life, said the Register, was a good illustration of party policy and purpose. His character, ability, and experience were needed in the existing crisis.[33]

Lewis accused the editor of the Register of being a supporter of Van Buren and of trying to break up the Democratic Party in Alabama as the Barnburners had done in New York. The Van Burenites, he said, were willing to break up the party because they had not received the patronage under Polk that they had expected from Van Buren. Lewis complained that Van Buren supporters were accusing him of disloyalty to Polk and trying to defeat him. Yet, he pointed out, he had been one of Polk's earliest supporters and would cooperate with the administration as effectively as would King.[34] The editor of the Register denied the charge that there was any connection between his opposition to Lewis and the Barnburner revolt. King, he said, should not be classified with the Barnburners; he was a loyal Democrat, and his

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33 Ibid., December 3, 1847.

34 Dixon H. Lewis to William Lowndes Yancey, November 23, 1847, quoted in Thomas Williams, Dixon Hall Lewis, Alabama Polytechnic Institute Historical Studies (1910), pp. 29-30. (Hereinafter cited as Williams, Lewis.)

record proved it.[35]

A correspondent of the Huntsville Democrat summed up the pro-King viewpoint when he wrote:

> Shall we ... lay aside such a man [as King] at such a time, for the advancement of one -- from whom the administration could expect but a very precarious support, secondary and subservient to the views, it may be, of one whose interests have not always coincided with those of the Democratic party...? Can we hesitate in a choice between the devotee of Mr. Calhoun, that great political will-o'-the wisp, and the firm, upright, moderate, able and consistent representative of the aboriginal democracy of Alabama?[36]

When the legislators gathered at Montgomery for their 1847 meeting, they must have been thoroughly acquainted with the strong and weak points of Lewis and King after reading the partisan attacks and counterattacks of the press.

The major item of business for the November session of the legislature was the senatorial election. The Democrats had a majority of one in the Senate and thirty in the House of Representatives, but on a joint ballot for senator the votes were certain to be divided between King and Lewis.[37] A committee of the legislature sent identical questionaires

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35 Mobile Register, November 24, 30, 1847.

36 November 3, 1847.

37 Lewy Dorman, Party Politics in Alabama from 1850 Through 1860, Publication of the Alabama State Department of Archives and History Historical and Patriotic Series No. 13 (Wetumpka: Wetumpka Printing Company, 1935), pp. 27-28. (Hereinafter cited as Dorman, Party Politics.)

to both King and Lewis asking their views on various issues. Each was asked if he preferred John C. Calhoun for the presidency or vice presidency, if he would pledge himself to support the Democratic nominee for President in 1848, and if he was a supporter of the administration in the Mexican War. King answered that he had great respect for Calhoun but that he did not prefer him for the presidency or vice presidency. He pointed out that he had differed from Calhoun entirely in many cases, especially in regard to nullification and the Mexican War. King pledged to support the Democratic nominees in 1848 if they were "opposed to the Wilmot Proviso, or any interference by the General Government with the question of slavery as it exists in the Southern States." He favored a "vigorous prosecution of the war with Mexico with a view to obtain an honorable and lasting peace," of "acquiring territory enough to afford a reasonable indemnity for the expenses incurred," and of insisting on the immediate payment of debts due to American citizens. Nevertheless, King felt it would well comport with American character to treat Mexico with "moderation and forbearance." Lewis, on the other hand, answered that Calhoun would not be a candidate for the presidency or vice presidency and that he would not prefer him in any case. He pledged his support for the party candidate in 1848. Lewis pointed to his past record in the

Senate as proof that he had supported the War.[38] In their letters, both King and Lewis expressed similar views. Lewis' avowal of King's doctrines made it possible for King supporters conscientiously to support Lewis after King withdrew late in the contest.

For seventeen ballots the legislature sought to choose between King, Lewis, and the Whig candidate, Arthur F. Hopkins, but no contestant was able to obtain a majority. Hopkins held the Whig votes, and King and Lewis split Democratic votes. Both factions of the Democrats sought to make deals with the Whigs, but the Whigs refused to bargain. Thomas B. Cooper, a Whig legislator, wrote that King's supporters were bidding high for Whig support. They had offered to help elect Hopkins if the Whigs would help elect Bagby when he came up for election. But some of the Democrats refused to vote for Hopkins, and some of the Whigs refused to bargain away the other seat to Bagby. Cooper concluded that the Lewis faction was the strongest but pointed out that both King and Lewis were present and that the wires were

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38 Committee to King and Lewis, December 10, 1847; King to Committee, December 13, 1847; Lewis to Committee, December 12, 1847, all in Mobile Register, January 19, 1848. Lewis, said the Register, had made so many concessions to Unionist feeling that his election was actually a victory for that branch of the party.

constantly moving.[39] Throughout the contest, King was able to hold a following of about twenty-five. His vote fluctuated between twenty-two and thirty-four, and some predicted that he would be able to win a majority. On the eighteenth ballot, however, his name was withdrawn, and Lewis received a majority of eighty-two to forty-five.[40] King's defeat in 1847 was the first and only political defeat in his public career. Even in defeat he had won a partial victory because Lewis had endorsed policies similar to his own.

By electing Lewis to the Senate, the Alabama legislature had in some degree endorsed the extreme southern-rights platform which had been adopted by the Democratic Convention in May. Lewis, however, had made some concessions to the Hunker wing of the party. Writing of the election to John C. Calhoun, John A. Campbell declared that King, the candidate of the Hunkers, "was bound up with the Northern democrats of a doubtful order." Campbell feared, however, that Lewis had made pledges which could embarrass him and offend some of his friends. Lewis had pledged himself to accept the choice of a northern man by the 1848 national convention

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39 Thomas B. Cooper to Mrs. Nancy Cooper, December 13, 1847, in Thomas B. Cooper Collection, Alabama Department of Archives and History; see also Huntsville Southern Advocate, December 25, 1847.

40 Alabama Senate Journal (1847), pp. 41-52; Huntsville Southern Advocate, December 11, 1847.

and to sustain the Polk administration.[41]

Alabama Democrats held two conventions early in 1848 to make plans for the coming national convention. The first was more nearly a mass meeting of leading Democrats in the hall of the House of Representatives on January 3 for the purpose of harmonizing the Lewis and King wings of the party in preparation for the national election. It adopted a resolution declaring that the Wilmot Proviso was "antagonistic to every principle of the Constitution and of the Democratic creed" and pledging the members "to support no men for the offices of President and Vice-President of the United States" who should not "unequivocally avow themselves to be opposed to the principles of that political heresy." The group also called a formal convention to meet in Montgomery on February 14 to organize for the ensuing campaign and to select delegates to the Baltimore Convention.[42]

Despite winter weather and bad roads, the February

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41 John A. Campbell to John C. Calhoun, December 20, 1847, in James Franklin Jameson, ed., Correspondence of John C. Calhoun, Annual Report of the American Historical Association (1899), II, 1152. An Alabama correspondent of the National Intelligencer called the Lewis victory a defeat of the administration and its "War and Conquest" policy. The Washington Union, however, denied that either of the candidates had been favored by the administration. Washington National Intelligencer, December 21, 1847; Washington Union, December 22, 1847.

42 Du Bose, Yancey, I, 208-209. The first meeting was dominated by Yancey, who was responsible for the resolutions that were passed. Tuscaloosa Independent Monitor, January 13, 1847.

convention was well attended, but the old split between the Hunkers and the Chivalry was still in evidence. The Hunkers were determined to have a Unionist candidate for the presidency and King for the vice presidency. Consequently, they were inclined to oppose any policy that would jeopardize party harmony. They preferred Buchanan for the presidency not only because they liked him personally but also because they felt Buchanan's selection for the first place on the ticket would enhance King's chances for second place. The Chivalry, on the other hand, preferred Levi Woodbury for the presidential nomination. Yancey knew how deeply the Hunkers desired Buchanan's nomination with King as his running mate and believed that they would compromise away southern rights in order to secure the personal advancement of their favorites. Hence he wanted the convention to adopt a statement of principles so strongly worded that it could not be compromised away. The committee on resolutions worked for two days in an effort to draft a platform that both factions of the party could support and that would not offend the northern wing of the party. When this platform as drawn up by the committee proved unacceptable to Yancey, he presented his own resolutions and worked to secure their

passage.[43] These resolutions, rather than the proposed platform of the committee, were finally adopted and became known as the Alabama Platform.[44]

The resolutions demanded that the treaty of cession at the end of the Mexican War guarantee the right of citizens to carry all descriptions of property into territory acquired, or at least that Congress should make provision so that southern property would not be endangered by existing Mexican law; they declared that the view that any kind of property could be excluded from the territories before the formation of a state constitution was "indefensible in principle." In adopting the platform, Alabama Democrats pledged themselves not to support any nominees for the presidency or vice presidency who were not "openly and unequivocally opposed" to the exclusion of slavery from the territories by congressional and territorial legislation. As a peace offering to the Unionists, the State Righters endorsed King for the vice presidency. The convention did not, however, instruct Alabama delegates to vote for him. King, said the

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43 George Washington Gayle to James Buchanan, February 16, 1848, Buchanan Collection, Historical Society of Pennsylvania; An Address to the People of Alabama, by W. L. Yancey, Late a Delegate, at large, for the State of Alabama, to the National Democratic Convention, Held at Baltimore, on 22nd May, A. D. 1848 (Montgomery: Flag Office, 1848), pp. 15, 21. (Hereinafter cited as Yancey Address.)

44 Journal of the Democratic Convention Held in the City of Montgomery on the 14th and 15th February, 1848 (Montgomery: McCormick and Walsh, 1848), pp. 10-15.

resolutions, was "eminently qualified, by his abilities, by his experience, and his services to the country, for the office of Vice President of the United States."[45]

Neither the Hunkers nor the Chivalry of the Alabama Democracy was satisfied with the results of the February state convention. The Hunkers were dissatisfied with the platform, and the Chivalry were dissatisfied because King had been endorsed. George Washington Gayle, a King supporter, wrote James Buchanan that his group had opposed the Yancey resolutions and would have tried to defeat them had they not wished the convention to give its unanimous endorsement to King for the vice presidency. Since any attempt to defeat the Yancey proposals would have led to division when the vote on King's nomination was taken, the Hunkers had accepted the platform as proposed by Yancey.[46] Yancey, writing to Lewis shortly after the convention, approved the platform but said that the party had made "a great error in permitting King to be nominated." Later he declared that King had been accepted by the convention not because the members favored him but because they wanted to give "a salvo to his feeling" after his defeat by Lewis in the Senate contest.[47] The question of choosing candidates

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45 Ibid., pp. 12-15.

46 Gayle to Buchanan, March 9, 1848, Buchanan Collection, Historical Society of Pennsylvania.

47 Yancey to Lewis, March 4, 1848, quoted in Williams, Lewis, p. 34; Yancey Address, p. 61.

and a platform now shifted to the Baltimore Convention.

After the Democratic National Convention had chosen Lewis Cass as its presidential nominee, King's name was placed in nomination for the vice presidency by John A. Winston of Alabama, who noted that he was a man known "to all the democracy of the Union." Other candidates were William O. Butler, John A. Quitman, John Y. Mason, Jefferson Davis, and James McKay. King received only 26 votes out of a total of 294 votes cast and ranked a rather poor third in the contest. On the second ballot, his vote dropped to eight as Butler of Kentucky won the nomination by a large majority.[48] That the decision of the convention was not fully satisfactory to the Lower South is evidenced by a letter of T. R. R. Cobb, in which he wrote:

> We have the nominations. I am "reconciled", not very much delighted. I am not a great admirer of Cass, although I think it a generous act on the part of the Northern Democrats to nominate anti-Wilmot Proviso men. I think a more judicious ticket could have been selected. Michigan and Kentucky are too close together to have both candidates.... King of Alabama would have been a much more judicious nomination,

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48 Journal of the Convention, quoted in Washington Daily Union, May 24, 1848. King's vote was as follows: Georgia, 1; Alabama, 9; Ohio, 1; Indiana, 4; Pennsylvania, 8; Maryland, 3.

> although I would vote for no man sooner than Genl. Butler.[49]

Many Alabamians were chagrined at King's failure to receive the nomination because they felt his long career gave him a superior claim over all others.[50]

King was unquestionably disappointed, but threw his support behind the Cass-Butler ticket. He wrote in August, "The election of General Cass may, and I think will, force a compromise of this agitating question [slavery in the territories]; hence, it seems to me, that every Southern man who loves his country and would preserve inviolate its institutions, should give a decided support to Cass and Butler."[51] Although he called Van Buren a "contemptible wretch" for leading a third party to secure revenge against the Democrats for not nominating him in 1844, King wrote that Van Buren's candidacy might serve a useful purpose by forcing South Carolina, Georgia, and Florida to wheel into line

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49 T. R. R. Cobb to Howell Cobb, May 31, 1848, in Ulrich Bonnell Phillips, ed., The Correspondence of Robert Toombs, Alexander H. Stephens, and Howell Cobb, Annual Report of the American Historical Association (1911), II, 106. (Hereinafter cited as Phillips, Correspondence of Toombs, Stephens, and Cobb.)

50 Washington Union, June 9, 1848.

51 King to William Garrett, August 16, 1848, quoted in William Garrett, Reminiscences of Public Men in Alabama, for Thirty Years. With an Appendix (Atlanta: Plantation Publishing Company, 1872), p. 680. (Hereinafter cited as Garrett, Reminiscences.)

behind Cass.[52] In the later stages of the campaign, King made a few speeches in favor of the Cass candidacy. He told a Pickens County, Alabama, meeting that as the successor of Cass as Minister to Paris, he had learned no man "ranked higher in Europe as a republican" than Cass.[53] Although King had hoped that Alabama would be a "banner state for the Democracy," Cass carried it by a majority of less than 1,000 out of a total of 61,000 votes cast. He received his largest vote in the mountain counties and lost the votes of Yancey and some of his following who resented the fact that the convention had not adopted the principles of the Alabama Platform.[54] Considering the closeness of the contest, the King support may well have been decisive in favor of Cass. Despite the vote of Alabama, however, Cass lost the election to General Zachary Taylor.

While the presidential campaign was in progress, a warfare was conducted in the Alabama press between those who had strongly supported King's candidacy for the vice

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52 King to James Buchanan, June 28, 1848, Buchanan Collection, Historical Society of Pennsylvania; King to A. Saltmarsh, August 25, 1848, quoted in Walter M. Jackson, Alabama's First United States Vice-President (Decatur: Decatur Printing Company, 1952), p. 37. (Hereinafter cited as Jackson, Alabama's First Vice-President.)

53 Mobile Register, November 4, 1848; Huntsville Southern Advocate, October 6, 1848.

54 Dorman, Party Politics, p. 31. Alabama was called the "banner state of the Democracy" because it had always voted Democratic in presidential elections.

presidency at the Baltimore Convention and those who had given him only lukewarm support. Most of the Alabama delegation voted for King on the second ballot despite the impossibility of his winning the nomination, but Yancey and one of his friends deserted him. Shortly after the convention a pro-King delegate attacked Yancey for his failure to support King, and Yancey answered in an Address in which he attacked King and explained his course at Baltimore.[55] Yancey declared that he had voted for King on the first ballot against his own wishes and in deference to the Alabama convention but had cast his vote for John A. Quitman on the second ballot because he felt confident that a vote cast for King would be a vote thrown away. Alabama delegates, he pointed out, had not been instructed to vote for King; the state convention had merely recommended King and had done this merely to salve his feelings after he had lost the Senate race to Lewis.[56] Offended by the implications of the Yancey pamphlet, King wrote: "The pamphlet of Yancey is worthy of the man -- Misrepresentation and malignity are its characteristics. It can do no injury except to the author; and he has already sunk himself so low in the estimation of the intelligent Democracy of Alabama that he cannot find a lower depth."[57]

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55 Montgomery Flag and Advertiser, July 5, 1848.

56 Yancey Address, pp. 58-61.

57 King to A. Saltmarsh, August 25, 1848, quoted in Jackson, Alabama's First Vice-President, p. 37.

King's political fortunes took a turn for the better in the summer of 1848. In June, Arthur P. Bagby resigned from the Senate to become American Minister to Russia, and Governor Chapman appointed King to replace Bagby.[58] For a time King feared that Chapman, under pressure from Lewis, would give the appointment to someone else,[59] but the fear proved groundless. Chapman was severely criticized by the people of North Alabama because of his appointment of King. They felt that their section of the state should have one Senate seat. Both King and Lewis, they noted, were from South Alabama.[60] As a whole, however, King's appointment seems to have given "general satisfaction."[61] The Washington Union exulted over his appointment: "The return of the Hon. Wm. R. King to the Senate of the United States has given great satisfaction to the democratic circles both in and out of

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58 Washington Daily Union, June 16, 1848; Huntsville Southern Advocate, July 8, 1848.

59 King to Buchanan, June 28, 1848, Buchanan Collection, Historical Society of Pennsylvania.

60 King to Garrett, August 16, 1848, quoted in Garrett, Reminiscences, pp. 670-680. King expressed the view that the best man should be chosen for office, regardless of the section of the state from which he came.

61 Tuscaloosa Independent Monitor, July 20, 1848. Chapman later declared that he had chosen King as a long and well-tried public servant and that he had sought to act on the wishes of a majority of Alabamians in appointing King. Mobile Daily Register, May 3, 1849.

Congress. The friends of the administration and of the Baltimore nominees are highly gratified." King, said the Union, would prove useful in working out a compromise in the existing dispute between the North and the South.[62]

The chief subject of discord at the time was a bill calling for the creation of Oregon Territory. Southerners demanded that citizens be given the right to carry slave property wherever they went in the union, including the territories. Congress, they said, could not abolish property, nor could it constitutionally exclude slavery from the territories.[63] Northerners maintained, on the other hand, that slavery could be prohibited in the territories and cited evidence from the time of the Northwest Ordinance to prove their case.[64] A Maryland senator summed up the existing situation when he said, "The desire of the North cannot be gratified, and this Union stand. The desire of the South cannot be gratified and this Union stand. There must be concessions on both sides...."[65]

King participated in the last month of discussion of the Oregon issue. After much heated debate, a bill for the organization of the Oregon Territory finally passed the

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62 July 18, 1848.

63 Congressional Globe, 108 volumes (Washington: Globe Office, 1834-1873), XVIII, 927.

64 Ibid., XVIII, 907-910.

65 Ibid., XVIII, 917.

Senate near the close of the session. As the time for adjournment approached, however, the House version of the bill differed from that of the Senate. The House version called for the incorporation of the restrictive provision of the Northwest Ordinance into the bill whereas the Senate version sought, by an amendment, to incorporate the principles of the Missouri Compromise as a concession to the South.[66] Some Southerners were willing to defeat the bill by parliamentary maneuvering even after the Senate agreed to recede from its compromise amendment during an all-night session.[67] King, however, in a significant speech, opposed such tactics. He opposed certain features of the bill which were calculated to violate the rights of the South and wanted the Senate amendment kept; but, since the majority had decided in favor of the bill, he maintained that it should be passed in the form proposed by the House. The President would then have the responsibility of accepting or rejecting it. It would, he said, "comport better with the dignity of the Senate, with their standing in the country, and with public sentiment" if the bill were passed.[68] That he was not satisfied with principles found in the bill is evidenced in a letter to a friend dated the next day in which he said, "The

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66 Ibid., XVIII, 1061, 1079, 1085.

67 Ibid., XVIII, 1077-1088. King opposed receding from the Senate amendment. Washington Daily Union, August 15, 1848.

68 Congressional Globe, XVIII, 1084.

manifest determination of a large number of inhabitants to prohibit the extension of slavery, by excluding it from the territories, the common property of the States threatens consequences the most alarming. The end none can foresee, and the purest are forced to doubt the permanancy of the Union."[69]

During the last years of his life, King was an active promoter of railroads in the Lower South for the purpose of improving the area economically and binding it to the Northwest. In July, 1848, he presented a bill for granting a right of way and additional public lands to aid in the construction of the Mobile and Ohio Railroad between Mobile and the mouth of the Ohio River, but the bill failed during that session and the one following. In 1850, however, the Mobile and Ohio proposal was joined to one of Stephen A. Douglas for aiding the Illinois Central Railroad, and both were accepted in the same bill. Granting alternate blocks of land six miles square along these roads, the bill provided valuable aid to the two roads.[70]

King was an ardent advocate of the passage of the Mobile and Ohio proposal. He favored giving new states all aid that could appropriately be afforded for internal improvements "to give value to the public lands, and afford facilities to carry the produce of the States to market."

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69 King to Garrett, August 16, 1848, quoted in Garrett, Reminiscences, p. 680.

70 Congressional Globe, XVIII, 999, 1010; XIX, 324; XX, 844 ff.

He pointed out that the Mobile and Ohio would pass through land that was of little value without a transportation outlet. If railroad communication were furnished, land values would rise, and hitherto unsaleable public land could be disposed of at double the usual minimum price. The government would thereby gain from the plan. Individuals, the states, and the national government would all profit from the commercial and agricultural development which would follow. As to the constitutional aspects of the question, King said there was a difference between making appropriations out of the treasury for internal improvements and direct granting of land for that purpose. Unsaleable land should be granted liberally to new states for the development of transportation. It would thereby promote the "general interests of the country."[71] Said King:

> I am in favor of having the country cultivated and settled by an agricultural population. I am for giving channels of communication between the North and the South. It will lead to general prosperity, not only in a commercial point of view, but it will relieve us from any prejudice and unkind feeling growing up among us; for, intermingling one section with the other, every uncivil feeling will be supplanted.[72]

King attended railroad conventions in Alabama held for the purpose of promoting railroad construction. In October, 1849, he presided over a meeting at Selma to promote an

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71 Ibid., XX, 845-846, 853, 902.

72 Ibid., XX, 853.

Alabama and Tennessee Railroad and made a "short but eloquent" speech on the importance of the proposed road for both the state and nation.[73] In May, 1851, he presided over a convention held at Mobile. Speaking before this assembly, he expressed pleasure that Alabamians had become interested in internal improvements. The Mobile and Ohio and the Selma and Tennessee projects, said King, were of great importance from both a commercial and a political standpoint. By the construction of these great avenues, the Northwest and the Lower South would be brought near to each other. Prejudices would be removed by constant intercourse. New sympathies would be aroused and new ties created. The interests of the Northwest would become those of the Lower South and vice versa.[74]

In Congress, however, the slavery question continued to cause hostility between the sections. When the short second session of the Thirtieth Congress met in December, 1848, sectional feeling developed around the bills for the admission of New Mexico and California as free states and for the abolition of slavery in the District of Columbia. New York submitted resolutions dealing with these and other subjects which David Yulee of Florida called "an insult to fifteen of

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73 Mobile Daily Advertiser, October 30, 1849, quoting Selma Reporter.

74 Mobile Daily Advertiser, May 31, 1851.

the sovereign States of the Union."[75] Some Southerners sought to prevent the resolutions from being printed. King showed both his fairness and his state rights philosophy when he defended the right of New York to present them. A sovereign state, he declared, had the right to present whatever it thought proper to the Congress of the United States, the common servant of all the states. He regretted that in stating their grievances some states had not in all cases used "language more conciliatory and better calculated to effect their objects, and preserve those amicable and kindly feelings which ought to exist throughout the whole country," but at the same time he was willing that they should "make known their views upon all questions and subjects whatsoever." He asked Southerners to defer discussion of their constitutional rights until a more appropriate time.[76] Throughout the session he exerted himself to prevent needless agitation of the slavery question by moving that inflammatory petitions be tabled without debate.[77]

Many southern leaders, because of the numerous problems confronting the country, had come to the conclusion that it was time for the southern states to concert a plan of defense. Some were desirous of calling a southern convention. John C. Calhoun took the lead in preparing an address that

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75 Congressional Globe, XX, 310.

76 Ibid., XX, 313.

77 Ibid., XX, 181-182.

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75 Congressional Globe, XX, 310.

76 Ibid., XX, 313.

77 Ibid., XX, 181-182.

was adopted by a Southern Congressional Caucus.[78] The Calhoun Address pointed to northern aggression against the South in the past and called on the South to unite in its own defense. The northern states, said Calhoun, had made the fugitive slave law almost inoperative; they had permitted abolitionists to organize for the purpose of destroying the existing relationship between blacks and whites in the South; and Northerners were seeking to exclude Southerners completely from the territories although "right, justice, and equality" demanded that they have a right to go there. The aggressions of the North were "numerous, great, and dangerous," and threatened "with destruction the greatest and most vital of all the interests and institutions of the South." To resist, the South needed unity; lack of unity on its part had contributed to the existing situation. If the South presented a united front, the North might cease its aggressions. If unity failed to secure redress for the South, the time would then have come for the section "to decide what course to adopt."[79]

King was a member of a special committee of fifteen and a select committee of five (from the committee of fifteen) to study the Calhoun plan and make a report to the southern

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78 Allan Nevins, Ordeal of the Union, 2 volumes (New York: Charles Scribner's Sons, 1947), I, 12.

79 Richard K. Cralle, ed., The Works of John C. Calhoun, 7 volumes (New York: D. Appleton, 1854-1857), VI, 287-313.

caucus. John M. Berrien, Whig Senator from Georgia, prepared a milder address for the committee, using Calhoun's arguments about northern aggressions, but addressing himself to the whole country instead of to the South alone. Where Calhoun advised the South to take the mode of redress into its own hands, Berrien mildly remonstrated to the whole American people against northern aggressions. Where Calhoun presupposed the utter hopelessness of inducing the North to stay the tide of aggressions against the South, Berrien looked to their love of the union and their sense of justice to favor redress for the South. Where Calhoun felt that the time had come for the South to unite for action, Berrien sought to appeal to the North once more to arrest her course of aggressions. On January 22, when the final caucus met, King reported both plans from the committee, but with the recommendation that the milder Berrien plan be adopted. After the Berrien plan had been read, he expressed hope that it would be accepted and moved that the report of the committee be received and a vote taken to determine whether to adopt the Berrien plan or the Calhoun plan. After a debate the Calhoun Address, with some modification, was adopted by the caucus.[80] Few Whigs supported it, and few Democrats opposed it. Because the Address went so far in advising the

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80 Montgomery Daily Journal, January 31, May 2, 1849; Raleigh North Carolina Standard, January 31, 1849; Hillsboro Recorder, February 14, 1849.

South to unite in resisting northern aggression, some doubted that King would accept it; he signed it, however, because he felt that the South needed to present a united front against northern attacks.[81]

George S. Houston, a member of the House of Representatives, refused to sign the Address and came back to Alabama with the intention of unseating King in the Senate on the basis of it. He found, however, that Alabama had gone "hook and line" for the Address. "The Calhoun men," he said, "will have the state unless the Whigs get it, which is at least possible if not probable." Houston attributed King's support of the Address to his "childish overweening desire to be elected to the Senate." King's friends, said Houston, "taking their cue from it," were pressing the Address with "more violence and zeal than even the Calhoun men, if possible." They were, or seemed to be, "determined to get ahead of the Chivalry and all for the purpose of getting him back into the Senate."[82] One cannot deny that King had advanced a considerable distance in the direction of the Calhoun camp or that he had an "overweening desire" to return to the Senate, but a more charitable view would attribute his

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81 Montgomery Daily Journal, January 19, 1849; Wetumpka Daily State Guard, July 25, 1849; Dorman, Party Politics, p. 31.

82 George S. Houston to Howell Cobb, June 26, 1849, in Phillips, Correspondence of Toombs, Stephens, and Cobb, II, 166.

support of the Address to an honest desire that the South present a united front in the hope that such a stand would prevent northern aggression. In view of his work during the session of 1850, this would seem to have been an important motive in shaping his thinking.

The senatorial election of 1849 in Alabama was complicated by the death of Dixon H. Lewis and the appointment of Benjamin Fitzpatrick to replace him. Fitzpatrick, like King, was from South Alabama, and North Alabama raised the cry that it had no representative in the Senate.[83] If North Alabama was to have a representative, one of the two men appointed by Governor Chapman had to be sacrificed. Each man had advantages and disadvantages if such a choice had to be made. King was the first to be appointed, but he was occupying the seat originally given to North Alabama in 1819. Fitzpatrick was the last to be appointed, but he was occupying the seat given to South Alabama in 1819.[84] Some charged that King opposed Chapman's appointment of Fitzpatrick because he wanted to make sure that North Alabama would not try to unseat him, but the accusation was never proved.[85]

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83 Huntsville Democrat, February 21, 1849; Montgomery Daily Journal, January 29, February 8, 1849.

84 Wetumpka Daily State Guard, January 31, 1849.

85 Wetumpka Daily State Guard, April 30, May 21, 1849; Montgomery Daily Journal, January 29, 1849, quoting Florence Gazette.

Democratic newspapers in the southern part of the state opposed any division and counselled North Alabama to use care lest it cause both seats to be lost to the Whigs if Democratic votes were split.[86] A correspondent of the Florence Gazette said that both King and Fitzpatrick would be defeated; another said that "old party veterans and superannuated and worn out political drones" should be thrown out of office and replaced by younger men.[87] South Alabama newspapers insisted that both King and Fitzpatrick should be reelected if the Democratic caucus decided they were the two best candidates.[88]

The 1849 state legislature was given the responsibility of finding a solution to the problem. In the August election, the Democrats won a majority of fifty-six to forty-four in the House of Representatives, but the Whigs gained control of the Senate by a margin of seventeen to sixteen.[89] Since the two senators were to be chosen by joint ballot, the result of the state election foretold a close vote in the senatorial election.

When the state legislature met in November, there were

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86 Wetumpka Daily State Guard, February 9, 1849.

87 Florence Gazette, October 6, 20, 1849.

88 Wetumpka Daily State Guard, September 27, 1849; Florence Gazette, October 6, 1849, quoting Dallas Gazette.

89 Washington Daily Union, August 23, 1849; Dorman, Party Politics, p. 37.

three major candidates for the senatorial seat King was holding -- King, Reuben Chapman (who had been denied renomination as governor for appointing King and Fitzpatrick) and Arthur F. Hopkins of the Whigs. Prior to the joint session for selecting senators, the Democrats in a caucus voted to support both King and Fitzpatrick for the seats they already held. Offended that North Alabama had secured no recognition by the party, however, a minority seceded from the caucus and presented Chapman as a candidate to oppose King and Jeremiah Clemens to oppose Fitzpatrick for the other seat.[90] This defection in ranks split the Democratic votes and gave hope to the Whigs. Two ballots were taken before Chapman withdrew and permitted King to gain a majority on the third. On the first and second ballots, Chapman received fifteen and thirteen votes respectively, enough to keep King from receiving the necessary majority for election. King's margin on the third ballot was relatively close, the vote being 71 to 58.[91] In accepting the support of the "Montgomery Regency" -- the powerful State Rights element of the party -- King became somewhat obligated to the State Righters and co-operated with them throughout the remainder of his career. But he had also needed the support of the North Alabama Democracy to win the election in 1849. Had the

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90 Mobile Daily Advertiser, November 16, December 2, 4, 1849; Huntsville Southern Advocate, December 7, 1849.

91 Mobile Daily Advertiser, December 2, 1849.

Whigs decided to turn to Chapman or some other Democrat, King might easily have been defeated.[92] In fact, Senator Fitzpatrick was defeated in the second contest when the Whigs joined North Alabama Democrats in voting for Jeremiah Clemens. Thus the effort of Middle Alabama to control both seats backfired and resulted in the election of a dissident Democrat by a majority made up largely of Whigs.[93] King might have suffered the same fate if his policies had not been popular in North Alabama. A South Alabama newspaper noted in 1849 that King's politics were "the politics of North Alabama" and that he was "deservedly a favorite of the people of the mountain region."[94]

King must have been highly gratified at his victory over both the Whigs and dissident Democrats. He now occupied a seat in the Senate in his own right and not by appointment. He had been elevated to the office because Alabamians wished to make use of his experience, his moderation, and his firmness during the crisis which lay in the future. Yet he looked forward to his coming term with trepidation, for he realized that his work would involve "great responsibility, great labor, and no little

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92 Wetumpka Daily State Guard, December 17, 1849, quoting Jacksonville Republican.

93 Florence Gazette, December 8, 1849; Mobile Daily Advertiser, December 4, 1849.

94 Huntsville Democrat, February 21, 1849, quoting Eufaula Democrat.

anxiety."[95] Still a lover of the union, he feared that the North would drive the South to desperate acts. He wrote Buchanan, "They must stop at once their course of aggression or nothing but divine interposition can prevent a dissolution of the Union. I am no alarmist, but I cannot be mistaken in the matter...."[96] In January, 1850, he summed up his views as follows:

> The Slavery question is the all absorbing subject here; and how it is to terminate God only knows. All my efforts shall (as they have been) be unremittedly exerted to compromise if possible this dangerous question, so as to maintain the honor & constitutional rights of the Slave holding States. If this can be effected; no man will feel more heart felt gratification than myself; but I am free to declare that devotedly attached as I am to the Union, proud as I am of my country and the high destinies to which it must attain if we can but prostrate this fanatical spirit and preserve the Union as framed by our Fathers -- yet I stand prepared, should these aggressions upon our rights continue; to resist, at every hazard and at every sacrifice.[97]

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95 King to Buchanan, January 6, 1850, Buchanan Collection, Historical Society of Pennsylvania.

96 King to Buchanan, January 13, 1850, Buchanan Collection, Historical Society of Pennsylvania.

97 King to Gayle, January 15, 1850, in Files of the Alabama Governors, Alabama Department of Archives and History.