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John Tyler Before the Presidency: Principles and Politics of a Southern Planter.

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**JOHN TYLER BEFORE THE PRESIDENCY:
PRINCIPLES AND POLITICS
OF A SOUTHERN PLANTER**

A Dissertation

**Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy**

in

The Department of History

by

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ABSTRACT

This dissertation explores the political career and personal life of John Tyler from 1790 to 1840. Tyler, the tenth president of the United States, was born into an influential planter family that lived in the Tidewater region of Virginia. His father, for whom he was named, instilled in him a devotion to principle and political service and an appreciation for the role of Virginia in America's history. The elder Tyler, a prominent politician and judge, was also an admirer of Thomas Jefferson and an ardent republican. Tyler dedicated himself to a career in politics imbued with the belief that men of his class had a duty to serve in public life. His states' rights political ideology was shaped by a conviction that only a strict interpretation of the Constitution—the Jeffersonian ideal—could best protect the interests of the slave South. Before succeeding to the presidency, Tyler enjoyed a long, productive, and often controversial, career. He became a member of the Old Dominion's general assembly at age twenty-one and was later elected governor of the state. He also served in the United States House of Representatives and in the Senate, becoming an outspoken champion of Virginia and the South.

My work traces the development of Tyler's career before the White House, showing his importance in Virginia politics and analyzing his rhetoric and fundamental assumptions on such hotly-contested issues in the national arena as internal improvements, a national bank, the tariff, and slavery. I examine his view of his constituency and conclude that he was a far shrewder politician than historians have traditionally maintained. I also explain the process by which he landed on the Whig ticket along with William Henry Harrison in the election of 1840. Finally, I probe his

private life. I detail the relationships he shared with family and colleagues and investigate the effects chronic illness had on these relationships and his career. I examine his efforts as both an attorney and slaveholder. I contend that the interplay between his private and public lives frustrated Tyler greatly, though he achieved tremendous personal fulfillment from politics.

INTRODUCTION

Biographers have paid relatively little attention to John Tyler. In fact, only two—now dated—scholarly studies of his life exist.¹ Overshadowed by more prominent contemporaries like John C. Calhoun and Henry Clay and generally dismissed as an unimportant president, Tyler has been largely overlooked. To be sure, historians have examined aspects of his controversial administration, including the issue of his presidential succession, his veto of Clay's bank bills and subsequent banishment from the Whig party, and foreign relations.² Scholars have also analyzed his key role in the annexation of Texas.³ Historians have focused their attention elsewhere, however, to better understand the personalities behind the second American party system, or to explain the ideology of states' rights that galvanized Southern politicians in the decades before the Civil War. They have looked to other men for insight into the antebellum Virginia slaveholder. Tyler's early life and career have thus almost been relegated to a footnote in American history. In light of how important his presidency was in exacerbating the sectional tensions that ultimately led to disunion, such treatment is

¹Oliver P. Chitwood, *John Tyler: Champion of the Old South* (New York: D. Appleton-Century Co., 1939); Robert Seager II, *and Tyler Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963).

²See, for example, Norma Lois Peterson, *The Presidencies of William Henry Harrison and John Tyler* (Lawrence: University Press of Kansas, 1989); Robert J. Morgan, *A Whig Embattled: The Presidency Under John Tyler* (Lincoln: University of Nebraska Press, 1954); George R. Poage, *Henry Clay and the Whig Party* (Chapel Hill: University of North Carolina Press, 1936).

³William J. Cooper, Jr. *The South and the Politics of Slavery, 1828-1856* (Baton Rouge: Louisiana State University Press, 1978), Chapter 6; William W. Freehling, *The Road to Disunion, Vol. 1: Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 356-425; Michael A. Morrison, *Slavery and the American West: The Eclipse of Manifest Destiny and the Coming of the Civil War* (Chapel Hill: University of North Carolina Press, 1997), Chapter 1.

perplexing. Scholars have underestimated how important Tyler's early career was in shaping the events of his presidency. His pivotal role in the often contentious world of antebellum Virginia politics and his outspokenness on the national stage from 1817-1840 have much to tell us. One historian has argued that between 1815 and the outbreak of the Civil War, only Andrew Jackson and Calhoun had more of an impact on southern politics, and "a legitimate argument can be made that Tyler ranked with the other two." Certainly, this historian meant that *President* Tyler had such an impact. Only with a fuller understanding of his early career, however, may we learn the reasons behind his influence. Only by examining the political and personal development that occurred before 1841 may we assess Tyler within the proper framework.⁴

With the exception of the two biographers, those historians who assess Tyler's tenure as a representative in the Virginia House of Delegates, or examine his efforts as a United States congressman or senator, do so only as part of more broadly-conceived studies. His service as Governor of Virginia receives virtually no mention at all. Tyler's devotion to Jeffersonian, strict construction, states' rights principles, embodied in the famous Virginia and Kentucky Resolutions—the so-called "principles of '98"—frames much of the historiography of the years before his presidency. Tyler has been studied within the context of Virginia's "Old" Republicans, those individuals who clung to party orthodoxy when other Southerners embraced the nationalism sweeping America after the War of 1812. He has also been analyzed as one of the Southern states' rights politicians who opposed President Andrew Jackson's use of executive

⁴William J. Cooper, Jr. and Thomas Terrill, *The American South: A History*, 2nd ed. (New York: Alfred A. Knopf, 1996), 281.

power during the nullification showdown with South Carolina in 1832. Finally, historians have examined Tyler's role in the development of the Virginia Whig party.⁵

Although the existing scholarship acknowledges Tyler's place in the politics of Virginia and the nation from 1811-1840, it does not properly acknowledge his skill as a politician. In stressing his adherence to strict construction and states' rights, historians have created the impression that he was little more than a stubborn ideologue who clung to principle no matter what the cost. There is some truth to such a portrait. Tyler repeatedly used the rhetoric of states' rights to explain his position on any number of issues, ranging from the national bank to slavery. He was undoubtedly devoted to the Jeffersonian ideal, for it represented to him the best way to protect the interests of the South. But there was more to Tyler than that. He was a politician, and often a shrewd one at that. He craved political office. Indeed, in many ways, politics provided the means by which he calculated his self worth. Unlike previous accounts of Tyler's early career, then, which underestimate—or render as non-existent—an ability as a politician, I argue that he was instead very skilled in this regard. He cultivated favorable personal relationships in political circles and made sure he understood public opinion on important issues. In antebellum Virginia, public sentiment usually favored states' rights. So, principles and politics often coincided neatly for Tyler.

It is precisely Tyler's importance in helping shape the contours of Southern politics before the Civil War that justifies a new study of his life. This dissertation

⁵Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson* (New York: Columbia University Press, 1965); Henry Simms, *The Rise of the Whigs in Virginia, 1824-1840* (Richmond: The William Byrd Press, 1929); Lynwood M. Dent, Jr., "The Virginia Democratic Party, 1824-1847," Ph.D. diss., Louisiana State University, 1974; William G. Shade, *Democratizing the Old Dominion: Virginia and*

examines the years before his elevation to the presidency in an effort to understand better the larger context in which his administration developed.

the Second Party System, 1824-1861 (Charlottesville: University Press of Virginia, 1996), 241-44.

CHAPTER ONE

TIES TO THE PAST, LINK TO THE FUTURE

January 12, 1835, was not a particularly pleasant day for Senator John Tyler. He awoke that morning with the lingering effects of a bad cold and made his way out of the hotel where he stayed while in Washington. The Second Session of the Twenty-Third Congress had been in session for a little more than one month and there had been plenty of acrimonious debate. President Andrew Jackson had declared war on the Bank of the United States and much of the Senate's official business concerned the propriety of his efforts to kill the institution that he labeled "the monster." Arriving at the Senate chamber shortly before the day's proceedings were to begin, Tyler took his seat.

Sure enough, discussion on the floor quickly turned to the bank. Tyler had a unique perspective through which to view the Bank War. As a member of the Senate Finance Committee, he had helped conduct an investigation of the bank's operations. The Jacksonians hoped the investigation would turn up damaging evidence that the bank's directors had engaged in wrongdoing. Tyler had spent the better part of the previous summer in Philadelphia, where bank headquarters were located, sorting through records and examining countless transactions with the other men on the committee. At the request of the committee Chairman, Daniel Webster, Tyler had prepared a detailed report of the findings, later presented to the Senate, which were favorable to the bank. More significantly, the report weakened the President's case that the bank was detrimental to the country's financial structure. Jackson's most vocal supporter in the Senate, Thomas Hart Benton from Missouri, decided to pick a fight with Tyler on January 12. He began debate on a resolution that he had offered three days earlier, which instructed the Finance Committee to re-examine portions of the

bank's books. Clearly nothing more than a nuisance measure, it was Benton's way of trying to draw Tyler into an argument. Tyler took the bait.

Rising to address his adversary, Tyler declared that he recognized Benton's resolution for what it was: an attempt to discredit the efforts of the Finance Committee and place the bank in a bad light. He told Benton that he would not oppose the resolution but that the bank's directors had already been cleared of any wrongdoing. Though he himself was constitutionally opposed to a national bank, he had undertaken his duties with a determination to find the truth. He expected Benton to abide by the committee's conclusions.

Tyler could not hide his irritation that the matter had been brought up again. He "thought he had shaken this incubus from his shoulders" once and for all, he declared. He chastised Benton, telling him that he had learned "on his mother's knee," that honesty and integrity were essential in all matters, "private or political." Benton decided to use the occasion to ridicule Tyler. Discussion of the resolution continued no further. The two men instead resorted to a sarcastic war of words of a personal nature that continued for several minutes. After listening to Tyler's remarks, Benton replied sardonically that he "had never heard the honorable Senator terminate one of his speeches without some asseveration of that kind." Indeed, every one of Tyler's speeches, Benton mocked, ended with a "high-wrought encomium upon his own integrity, his disinterestedness, his impartiality, and regard for truth." Tyler need not

make any more statements regarding his virtue, Benton continued, for everyone in the Senate knew of it.¹

Benton may have drawn him into a petty exchange on this particular day, but that was not how Tyler typically conducted himself. Political battles, in fact, even the most bitter, had scarcely any effect on his demeanor. Friends and acquaintances had long admired his courtesy and affability, two qualities he almost always displayed. Always polite, ever cordial, Tyler exhibited the soft-spoken manners “of the Old school of Virginia gentlemen,” in dealing with people, yet without the “hauteur or assumption” one often found among antebellum aristocrats. Moreover, he appeared to have the ability to distance himself from the rigors of his station, to downplay, even joke about, the rough and tumble of politics. He had a “ready and insinuating smile,” one admirer said. His personality appealed to most people who met him. And while Tyler did not possess the commanding physical presence of an Andrew Jackson, he nevertheless left an impression. Striking, but certainly not handsome, he was tall—roughly six-feet-one inch—and slender, with long bony fingers and wiry arms. He had blue-gray eyes, light, thinning hair, sunken cheeks and a large Adam’s apple. A prominent nose was his most distinguishing feature. Tyler could be somewhat vain about his appearance, befitting a man who, one woman said, resembled the “best Grecian model.”²

¹*Register of Debates, Comprising the Leading Debates and Incidents of the Second Session of the Twenty-Third Congress* (Washington, DC: Gales and Seaton, 1835), 162.

²Ben: Perley Poore, *Perley’s Reminiscences of Sixty Years in the National Metropolis*, 2 vols. (Philadelphia: Hubbard Brothers, 1886) 1:303 (first quotation); Henry S. Foote, *Casket of Reminiscences* (1874; reprint, New York: Negro Universities Press, 1968), 58 (second and third quotations); Anne Royall, *Letters from Alabama on Various Subjects*, 2 vols. (Washington, D.C.: n.p., 1830), 1: 550 (final quotation).

Tyler's character also had much to recommend it. The way he lived his life as southern planter, lawyer, husband and father, reflected an attempt to make integrity a hallmark for his life. This is not to say he had no flaws; Tyler often fell far short of the ideals he set for himself. For one thing, he handled money poorly. Burdened with unceasing debt, he confounded creditors with delinquent payments and exasperated friends and relatives who heard pleas to lend him financial support. Too, Tyler's stubbornness often made him intractable to even the best advice or made him appear petty. He did his best to mitigate these shortcomings, however. No doubt, he owed his desire to do so, owed his dedication to principle in all facets of life, to an upbringing steeped in tradition. Indeed, a strong sense of family, and of place, shaped Tyler's life from the beginning.

John Tyler was born on March 29, 1790, at Greenway, a twelve-hundred acre family estate located on the James River in Charles City County, Virginia. The sixth child and second son of John Tyler and his wife, Mary Marot Armistead Tyler, the future president had two brothers and five sisters.

The Tidewater region had been home to the Tylers for several generations, and the family belonged to an informal roster of patricians known as the First Families of Virginia. According to family tradition, the first Tyler in Virginia was a man named Thomas, brought by an Osbourne Jenkin in 1635. This ancestor settled in Charles City County, but there is no record of his life after he arrived. The first Tyler for whom there is any documentation, Henry, emigrated from Shropshire (now Salop), England, with his wife Mary and four others around the middle of the seventeenth century and settled in what was called Middle Plantation. It is this location in York County where

Nathaniel Bacon began the rebellion that confounded Governor William Berkeley and Virginia's elite in 1676. Middle Plantation would eventually become the town of Williamsburg.³

Henry's reason for leaving England is not exactly clear, though the Tylers later maintained that, as a royalist and cavalier, he left because of the civil war in the late 1640s that gave control of the country to Oliver Cromwell and the Puritans. A moderate Protestant such as Henry surely realized his devotion to the Church of England would be less dangerous in America. Like many Anglicans, therefore, he settled in Virginia. He received a land grant for 254 acres in 1652.⁴

John Tyler confessed that he knew very little of his heritage and until late in life was not much interested in tracing his family's English roots. "To all the genealogy, other than that of my American ancestors, I have rarely given a thought," he said, "since it seemed to me to be a Cretan labyrinth which would lead to endless confusion and

³George C. Greer, compiler, *Early Virginia Immigrants, 1623-1666* (Baltimore: Genealogical Publishing Co., 1973), 335; John Tyler to William Seymour Tyler, October 14, 1845, in Tyler Family Papers, Virginia Historical Society (cited hereafter as VHS); John Tyler, Jr. to Lyon G. Tyler, November 29, 1884, *ibid.*; John Tyler to George M. Dallas, March 23, 1857, in *The History of America in Documents: Original Autograph Letters, Manuscripts, and Source Materials*, Part 3 (New York and Philadelphia: The Rosenbach Company, 1951), 9; Tyler, *Letters and Times*, 1:41-44; Edward Pessen, *The Log Cabin Myth: The Social Backgrounds of the Presidents* (New Haven: Yale University Press, 1984), 21; Edmund S. Morgan, *American Slavery—American Freedom: The Ordeal of Colonial Virginia* (New York: W.W. Norton and Company, 1975), 266-67; Lyon G. Tyler, *Williamsburg: The Old Colonial Capital* (Richmond: Whittet and Shepperson, 1907), 13-16.

⁴For a general account of the English Civil War, see Christopher Hibbert, *Cavaliers and Roundheads: The English Civil War, 1642-1649* (New York: Charles Scribner's Sons, 1993); David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), 212-13, 224-25, 837-38; Nell M. Nugent, ed., *Cavaliers and Pioneers: Abstracts of Virginia Land Patents and Grants, 1623-1666* (Baltimore: Genealogical Publishing Co., 1963), 272.

perplexity.” Tyler’s busy political life, along with many other responsibilities, clearly contributed to this attitude. From the time he was a young man in his early twenties, Tyler had devoted all his energy to advancing his career and providing for a family. He had been “so busily engaged in the active drama of life” that he simply had no time to explore the details of his ancestry. He did acknowledge, however, that “under different circumstances,” such an endeavor “might greatly have interested” him. During his retirement, Tyler had more time to indulge his curiosity. He even went so far as to write the American ambassador to Great Britain, George M. Dallas, asking him to research the genealogy of the Tyler family in British archives if he got the opportunity. In the last years of his life, Tyler hoped to learn more about his family. He intended to investigate a part of his history that he could not be troubled with as a younger man.⁵

One reputed ancestor did capture Tyler’s imagination at an early age. Wat Tyler, an English blacksmith from Kent had led a bloody revolt against the oppression of Richard II in June 1381. Angered by a crushing poll tax, which fell most onerously on the poorer segments of English society, the enigmatic Wat mobilized peasants and copy-holders of the great lords against often ruthless tax collectors. Thus organized, the poor struck back violently at their oppressors. Marching through the countryside en route to London and the fourteen-year old king, they burned houses and liberated prisons. Their fury extended to the individuals responsible for the implementation of the tax as well; the Royal treasurer and Chief Commissioner both lost their heads in the uprising. Wat eventually secured an interview with Richard to discuss peasant

⁵John Tyler to Rev. William Tyler, November 1, 1856, in John Tyler Papers, LC (first quotation); John Tyler to Rev. William Tyler, n.d., in Tyler, *Letters and Times* 1:35 (second and third quotations); Tyler to George M. Dallas, March 23, 1857, in *History in Documents*, 9.

demands. During the course of the meeting, the rebel leader became unreasonable and offensive. After an exchange of words, he was pulled from his horse and stabbed to death by one of the king's knights. The rebellion died with him, but not before Richard granted some small concessions to popular rights.⁶

Wat Tyler's story had been passed down in the Virginia Tyler family for generations. John Tyler's father had related it to him when he was a young boy and always maintained that their family descended from the martyred rebel. As Tyler remarked later in life, his father "always looked to him [Wat] as his ancestral stock, and there [the matter] rested." While the actual genealogical connection cannot be proven, both father and son were content to believe the lineage existed because they were proud of an individual who "aided even in death to establish and confirm the rights of the commons." They also chose to ignore the fact that Wat himself probably caused his own death, arguing instead that he was "perfidiously slain" by the King. To them, Wat was heroic, his action against tyranny exemplary. His exploits were also much too exciting for the family to abandon, no matter how dubious their claims of ancestry. Tyler's father even sought to preserve, and perhaps legitimize, the link by naming his first son after Wat; John's older brother, Wat Henry Tyler, was born in 1788.⁷

⁶Tyler, *Letters and Times*, 1:36-38; May McKisack, ed., *The Fourteenth Century*, vol. 5 of *The Oxford History of England* (Oxford: Oxford at the Clarendon Press, 1959), 408-23; B. Wilkinson, "The Peasants' Revolt of 1381," *Speculum* 15 (January 1940): 12-35.

⁷John Tyler, quoted in Tyler, *Letters and Times*, 1:39 (first quotation); John Tyler to Rev. William Tyler, November 1, 1856, in John Tyler Papers, LC (second and third quotations); John Tyler to William Seymour Tyler, October 14, 1845, in Tyler Family Papers, VHS; Seager, *And Tyler, Too*, 51.

John Tyler knew at least a little more about the Tylers after they set down roots in Virginia. Forty-nine years old when he arrived in America, Henry Tyler did quite well for himself from the start. He accumulated substantial holdings in land and became a prominent and well-respected figure where he lived. After Mary's death, Henry married Ann Orchard, with whom he had three sons. The eldest of these boys, Henry II, probably a teenager at the time his father passed away in 1672, was the father of President Tyler's great-grandfather. Thus, John Tyler was fifth in descent from the original family settler in Virginia⁸

Henry II settled in York County and like his father played an active role in the affairs of his community. He held various posts, such as bailiff, constable, justice of the peace, coroner and high sheriff. The vestries of Bruton Parish, which included portions of York County, selected him for service as one of their two church wardens. He held this prestigious position for many years. Henry also owned a sizeable amount of land and slaves and earned a relatively comfortable living. None of this marked him as especially significant, however. While he had gained the respect of his neighbors, and rightfully so, there were many men of similar stature in seventeenth-century Virginia. But fate made Henry Tyler noteworthy. In 1698, the Virginia statehouse in the colonial capital of Jamestown burned to the ground. The provincial government subsequently purchased some of the land Henry had inherited from his father, land that was part of the original grant of 1652, to establish a new capital for the colony. The seat of government moved to Middle Plantation in 1699 and the new governor's palace was built on a portion of Henry's land. Henry and several other men ultimately

⁸Tyler, *Letters and Times*, 1:41-42, 48-52; Chitwood, *John Tyler*, 4-6.

oversaw the development of the town, renamed Williamsburg in honor of the English King William III.⁹

Not all Tylers had such a vital link to the history of Williamsburg as Henry II. With each generation, however, they did continue Henry's tradition of official service, holding various positions in colonial government and in the judiciary. For instance, the royal governor appointed the future president's grandfather marshal to the vice-admiralty court in Virginia. Thus, this John Tyler became an important figure in the Crown's efforts to enforce the Navigation Acts, which were passed during the late seventeenth century to regulate colonial trade. He was responsible for gathering evidence—forfeited goods, cargoes and vessels—for trials. The marriage of John Tyler's grandfather was also significant. His union with Anne Contesse, daughter of a Huguenot refugee who came to Virginia after 1685, introduced French blood into the Tyler line.¹⁰

Without question, John Tyler's father, the second son of Marshal John Tyler and Anne Contesse Tyler, became the most distinguished of the family's colonial ancestry. More importantly, of all the people in his son's life, he would have the greatest impact

⁹Tyler, *Letters and Times*, 1:43-45; the document attesting to Henry Tyler's appointment as sheriff of York County is found in the Tyler Family Papers, WM; William W. Hening, *The Statutes at Large: Being a Collection of All the Laws of Virginia, From the First Session of the Legislature in the Year 1619*, 13 vols. (Richmond: Printed By and For Samuel Pleasants, Junior, Printer to the Commonwealth, 1809-1823), 2:197, 285, 419, 428, 431; Tyler, *Williamsburg*, 19-22; a surveyor's draft of the town of Williamsburg is located between pages 20-21.

¹⁰John Tyler to William Seymour Tyler, October 14, 1845, in Tyler Family Papers, VHS; for a description of Marshal Tyler's duties, see Benjamin Waller to Jeremiah Morgan, December 15, 1764, in George Reese, ed., *The Official Papers of Francis Fauquier, Lieutenant Governor of Virginia, 1758-1768*, 3 vols. (Charlottesville: University Press of Virginia, 1980-83), 3:1223-25; Tyler, *Letters and Times*, 1:51-53.

on him. Born in 1747, the elder John Tyler was a bright child and took to books and learning at an early age. He entered the grammar school of the College of William and Mary when he was seven years old and then proceeded to the preparatory division. Afterwards, he was a student at the college.¹¹

William and Mary had been granted a charter in 1693. Throughout its early life, the college struggled mightily to survive. A fire in 1705 destroyed the school's only building. The first president, James Blair, and the royal authorities in Virginia rarely got along and fought over what direction the institution would follow. Moreover, financial difficulties constantly plagued efforts to improve the facilities. Despite these problems, by the 1760s William and Mary had successfully educated a growing number of prominent Virginians and had achieved a small amount of provincial distinction. The college had also become an important component of life in Williamsburg.¹²

William and Mary was no Harvard or Yale, the two colleges generally regarded as the finest in colonial America. In some fields, however, particularly ancient languages and the sciences, the school enjoyed a lofty reputation. By the time John Tyler's father matriculated, there was sound instruction in nearly all areas of the curriculum. Just as important, William and Mary was located in the heart of colonial Virginia's politics. Students could easily attend sessions of the House of Burgesses and see the government at work. As a teen-ager, in fact, the elder Tyler heard Patrick Henry rail against Britain's passage of the Stamp Act. Such an environment nurtured his interest in politics and provided an opportunity to see first-hand what a career in public

¹¹Chitwood, *John Tyler*, 5.

¹²Susan H. Godson et al., *The College of William and Mary: A History*, 2 vols. (Williamsburg: King and Queen Press, 1993), 1:Chapters 1-4.

service might be like. His proximity to the hotbed of early Revolutionary sentiment also instilled in him an intense dislike of all things British.¹³

College life was not all books and politics, however. There was fun, too, for Williamsburg could be quite a lively place, especially when the Assembly was in session. Elegant balls were held with regularity and dancing became a popular form of entertainment. Companies of actors found enthusiastic audiences in the capital as they staged plays such as Shakespeare's *The Merchant of Venice* and *Richard III*. Raucous fairs, usually annual occurrences in towns like Williamsburg, and full of games and liquor attracted large crowds. Clearly, there were many diversions for a young college student.¹⁴

Tyler's father evidently found social life during his college days pleasing. He sought relaxation in other pursuits, especially after beginning the study of law, and took advantage of opportunities to get away from the rigors of his studies. Here again, he was in the right place, for Williamsburg had acquired a reputation as the center of Virginia's intellectual activity before the Revolution. Many young men took to verse or read literature to escape routine. As was the custom of the day, the elder Tyler kept a manuscript book of his poetic efforts and indulged what truly became a passion for him whenever he could. It mattered little that his poetry was not very good. Musical activity was also popular around the capital. Tyler's father played the violin and joined an ensemble, in which he and a young Thomas Jefferson would play with Governor

¹³*Ibid.*; Tyler, *Letters and Times*, 1:54-56, 83; Richard B. Davis, *Intellectual Life in Jefferson's Virginia, 1790-1830* (Chapel Hill: University of North Carolina Press, 1964), 50-51; Tyler, *Williamsburg*, 120-64, *passim*.

¹⁴Edmund S. Morgan, *Virginians at Home: Family Life in the Eighteenth Century* (Williamsburg: Colonial Williamsburg, Inc., 1952), 80, 87-91.

Francis Fauquier every week. Fauquier himself was a musician and the young men enjoyed the time they spent in his company. This love of poetry and music was passed on to the future president. The younger Tyler, too, became quite proficient at both and enjoyed these pursuits virtually his entire life.¹⁵

Serious study did occupy most of a budding lawyer's time, however. Reading law under Robert Carter Nicholas, Tyler's father received rigorous training. He also cultivated a relationship with Thomas Jefferson, who was studying law at the same time under the direction of George Wythe. A friendship developed between the two men, one that would last for over forty years. Tyler professed a "great regard" for Jefferson and was almost deferential toward him. At one point, Tyler, Jefferson, and a young man named Frank Willis shared a house together while each prepared for the bar. Upon completion of his studies in 1770 or 1771, Tyler's father moved from Williamsburg to nearby Charles City County where he set up a practice. He also became increasingly involved in the Revolutionary movement, serving on the committee of safety for his county and becoming a militia captain.¹⁶

In 1776, at the age of twenty-eight and having achieved some success as an attorney, Tyler's father finally married. His bride was sixteen-year old Mary Marot Armistead. John Tyler's mother was the only daughter of Robert Armistead, a prominent planter from Elizabeth City County, Virginia. A family of considerable

¹⁵Tyler, *Letters and Times*, 1:54, 58-63; Davis, *Intellectual Life*, 230, 320-21; the manuscript book is located in the John Tyler Papers, LC.

¹⁶John Tyler, Sr., to Thomas Jefferson, January 30, 1804, in Tyler, *Letters and Times*, 1:205 (quotation), 55-56, 63-64; Chitwood, *John Tyler*, 6.

wealth and prestige, the Armisteads had been in Virginia even longer than the Tylers.¹⁷ Tyler's father had fallen madly in love with Mary, as his manuscript book attests. "In fond love my soul dissolves away," he wrote. He promised his beloved that "each day I'll meet thee with love's fond embrace." After their wedding ceremony on the banks of the James River, the couple moved to a sizeable landed estate called "Marlee" in Charles City. The name of the house was shortly changed to "Greenway," in honor of the lush grass that never failed to grow there. The Tylers would raise their family at Greenway.¹⁸

The year 1776 was fortuitous for the elder Tyler's public career, as well. A convention met in Virginia that spring to assess the growing trouble with England and appointed him a judge of the newly-organized court of admiralty. He and two other men were responsible for hearing cases that concerned the seizure and confiscation of American property by British ships. The post gave Tyler's father his first opportunity to serve Virginia. He would soon receive another.

During the early years of his marriage, Judge Tyler, as he was now called, became active in Revolutionary politics. In the spring of 1777, he entered the Virginia House of Delegates. He represented Charles City County there for eight consecutive years and on four occasions served as Speaker of the House. As a legislator, he became an outspoken opponent of paper money. With inflation rampant in most of the colonies toward the end of the Revolutionary War, much of the legislature's debates focused on this often hotly contested issue. Debtor relief and taxation were key topics, as well, and

¹⁷Nugent, ed., *Cavaliers and Pioneers*, 45.

¹⁸Tyler, *Letters and Times*, 1:55, 61-63 (quotations on pages 62-63); John Tyler Papers, LC.

an intense debate developed over whether America should honor the numerous debts owed to British creditors. These were issues of no small importance, for the financial situation of many Virginians immediately after independence was precarious at best. The bottom had fallen out of the tobacco market, altering the economic climate of the entire Old Dominion.¹⁹

As Virginia's leaders grappled with such concerns, and as they got used to working in Richmond, which became the capital in 1780, factionalism began to develop in the House of Delegates. In a very short time, factional strife dominated proceedings in the legislature, much like it did later during the debate over the ratification of the Constitution. Amidst all the rancor, Judge Tyler's views on government service took shape. He came to believe that "good and able Men had better govern than be govern'd." Men of ability, he said, should not "withdraw themselves from society," lest the "venal and ignorant" succeed. This was particularly important in the 1780s and 1790s, when the new government was being formed.²⁰ Tyler would pass his belief in *noblesse oblige* on to his son. The younger Tyler would enter politics some three decades later fully imbued with the perspective of his father.

¹⁹John Tyler, Sr., to Judge Henry Tazewell, March n.d., 1782, in Tyler, *Letters and Times*, 1:76-77; Emory G. Evans, "Private Indebtedness and the Revolution in Virginia, 1776 to 1796," *William and Mary Quarterly*, Third Series, 28 (July 1971): 357-74; on the economic situation in Virginia during the 1780s, see Alan Schaffer, "Virginia's 'Critical Period,'" in Darrett B. Rutman, ed., *The Old Dominion: Essays for Thomas Perkins Abernethy* (Charlottesville: University Press of Virginia, 1964): 152-70.

²⁰John Tyler, Sr., to Thomas Jefferson, May 16, 1782, in Julian P. Boyd, ed., *The Papers of Thomas Jefferson*, 27 vols. to date (Princeton: Princeton University Press, 1954-), 6:183-84 (quotation); Edmund Randolph to Thomas Jefferson, May 15, 1784, *Ibid.*, 7:259-61; Norman K. Risjord and Gordon DenBoer, "The Evolution of Political Parties in Virginia, 1782-1800," *Journal of American History* 60 (March 1974): 964-66.

Another component of his father's political ideology that John Tyler would inherit was the fear of a powerful federal government. In fact, more than anything else, a belief in the supremacy of the individual states of the Union would shape his political outlook. States' rights would become his creed. During the Revolution, Judge Tyler had recognized the need to strengthen the power of Congress under the Articles of Confederation. More specifically, he believed that Congress needed to expand the power to regulate commerce and address maritime problems. The economic vitality of Virginia depended upon it. Virginia's legislature took up the question in December 1785. Acting in concert with James Madison, who sought to expand the powers of Congress even further than he did, Tyler introduced a resolution to appoint commissioners to a multi-state convention that would ultimately recommend a plan for regulating commerce. Out of this resolution came the Annapolis Convention, which in turn led to the Constitutional Convention of 1787.²¹

To be sure, the Judge did not wish to see the Articles scrapped entirely. He certainly did not anticipate such an occurrence and bemoaned the enlarged powers granted to the federal government by the new Constitution. His purpose was to grant Congress the right to regulate trade, nothing more, and he worried that the states would

²¹James Madison to Thomas Jefferson, January 22, 1786, in Robert A. Rutland and William M. E. Rachal, eds., *The Papers of James Madison*, 17 vols. (Chicago: University of Chicago Press; Charlottesville: University Press of Virginia, 1962-), 8: 476-77; James Madison to James Monroe, January 22, 1786, *ibid.*, 482-83; *Journal of the House of Delegates for the Commonwealth of Virginia*, January 13, 21, 1786; Hugh Blair Grigsby to John Tyler, June 22, 1854, in Hugh Blair Grigsby Papers, VHS; George Bancroft to Lyon G. Tyler, June 12, 1883, in Tyler, *Letters and Times*, 3:179-80; Lance Banning, *The Sacred Fire of Liberty: James Madison and the Founding of the Federal Republic* (Ithaca: Cornell University Press, 1995), 57, 422n.24; Boyd, ed., *Papers of Jefferson*, 9:204-208ed.n; Banning and Boyd analyze in detail the process by which Judge Tyler put forth the resolution and address the controversy that later emerged over the exact role James Madison played in the process.

lose the power to determine policy within their own borders. The Annapolis Convention went beyond its intended scope, and Tyler “lamented that I have put my hand to it, since this measure [the Constitution] may have grown out of it.” He never intended that “we should quit liberty and throw ourselves into the hands of an energetic government.” Furthermore, in scrutinizing the Constitution, he could not help “but dread its operation.” He fretted over the ambiguities he found inherent in the document. As a delegate to Virginia’s ratifying convention, Tyler’s father sought in vain to block his state’s ratification of the Constitution. The introduction of the Bill of Rights only partially allayed his fears; he spent the remainder of his life convinced that the Constitution was an instrument that invited tyranny. Government under the Articles of Confederation, he declared, “was simple, plain, and honest, because there were not objects to gratify ambition and avarice.” Under the Constitution, “more corruption is engendered and incorporated.”²²

Despite what he regarded as an ominous event, the elder Tyler could take solace in his growing family. At the time of Virginia’s ratifying convention, Mary had given

²²Tyler, *Letters and Times*, 1:148-52, 98; for Judge Tyler’s actions in the Virginia Ratifying Convention of 1788, see, Robert Rutland, ed., *The Papers of George Mason, 1725-1792*, 3 vols. (Chapel Hill: University of North Carolina Press, 1970), 3:1047-49; Jonathan Eliot, ed., *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 5 vols. (Philadelphia: J. B. Lippincott Co., 1907), 3: *passim*, especially 641 (quotations); J. Thomas Wren, “The Ideology of Court and Country in the Virginia Ratifying Convention of 1788,” *Virginia Magazine of History and Biography* 93 (October 1985): 395; Jon Kukla, “A Spectrum of Sentiments: Virginia’s Federalists, Antifederalists, and ‘Federalists Who Are For Amendments,’ 1787-1788,” *Virginia Magazine of History and Biography* 96 (July 1988): 286-93; John Tyler, Sr. to Thomas Jefferson, May 12, 1810, in Tyler, *Letters and Times*, 1:245-46 (quotations); see also Saul Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788-1828* (Chapel Hill: University of North Carolina Press, 1998), 79; Jackson Turner Main, *The Antifederalists: Critics of the Constitution, 1781-1788* (Chapel Hill: University of North Carolina Press, 1961), 224.

birth to five children. The couple had four girls, Anne, Elizabeth, Martha and Maria, and a boy, Wat. Each child was healthy, and the entire family took great delight in life at Greenway. The Judge also prospered professionally; shortly after the ratifying convention, he was appointed to Virginia's General Court. The birth of John, the future president, occurred less than two years later and was cause for more joy in the Tyler home.²³

Little information about John Tyler's childhood survives. He apparently spoke and wrote very little about his formative years. Surely, life at Greenway typified what most Tidewater families experienced in the latter part of the eighteenth century. Judge Tyler provided a moderately comfortable existence for his wife and children. He owned plantations in both Charles City and James City County and even had land in Kentucky that provided income. The Tyler home was spacious enough to provide plenty of room for the large and growing family, which, by the time young John was five years old, included another brother, William, and one more sister, Christiana. The house had six fairly good-sized rooms and was well furnished. The grounds surrounding the house included two small farms and a stable for horses and provided plenty of play area for the children. As on most Tidewater estates, there was also a smokehouse at Greenway where meat could be cured. The land was prized for its lush green pasture, and it annually yielded a fairly good harvest of corn, wheat and tobacco. Trees shaded the walkway leading to the door. Judge Tyler himself had a favorite tree, a "large, spreading willow," which stood directly in front of the house. He liked to entertain his

²³Chitwood, *John Tyler*, 10-11; *Tyler Letters and Times*, 1:194-95.

children, as well as neighbors, by playing the fiddle under this tree. John Tyler spent his childhood in this pleasant environment.²⁴

It was not just the environment that made life at Greenway so happy. By all accounts, young John's parents loved their children dearly and enjoyed close relationships with each of them. Their affection reflected a change in family life that occurred among the Virginia gentry after the American Revolution. The stoic virtue prized in the colonial period, which kept parents from outward displays of their love, had given way to a more indulgent approach to raising children. Judge Tyler was especially doting. He "was singularly beloved and respected by his children," a granddaughter once said, "and they thought more of him than I ever saw any one think of a father." The Tyler children were not the only ones who thought highly of their father. His fellow jurist, Spencer Roane, remarked that "in all the social and domestic relations Mr. Tyler was without a parallel." Young John and his brothers and sisters clearly enjoyed many benefits. Their home was a happy one.²⁵

Growing up in Tidewater Virginia also meant growing up amidst slavery. Although Charles City was one of Virginia's smallest counties in terms of total population and absolute number of slaves, the institution played a vital role in sustaining the wealth of the region. Slaves, in fact, made up more than half the

²⁴Tyler, *Letters and Times*, 1:188-90; John M. Vlach, *Back of the Big House: The Architecture of Plantation Slavery* (Chapel Hill: University of North Carolina Press, 1993), 143, 150 contains a site plan of Greenway, as well as a picture taken in 1934-35; Chitwood, *John Tyler*, 10-12; Richmond *Enquirer*, September 15, 1805.

²⁵For the shift in attitude toward children and parenting among the Virginia elite after the Revolution, see Jacqueline S. Reinier, *From Virtue to Character: American Childhood, 1775-1850* (New York: Twayne Publishers, 1996), 154; Tyler, *Letters and Times*, 1:269 (first quotation); Richmond *Enquirer*, January 12, 1813 (second quotation).

population of the county at the time of Tyler's birth.²⁶ Tyler's father owned around three dozen slaves, and the young man no doubt got quite used to seeing them, either at Greenway, or at neighboring farms.²⁷ He also likely heard of incidents that made his father, and men like him, very nervous. In 1781, for example, slaves in nearby Williamsburg set fire to several buildings. When Tyler was two years old, a gang of slaves raided a plantation in Charles City and killed an overseer. There was also an insurrection in Southampton County, located south of Charles City, which occurred in 1799. More startling still were the widespread rebellion in 1800 associated with the slave Gabriel and the so-called Easter Plot of 1802. Charles City, like most of the Tidewater, and the areas in and around Richmond, became vigilant in the wake of these incidents. State militias, the first line of defense against slave insurrection, had proved inadequate. In 1801, the Virginia legislature passed a law strengthening the patrol system in the counties. By the turn of the century, patrols were regularly dispatched and sent to "all Negro Quarters and other places suspected of entertaining unlawful assemblies of Slaves, servants, or other disorderly persons." The men of the county usually rotated in one month terms and were instructed to "do duty as often as [they] [thought] necessary."²⁸

²⁶*First Census of the United States, 1790: Return of the Whole Number of Persons Within the Several Districts of the United States.*

²⁷It is impossible to state with certainty exactly how many slaves the elder Tyler owned, because the individual schedules for Charles City County for the 1790 and 1800 censuses are missing. Nor do property records offer any information. The number given above is inferred from Judge Tyler's will, dated January 3, 1813, a reprint of which is found in *William and Mary Quarterly*, First Series, 17 (April 1909): 213-35.

²⁸Robert McColley, *Slavery and Jeffersonian Virginia* (Urbana: University of Illinois Press, 1964), 107; Charles City County Records, Special Court Papers: Patrols and Guards' Papers, 1800-1852, Library of Virginia, Richmond, Virginia (the quotation

Happily for John Tyler, his family never suffered any violence at the hands of slaves. He did not, however, have the easiest childhood, no matter how pleasant his surroundings may have been. Young John was rather sickly and a bit on the frail side. Always much too thin, and never as robust as his brother and sisters, he was also prone to chronic stomach ailments. From the time he was very small, he suffered from regular attacks of diarrhea; his gastric distress would be a constant source of irritation for most of his life.

Even so, his physical condition never took away John's "merry, mischievous smile and silvery laugh."²⁹ Nor could it prevent the development of a seriousness of purpose that would serve him well later as an attorney and politician. Simply put, the boy's build and temperament belied a quiet intensity, a certain self-assuredness. When pushed, young Tyler would assert himself. Family tradition includes an account of an incident that occurred around the time he was eleven years old that illustrates this quality perfectly.

For a brief time, John attended a little neighborhood school not far from Greenway. The schoolmaster, a harsh Scot by the name of McMurdo, hardly ever spared the rod in getting his charges to understand their lessons. "It was a wonder that he did not whip all the sense out of his scholars," Tyler once said. One day, the class

is from a patrol order issued on July 23, 1802); Douglas R. Egerton, *Gabriel's Rebellion: The Virginia Slave Conspiracies of 1800 and 1802* (Chapel Hill: University of North Carolina Press, 1993), 148; for a study that assesses Gabriel's rebellion within a broader context, see James Sidbury, *Ploughshares into Swords: Race, Rebellion, and Identity in Gabriel's Virginia, 1730-1810* (Cambridge: Cambridge University Press, 1997); Arthur Scherr, "Governor James Monroe and the Southampton Slave Resistance of 1799," *The Historian* 61 (Spring 1999): 557-78.

²⁹Tyler, *Letters and Times*, 1:199.

had had enough. Young John and some of the larger boys in the class tripped their nemesis and bound his hands and feet. The schoolmaster tried to resist, but to no avail. His class secured him, locked up the schoolhouse and left, cheering loudly as they walked off. A passerby found McMurdo some hours later and released him. The man immediately charged toward the Tyler home, where he hoped to enlist the Judge's help in punishing John, the alleged ringleader of the embarrassing incident. He found only disappointment, though, for, upon being told the story, Judge Tyler shouted the motto of Virginia, "*Sic Semper Tyrannis!*" (Thus always to tyrants!), and banished him from the house.³⁰

Tyler's clash with McMurdo was probably not the defining moment of his childhood. That likely occurred with the death of his mother. Only thirty-seven, Mary Armistead Tyler died of a paralytic stroke in April 1797, when her second son was but seven years old. Judge Tyler took the loss of his beloved wife very hard. Turning to the solace of poetry, he composed an elegy for Mary. "Thus to be left alone to mourn in endless pain," he wrote sadly.³¹

John Tyler's father would never marry again; he was content to raise his children alone. Exactly what effect this had on young John, or his siblings, is hard to gauge. There is no extant evidence that might indicate how deeply they felt the loss of their mother. Tyler apparently never discussed the matter later in life. One thing is certain, however. It was highly unusual for a man of Judge Tyler's stature to raise

³⁰This story is related in Tyler, *Letters and Times*, 1: 199-200 and is recounted in both Chitwood, *John Tyler*, 13-14 and Seager, *And Tyler, Too*, 49. Its authenticity cannot be verified, except for the comment made later by John Tyler himself.

³¹The elegy can be found in Judge Tyler's manuscript book, in John Tyler Papers, LC.

children on his own. He had an old houskeeper, Mrs. Bagby, who became very important after Mary's death, but late eighteenth and nineteenth-century convention almost demanded that a widower with small children take another wife. The fact that the elder Tyler never did suggests a great deal about his love for Mary. Moreover, John's apparent happy childhood, as well as the close relationship he enjoyed with his father, attest to the man's success in raising his children alone.³²

In 1802, five years after his mother's death, John Tyler entered the secondary division of the College of William and Mary. As a twelve-year old, he noticed immediately how young he was in comparison to most of the students on campus. Years later, Tyler recalled that early in his college career, he "was no fitting associate for the members of the Senior class, many of whom were of the age of manhood, while I was but fairly in my teens."³³ Fortunately, his living arrangements in Williamsburg made the transition to life at William and Mary easier. As a secondary student, he boarded under the roof of brother-in-law James Semple, his sister Anne's husband and a prominent attorney. Such an accommodation no doubt pleased the college administration, which sought to avoid placing the younger students in dormitories.³⁴

³²Tyler, *Letters and Times*, 1:192; for a general discussion of how planter families reacted to death, and for how a young Tyler may have viewed the loss of his mother, see Daniel Blake Smith, *Inside the Great House: Planter Family Life in Eighteenth-Century Chesapeake Society* (Ithaca: Cornell University Press, 1980), 271-73, 279-80; also, Russell L. Blake, "Ties of Intimacy: Social Values and Personal Relationships of Antebellum Slaveholders," Ph.D. diss., University of Michigan, 1978.

³³John Tyler to Rev. William Tyler, October 29, 1859, in Tyler, *Letters and Times*, 1:192.

³⁴McColley, *Slavery*, 44; Robert P. Thompson, "The Reform of the College of William and Mary, 1763-1780," *Proceedings of the American Philosophical Society* 115 (June 1971): 187-213.

Before young Tyler could complete his preliminary education, however, his family suffered more misfortune. His sister Anne, barely twenty-five years old, died after a brief illness in June 1803. Judge Tyler took her death quite hard and lamented that his oldest child, “so excellent in her manners and conduct,” would never achieve her full promise.³⁵

However the loss of his sister may have affected him, John did not let the tragedy impede his scholastic progress. Less than one year after her death, Tyler entered the college division of William and Mary, where he joined his brother Wat, who had entered the year before. His name first appeared on the roll of college students in 1806, though he actually began his studies in 1804.³⁶ During the years he attended William and Mary, the college underwent a transition of sorts. The school had suffered lean times since the Revolution and had even closed briefly during the war. Decreasing enrollment and a factional struggle over the curriculum threatened the long-term existence of the institution. Moreover, there were some influential men in Virginia who wanted to establish a more comprehensive university elsewhere. Thomas Jefferson, who sought reforms to strengthen the college, eventually began a campaign to establish a state university in Charlottesville, arguing that William and Mary’s location was “eccentric,” which “exposed [it] to bilious diseases.” Jefferson also worried that the college had been “abandoned by the public care.” William and Mary, and

³⁵Virginia (Richmond) *Argus*, July 6, 1803; John Tyler, Sr. to Joseph Prentis, Sr., March 9, 1809, Webb-Prentis Collection, Alderman Library, University of Virginia (cited hereafter as UVA) (quotation).

³⁶*The History of the College of William and Mary (Including the General Catalogue) From Its Foundation, 1660, to 1874* (Richmond: J.W. Randolph, 1874), 106.

Williamsburg as a whole, had suffered greatly when the capital moved to Richmond in 1780. A population shift from the Tidewater to the Piedmont around the turn of the century, aided by the establishment of Hampden-Sydney College in Prince Edward County, also hurt. By the middle of John Tyler's matriculation, however, the institution appeared stable. There were forty-five students receiving instruction in 1806, a number significantly higher than a low of eight a little over one decade earlier. The school had started to attract bright young men from neighboring states; Kentuckians like the future statesman John J. Crittenden attended classes with Tyler. Most importantly, the school's president, Bishop James Madison, had taken an aggressive approach in turning around the fortunes of his institution.³⁷

A cousin of James Madison, the future president of the United States, Madison implemented significant changes at William and Mary during his tenure. He eliminated the rigid classical curriculum modeled on the English system of Oxford and Cambridge. In its place he introduced a freer, more liberal program of study and instituted the elective system, which gave each student a choice of the courses he would take. No preliminary credits were required. Greek and Latin were eliminated from the course of study. Instruction in Rhetoric, Logic and Philosophy of the Human Mind, as well as Moral Philosophy, in which students studied the English theologian William Paley's rules of life, became integral components of the new curriculum. So too did mathematics, geography, modern languages, ancient history and instruction in Natural

³⁷Tyler, *Letters and Times*, 1:200; Thomas Jefferson to Joseph Priestly, January 18, 1800, in Paul L. Ford, ed., *The Works of Thomas Jefferson*, 12 vols. (New York: G.P. Putnam's Sons, 1905), 9:95-99; McColley, *Slavery*, 43-44; Thompson, "Reform of the College," 187-213, *passim*; Godson et al., *College of William and Mary*, 1:126-41; Tyler, *Williamsburg*, 269; Albert D. Kirwan, *John J. Crittenden: The Struggle for the Union* (Lexington: University Press of Kentucky, 1962), 10-12.

Law. The study of politics was perhaps the hallmark of a William and Mary education. According to one student, there was “probably no College in the United States in which political science is studied with so much ardour.” Madison himself taught the first course in Political Economy in the United States. Adam Smith’s *The Wealth of Nations* became his favorite treatise on the subject.³⁸

The curriculum changes spearheaded by Bishop Madison directly reflected the heritage of the American Revolution. Madison consciously sought to make the college more “republican,” more attuned to the ideals of the Revolution. He believed that the college’s new structure would properly educate a new generation of Jeffersonian Republican leaders.³⁹ John Tyler’s years at William and Mary coincided with the flood tide of Jeffersonianism in Virginia. Thomas Jefferson had been elected president of the United States in 1800 and Federalism had become distasteful to many in the Old Dominion. William and Mary quickly acquired a reputation in the early years of the nineteenth century as a hotbed of anti-federalist politics. This was in direct contrast to

³⁸John Hartwell Cocke’s lecture notes, 1798-1801, College of William and Mary, in Cocke Family Papers, UVA; David W. Robson, *Educating Republicans: The College in the Era of the American Revolution, 1750-1800* (Westport, Conn.: Greenwood Press, 1985), 16; Joseph Shelton Watson to David Watson, January 17, 1801, in “Letters From William and Mary College, 1798-1801,” *Virginia Magazine of History and Biography* 29 (April 1921): 159-60; Robert M. Hughes, “William and Mary, The First American Law School,” *William and Mary Quarterly*, Series Two, 2 (January 1922): 43; Davis, *Intellectual Life*, 52.

³⁹Thompson, “Reform of the College,” 205; Marilou Denbo, “The Nineteenth Century Presidents of the College of William and Mary” (Ph.D. diss., New York University, 1974), 39, 46, 55-61; Ruby O. Osborne, “The College of William and Mary in Virginia, 1800-1827” (Ph.D. diss., The College of William and Mary, 1981), Ch. 1; for a discussion of Revolutionary republicanism’s link to education see Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge: The Belknap Press of Harvard University Press, 1967), Ch. 6; Lyon G. Tyler, “Early Presidents of William and Mary,” *William and Mary Quarterly*, First Series, 1 (October 1892): 73-4.

most other universities of the time, schools like Harvard and Yale, where the Federalist world view was supreme. At William and Mary, both faculty and students proclaimed their allegiance to the Jeffersonian ideals of limited government and free trade. Many of the men educated at the college, individuals such as Benjamin Watkins Leigh, carried their ideals into the national political arena as they carved out careers for themselves in the 1820s and 1830s. Their opponents would decry them all as “free trade Locofocos” and blame William and Mary for their shared ideology.⁴⁰

Such was the academic environment John Tyler found himself in at the college. No doubt, it pleased his anti-federalist father. Like many people around Williamsburg and Charles City, Judge Tyler greatly respected Bishop Madison. He once said that he felt “the highest veneration for his character as a Man.” The elder Tyler expressed less enthusiasm for Madison’s religious training, primarily because he had studied in England.⁴¹ That had little impact on students, however. Young John respected Madison, too, and he quickly became one of the man’s prize students. He excelled academically at William and Mary, though it is clear that Madison’s Political Economy course, with required reading of Locke’s *On Civil Government*, Rousseau’s *Civil Contract*, Montesquieu’s *The Spirit of the Laws*, Thomas Paine’s *The Rights of Man*, and of course, Adam Smith, was not his favorite. The teen-age scholar once admitted that he did “not have the patience to sit over old Smith in order to prepare for this

⁴⁰James H. Broussard, *The Southern Federalists, 1800-1816* (Baton Rouge: Louisiana State University Press, 1978), 328; Robson, *Educating Republicans*, 169-71; P. V. Daniel to Richard B. Gooch, October 27, 1843, in Gooch Family Papers, UVA (quotation); Tyler, *Letters and Times*, 1:204.

⁴¹John Tyler, Sr. to Judge [?] Nelson, June 20, 1803, in Tyler Family Papers, WM; John Tyler, Sr., to St. George Tucker, July 10, 1795, in John Tyler Papers, LC (quotation).

d[am]ned examination.” Tyler did enjoy ancient history; it was his favorite subject. And while he did well in Latin and Greek, Cicero bored him. Writing to a friend while he should have been studying, he moaned that the “cursed Oration so continually runs in my head...I am half beside myself.” Much like his father did while a student, John sought to escape unpleasant lessons by writing poetry. His friends in fact, called him “our Poet” and once wrote a good-natured ode ribbing him for his hobby. Tyler also read Shakespeare voraciously and often quoted lines from his plays.⁴²

Judge Tyler took an active interest in the education of his children. On at least two occasions, he entertained the thought of moving to Williamsburg so that he could be closer to his boys and oversee their studies. In 1803, he was offered an appointment to the Court of Chancery in Williamsburg. The post meant the Judge would “get discharged from the terrible business of riding [his] Life away” on the circuit, but he turned it down. He confessed that he was “afraid of the experiment” of moving, despite its obvious benefits. Later, in 1805, the elder Tyler halfheartedly attempted to sell Greenway. Financial considerations no doubt played a role here. Money was a constant worry while the boys were in college. When William joined his brothers at school a few years after John began, family finances became even tighter. Though the elder Tyler would never have compromised his sons’ futures, for which he believed education absolutely essential, he often wondered how he could remain financially solvent. A William and Mary education came “at a great cost,” he said. “My Boys have run me in debt so much that I fear I shall be bankrupt.” His salary as a judge barely allowed him

⁴²Godson et. al., *College of William and Mary*, 1:190; John Tyler to George Blow, June 4, 1807, in Blow Family Papers, WM (quotations); Tyler, *Letters and Times*, 1:200-201; a copy of the poem written by Tyler’s fellow students is found in the Tyler Family Papers, VHS.

to stay ahead. But the old man consoled himself with the thought that his sons would succeed and bring credit to both him and Virginia. Indeed, he believed that the tremendous economic and social change brought about by the success of the Revolution demanded that a young man be educated. It was the only way to secure standing in the community and ensure financial independence.⁴³

Tyler knew he had to please his father while at William and Mary and make him proud. On the whole, he enjoyed a fine collegiate career. He upset the Judge on one occasion, however, when he wrote a letter home with sloppy penmanship. "How can you be fit for law business of every description," his father wrote him back, if there was no "improvement" in [your] handwriting? He further admonished his son that "writing and cyphering well are absolutely necessary, and cannot be dispensed with." The young man's penmanship improved at once.⁴⁴

Judge Tyler did take delight in his son's desire to discuss politics and law in their letters. In one exchange, the two wrote back and forth about the Bill of Rights and the responsibilities of citizens in a republic.⁴⁵ The correspondence indicates the career path that John had marked out for himself as a college student. More specifically, it

⁴³ John Tyler, Sr. to Governor William H. Cabell, May 22, 1803, in Tyler *Letters and Times* 3:16-17 (first two quotations); Richmond *Enquirer*, September 15, 1805; John Tyler, Sr., to Thomas Jefferson, June 10, 1804, in Tyler, *Letters and Times*, 1:208 (third quotation); John Tyler, Sr., to Joseph Prentis, Sr., January 21, 1805, in Webb-Prentis Collection, UVA (fourth quotation); for discussions of the increased importance placed on education in the early republic, see Jan Lewis, *The Pursuit of Happiness: Family and Values in Jefferson's Virginia* (Cambridge: Cambridge University Press, 1983), 152-68; Phillip Hamilton, "Education in the St. George Tucker Household: Change and Continuity in Jeffersonian Virginia," *Virginia Magazine of History and Biography* 102 (April 1994): 175-92; Smith, *Inside the Great House*, 121-24.

⁴⁴ John Tyler, Sr. to John Tyler, February 7, 1807, in John Tyler Papers, LC.

⁴⁵ *Ibid.*; John Tyler, Sr. to John Tyler, March 1, 1807, *Ibid.*

indicates the path toward which the Judge had steered him. There was never any doubt young Tyler would follow his father's lead and prepare for the bar. A career in politics, the elder Tyler hoped, would follow.

In June 1807, after completing course requirements and passing his examinations, John prepared an address for William and Mary's commencement exercises. He and four of his classmates wrote speeches for the occasion. It was customary for the graduates to address the public as part of the annual Fourth of July festivities in Williamsburg. Bishop Madison invited anyone to attend and the students usually spoke before a sizeable gathering of people. Tyler settled on his topic, "Female Education," after serious deliberation. His father had long instilled in him the importance of education. Indeed, his father believed education, for both young men and women, essential to the success of republican government. Tyler wanted to offer something significant in his oration; this theme allowed him to do that. He took the Judge's advice, offering a speech that "consist[ed] more of sound sense and reason than high flights of rhetoric." Many in the audience lauded his effort as exemplary. One listener believed that the young man had made his key point clear: "a liberal and rational education" was essential for "giving perpetuity to republican institutions." Bishop Madison, perhaps unduly critical of his prize scholar, liked the speech, but saw room for improvement.⁴⁶

The address was the capstone on a highly successful college career. Tyler had distinguished himself academically and made many friends during his time in

⁴⁶John Tyler, Sr., to John Tyler, March 1, 1807, *Ibid.*(first quotation); Tyler, *Letters and Times*, 1:203; *Richmond Enquirer*, June 23, July 7, 1807 (second quotation).

Williamsburg—not to mention receiving a first-rate education at William and Mary. Moreover, he had enjoyed being there. Years later, he would remark proudly that his alma mater had “contributed her full share to the public enlightenment” and “made her mark on the tablets of history,” by educating numerous “illustrious men.” Tyler’s active association with the college did not end with his graduation. He would later serve as a rector of the school, as well as its chancellor, and would play an active role in hiring faculty. His involvement would last virtually his entire life. After commencement, however, he had a career on his mind and quickly prepared to immerse himself in the study of law.⁴⁷

⁴⁷*The Address Delivered by His Exc’y John Tyler, and the Poem Recited by St. George, Esq. On the 166th Anniversary of the College of William and Mary in Virginia, 1859.*

CHAPTER TWO

FULFILLING AMBITION: LAW, LEGISLATURE AND MARRIAGE

Shortly after graduation from William and Mary, Tyler returned home to Charles City and began to read law with his father. Preparing for the bar this way was common in early nineteenth century Virginia. Despite the creation of a law school at William and Mary in 1779, and while schools such as Columbia and Yale had begun to train lawyers, formal legal instruction had not yet become the norm, in Virginia or elsewhere. Most attorneys in the United States received their training through the apprenticeship system.¹

As an apprentice, an aspiring lawyer studied under the direction of an established practitioner for a period of time; one to three years was customary. He also served as his mentor's clerk and assisted with the more routine tasks of a practice. It was not uncommon, for example, for the novice to draw up writs or write and file deeds. Such an arrangement benefited both apprentice and attorney; the student gained valuable first-hand experience in the procedure of the law, and the lawyer relieved himself of the components of a practice that had long bored him. Upon the completion of his studies, the young man appeared before a board of judges charged with examining him. If the board deemed him qualified, it would grant a license and accept him to the bar.²

¹Charles T. Cullen, "St. George Tucker and Law in Virginia, 1772-1804," Ph.D. diss., University of Virginia, 1971, 185-96.

²Lyon G. Tyler, *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittett and Shepperson, 1885) (cited hereafter as *Letters and Times*) 1:204; Robert M. Hughes, "William and Mary, The First American Law School," *William and Mary Quarterly*, Second Series, 2 (January 1922):40-48; E. Lee Shepard, "Breaking into the Profession: Establishing a Law Practice in Antebellum Virginia," *Journal of Southern History* 48 (August 1982):394-96.

Studying under the Judge's direction meant John Tyler could take advantage of a well-stocked library and benefit from his father's years of experience in the Virginia courts. The elder Tyler had strong ideas about what constituted a proper education in the law. Reflecting his dislike of the British system, upon which most lawyers in the Old Dominion based their training and practice, he hated relying on case law. He acknowledged the importance of committing significant cases to memory, but believed the practice of law should be dictated by logic and reason, not precedent. Every case presented different challenges. As a colleague once said, Judge Tyler's mind "was remarkably strong, and in applying its energies to the subjects before him, he professed rather to be governed by great principles than to be trammelled by cases or systems." He therefore taught young John to think carefully and spared him the tedium of merely learning cases and rules by rote.³

Tyler's father also believed that law and politics were inextricably linked. A career in the law often led to public service; in fact, most of the nineteenth century's eminent politicians were trained in the law. Accordingly, the elder Tyler thought it necessary to augment his son's learning by having him read tracts that favored strict construction of the Constitution and states' rights. In this way, the boy's legal education complemented what he had learned as a college student. A staunch Anti-Federalist and Democratic-Republican, recognized for what Thomas Jefferson called his "steady adherence to sound political principles," Judge Tyler wanted to ensure he passed on his political beliefs to John, as well as trained him for his profession.⁴

³Tyler, *Letters and Times*, 1:57-58 (quotations from Spencer Roane on page 58).

⁴*Ibid.*, 204; Thomas Jefferson to John Tyler, Sr., January 19, 1809, in John Tyler Papers, Division of Manuscripts, Library of Congress (cited hereafter as LC).

The most influential work in Tyler's legal education was St. George Tucker's edition of *Blackstone's Commentaries*. Tucker became professor of law at William and Mary and served with Judge Tyler on the bench of Virginia's General Court. The two men were friends and shared the same political beliefs. They also shared the belief that Virginia's legal system depended too much upon British tradition. Tucker published his five-volume annotation of the English jurist Blackstone's *Commentaries* in 1803 because he believed the antirepublican sentiments of the original work were inappropriate for practice in America. Aspiring attorneys like John Tyler needed a systematic guide to the law written by a republican theorist who understood the legal system of the United States. Tucker adapted the *Commentaries* to the Constitution in a way that "appeared to him most likely to be of use to an American student," especially one who hoped to practice law in Virginia. In studying Tucker's edition of the *Commentaries*, then, Tyler received a more detailed and practical analysis of common law problems—property, tenures, estates, titles, pleadings—than if he had relied on the original text.

Just as important as what Tucker's *Blackstone* taught Tyler about the law was the political philosophy the work championed. Possessed with what Judge Tyler once called the "mighty Phalanx of the schools," Tucker used his considerable erudition and talent for the written word to articulate a coherent states' rights theory based on strict construction of the Constitution. In fact, Tucker devoted a great deal of time in his treatise to what he called the "machine" of dual sovereignty, the interaction between the federal government and the states. Not surprisingly, his was a constitutional interpretation very different from that of the Federalists, who, at the time, dominated

American jurisprudence. Much as Judge Tyler did, Tucker believed there were dangers inherent in the Constitution and worried about the wide scope of authority implicitly granted to the federal government. One needed only to look at the Alien and Sedition Acts, passed during the John Adams administration to stifle opposition to the Federalist party, to see the dangerous potential of a consolidated national government.

Elaborating on the principles put forth by James Madison and Thomas Jefferson in the Virginia and Kentucky resolutions, the so-called “doctrines of ’98,” Tucker argued that the “establishment of a federal Council of the States, in whom the Executive Authority may be safely vested,” offered the only hope for the perpetuation of the Union.

Sovereignty that rested ultimately in the hands of the national government smacked too much of monarchy. The states had to hold sovereignty for themselves.

Read in the context of the Jeffersonian ascendancy of the early nineteenth century, Tucker’s *Blackstone* found a receptive audience in Virginia. John Tyler, reared in the states’ rights tradition, would turn to the principles embodied in Tucker’s scholarship time and again as he carved out a political career for himself. He would also encourage his sons to read the work as they prepared for the bar, hoping they would appreciate the ideology behind it as he did. As an heir to the Anti-Federalist legacy of St. George Tucker, Tyler would cling to the ideals of this tradition throughout his political career.⁵

⁵St. George Tucker, *Blackstone’s Commentaries: With Notes of Reference, to the Constitution and Laws of the Federal Government of the United States; and of the Commonwealth of Virginia*, 4 vols. (Philadelphia: Birch and Small, 1803), Vol. 1, part 1:iv (first quotation), viii (third quotation); John Tyler, Sr. to St. George Tucker, July 10, 1795, in John Tyler Papers, LC (second quotation); Saul Cornell, *The Other Founders: Anti-Federalism and the Dissenting Tradition in America, 1788-1828* (Chapel Hill: University of North Carolina Press, 1999), 263-73; St. George Tucker to John Page, February 27, 1801, in McGregor Autograph Collection, Alderman Library,

Ironically, though, a staunch Federalist would supervise the completion of Tyler's law studies. Tyler's apprenticeship with his father did not see him through to the bar, for in 1808, the Virginia legislature elected the elder Tyler governor. The election came as a mild surprise, and the Judge expressed some reservations about accepting the position. But, he believed, it was his "indispensable duty" to "obey" the wishes of the assembly and serve the Old Dominion. Becoming governor meant he could no longer oversee his son's legal education, however. Moving with his father to the capital in January 1809, John undertook to finish his studies under the direction of Edmund Randolph, the son-in-law of Robert Carter Nicholas, his father's mentor. Randolph, a brilliant legal scholar and former attorney general in George Washington's administration, supervised Tyler's final preparations for the bar.

Fifty-six at the time Tyler began his apprenticeship with him, Randolph was in declining health and had begun easing himself into retirement. He complained that he had "lost a considerable portion of flesh" in his old age. Physical ailments limited his work load and he handled few cases. Nevertheless, his new teacher impressed eighteen-year-old John. "Clients flocked around him in vast numbers," he recalled years later, "and his opinions exerted great influence, not only over the courts, but over

University of Virginia (cited hereafter as UVA)(third quotation), A. G. Roeber, *Faithful Magistrates and Republican Lawyers: Creators of Virginia Legal Culture, 1680-1810* (Chapel Hill: University of North Carolina Press, 1981), 236-37; Cullen, "St. George Tucker and Law," 227-31; Robert M. Scott, "St. George Tucker and the Development of American Culture in Early Federal Virginia, 1790-1824," (Ph.D. diss., George Washington University, 1991); David N. Mayer, *The Constitutional Thought of Thomas Jefferson* (Charlottesville: The University Press of Virginia, 1994), 50, chapter 7; John Tyler to Virginia Democrats, June 9, 1855, in John Tyler Papers, LC; John Tyler to John Tyler, Jr., November 4, 1838, in James H. Rochelle Papers, Rare Book, Manuscript, and Special Collections Library, Duke University.

the people.” Randolph’s body may have shown the effects of time, but his mind was as sharp as ever. His “massive” intellect challenged Tyler. Teacher and student clashed, though, when discussions turned to politics. Tyler “did not admire [Randolph] as a politician” and found his mentor’s belief in a supreme federal government wholly at odds with the states’ rights principles taught to him by his father. Despite their political differences, Tyler learned a great deal from Randolph. The short time he spent under his direction better prepared him for the bar examination. As he later said, he could “never be too grateful for the instruction he afforded me.”⁶

Tyler passed the bar late in 1809. He did not immediately set up a practice, however, choosing instead to remain for a time in Richmond with his father. Staying in the capital gave him the opportunity to further his legal education by participating in several moot courts organized by Judge Creed Taylor of the Richmond Superior Court of Chancery. Tyler and other young lawyers like Francis Gilmer, Abel P. Upshur and William C. Preston, men he would later encounter in politics, honed their rhetorical skills under Judge Taylor’s direction. The competition among the men ultimately made Tyler more comfortable in front of a jury and provided a venue for him to apply the knowledge he had acquired during the course of his studies. Moreover, the association

⁶Richmond *Enquirer*, December 10, 1808; John Tyler, Sr. to the Speaker of the Virginia House of Delegates, December 11, 1808, in Tyler, *Letters and Times*, 1:217 (first and second quotations); John J. Reardon, *Edmund Randolph: A Biography* (New York: Macmillan Publishing, Co., Inc., 1974), 359-60; Edmund Randolph to Joseph Prentis, Sr., June 26, 1808, in Webb-Prentis Collection, UVA (third quotation); John Tyler’s address on “Richmond and its Memories,” November 1858, in Tyler, *Letters and Times*, 1:221 (fourth, fifth and final quotations); Tyler quoted in A.G. Abell, *Life of John Tyler, President of the United States, Up to the Close of the Second Session of the Twenty-Seventh Congress* (New York: Harper and Brothers, 1844), 136 (sixth quotation); The original quotation was made during a debate in the Senate, see *Register of Debates*, 22nd Cong., 2nd sess., 361-62.

with Taylor, a Jeffersonian Republican himself, no doubt reinforced young John's political sentiments and pleased his father.⁷

While the capital may have provided a stimulating professional environment, the city offered little in the way of aesthetic value or culture. Simply put, early nineteenth century Richmond was quite wretched. As Tyler remembered it years later, "the surface on which the city stood was untamed and broken." Weeds and mud blanketed the square near the Capitol, making the area "impassible" at times. Goats and cows and other animals roamed unpaved streets adding an often overwhelming stench to the bleakness. Young John and his father found their living quarters just as distasteful. "The governor's house," Tyler would recall, "at that time called the 'palace,' was a building that neither aspired to architectural taste in its construction or consulted the comforts of its occupant in its interior arrangements." Living in Richmond was nothing like living in Charles City at Greenway.⁸

Tyler did fondly recall the time Thomas Jefferson visited the capital. In October of 1809, the former president accepted Governor Tyler's long-standing invitation to come to Richmond. One evening, after making his rounds of the city, he joined his old friend for dinner. The governor had put John in charge of organizing the menu and preparing the table for the occasion. The young man paid attention to every detail,

⁷Richard B. Davis, *Intellectual Life in Jefferson's Virginia, 1790-1830* (Chapel Hill: University of North Carolina Press, 1964), 356; Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson* (New York: Columbia University Press, 1965), 73; Claude H. Hall, *Abel Parker Upshur: Conservative Virginian, 1790-1844* (Madison: The State Historical Society of Wisconsin, 1964), 14-16.

⁸John Tyler's address on "Richmond and its Memories," November 1858, in *Tyler Letters and Times*, I:219; see also, Samuel Mordecai, *Virginia, Especially Richmond, in By-Gone Days* (Richmond: George M. West, 1856), chapter 6, *passim*.

including instructing the cook to prepare plum pudding for dessert. Tyler spent most of the evening in awe, just listening to Jefferson and his father talk politics. After having heard the Judge speak so often and so highly of the great patriot, Tyler relished his first opportunity to meet him. The evening left quite an impression. Tyler would revere Jefferson the man for his entire life. He would also pay homage to Jefferson's political principles throughout his public career, emulating his dedication to strict construction of the Constitution and states' rights. Jefferson was Tyler's beau ideal of a public servant and the model Virginian. His intellect and dedication to the South, Tyler later argued, made him "full of profound interest for the contemplation of the Statesman and Philosopher."⁹

Not long after that memorable meal, Tyler began a law practice in Charles City.¹⁰ Trying cases in the cramped little county courthouse not far from where he spent his childhood, Tyler at first took many criminal cases no one else wanted. Ambitious and anxious to make a name for himself, he believed he could establish his reputation if he won cases others deemed hopeless. Most young lawyers felt it

⁹Thomas Jefferson to John Tyler, Sr., January 19, 1809, in John Tyler Papers, LC; Tyler, *Letters and Times*, 1:228-30; John Tyler to Hugh Blair Grigsby (copy), February 29, 1856, in Hugh Blair Grigsby Papers, Virginia Historical Society (cited hereafter as VHS) (quotation).

¹⁰It is impossible to state with certainty exactly when Tyler commenced his law practice. There is no reliable documentation. Both Robert Seager in *And Tyler, Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963) and Oliver Chitwood in *John Tyler: Champion of the Old South* (New York: D. Appleton-Century Company, 1939) maintain it was sometime in 1811. This is entirely possible, for John Tyler, Sr. left Richmond in 1811 to accept a federal judgeship. There is a possibility, however, that the younger Tyler left his father in 1810 to return to Charles City. The evidence supporting the likelihood that Tyler actually began his practice earlier than Seager and Chitwood acknowledge is a letter from John Tyler, Sr. to Thomas Jefferson, May 12, 1810, in Tyler *Letters and Times*, 1:246, in which the elder Tyler writes that John "is now commencing the practice of law."

important to build a practice quickly and worked extremely hard to do so. When Tyler began his career, a glut of attorneys in Richmond and in the Tidewater region often made the prospects for success seem remote. Tyler hoped, therefore, to offset the disadvantages he faced upon entering the profession.¹¹

One of Tyler's first cases took him from Charles City to the Supreme Court of Appeals in Richmond as second chair for a prominent attorney named John Wickham. Just twenty-one-years-old, Tyler expressed his nervousness to Wickham before the trial began. He did not feel as if he belonged in the same court where men like William Wirt, Daniel Call, and Peyton Randolph—such a “constellation of talent” he called them—argued before the bench. Wickham told the frightened Tyler what the young man's father had told him some years before when Wickham himself had barely begun his own career: “if the law is with you, the court will take care of the balance.” He then encouraged Tyler to make the opening argument. “I did so,” Tyler recalled later, “in fear and trembling.” The young man need not have worried, for he overcame his fear and made an excellent statement.¹²

The confidence Tyler gained from this experience proved invaluable. In subsequent courtroom appearances, he seemed to have lost all nervousness and became a highly effective orator on behalf of his clients. In one such instance, Tyler squared off against an attorney named Andrew Stevenson. Stevenson had gained the respect of the legal community in Williamsburg and Charles City; in fact, he was regarded as one of

¹¹Seager, *And Tyler, Too*, 54; E. Lee Shepard, “Lawyers Look at Themselves: Professional Consciousness and the Virginia Bar, 1770-1850,” *American Journal of Legal History* 25 (January 1981): 4; Shepard, “Breaking into the Profession,” 399.

¹²This story recounted in John Tyler's address on “Richmond and its Memories,” November 1858, in Tyler, *Letters and Times*, 1:222 (all quotations from this page).

the Tidewater's finest litigators. Fortunately for Tyler, on this day, Stevenson relied heavily on English law to support his client's position. When Tyler's turn came, he railed against his opponent's presentation in a way that calls to mind the sentiments of his father. "The gentleman has referred to authority—English authority!" he exclaimed. Stevenson brought into court "the rules and laws of a rigid aristocracy, at war with every American principle," Tyler declared. Indeed, he concluded, "this jury intends to decide this case on the broad principles of common sense and natural right. They will have none of your English authority!" The jury took mere minutes to decide in favor of Tyler's client.¹³

Not all of Tyler's cases ended with such success, however. Many of the ones he tried were indeed hopeless. The case of Stephen, a slave in Charles City accused of assault and robbery, is perhaps the most extreme example. In the fall of 1819, Stephen allegedly attacked and robbed Isaac Brown, a free black. Tyler took the case, probably because he viewed it as a challenge and because he thought it would generate publicity for him. By this time, he had begun his tenure in the United States House of Representatives. Attending to duties in Washington naturally meant he neglected his law practice. So, from a business standpoint, publicity could only help. Not surprisingly, a jury found Stephen guilty. What was surprising was Stephen's hanging shortly thereafter. The rare slave executed for robbery had almost always committed the crime against a white person.¹⁴

¹³Tyler, *Letters and Times*, 1:281; on Stevenson see Francis F. Wayland, *Andrew Stevenson: Democrat and Diplomat, 1785-1857* (Philadelphia: University of Pennsylvania Press, 1949).

¹⁴Philip J. Schwarz, *Twice Condemned: Slaves and the Criminal Laws of Virginia, 1705-1865* (Baton Rouge: Louisiana State University Press, 1988), 243.

Tyler's law career quickly allowed him to achieve the rapid financial success his father had hoped for when the young man was a student at William and Mary. By the time he reached his mid-twenties, his practice generated an annual income of almost \$2000. Moreover, his peers had recognized him as a fine attorney, one whose oratory was often brilliant. Tyler believed an attorney should be "bold and fearless" in the courtroom and relished the opportunity the law gave him to perform in front of an audience. He quickly learned how to capture the sympathy of a jury.¹⁵ But the courtroom was not where Tyler would make a lasting mark. A career in politics beckoned. In 1811, Tyler won election to public office for the first time, representing Charles City in the House of Delegates, the lower house of the Virginia legislature. While he kept up his law practice as best he could, his second career quickly occupied much of his time.

Tyler took his seat in the House in early December 1811.¹⁶ The Virginia legislature generally met twice every twelve months, with each session lasting roughly two to three months. The session before Tyler's election had been especially contentious, as delegates argued over the re-charter of the Bank of the United States. The Bank, the pet project of Alexander Hamilton, President Washington's Treasury Secretary, had sparked acrimonious debate from the time of its inception in 1791; the controversy had intensified nationwide as the charter came up for renewal.

¹⁵John Tyler to Dr. Henry Curtis, December 8, 1820, in Tyler, *Letters and Times*, 1:336; Tyler to Curtis, April 13, 1819, in John Tyler Papers, LC (quotation); Seager, 54.

¹⁶*Journal of the House of Delegates of the Commonwealth of Virginia, 1811-1812 Session*, 58; Cynthia M. Leonard, comp., *The General Assembly of Virginia, July 30, 1619-January 11, 1978: A Bicentennial Register of Members* (Richmond: Virginia State Library, 1978), 265.

Supporters of the Bank proposed a new charter in 1809, two years before the old one was due to expire. Treasury Secretary Albert Gallatin argued in favor of the Bank's utility, pointing out that it provided the United States with a safe public depository and the means by which to control the economy. In 1791, Hamilton had sought to stabilize the new national government, as well as establish America's credit. The Bank accomplished both objectives. Not everyone liked the Bank, however. Strict constructionists had argued for twenty years that the Constitution did not provide for the establishment of a national bank. Opponents decried the Federalist influence that left out the South and West. Southerners, in particular, greatly distrusted the national bank, arguing that it was a menace that undermined their self-sufficiency and their republican virtue. Moreover, it placed too much power in the hands of the financial interests of the commercial Northeast. Indeed, Hamilton had hoped a central financial institution would facilitate the investment of private capital, money that predictably came from entrepreneurs in cities like New York and Philadelphia. Then there were those critics who opposed re-charter solely on practical grounds. Without a national bank, state banks could operate as they wished, with no central clearinghouse to oversee or regulate often questionable practices.¹⁷

The decision over whether the bank would receive a renewal of its charter rested with the United States Senate and the matter came to a vote in February 1811. During the 1810-1811 session of the Virginia legislature, the session before Tyler took his seat, delegates voted to instruct the Old Dominion's senators, Richard Brent and William

¹⁷Bray Hammond, *Banks and Politics in America From the Revolution to the Civil War* (Princeton: Princeton University Press, 1957), chapter 8; Drew McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (New York: W.W. Norton, 1980), 147-48.

Branch Giles, to vote against the renewal of the bank charter. In theory, the doctrine of instruction was designed to protect the will of the people. As the only true representatives of Virginia's voters, that is, as the only public servants popularly elected, the members of the House of Delegates felt instruction was appropriate in some cases. A controversial issue such as the bank re-charter almost demanded it. Brent and Giles obviously disagreed with the idea that they could be commanded to vote a certain way, however. Both men disobeyed the instruction. Brent voted for re-charter, and Giles, while agreeing with the legislature on the unconstitutionality of the bank, denied the right of instruction itself.¹⁸

The U. S. Senate voted against renewing the bank's charter and the institution temporarily ceased to exist. There the matter might have ended. But Giles and Brent had sparked an intense debate on the right of instruction. The Virginia press excoriated the two senators. They were roundly criticized at a Fourth of July celebration in 1811. The Richmond *Enquirer*, the leading newspaper in the state, asked how the two senators could "reconcile their vote for the Bank of the U.S.?" This emotionally-charged situation presented John Tyler with an opportunity and he took advantage of it. On January 14, 1812, after having served in the House of Delegates for only one month, he boldly introduced resolutions censuring Giles and Brent for their behavior. First of all, he believed that a national bank was unconstitutional. More importantly, as a states' rights advocate, Tyler believed the senators had undermined the sovereignty of

¹⁸ *Journal of the Virginia House of Delegates*, 1810-1811 Session, 70; *Annals of Congress* 11th Congress, Third Session, 175-208; C. Edward Skeen, "An Uncertain 'Right': State Legislatures and the Doctrine of Instruction," *Mid-America* 73 (January 1991):29, 35-36; for an older view of the controversial doctrine, see Clement Eaton, "Southern Senators and the Right of Instruction, 1789-1860," *Journal of Southern History* 18 (August 1952):304-305.

Virginia. Their denial of the legislature's right to instruct the men it had elected and sent to Washington offended Tyler. He argued that Giles and Brent "cease[d] to be the true and legitimate representatives of this state" when they disobeyed instruction.¹⁹

Tyler's resolutions caused a stir in the Legislature. Some delegates seemed surprised, even amazed, that a young man would begin his political career in such outspoken fashion. There can be no doubt that Tyler firmly believed principles were at stake during the controversy over instruction. As one who favored strict interpretation of the Constitution and as a states' rights advocate, he felt compelled to take a stand against Brent and Giles. He genuinely viewed the doctrine of instruction as essential to "the advancement of the public interests." Instruction was a "great right," one that any state must have at its disposal, he argued. But more than principle likely motivated Tyler. As a young politician, he wanted to capitalize on an issue he knew his constituents favored to make a name for himself. Not content to remain in the background, and undaunted by the fact that he was as yet a virtual unknown in Virginia politics, he sought instant recognition. His ambition drove him just as much as his principles. He realized that he had popular opinion on his side. He certainly knew the press had roundly criticized the two senators for their action. By the time he took his seat in the assembly, Tyler believed there was little risk in introducing the resolutions. He was so confident, he said later, that he "introduced the subject without conference or consultation with any human being." He did not seek the opinions of more respected delegates on the matter. John Tyler clearly wanted his tenure in the Virginia House of

¹⁹Richmond *Enquirer*, February 9, 1811 (quotation), July 8, 1811, July 12, 1811, January 16, 1812 (report of Tyler's resolution); *Journal of the Virginia House of Delegates*, 1811-1812 Session, 77 (quotation); Seager, *And Tyler, Too*, 55-56; Skeen, "Uncertain 'Right,'" 36.

Delegates to be but a step leading to greater service. The instruction controversy offered him a chance to satisfy his political scruples and his ambition. The fact that the House of Delegates ended up passing a watered-down version of Tyler's resolutions mattered very little.²⁰

Tyler spent the majority of his time in the House engaged in less controversial matters. Much of the day-to-day business conducted in the Legislature was actually quite dull and delegates often fought boredom. Committee work dominated the average workday. The first committee to which Tyler was appointed oversaw the balloting for replacing members of the Governor's Executive Council. He was also placed on the Committee for Courts and Justice, an important appointment because the committee addressed petitions from free blacks wishing to remain in Virginia. Tyler would later favor colonization of free blacks in Africa and eventually became president of the American Colonization Society. His work in the legislature as a young man helped to shape his sentiments on the subject.²¹

The assembly also debated the necessity of internal improvements. In February of 1812, for example, it considered a proposal to build a turnpike from

²⁰John Campbell to David Campbell, December 29, 1812, in Campbell Family Papers, Duke University (cited hereafter as DU); John Tyler to William F. Gordon, January 8, 1836, in James Rochelle Papers, DU (first quotation); John Tyler to Hugh Blair Grigsby, January 16, 1855, in John Tyler Papers, LC (second and third quotations); *Journal of the Virginia House of Delegates*, 1811-1812 Session, 145-55; for a perspective on politicians and ambition, see Anthony F. Upton, "The Road to Power in Virginia in the Early Nineteenth Century," *Virginia Magazine of History and Biography* 62 (July 1954), 266-67; for the substitute version of the resolutions, brought forth by Benjamin Watkins Leigh, see the Richmond *Enquirer*, February 1, 1812.

²¹John Campbell to David Campbell, December 29, 1812, in Campbell Family Papers, DU; *Journal of the Virginia House of Delegates*, 1811-1812 Session, 5, 73, 118; Chitwood, *John Tyler*, 27.

Harper's Ferry to Charlestown. Discussion of the James River seemed always to be on the agenda. In 1811, the Legislature had appointed a commission to study ways in which navigation on the James could be improved. Out of the commission's report emerged a plan for state-sponsored internal improvements, the first such plan in the Old Dominion. Unfortunately, partisanship killed the plan in its infancy. Federalists in the Virginia House, led by the vocal Charles Fenton Mercer, supported it, while Republicans voiced their opposition. Not until 1815 would Mercer's proposal to set up a board of public works to oversee internal improvements succeed. Like his father, who had faced similar issues while governor, Tyler supported state-sponsored internal improvements. Indeed, he believed they were necessary for the economic success of the Old Dominion.²²

By Tyler's second session in the House, the situation in Europe and the conflict with Great Britain that would result in the War of 1812 occupied everyone's attention. For almost three years, Virginians had watched along with other Americans as relations with Great Britain deteriorated to the point where war was almost unavoidable. British concessions to the United States that resulted in a suspension of the Non-Intercourse Act in 1809 had done little to change the situation. In fact, many saw the concessions as disingenuous. Judge Tyler believed that Great Britain's "councils [were] so immoral and unwise as they relate to us that little faith [could] be placed on her measures." As

²²*Journal of the Virginia House of Delegates*, 1812-1813 Session, 83-89; 1814-1815 Session, 125, 158, 184; James H. Broussard, *The Southern Federalists, 1800-1816* (Baton Rouge: Louisiana State University Press, 1978), 353-54; Philip M. Rice, "Internal Improvements in Virginia, 1775-1860," Ph.D. diss., University of North Carolina, 1950), 122-44; for Tyler's father's view on internal improvements, see his Second Annual Message as Governor, December 3, 1810, reprinted in the *Richmond Enquirer*, December 6, 1810.

the crisis between Britain and America intensified, the General Assembly passed resolutions supporting the federal government in all “constitutional” measures designed to aid in the defense of the United States. There were militia companies to raise and budget questions to address, matters the legislature took seriously during its 1812-1813 session.²³

Amidst this turmoil, Tyler experienced the loss of his father. The Judge had suffered declining health for over a year, aches and pains constantly nagged him. Moreover, his tenure as governor had proved unfulfilling and frustrating. Though recognized by the legislature as “a man of sterling integrity” and “honest intentions,” he fought constantly with the House over appropriations. An outspoken proponent of educational reform, he championed Thomas Jefferson’s idea that public education was vital to the well-being of the Old Dominion. “There cannot be a subject of more importance in a free government” than education, he said. But the message fell upon deaf ears; the legislature did not want to raise the necessary taxes for such an endeavor. Judge Tyler found this short-sighted, a glaring example of “bad policy.” Worn down by his job, he left the governor’s mansion for a federal judgeship in 1811, a job he regarded as a “bed of roses.” Unfortunately, the Judge often complained that it was difficult for him to work for even short periods of time. In December 1812, while in Norfolk on court business, he contracted pleurisy. Extremely ill and very weak, he returned to

²³John Tyler, Sr. to Joseph Prentis, Sr., January 26, 1809, in Webb-Prentis Collection, UVA (quotation); *Journal of the Virginia House of Delegates, 1812-1813 Session*, 3-6, 111, 159-60.

Charles City and died on January 6, 1813. He was buried at Greenway beside Tyler's mother.²⁴

The responsibility for attending to the legal business of their father's estate fell to John and his brothers. In his will, the Judge had divided his real estate among the three of them. Wat received Greenway and William received the small Courthouse tract. John inherited Mons Sacer, a house with five-hundred acres adjacent to the Greenway land. Judge Tyler left thirty nine slaves to be divided among his sons. Numerous household items and heirlooms were also divided up. Each of the Tyler siblings received articles their father had specially designated for them. The final inheritance was more troublesome, though certainly not unexpected: their father's debt. As executors of the estate, John and his brothers assumed the Judge's debts. Before he had even reached the age of twenty-three, then, John Tyler owed money. Constant worry over debt would plague him for the rest of his life.²⁵

Judge Tyler did not live long enough to witness the momentous event that occurred in his second son's life in 1813: his marriage to Letitia Christian. Letitia was the daughter of Robert Christian, a wealthy planter and attorney who owned Cedar Grove plantation in New Kent County, not far from Charles City. The young lady had

²⁴John Campbell to David Campbell, December 7, 1810, in Campbell Family Papers, DU (first two quotations); Governor John Tyler Sr.'s Executive Message, December 4, 1809, in Richmond *Enquirer*, December 9, 1809 (third quotation); Tyler, *Letters and Times*, 1:236-37; John Tyler, Sr. to Joseph Prentis, Sr., March 31, 1809, in Webb-Prentis Collection, UVA (fourth quotation); John Tyler, Sr. to Thomas Jefferson, May 12, 1810 (fifth quotation), May 17, 1812, in Tyler, *Letters and Times*, 1:246, 263-64; for the notice of Judge Tyler's death, see the Richmond *Enquirer*, January 12, 1813.

²⁵A copy of Tyler's father's will is in the Henry Curtis Papers, Virginia Historical Society; see also, "Will and Inventory of Hon. John Tyler," *William and Mary Quarterly*, First Series, 17 (April 1909):231-35.

captured John's eye some years earlier at a party given by his father at Greenway. "From the first moment of my acquaintance with you," he wrote to her, "I felt the influence of genuine affection." Despite his feelings, and despite her strong feelings for him, their courtship had progressed slowly. Tyler's professional ambition came first. He wanted to earn a respectable living before he entertained any thought of marriage. He did think about her a great deal, however. In the House of Delegates, he often turned his attention away from the tedium of debates and dreamed of romance. "To think of you and to write to you, are the only sources from whence I can derive any real satisfaction during my residence in this place," he told her, no doubt exaggerating at least a little. Though he claimed that he was "attentive to the duties of [his] station," Letitia became the "subject of [his] serious meditations and the object of [his] fervent prayers to heaven." Ever the poet, Tyler also composed sonnets in her honor.²⁶

Tyler proposed to Letitia at some point in 1812 and she accepted at once. Mindful that he had yet to achieve any financial success, he fretted over her response. He had "exposed to [her] frankly and unblushingly [his] situation in life," and she "nobly responded." By March of 1813, Tyler was ready for marriage. His father's death made his decision easier. The inheritance of Mons Sacer and the slaves made him a man of some means. Added to the property Letitia would bring to the marriage, it made the union financially advantageous. Tyler told a friend a few weeks before the wedding that he "had really calculated on experiencing a tremor on the near approach of the day," but because he was nearly twenty-three, an "old man," he felt "less dismay"

²⁶John Tyler to Letitia Christian, December 5, 1812, in Laura C. Holloway, *The Ladies of the White House; or In the Home of the Presidents* (Philadelphia: Bradley and Company, 1882), 369-72.

over the change in lifestyle. He had “reflected deeply upon the consequences,” and firmly believed that “whether prosperity smil[ed] or adversity frown[ed]” he would survive.²⁷

It would be wrong to assume that Tyler’s financial considerations overrode his feelings of love for Letitia, that romance was a distant second to matters of money. The marriage was financially beneficial, to be sure, but John did love his bride very much. He promised her that he would “never cease to love her.” Making her happy was very important to him. Tyler had made a fine choice in selecting a wife. Beautiful, with dark hair and dark eyes, Letitia was gentle and shy, even introverted. Friends admired her grace and refinement. Much more religious than her husband and baptized in the Episcopal Church, she introduced Tyler to the benefits of faith. Though he never considered himself a deeply religious man, Tyler respected Letitia’s devotion to God. Mutual respect, in fact, characterized their relationship from the time they met. Tyler’s bride was also quite comfortable in a domestic setting and kept an efficient home.²⁸

After the close of his second session in the Virginia legislature, Tyler prepared for his wedding. He and twenty-two-year-old Letitia were married on March 29, 1813, his twenty-third birthday, at Cedar Grove. Both families gave their wholehearted approval to the union, despite what some good-naturedly regarded as irreconcilable political differences. Years later, a Christian family descendant noted with some irony that the marriage “united the house of Democracy in the bridegroom, with the house of

²⁷*Ibid.* (first two quotations); John Tyler to Dr. Henry Curtis, March 23, 1813, in John Tyler Papers, LC (remaining quotations).

²⁸Tyler, quoted in Seager, *And Tyler, Too*, 56; Laura C. Holloway Langford to John Tyler, Jr., March 26, 1869, in Tyler Family Papers, VHS; Holloway, *Ladies of the White House*, 367-68, 374.

Federalism in the bride.” Judge Tyler “was no less the friend and adherent of Thomas Jefferson, than the father of the bride was the friend and adherent of George Washington.” After a lavish ceremony the couple traveled to Charles City, ready to begin married life at Mons Sacer.²⁹

The War of 1812 soon intruded on the newlyweds. In the early summer of 1813, not long after Tyler and Letitia had settled in their new home, the British landed a small number of troops at Hampton, Virginia, a town on the bank of the James River, not far from Charles City. The regiment raided the town; for a time, it appeared that the British would attempt to move up the James River and capture Richmond. Or so, many residents of Tidewater Virginia, including Tyler, believed. Excited by the prospect of taking up arms against the hated red-coats, he wondered aloud whether the British troops in Virginia would “go full gallop” and provoke hostilities with Virginians. He joined a Charles City militia company organized to protect the James and repel an invasion of Richmond. Drill began not long after the “invasion” of Hampton.³⁰

Disorder reigned during militia drill. Not one of the members of the company, named the Charles City Rifles, had any military experience. Tyler became a captain and he quickly tried to ready his troops, including brother Wat, for the fighting they all knew would come. The small unit eventually found itself part of the larger, but really no more experienced, Fifty-Second Regiment of the Virginia militia. Together, the two units were ordered to Williamsburg. Upon arrival, they were quartered upstairs in the

²⁹George L. Christian, “John Tyler,” *Address delivered before the Colonial Dames of America in the State of Virginia at Greenway, Charles City County, VA at the unveiling of a memorial marking the Birthplace of Pres. Tyler* (Richmond: Whittet and Shepperson, 1913); Seager, *And Tyler, Too*, 56.

³⁰John Tyler to Henry Curtis, March 23, 1813, in Tyler Papers, LC; Seager, 59.

William and Mary College building to await further orders. One night, not long after their arrival, a rumor circulated that the British had entered Williamsburg and were readying to advance on the college. This was not news the young men wanted to hear. Their patriotism had left them ill-prepared to deal with their fear. All talk of a fight ceased immediately and, as Tyler would tell the story later, in their zeal to get out of the college building and beat a hasty retreat, he and his company fell down a flight of stairs leading to the door. They assembled at the bottom, in a heap. Luckily, the rumor of advancing regulars turned out false. Moreover, the British soon withdrew from the Tidewater, leaving the company, thankfully, with no enemy to fight.³¹

Tyler turned his attention once again to the two things that mattered most: family and politics. He spent a considerable portion of his time after his short-lived military service tending to a new home. He sold Mons Sacer in 1815 and moved to a nearby farm called Woodburn. He was also re-elected to the House of Delegates for a fifth time in 1815. Shortly after the legislature convened, though, he resigned his seat. He had been appointed a member of the Virginia Council of State by the House and Senate. The appointment held no small amount of distinction. The eight-member Council, which served as the governor's advisory body, offered Tyler a bit more prestige and signaled the esteem the young legislator had already won during his short career. Tyler served on the Council until the autumn of 1816, when an even bigger prize caught his attention.³²

³¹Seager, 59-60.

³²Chitwood, 25; Tyler, *Letters and Times*, 1: 281-82; 307-308.

In September 1816, John Clopton, one of Virginia's representatives in Congress, died. Excited at the prospect of furthering his career on the national stage, Tyler immediately made himself available for the vacant seat. His opponent was his friend and legal competitor Andrew Stevenson, who was then Speaker of the House of Delegates. Clopton's son, John Jr., had also expressed a desire to run, but the more recognizable Tyler and Stevenson quickly left him behind. Moreover, the general consensus early in the race was that Tyler would win. "Tyler will be elected," one observer predicted weeks before the final votes were counted, "there is no doubt about it." Sure enough, the prediction held. Tyler and Stevenson both stumped the district, which included Charles City County and Williamsburg. Tyler showed off his public-speaking skills and demonstrated a fondness for the process. He enjoyed himself on the stump. He also won the election by a mere thirty votes.³³

³³Claiborne W. Gooch to David Campbell, October 24, 1816, in Campbell Family Papers, Duke (quotation); *Richmond Enquirer*, November 30, 1816.

CHAPTER THREE CONGRESSMAN TYLER

Tyler offered his formal resignation to the Executive Council on December 1, 1816, and began making plans to leave for Washington. He had little time to prepare for his trip. The second session of the Fourteenth Congress would begin on December 2, and he had to attend to personal business before he departed Woodburn. His primary concern was ensuring that someone looked after his family while he was gone. Because of frail health and an unwillingness to travel, Letitia did not accompany her husband to Washington. She felt no desire to take part in the political society of the nation's capital. In fact, during his entire tenure in Congress, Tyler was able to persuade her to leave Virginia and join him for only a few short months. There were also two small children in the household now; Robert, the Tyler's first son had been born on September 9, 1816, joining his sister Mary, who had been born on April 15, 1815. Fortunately, Tyler's sister Maria and her husband John B. Seawell lived in New Kent County, close to Letitia's family and not far from Charles City. Maria and Letitia enjoyed a warm friendship and Tyler knew he could rely on the Seawells to call on his wife periodically. Henry Curtis and Kitty also lived nearby, further enlarging Letitia's support network and easing Tyler's mind a bit about leaving home for extended periods of time.¹

¹Lyon G. Tyler, *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittet and Shepperson, 1885) (cited hereafter as *Letters and Times*) 1: 282; Maria Henry Seawell to Letitia Tyler, [?] 23, 1816, in John Tyler Papers, Division of Manuscripts, Library of Congress (cited hereafter as Tyler Papers, LC); Maria Henry Seawell to Letitia Tyler, July 3, October 5, 1816, in Tyler Scrapbook, Tyler Family Papers, Earl Gregg Swem Library, College of William and Mary (cited hereafter as WM); John Tyler to Henry Curtis, November 19, 1817, in Tyler Papers, LC.

Tyler missed nearly two full weeks of the congressional term taking care of matters at home and making the journey to Washington. Arriving late was not an unusual occurrence for the times; harsh weather, barely passable roads and personal concerns often kept politicians from reaching the capital in timely fashion. It often took the better part of a month for all the congressmen to assemble. Tyler took his seat in the House of Representatives on December 16, 1816.² Not yet twenty-seven years of age, he was considerably younger than most of his colleagues and was beginning his service at an earlier age than most. Daniel Webster, for example, was almost thirty-four and had entered Congress in 1812 at the age of thirty. The Speaker of the House, Henry Clay, a rising statesman and already a powerful figure, was thirty-nine. He had come to Washington as a senator at twenty-nine after serving briefly in the Kentucky legislature. John C. Calhoun of South Carolina began his tenure in the House during the Twelfth Congress at age twenty-eight. It is important to point out that circumstance, more than talent, allowed Tyler to achieve this measure of political distinction at such an early age. He readily acknowledged this fact. John Clopton, after all, had been tremendously popular with his Richmond constituency and had been a member of Congress since 1801. Had the man lived, the opportunistic young Tyler would likely have remained on Virginia's Executive Council, or in the state legislature, for at least the next few years.³

²*Annals: The Debates and Proceedings in the Congress of the United States* (Washington: Gales and Seaton, 1854) (cited hereafter as *Annals of Congress*), 14th Congress, 2nd session, 297.

³Robert V. Remini, *Daniel Webster: The Man and His Times* (New York: W.W. Norton and Company, 1997), 15-16; Remini, *Henry Clay: Statesman for the Union* (New York: W.W. Norton and Company, 1991), xvii; John Niven, *John C. Calhoun and the Price of Union: A Biography* (Baton Rouge: Louisiana State University Press, 1988), 31; *Biographical Directory of the American Congress, 1774-1961* (Washington: United States Government Printing Office, 1961), 66, 69, 72, 75, 78, 81, 84, 87; *Annals*

Tyler was part of a large contingent of congressmen from Virginia. The Old Dominion had 23 representatives, the same number as Pennsylvania, and only four fewer than New York, the state with the most seats in the House. Since the 1790s, the powerful New York-Virginia alliance had shaped the contours of American politics. Thomas Jefferson triumphed in 1800 at least in part because of this alliance. The Virginia dynasty of presidents, Jefferson and his successors, James Madison and James Monroe, kept Tyler's home state at the forefront of policy-making in the early republic. Virginia had lost some of her influence by 1816, and would lose more by the time Andrew Jackson became president, but the state still remained a potent voice in the national political arena. Seasoned politicians like Philip P. Barbour, Burwell Bassett, Hugh Nelson, and the eccentric and outspoken John Randolph of Roanoke asserted the Old Dominion's power. Tyler admired these men. He marveled at Randolph, in particular, who never failed to liven up proceedings in Congress. "How often he has been seen to enter the House booted and spurred," Tyler recalled years later, "and with his riding whip in his hand." But Randolph was no mere spectacle, at least to his younger colleague. "Blazing like a comet through the heavens, and throwing off scintillations of wit and genius," he could "electrify the House and revive its exhausted energies." Others may have chafed at what one observer described as Randolph's "piercing screech" of a voice, but not Tyler.⁴

of Congress, 14th Cong., 2nd sess., 619; Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson* (New York: Columbia University Press, 1965), 181.

⁴*Biographical Directory of Congress*, 45, 87; for a discussion of the New York-Virginia alliance see James Roger Sharp, *American Politics in the Early Republic: The New Nation in Crisis* (New Haven: Yale University Press, 1993), chapter 11; John Tyler's "Lecture at the Maryland Mechanics' Institute," 1855, in Tyler, *Letters and*

The other members of Virginia's delegation in Washington were not nearly as colorful as Randolph. They were, however, overwhelmingly Republican. The Federalist Party never enjoyed popular success in the Old Dominion and was a very weak minority by the time Tyler became a member of the House. In fact, a well-organized and ably led Republican party had dominated state politics since 1800. There was some dissension within the ranks, to be sure. The Quid schism during Jefferson's second term threatened party strength. Moreover, the trend toward nationalism after the War of 1812 alarmed some Republicans and led to a more conservative defense of the ideology of republicanism. But the party never faced a threat to its stronghold on state politics. In the Fourteenth Congress, only four of the state's representatives were Federalists; both senators were Republican. Nationally, charges of treason in the wake of the Hartford Convention had turned public opinion against the Federalist Party and helped sound its death knell. James Monroe's crushing defeat of Rufus King for the presidency in 1816 cemented Republican dominance of the federal government. Tyler thus entered national politics at the beginning of the so-called "Era of Good Feelings," a time when no organized opposition challenged Republican hegemony and when what the *Richmond Enquirer* called the "hub-bub" of party strife ceased to exist. "In fact," the paper declared, "there ha[d] never been so great a political calm, as reigns at this moment." As Tyler would quickly discover, however, the absence of party conflict did not mean all was calm in the House of Representatives.⁵

Times, 1: 289-91 (first, second and third quotations); Mrs. E. F. Ellet, *The Court Circles of the Republic, or the Beauties and Celebrities of the Nation* (Hartford, CT: Hartford Publishing Co., 1869), 128 (final quotation).

⁵James H. Broussard, *The Southern Federalists, 1800-1816* (Baton Rouge: Louisiana State University Press, 1978), 199-214; Daniel P. Jordan, *Political*

The most pressing matter before the House when Tyler took his seat in December 1816 was the compensation issue. Near the close of the previous session of Congress, the House and Senate had passed a bill that changed the way Congressmen would receive their salary. Since the first Congress in 1789, senators and representatives were paid a per diem of six dollars. Under this system, they made an average of nine hundred dollars per annual session. Many legislators believed the inflation of the last twenty years had rendered this sum woefully inadequate. The cost of living had nearly doubled. Henry Clay complained that he “had never been able to make both ends meet at the termination of Congress.” Moreover, he worried that the present system of compensation would keep the “poor and middling classes” from serving in government, “reserv[ing] the seats here for the well born and the rich.” Thomas Grosvenor of New York concurred, adding that those elected to Congress should not have to “live on hominy and molasses in hovels” while they were in Washington. Others argued that compensation based on a daily schedule encouraged needlessly long sessions of Congress and gave no incentive to conduct legislative business in an efficient manner. In March 1816, then, both houses hastily passed a Salary Act that fixed compensation at \$1500 for each session. President Madison

Leadership in Jefferson's Virginia (Charlottesville: University Press of Virginia, 1983), 18, 227-29; William J. Cooper, Jr., *Liberty and Slavery: Southern Politics to 1860* (New York: McGraw-Hill, 1983), 106-110, 132-34; Richard R. Beeman, *The Old Dominion and the New Nation, 1788-1801* (Lexington: University Press of Kentucky, 1972), chapter 9; Risjord, *Old Republicans*, 40-71, 176-79; Richmond *Enquirer*, August 5, 1817.

signed the measure into law and congressmen received their new salary for the first session of the Fourteenth Congress.⁶

Public outcry over the Salary Act began almost immediately. Everywhere, the press took supporters of the compensation bill to task. Henry Clay returned to his home in Kentucky after Congress had adjourned to find himself vilified by angry constituents. Even men who had voted against the act found themselves at the mercy of the voters. In the fall elections preceding the second session of the Fourteenth Congress, two-thirds of the House and half the Senate were voted out of office. Indignation over what became known as the “Salary Grab Act” was so great that partisanship mattered little. Such spirited opposition, and the wrath that went with it, had no precedent in American politics. Few congressmen could understand why the compensation issue had provoked such strong opposition. The man who had sponsored the bill, Richard M. Johnson of Kentucky, argued that \$1500 was still a lower salary than the compensation afforded some twenty-eight government clerks. John Randolph wondered how the American people could have relatively little to say about losses during the War of 1812 and matters like the national debt, yet “should be roused into action by the Fifteen Hundred Dollar Law?” These men apparently failed to recognize the poor timing of the pay raise.⁷

⁶C. Edward Skeen, “*Vox Populi, Vox Dei*: The Compensation Act of 1816 and the Rise of Popular Politics,” *Journal of the Early Republic* 6 (Fall 1986): 256-258 (Grosvenor quotation on 258); *Annals of Congress*, 14th Cong., 1st sess., 1127-1130, 1158-1176 (Clay quotations on 1174).

⁷Skeen, “*Vox Populi*,” 257-60; Remini, *Henry Clay*, 145-48; *Annals of Congress*, 14th Cong., 1st sess., 1158, 2nd sess., 502 (quotation).

As Congress convened again in December 1816, there was overwhelming pressure to repeal the compensation law. Some members of the House, in fact, had been officially instructed by their state legislatures to vote for repeal as early as possible. Samuel Southard of New Jersey had not received instruction, but understood perfectly why there was such a public outcry over the salary issue. “We have considerable national debt to pay,” he pointed out. “Times are hard in various parts of the country; taxes are high, money scarce, and but little or no produce to carry to market.” Southard sympathized with voters who had expressed their displeasure over the salary increase. “The tide of popular opinion is running strong against high salaries, and extravagance of every kind,” he said. Southard’s explanation failed to change the minds of most of his colleagues; many believed the people were wrong. John Tyler, however, agreed wholeheartedly. During the debate in the House over compensation, a debate that lasted for more than two weeks, the new representative from Virginia saw fit to speak on the matter. He delivered his first speech in Congress on January 18, 1817.⁸

Tyler wanted the compensation law repealed. To him, the issue was not whether a raise in salary was warranted. He seemed little concerned that a government clerk might take home more pay than he did. For Tyler, the question was whether a representative should ignore the will of the people. “Who was the member of this House that would undertake to set up his opinion in opposition to that of his constituents?” he asked. A representative should not, he declared, “adopt the belief that they might err, but that he could not.” Tyler placed his argument within the context of the doctrine of instruction. He reminded his colleagues that “from the very meaning of

⁸*Annals of Congress*, 14th Cong., 2nd sess., 584 (quotations); Skeen, “*Vox Populi*,” 268.

the word representative, the obligation to obey instructions resulted.” The Virginia legislature had not instructed Tyler to vote for repeal of the hated law. Nevertheless, he knew what his constituents wanted. He “had had a fair opportunity of knowing their wishes” because he was “fresh from their hands.” Thomas Grosvenor questioned whether Tyler had mistaken “the importunate clack of a few ephemeral noisy insects of his district, for the voice of the real tenants of the soil.” In a backhanded effort to highlight Tyler’s inexperience, and perhaps question his motive, as well, he pointed out that the young man had just taken his seat in the House and may have “press[ed]” his opinion too “earnestly.”⁹

Tyler most certainly had not misread the wishes of his constituents. He was sure of it. In a second speech on the matter, he declared that he “represented high-minded men, who could not be misled by demagogues.” He cautioned individuals like Grosvenor “to beware how they questioned the rights of the people.” The *Richmond Enquirer* spoke for the majority of Tyler’s district when it implored Congress to “Abolish the Salary-bill, gentlemen, as soon as you can.” Clearly, then, Tyler was following the will of the voters. But his motivation in making such strong statements on the floor of the House can rightly be called into question. There were similarities between the compensation issue and the situation that arose in the Virginia legislature in 1812, when Tyler moved to censure Senators Giles and Brent for disobeying instructions. In both cases, Tyler took the position favored by voters. That in itself is not remarkable. But, he was also certain in both cases that he had many of his colleagues on his side. Undoubtedly aware that the Salary Act had passed in the House

⁹*Annals of Congress*, 14th Cong., 2nd sess., 619-20 (Tyler quotations), 621-37 (Grosvenor quotations).

by a margin of only 81 to 67, and knowing that congressmen supporting the new law had been roasted in the papers all summer, Tyler probably felt little risk in speaking out against it. More to the point, he realized he had to make a statement to solidify his reputation in his congressional district. Because he had replaced John Clopton at the very end of his term, Tyler had to stand for re-election to the Fifteenth Congress. The election would take place in the spring of 1817, roughly one month after the current session was scheduled to adjourn. Going on record as an outspoken advocate for the repeal of the compensation law, he could virtually ensure his return to Washington the following year.¹⁰

The salary issue thus became one of several during his public life that allowed Tyler to straddle the line between principles and politics. He no doubt believed in the inviolability of the doctrine of instruction, unquestionably felt it essential to the preservation of states' rights. His career bears this out. However, it was much easier for him to speak out on an issue—at least before he became president—if he knew it would help him politically. Put another way, Tyler often became more outspoken the more there was at stake politically. Outwardly at least, he championed the people, as long as they never demanded he violate the Constitution. He could not abide by a “low, grovelling, mean pursuit of popular favor,” however. “It is by pursuing a steady, firm, and uniform course,” he said, “not at variance with the rights of the people,” that allowed a public figure to enjoy popularity. He spoke in the House of the “respect” he had for the voters. In an open letter to his constituents written in the wake of the debate over the compensation law, he tried to convince them that he believed “they are not

¹⁰*Annals of Congress*, 14th Cong., 2nd sess., 650 (first quotation), 652 (second quotation); Richmond *Enquirer*, January 21, 1817; Skeen, “*Vox Populi*,” 258-61.

merely ‘hewers of wood and drawers of water,’ but that Government is a *trust* proceeding from themselves—an emanation of their strength.” This was good politics. Tyler had learned quite early in his career what made a good politician.¹¹

Tyler could take satisfaction in the outcome of the salary controversy. After finally agreeing that the compensation law should be repealed, the members of the House argued over whether they should establish a new per diem rate. Motions were made to raise the daily pay to ten dollars, then nine dollars, and finally, eight dollars. Each motion met with defeat; Tyler voted against all three. The House eventually gave up on the matter; by a vote of 138 to 27, it repealed the law and left the question of a new daily rate of compensation to the Fifteenth Congress. The Senate passed the bill calling for repeal 27 to 7. Compensation was finally set one year later at eight dollars per day, with an allowance of eight dollars for every twenty miles a congressman had to travel to and from Washington.¹²

Despite the contentiousness of the debate over compensation, Tyler’s impression of the House of Representatives was favorable. He called it “a model assembly for order in all its proceedings.” True, he acknowledged, “the weapons of wit and ridicule were often resorted to,” but they were used with a “keen and polished edge” so as to not “degrade” the proceedings. The men Tyler served with in the Fourteenth Congress

¹¹*Annals of Congress*, 14th Cong., 2nd sess., 619 (first and second quotations), 620 (third quotation); John Tyler’s Circular Letter “To the Freeholders of the Congressional District,” February 25, 1817, in *Richmond Enquirer*, March 7, 1817; Noble E. Cunningham, Jr., *Circular Letters of Congressmen to Their Constituents, 1789-1829*, 3 Vols. (Chapel Hill: University of North Carolina Press, 1978), 1: xvii-xxxiv; 2: 998-1002.

¹²*Annals of Congress*, 14th Cong., 2nd sess., 637-38, 692, 714; Skeen, “*Vox Populi*,” 272.

were a distinguished lot. Henry Clay, he said, was “one who seemed formed for the station, and the station made for him.” In his capacity as Speaker of the House, he “added to an intellect of the highest order a commanding person, and his voice and gesture and manner were those best calculated to sway the action of a popular assembly.” No less impressive was Daniel Webster, who, by 1816, already enjoyed a reputation as perhaps the finest orator in Congress. “At the forum,” Tyler marveled, “he had but few co-rivals.” The remarkable talent of the House of Representatives at this time, which historian Henry Adams later claimed “never had a superior,” intimidated young Tyler somewhat. He worried at times because he was a “novice” in argument. “My thoughts,” he said, “which are our forces in debate, are undisguised and undisciplined.” Such apprehension obviously did not deter Tyler from entering the fray of the proceedings in the House. He admitted feeling a certain “embarrassment” when squaring off against older, more experienced politicians, but quickly got over it.¹³

One thing Tyler could not get over was the food he ate while he was away from home. “I wish the great people here knew something more about cooking,” he complained to Letitia. Writing home about a banquet he attended at the Executive Mansion not long after he arrived in Washington, Tyler told his wife that society dinners followed “the French style.” Choking down the unfamiliar food, he could not “relish anything that they have for dinner in the eatable way.” He liked the champagne that was served, but that was about all. “I had much rather dine at home in our plain way,” he said. “What with their sauces and flum-flummeries, the victuals are

¹³Tyler’s “Lecture at the Maryland Mechanics’ Institute,” 1855, in Tyler, *Letters and Times*, 1: 289-91 (first five quotations); Adams quoted in Skeen, “*Vox Populi*,” 271; *Annals of Congress*, 15th Cong., 1st sess., 912 (sixth, seventh and eighth quotations).

intolerable.” The meals he ate on a daily basis were no doubt worse. As did most members of Congress at the time, Tyler lived in a boardinghouse while in the capital. He lodged at Claxton’s on Pennsylvania Avenue during the Fourteenth and Fifteenth Congresses. Thereafter, he took his room and meals at McGowan’s Hotel and Tennison’s, both also located on Pennsylvania Avenue. For someone who suffered from chronic stomach problems as Tyler did, eating at a boarding establishment could be troublesome indeed. Hearty and nutritious food was rare. On one occasion, he ate a serving of spoiled fish that left him sick for days.¹⁴

At first, Tyler apparently felt little regard for Washington society, as well. President Madison made three attempts before finally getting him to accept an invitation for a state dinner. Such events were always festive and brought together a wide array of Congressmen and other notables. Madison and his popular wife, Dolly, were gracious hosts, and they threw wonderful parties. Tyler was impressed with Mrs. Madison. She “is certainly a most dignified woman,” he reported to Letitia, “and entertains her company in superb style.” Moreover, “in point of intellect, too, she far surpasses the foreign minister’s ladies,” he said. Tyler was in Washington to attend to political business, however, not to socialize. Though friendly in social settings, he preferred to devote his energies to his responsibilities as a legislator. That is what he was most comfortable doing and what he did best. Work relieved his mind of how much he missed his wife and family. Writing letters also helped. Throughout his tenure in

¹⁴John Tyler to Letitia Tyler, February 1, 1817, in Tyler, *Letters and Times*, 1: 288-89 (quotations); Cynthia D. Earman, “Boardinghouses, Parties and the Creation of a Political Society: Washington City, 1800-1830” (M.A. thesis, Louisiana State University, 1992), 204, 238, 261; Oliver P. Chitwood, *John Tyler: Champion of the Old South* (New York: D. Appleton-Century Co., 1939), 43-44.

Congress, correspondence from home sustained him. He looked forward to receiving notes from Letitia and made sure she realized that “nothing but a sense of duty can keep me from you.” Tyler also spent a great deal of time corresponding with Henry Curtis. The two friends discussed politics, family matters and personal concerns in their letters.¹⁵

For Tyler, a sense of duty meant protecting his constituency, and indeed all of Virginia and the South, from an emerging nationalism that manifested itself most readily in Henry Clay’s American System. Chastened by America’s near defeat in the War of 1812 and determined that the United States should rely less on foreign markets for its economic well-being, Clay sought to implement a protective tariff, re-charter the national bank, and develop a system of federally-sponsored internal improvements. His hope was to more fully integrate the country and promote a new market-driven economy. He believed especially in encouraging manufacturing and industry. By 1816, he had won many converts, especially in the North and West, the regions of the country that stood to benefit most. But Southerners like John C. Calhoun and John Forsyth of Georgia also saw the need for what Clay proposed. Heeding the lessons learned from the war, they too became strident nationalists, convinced the American System was an idea whose time had come.¹⁶

¹⁵John Tyler to Letitia Tyler, February 1, 1817, in Tyler, *Letters and Times*, 1: 288-89 (first and second quotations); Constance M. Green, *Washington: Village and Capital, 1800-1878* (Princeton: Princeton University Press, 1962), 78; John Tyler to Letitia Tyler, December 20, 1818, in Tyler Family Papers, WM (third quotation); John Tyler to Henry Curtis, December 18, 1818, in Tyler Papers, LC.

¹⁶Remini, *Henry Clay*, 135; Cooper, *Liberty and Slavery*, 129-30.

John Tyler would have none of it. As a strict constructionist and ardent states' rights Republican, the American System offended and even alarmed him. He was not alone in feeling this way. His constituents from the Richmond district who had elected him to Congress formed the nexus of Southern opposition to the nationalism of the post-war period. Later derisively referred to by opponents as the "Richmond Junto," these men included Judge Spencer Roane, Thomas Ritchie, editor of the *Richmond Enquirer*, and Dr. John Brockenbrough, president of the Bank of Virginia. Distrustful of the mainstream of the Republican party, they believed it had abandoned the tenets of Old Republicanism. James Madison, himself, in fact, had come to support a protective tariff and a national bank by 1816. He, and others like him, were far removed ideologically from where they had been in 1800. Accordingly, the conservatives sought to re-establish devotion to the Virginia and Kentucky Resolutions, the so-called "principles of '98" that asserted the rights of the states. The Old Republicans felt safe in sending Tyler to Washington because his conservatism mirrored their own. He left no doubt about either his constitutional principles or his ideological purity.¹⁷

Tyler was given the chance to display these constitutional principles during his first term in Washington. The issue at stake concerned federally-sponsored internal improvements, one of the pillars of the American System. Brought to the fore in 1811, when the state of New York sought federal aid for what became the Erie Canal project, the notion intensified after the War of 1812. In December 1815, President Madison had asked Congress to consider the "great importance of establishing throughout our country the roads and canals which can best be executed under the national authority."

¹⁷Risjord, *Old Republicans*, 179-82, Cooper, *Liberty and Slavery*, 128-29, 132-34.

Nothing was done concerning the president's request until one year later, when Congress passed a law creating the second Bank of the United States. Modeled after the first national bank, the charter of which had expired in 1811, the institution would be capitalized at \$35 million. The new charter was to last for twenty years and the government owned one-fifth of the stock. The Bank would also serve as the repository for federal funds. Buoyed by the passage of the bank legislation, John C. Calhoun introduced a bill in the House calling for the federal government to implement a program of internal improvements. He had refrained from supporting such a measure until the establishment of the second Bank because his plan entailed using the Bank to fund the program. He wanted the government to use the net annual proceeds it made on stock in the bank and the bonus the bank paid to the government—some \$1.5 million—as a “permanent fund for internal improvement.” The time was ripe, the South Carolinian argued. “We had now,” he declared, “abundance of revenue, and were in a state of peace, giving leisure to Congress to examine subjects connected with domestic affairs—of all which, internal improvement was not exceeded in importance by any.”¹⁸

Calhoun’s motion prompted spirited debate in the House. The discussion eventually turned to the constitutionality of the proposal; most Congressmen agreed that internal improvements would help the nation but many did not believe it was within the federal government’s authority to fund them. John Tyler acknowledged that good roads

¹⁸James D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, 10 vols. (New York: Bureau of National Literature and Art, 1903), 1: 567 (first quotation); *Annals of Congress*, 14th Cong., 1st sess., 1127-34; 2nd sess., 296-97 (second quotation); *The Papers of John C. Calhoun*, 1: 368; Charles Sellers, *The Market Revolution: Jacksonian America, 1815-1846* (New York: Oxford University Press, 1991), 71-75; Carol Sheriff, *The Artificial River: The Erie Canal and the Paradox of Progress, 1817-1862* (New York: Hill and Wang, 1996), 19-21.

and canals “would be calculated, beyond almost any other means, to produce a unity of interest in the nation.” They would, he said, “truly be regarded as the arteries of the body politic, which circulate without interruption the wealth of the country.” Virginia would certainly benefit; a link with the Ohio Valley was a component of the proposal. But Tyler had a problem. The Constitution did not explicitly grant the federal government the power to implement the program Calhoun and other nationalists favored. For that matter, the Constitution did not provide for the establishment of a national bank, but there was nothing Tyler could do about that. He could vote against this measure, however, and did so. The bill passed anyway on March 1, 1817, by the narrowest of margins. On the day before he left office, President Madison vetoed the bill and sent it back to the House. Nationalists attempted a brief campaign to override the veto. That effort failed and the measure died.¹⁹

As Tyler saw it, there was more at stake over the internal improvement bill than just the outcome of that one measure. At the heart of his opposition was the belief that a defense of the South against overzealous nationalism, against subjugation by the manufacturing interests, and against the dominant Northern majority, depended upon a scrupulously strict interpretation of the Constitution. His opposition to the American System thus reflected a rigidly conservative defense of states’ rights. “Congress has no power under the Constitution to interfere with the *police* of the States,” he argued. While he conceded that the transition from war to peace in 1815 gave the government “no easy task,” and though he clearly recognized the importance of strengthening the

¹⁹*Annals of Congress*, 14th Cong., 2nd sess., 361, 464-68, 851-71, 874-922, 934, 1059-62; *Richmond Enquirer*, March 7, 1817 (quotations); Richardson, *Messages and Papers*, 1: 584-85; Risjord, *Old Republicans*, 168-74.

domestic economy, Tyler did not want to open the door even slightly to expanded and unconstitutional federal power. It seemed many Republicans could not grasp the implications of what had already occurred. No less a Republican than Madison, after all, supported a national bank, protective tariff, and national university. All but the latter had become reality by 1817. True, Madison vetoed the internal improvement bill, but the damage had been done. What Tyler called the “doctrine” of granting Congress enlarged powers, “a doctrine not less dangerous than unsupported by reason,” had a precedent. It was the states, he emphasized, that “invested the general government with certain specified powers.” There were many, even in the South, who seemed to have forgotten this. The issue of internal improvements arose time and again in Tyler’s congressional career. Each time it did, he vowed to “oppose its dangerous tendency as far as is in my power.”²⁰

Conservative sensibilities also led Tyler to support measures designed to reduce taxes. In February 1817, Republicans in the House offered several resolutions to that effect. A reduction of internal duties had not been feasible during the War of 1812, but by 1817, the United States Treasury could boast an \$18 million surplus. Like many Americans, Tyler believed the national debt required attention and thought the surplus could best be put to use by paying it off. “The day, it is to be hoped, has passed,” he said, “in which a national debt was esteemed a national blessing; and he who, with the

²⁰John Tyler’s Open Letter “To the Freeholders of the Congressional District,” February 25, 1817, in *Richmond Enquirer*, March 7, 1817 (first quotation); John Tyler’s “Lecture at the Maryland Mechanics’ Institute, 1855, in Tyler, *Letters and Times*, 1: 289-91 (second quotation); John Tyler’s Circular Letter “To the Freeholders of the counties of Hanover, Henrico, New Kent, Charles City, and the City of Richmond,” April 14, 1818, in *Richmond Enquirer*, April 21, 1818 (third and fourth quotations); John Tyler to Henry Curtis, December 16, 1817, in Tyler Papers, LC (final quotation); Cooper, *Liberty and Slavery*, 129.

example of England before him, entertains such a doctrine, denies to himself the exercise of his mental faculties.” Some of Tyler’s colleagues, however, argued that the people would be better served if taxes were lowered and the payment of the national debt was extended over several years. It was not necessary to use the entire surplus to pay off the debt at once. In the long run, proponents of this plan argued, easing the burden of taxation was better policy. Tyler thought about it and agreed. He voted for every motion designed to repeal internal taxes and told his constituents proudly that their “government is employed in relieving you entirely from every pressure...not for the gratification of a few, but for the happiness of the many.” Opposition to repeal by Federalists like Daniel Webster, along with hand-wringing on the part of some Republicans, kept tax reduction from becoming reality until the Fifteenth Congress. A bill designed by the Committee on Ways and Means to abolish internal taxes eventually passed both houses of Congress in December 1817.²¹

Tyler returned home to Woodburn in March 1817 with the election for the Fifteenth Congress looming. After spending time with his family, he began stumping his district, traveling by horse around Charles City, Hanover, Henrico, and New Kent Counties, in addition to the city of Richmond. Andrew Stevenson was again his opponent. Although he later claimed he never actively sought political office at any time during his career and had “never asked or desir’d office at the hands of any,” Tyler worked very hard to secure re-election to the House in the spring of 1817. He published a circular letter to his constituents in the *Richmond Enquirer* that detailed his stance on

²¹*Annals of Congress*, 14th Cong., 2nd sess., 954-55, 963-69, 990, 995, 999, 1015-16, 1020; 15th Cong., 1st sess., 423-26, 443; John Tyler’s Circular Letter “To the Freeholders of the Congressional District,” February 25, 1817, in *Richmond Enquirer*, March 7, 1817 (quotations).

the important issues of his first session in Congress. He gave several speeches to bolster his candidacy. Tyler also had some unexpected help. A neighbor, Mr. Minge, who had taken particular interest in the young man's career, took it upon himself to get people to vote for his candidate. In a story recounted years later by Tyler's second wife, Julia, Minge "took his horses and wagon, in a perfect fit of enthusiasm, and drove for three days all over the county" as the election neared. He gathered "the maimed, the halt, the blind, and those who never had voted for any one, and brought them to the polls." Tyler built a commanding lead in his home county of Charles City and in New Kent County. He lost Hanover County and Richmond to Stevenson. Nevertheless, he won the election by a majority of roughly one hundred votes.²²

Tyler spent the bulk of his time in the summer and fall of 1817 tending to his farm and enjoying his family. Regrettably, he also found himself in the middle of a lawsuit. A Hanover County farmer sought a judgment for \$400 against the property Anne Dixon left to Tyler's sister Kitty when she married Henry Curtis. Tyler had become executor of the estate and it was his responsibility to see that the debt owed the man was paid. The property had been a source of consternation to all concerned for a couple of years. Tyler had already paid two other debts against the estate and did not look forward to paying another. He knew Curtis depended on him to oversee these legal matters, but there was little time to settle this particular judgment before he had to leave for Washington and the first session of the Fifteenth Congress. So, in this case, he told Curtis that he would have to deal with it. Tyler did expect to receive "frequent

²²Draft of a campaign autobiography for 1840 election, in Tyler Papers, LC (quotations); Tyler, *Letters and Times*, 1: 296-97; *Richmond Enquirer*, March 7, 25, 1817, April 15, 22, 25, 29, 1817.

communications” from his friend and would help him as best he could from Washington. He also instructed Curtis to “tell Kitty that Letty [Letitia] will keep house by herself this winter and that she had better come over and stay some time with her.” As always, Tyler’s concern for his wife and family made his departure from Virginia more difficult.²³

The first session of the Fifteenth Congress began on December 1, 1817. Tyler arrived in Washington on time and was present in the House when proceedings began. The session would quickly become interesting as the matter of Colonel John Anderson became known. Anderson, a veteran of the War of 1812, lived in the Michigan territory and had a claim against the United States government resulting from losses incurred during the war. He had come to Washington shortly before Congress convened and called on Lewis Williams of North Carolina, a member of the House Committee of Claims. After gaining entry into Williams’s boardinghouse room, he attempted to bribe him, offering the congressman \$500 to expedite his claim. Anderson also foolishly handed Williams a letter detailing what he wanted. Williams subsequently brought these bizarre facts to the attention of the House. Reaction was harsh. After heated discussion, the House voted to issue a warrant directing the Sergeant-at-arms to take Anderson into custody. He eventually appeared before a select committee of the House to answer charges of corruption and bribery.²⁴

After Anderson appeared before the House, there was a debate over who had the authority to punish him. Many in the House believed it was their responsibility to mete

²³John Tyler to Henry Curtis, November 19, 1817, in Tyler Papers, LC.

²⁴Washington *Daily National Intelligencer*, January 12, 1818; *Annals of Congress*, 15th Cong., 1st sess., 579-81, 582-83, 592, 777-78.

out justice. Others suggested the entire matter be turned over to the Attorney General. It ultimately was. Tyler believed the case called for the “interposition of the House.” No doubt, “the effects of bribery and corruption are visible,” he wrote to Henry Curtis, “and therefore I felt that it was due to the people, of whose liberties we are the guardians, to shut the door in the face of every attempt to corrupt.”²⁵

Anderson’s case differed from the expected legislative business and offered a distraction from the routine of committee work and petitions. Tyler had been appointed to the Committee of Elections for the Fifteenth Congress. Later in the term, he would also serve on a special committee responsible for determining whether a history of Congress should be written and subsidized by the federal government.²⁶ Neither of these committees offered the excitement of the bankruptcy bill, however. On December 12, 1817, Joseph Hopkinson of Pennsylvania moved to establish a uniform system of bankruptcy in the United States. The motion was read twice and tabled. The House did not act on the bill until February, though, when it formed a Committee of the Whole for discussion. Debate on the matter, often intense, dominated the House for an entire month and brought Tyler into the spotlight once again.²⁷

In 1800, a Federalist Congress had passed a national bankruptcy act that offered ways for insolvent traders and merchants to escape their debts. The Republicans repealed the law in 1803 and the country had remained without any national provisions for bankruptcy ever since. Private debts had historically been state concerns. Many in

²⁵*Annals of Congress*, 15th Cong., 1st sess., 611-12, 686-87, 712-37, 738-82; John Tyler to Henry Curtis, January 19, 1818, in Tyler Papers, LC (quotations).

²⁶*Annals of Congress*, 15th Cong., 1st sess., 400, 1391, 1650-51.

²⁷*Ibid.*, 444, 898.

Congress saw no need to change that. Federalists like Daniel Webster and Hopkinson, however, felt differently. They believed the development of a national economy, essential for America's future greatness, required a uniform system of bankruptcy. Commercial endeavors and entrepreneurship needed a safety net in case risks turned bad. A businessman burdened by crushing debt could not do his part to stimulate the economy. Easing his debt would make him a valuable and contributing member of society again. Or so the rationale went. Hopkinson argued that the bill would go a long way toward "advancing the general prosperity" of the country. Moreover, he maintained that by granting Congress the power "to establish uniform laws on the subject of bankruptcies," the Constitution made it imperative that such a system be established.²⁸

Republicans had always felt differently. Their opposition reflected the long-standing ideological differences between the two parties and the conflicting visions for what would make the United States a successful republic. They did not share Federalist enthusiasm for a commercial republic, arguing instead that America's future depended upon the strength of the country's agrarian sector. They shuddered at the thought of the federal government involving itself in the economy. Since the law would only apply to commercial interests, it would give merchants and traders a considerable advantage over farmers and undermine their self-sufficiency. Republicans believed the United States had no need for bankruptcy legislation. The country's economy relied on

²⁸Barbara A. Mathews, "'Forgive Us Our Debts': Bankruptcy and Insolvency in America, 1763-1841" (Ph.D. diss., Brown University, 1994), 97-99; Peter J. Coleman, *Debtors and Creditors in America: Insolvency, Imprisonment for Debt, and Bankruptcy, 1607-1900* (Madison: State Historical Society of Wisconsin, 1974), 42-45, 116-18, 187-88, 287; *Annals of Congress*, 15th Cong., 1st sess., 898-906 (quotations).

agriculture, not trade, they reasoned. America was not England, which depended heavily on commercial success. As one Republican in Congress explained in 1803, it was important “to avert rather than to hasten the period when such a system would be rendered necessary.”²⁹

John Tyler did not agree with Hopkinson and the Federalists and gave a long speech detailing his opposition to the bankruptcy bill. He began by explaining that he represented a district that was “partly commercial and partly agricultural.” So, in theory, there were those among his constituency who might benefit from a new bankruptcy law. However, he had “never heard a whisper in Richmond from any merchant, that they wished any law of this sort.” The men he represented, Tyler proclaimed, “do not wish to seek shelter from their engagements.”³⁰

Tyler next questioned Hopkinson’s reading of the Constitution. According to his colleague from Pennsylvania, he said, “we are not to inquire into the expediency of adopting such a system [of uniform bankruptcy] but *must* yield it our support.” This, Tyler argued, took discretion away from Congress and could end up doing more harm than good. “Suppose, then, by carrying into effect a specified power in the Constitution,” he asked the House, “we inflict serious injury upon the political body; will gentlemen contend that we are bound by a blind fatality, and compelled to act?”

Tyler had other objections, too. He believed only the merchant class would benefit from the bill. He did not accept the implications of Hopkinson’s argument, that

²⁹Mathews, 100-103; quotation from Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (New York: W.W. Norton and Co., 1980), 184.

³⁰*Annals of Congress*, 15th Cong., 1st sess., 912-13.

what was good for merchants was necessarily good for the economy, and thus, for everyone else. “What has the agriculturist and mechanic done to forfeit their claims to your justice, your liberality?” he wanted to know. If the bill was truly designed to provide a uniform system of bankruptcy, it ought to “embrace every class of the community.” As it was, the proposed law would not promote harmony, but would become “an apple of discord to the people.”

Much to Tyler’s satisfaction, the bankruptcy bill suffered defeat by a vote of 82 to 70. Most Southerners voted against it. The overwhelming support for the bill, as expected, came from the commercial northeast. The states would continue to address the debt problem as they saw fit. Not until Tyler’s presidency would the system Webster and Hopkinson advocated become law.³¹

Tyler’s speech opposing the bankruptcy bill represented the highlight of his career to that point. He had taken on a well-respected veteran of the House and not only held his own, but had served notice that he was shedding his nervousness and developing as an orator. Something even more important awaited him in the second session of the Fifteenth Congress: his appointment to a committee to investigate the second Bank of the United States.

The House of Representatives launched an investigation of the Bank in December 1818 to find out whether the institution had violated its charter. Besieged with complaints from all corners, and suspicious of rumors that alleged misconduct had taken place, the members of the House wanted the books inspected and a detailed report

³¹*Annals of Congress*, 15th Cong., 1st sess., 907 (first and second quotations), 908 (third quotation) 909 (fourth quotation), 912 (fifth quotation), 1027-28; Mathews, 144-47.

prepared. Tyler was one of five members of the investigating committee that traveled to Philadelphia, home of the Bank, to perform the duty.

After making it through a violent winter storm to get to their destination, the congressmen began the arduous process of doing their job. They had to “wade through innumerable and huge folios,” Tyler reported, and “perplex one’s self with all the seeming mysteries of bank terms, operations and exchanges.” Boredom set in quickly. Tyler complained that “the strongest mind becomes relaxed and the imagination sickens and almost expires.” The committee met for nearly seven hours a day for over three weeks. Their only source of enjoyment while in Philadelphia came when they accepted an invitation to dine with Nicholas Biddle and his guest, the exiled ex-King of Spain, Joseph Bonaparte.³²

Homesickness made the time in Philadelphia worse for Tyler. He received a letter from Letitia while he was there that caused him to miss his family very much. He wrote back at once. “Your last letter afforded me much gratification,” he told his wife, “for I fancied that you had written it in high spirits and that you were as happy as under all circumstances you could be.” Tyler told Letitia that he thought of their children a great deal, too. “Our dear little Mary is often the subject of my meditations, and Robert I suppose is as sweet as he can be now that he begins to talk,” he said. Sparing his wife the details of what the committee did on a daily basis, Tyler nevertheless indicated that he wanted the entire matter finished as soon as possible. Just “when we fancy we are near upon finishing some new object springs up and detains us longer,” he moaned. He

³²John Tyler to Henry Curtis, December 18, 1818, in Tyler Papers, LC.

had hoped he might make it home to Virginia in time for the Christmas holidays, but realized that would be impossible. He hoped Letitia would not be too disappointed.³³

The members of the committee returned to the capital late in December and were ready to present their report to the House in mid-January 1819. While there was no evidence of fraud or other criminal activity, the report said, the Bank suffered from mismanagement and its officials had violated the charter repeatedly. Most damaging was the revelation that the Bank's directors had encouraged speculation in the institution's stock. Tyler found this especially disturbing. "What think you of our Banking gentry?" he asked Henry Curtis. "Did you dream that we had been visited with so much corruption?" Tyler was ready to vote for what was called *scire facias* and place the question of whether the Bank deserved to have its charter revoked before a judge.³⁴

During the debate on the House floor that followed the presentation of the committee's findings, Tyler attacked the Bank in a lengthy harangue that lasted for parts of two days. He began by highlighting the unconstitutionality of a national bank and proceeded to argue that the rampant violations of the charter the committee had discovered should result in its outright revocation. Furthermore, he maintained, government revenues would be just as safe in reputable state banks. There was no real need for a national bank at all. No one who heard this tirade against the Bank should have been surprised at what Tyler had said. After all, his record in Congress by this

³³*Ibid.*; John Tyler to Letitia Tyler, December 20, 1818, in Tyler Family Papers, WM.

³⁴*Annals of Congress*, 15th Cong., 2nd sess., 552-79; John Tyler to Henry Curtis, January 18, 1819, in Tyler Papers, LC.

time clearly indicated where he stood on issues of constitutionality and how he felt about elements of the nationalistic American System. Conversely, that he failed to win many converts to his position should not have shocked Tyler. What the speech against the Bank did was establish him as a spokesman for the conservative Republicans in Congress, those strict constructionist, states' rights Southerners who, by 1819, had begun to realize that their version of republicanism faced a substantial threat to its existence. The Marshall Court's decision in *McCulloch v. Maryland* some two months after Tyler spoke in opposition to the Bank would make this point clear. The crisis in Congress over Missouri would make it even more obvious.³⁵

³⁵*Annals of Congress*, 15th Cong., 2nd sess., 1309-16, 1316-24.

CHAPTER FOUR THE FEDERAL GOVERNMENT'S ASSAULT ON STATES' RIGHTS

At the conclusion of the second session of the Fifteenth Congress in March 1819, Tyler returned home to Charles City. He did so an exhausted man. The trip to Philadelphia to investigate the Bank, as well as his seemingly never-ending duties in Washington, left him sorely in need of a break. He complained to Henry Curtis that he had been “so incessantly engaged this winter as to leave me not a moment scarcely from the business of the House.” He had not been able to travel to Virginia to see his family at Christmas, which disappointed him greatly. He felt especially sorry that he had disappointed Letitia. There had not even been time for him to prepare a circular letter to his constituents. To remedy this particular concern, Tyler had his speech on the Bank printed in pamphlet form and enlisted Curtis’s help in distributing it around the district. He wanted to make sure the voters received some statement from him. In April 1819, after all, he would run for re-election.¹

Overwork did not deter Tyler from his commitment to service and there was never any doubt in his mind that he would seek re-election to the next Congress. He had decided while in Philadelphia the previous December. All that remained was to convince Letitia, who had let her husband know that his extended absences displeased her. Tyler acknowledged her “wish to see me in a situation to return to private life.” He knew that she wanted him to give up his seat in Congress and concentrate his

¹John Tyler to Henry Curtis, February 28, 1819, in Lyon G. Tyler, ed. *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittet and Shepperson, 1885) (cited hereafter as *Letters and Times*) 1: 306 (quotation); John Tyler to Henry Curtis, December 18, 1818, in John Tyler Papers, Division of Manuscripts, Library of Congress (cited hereafter as Tyler Papers, LC); John Tyler to Letitia Tyler, December 20, 1818, in Tyler Family Papers, Earl Gregg Swem Library, College of William and Mary (cited hereafter as WM).

attention on a law practice, “so that I may be constantly with you.” To be sure, he did not particularly enjoy being away from his family. Letitia’s health worried him; she was sick much of the time throughout the couple’s marriage, in fact. Tyler also missed his children while in Washington. “Our dear little Mary is often the subject of my meditations,” he told his wife, “and Robert I suppose is as sweet as he can be now that he begins to talk.” But a sense of duty, as well as a sense of personal fulfillment, overwhelmed family considerations. As Tyler explained it, “my friends in the District have a right to expect me to continue for another Congress.” Indeed, the powerful Old Republicans who made up his constituency were no doubt pleased at his record in the House to that point. His outspokenness against internal improvements and the Bank, the perennial issues that aroused the ire of strict constructionists, held him in favor and signaled the beginning of a promising national career. The prominent states’ rights men of Richmond, individuals like Thomas Ritchie, Spencer Roane, and Dr. John Brockenbrough, regarded Tyler as a “fast friend of the Constitution.” They wanted him to remain in Congress. So, the Tyler marriage would endure still further separation. Letitia would have to accept her husband’s assurance that “nothing but a sense of duty can keep me from you” and be content that she and the children “constantly occup[ied]” his thoughts.²

²John Tyler to Letitia Tyler, December 20, 1818, in Tyler Family Papers, WM (first, second, third, fourth, sixth and seventh quotations); John Tyler to Henry Curtis, April 13, 1819, in Tyler Papers, LC; *Richmond Enquirer*, February 22, 1820 (fifth quotation); Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson* (New York: Columbia University Press, 1965), 196-97; The tension in the Tyler marriage brought about by separation and its attendant isolation and loneliness was not unique; for a study of how a political career often undermined the ideal of a “companionate marriage” in the early nineteenth century, see Anya Jabour, *Marriage in the Early Republic: Elizabeth and William Wirt and the Companionate Ideal* (Baltimore: The Johns Hopkins University Press, 1998), chapter 2, *passim*.

Happily, Tyler discovered soon after his return to Woodburn that he would run for re-election unopposed. Andrew Stevenson saw no need to try a third time to defeat his rival, and no other candidate sought the office. Tyler was glad to be free from the pressure of stumping his district; the contest against Stevenson in 1817 had proved especially arduous and time consuming. Too, Tyler wanted to make his personal affairs a priority while he had the chance and look after Letitia, who was pregnant again. Henry Curtis informed him that the people in Hanover, close to where he and Kitty lived, had hoped he would speak to them before the election. "My business is so much changed in consequence of my long absence as to require my earliest attention," he told his brother-in-law as he begged off. Moreover, "Mrs. Tyler's situation is such, expecting to be confined every day, as to require me at home as much as possible." After having served three sessions in Congress, Tyler believed his record could speak for itself. A personal canvass of the district was unnecessary, especially since there was no opposition to his candidacy. He won the election.³

During the spring and summer of 1819, then, Tyler saw to his farm and tried to make Letitia as comfortable as possible. She had given birth to John Jr. on April 29, and took quite awhile to recover. One endeavor to which Tyler apparently devoted very little time or energy was his law practice. He evidently took no cases that would have required him to appear in Richmond and even advised Curtis to seek the aid of another attorney for help in settling a legal matter. Tyler explained to his brother-in-law that the other man would offer more objective, and thus more effective, counsel. "A Lawyer is like a Physician," he said, "altho' bold and fearless when practicing on aliens to his

³*Richmond Enquirer*, April 2, 20, 1819; John Tyler to Henry Curtis, n.d., in Tyler, *Letters and Times*, 1: 308.

blood, yet timid and hesitating when called on to administer to those who are near to him.” He assured Curtis that the other lawyer would “without difficulty master the case.”⁴

Tyler may have devoted his energies to family and farm at this time, but he could not have remained insulated from the excitement swirling around Virginia and the nation after he returned home. The United States was in the midst of an economic crisis in 1819. The Panic of 1819 was the first wide-scale depression in the country’s history. It signaled an end to the prosperity and nationalism that had characterized America since the close of the War of 1812.

The prosperity the United States enjoyed during the so-called “Era of Good Feelings” resulted largely from the success of agricultural exports. Southern cotton was the most important of these exports. The growth of the English textile industry after the Napoleonic Wars had created extensive demand for the crop. The price of cotton rose each year after 1814, reaching a high of thirty three-and-a-half cents per pound in 1818. Naturally, demand for slaves and land rose, especially in the new states of Alabama and Mississippi, as planters sought to capitalize on the boom and increase their production. Most of these men did not have the capital on hand to make their purchases; banks, whether the Bank of the United States, or smaller state institutions, loaned it. In making these transactions, banks generally ignored a dangerously unbalanced ratio of specie to paper issue. Cotton had become a major force in the post war expansion of the American economy and many people naively believed the prosperity would continue

⁴John Tyler to Henry Curtis, April 13, 1819, in Tyler Papers, LC; Oliver P. Chitwood, *John Tyler: Champion of the Old South* (New York: D. Appleton-Century Company, 1939), 478.

indefinitely. But neither the British re-export market nor the British manufacturer could absorb the American cotton at such an exorbitant price. England began importing East Indian cotton. Oversupply in the South eventually caused a glut. By early 1819, cotton prices in the United States had fallen with a resounding thud.⁵

The prices of other agricultural staples soon followed cotton's downward spiral. Slave prices also dropped precipitously. Before the Panic, a prime field hand cost \$800 in Richmond. By 1821, the price had fallen to under \$600. Land prices, bank shares, and rents collapsed too, as the sustaining agriculture market fell apart. It was hard to find a segment of society that escaped unscathed. Virginia's people suffered their share of the hard times. As a letter in the *Richmond Enquirer* pointed out, "the difficulties and embarrassments of the present times, are felt or *imagined*, by almost every class of society, a few prosperous professional men excepted." The overall mood of the Old Dominion was one of gloom. A Williamsburg resident lamented that "every kind of property of every description, has not only sunk much in value, but will continue to do so." Moreover, the personal losses sustained by many of Virginia's political leaders were staggering and well publicized. Former governor Wilson Cary Nicholas, the president of the Richmond branch of the Bank of the United States in 1819, went bankrupt and resigned from his post. Thomas Jefferson lost nearly \$20,000. Creditors hounded many other men. Virginians thought they knew what was to blame for the crisis: banking. The "bloated banking system" had created a "great

⁵William J. Cooper, Jr., *Liberty and Slavery: Southern Politics to 1860* (New York: Alfred A. Knopf, 1983), 142-44; George Dangerfield, *The Era of Good Feelings* (New York: Harcourt, Brace and Company, 1952), 176-79; Douglas C. North, *The Economic Growth of the United States, 1790-1860* (Englewood Cliffs, NJ: Prentice-Hall, 1961), 66-67.

disease” in currency circulation. There was “too much paper, and too little specie,” one man correctly pointed out. While viewing banks as solely responsible for the Panic may have been an oversimplification, the importance of such a scapegoat in the minds of the people cannot be overestimated. The depression had shocked Americans. Many Virginians—in fact, many Southerners—renewed their opposition to the national Bank after 1819, and they did so quite vocally. The Bank again became a symbol of rampant federalism, which they believed threatened their liberty and republican virtue. In short, Virginians began to accept what the Old Republicans had been saying for years. The ideological adjustments made by the Republican party, first under Jefferson, and later under Madison and Monroe, had proved dangerous after all.⁶

Just what effect the Panic had on John Tyler and his family is uncertain. There is no evidence he experienced any significant financial hardship; he may have been one of the “few prosperous professional men” to which the *Richmond Enquirer* alluded. His personal income had no doubt slowed considerably by 1819. But this development likely reflected the neglect of his law practice rather than anything connected with the depression. For Tyler, the implications of the crisis had more to do with politics than economics. The Panic had strengthened the standing of the strict-constructionist, states’ rights Old Republicans in Virginia. People paid more attention to their stance on national issues. Their cries that the federal government strove to undermine the power of the states resonated more fully. These men were most influential in and around

⁶*Richmond Enquirer*, May 18, 1819 (first quotation), June 1, 1819 (third, fourth and fifth quotations); William Waller to George Blow, February 2, 1820, in Blow Family Papers, Virginia Historical Society (cited hereafter as VHS)(second quotation); Kathryn R. Malone, “The Fate of Revolutionary Republicanism in Early National Virginia,” *Journal of the Early Republic* 7 (Spring 1987): 45-46; Cooper, *Liberty and Slavery*, 133-34.

Richmond, and were the leaders of Tyler's congressional district. To them, ideological purity became even more important after 1819. Tyler had already demonstrated his commitment to the proper principles. He would receive more opportunities to do so during the next Congress.⁷

In Virginia, reaction to the Panic of 1819 coincided with outrage against the Supreme Court's decision in *McCulloch v. Maryland*. The Marshall Court, in fact, became another symbol in the Old Republicans' fight against the consolidation of the national government. In March 1819, speaking for a unanimous Court, Chief Justice John Marshall denied the right of the state of Maryland to tax a branch of the Bank of the United States. "The power to tax involves the power to destroy," he asserted. The decision actually did little to strengthen the federal government, at least initially. But it effectively undermined strict construction and states' rights in three ways. First, it upheld the doctrine of implied powers enunciated under the Federalist Alexander Hamilton in 1791. Second, it reaffirmed the supremacy of a federal institution, the bank, over a state law, Maryland's tax. Third, in upholding the constitutionality of the bank, the Court made clear that it had the authority to settle constitutional disputes between the federal government and the states.⁸

Old Republicans wasted little time in voicing their objections to the *McCulloch* decision. Spencer Roane called it "alarming" and characterized it as no less than "warfare" upon states' rights. He noted that "the danger arising from implied powers

⁷John Tyler to Henry Curtis, December 8, 1820, in Tyler, *Letters and Times*, 1: 336; Risjord, *Old Republicans*, 206-207; Cooper, *Liberty and Slavery*, 134.

⁸Malone, "Fate of Republicanism," 46; R. Kent Newmeyer, "John Marshall and the Southern Constitutional Tradition," in *An Uncertain Tradition: Constitutionalism*

has always been seen and felt by the people of the states” and worried that the “force of implication” asserted by the Marshall Court would “sweep off every vestige of power from the state governments.” One observer referred to the decision as a “bold and dangerous interpretation” of the Constitution that no doubt would have offended anti-federalists like Patrick Henry, George Mason and Judge Tyler. “I behold in it an assumption of power which is daily gaining ground...which threatens ere long to effect the entire demolition of the rights of the state governments,” another foe of the Court said. To many Virginians in 1819, the federal government had indeed declared war on states’ rights. The Virginia and Kentucky Resolutions—the hallowed “Principles of ‘98”—were under assault. So widespread was the sentiment against the *McCulloch* decision that the Virginia House of Delegates saw fit to present a set of resolutions denouncing it, especially the doctrine of implied powers. Andrew Stevenson, a member of that body, even went so far as to propose a constitutional amendment that established a joint tribunal of the states and national government that would settle all questions of jurisdiction in the future. The assembly scrapped this idea, but it did pass the original resolutions. Inexplicably, however, the Virginia Senate voted to put them aside, so they never became the official statement of the Old Dominion on the matter. The point had been made, though. The post-war sentiments of nationalism had clearly evaporated in Virginia by 1819 and many believed it was time to stand up to the consolidation tendency that threatened republicanism. Virginians looked back to the principles of 1798 to guide them in this new crisis. Nothing could have pleased John Tyler more, for as he later said, he had “been rear’d in the belief that this government was founded on

and the History of the South, ed. Kermit L. Hall and James W. Ely, Jr. (Athens: University of Georgia Press, 1989), 108-109.

compact to which sovereign States were the parties.” He dedicated his public career to the “great and enduring principles of the report and resolutions of 1798-9.”⁹

It was against this backdrop that the Sixteenth Congress convened in December 1819. As Tyler and other Southerners would soon find out, however, the situation would only become worse, the assault on states’ rights only stronger. Tyler arrived in time for the start of the term, which began on December 6, and took his seat. In a bit of an understatement, the *National Intelligencer* declared that there were “great questions of internal policy” before Congress at this time.¹⁰ Indeed there were. One matter was especially pressing. During the previous session, the territory of Missouri had applied for admission as the nation’s twenty-third state. Congress had been prepared to admit Missouri and an enabling act was drafted to bring her into the Union with a constitution validating slavery. Controversy soon erupted. Congressman James Tallmadge of New York offered a two-part amendment that he wanted attached to the enabling act. The amendment stipulated first that no more slaves would be permitted to enter Missouri. Secondly, all slave children born after the territory became a state would become free at age twenty-five. The Tallmadge amendment essentially provided for gradual

⁹*Richmond Enquirer*, April 2, 1819 (first, third, fourth and fifth quotations), April 13, 1819 (sixth quotation), April 30, 1819 (seventh quotation), April 16, 23, June 11 (second quotation), December 23, 1819, February 29, 1820; see also “Roane on the National Constitution—Reprints From the *Richmond Chronicle* and *Richmond Enquirer*,” *The John P. Branch Historical Papers of Randolph-Macon College* 2 (June 1905): 51-77; John Tyler to William F. Pendleton, January 19, 1833, in John Tyler Papers, LC (final quotation); *Journal of the House of Delegates of the Commonwealth of Virginia*, 1819-1820 Session, 56-59, 175-79; Malone, “Fate of Republicanism,” 47-48.

¹⁰*Annals: The Debates and Proceedings in the Congress of the United States*. 16th Congress, 1st session, 702; *Washington Daily National Intelligencer*, December 6, 1819.

emancipation in Missouri; nothing would be done about the slaves already living in the territory in 1819.¹¹

Spirited and acrimonious debate in the House of Representatives followed the introduction of the Tallmadge Amendment. Southerners predictably howled their opposition. Tallmadge himself seemed rather surprised at the nature of the venom directed toward his proposal. Somewhat incredibly, he believed his colleagues would discuss the amendment “with moderation.” He should not have been surprised. The “violence” of the debate and the “expressions of so much intemperance” caught him off guard. Or so he said. Whatever the case, sectional lines were quickly drawn. Outnumbering their Southern counterparts 105 to 80, Northern congressmen secured passage of both components of the amendment on February 17, 1819 by votes of 87 to 76 and 82 to 78. John Tyler voted against both. Several days later, however, the Senate rejected the amendment. The Fifteenth Congress adjourned without reaching a decision on Missouri.¹²

The Missouri question came up again two days after the Sixteenth Congress began. Southerners in both houses stood firm and prepared for more heated debate on the subject. To them, the issue was a critical one. Missouri had sparked the first sustained debate on slavery since the Constitutional Convention in 1787. The heart of the matter was whether the federal government had the constitutional authority to determine where slavery could or could not exist. States’ rights men would not accept

¹¹*Annals of Congress*, 15th Cong., 2nd sess., 1166; Glover Moore, *The Missouri Controversy, 1819-1821* (Lexington: University of Kentucky Press, 1953), chapter 2, *passim*.

¹²*Ibid.*, 1170-93, 1194-1202, 1203-1204 (quotations), 1214-15; Cooper, *Liberty and Slavery*, 135-36.

the idea that Congress had the right to set territorial limits on the expansion of slavery. Opponents of the peculiar institution argued that the Northwest Ordinance, passed in 1787 to keep slavery out of territory north of the Ohio River, did just that. Another key issue was representation. By threatening Southern expansion, the Tallmadge amendment undermined the efforts of slaveholders to maintain parity in national politics. The less-populated South needed more slave states to sustain any kind of power for. Northern politicians saw things differently. They argued that the three-fifths compromise contained in the Constitution already gave the South too much power at the national level. After all, with the exception of the single term of John Adams, the Virginia dynasty of presidents had enjoyed control of the White House for over two decades. Moreover, the antislavery requirement for the establishment of the Arkansas territory, keeping land north of the Ohio River free, had been abandoned during the previous Congress. Prohibiting the migration of new slaves to Missouri seemed a practical way to address what the North believed had become a problem. The eventual proposal to admit Maine as a free state and Missouri as a slave state, a compromise aimed at maintaining balance in the Senate, solved nothing for the strict constructionists. Accepting that proposition meant acquiescing to the notion that Congress had the right to determine the existence of slavery in a territory.¹³

Just as ominous to the South, there was clear sentiment emerging in the North that slavery was an evil that must be abolished. Memorials presented in the House of Representatives attested to that fact. A newly-formed American Convention for

¹³*Annals of Congress*, 16th Cong., 1st sess., 704; 15th Cong., 2nd sess., 173-74; William W. Freehling, *The Road to Disunion*, Vol. 1, *Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 146-48.

promoting the abolition of slavery was one group that saw an opportunity to advance its cause as Missouri applied for statehood. In a meeting held in Philadelphia in October 1819, members of the convention drew up a declaration stating that slavery had “evil consequences which must inevitably result to the United States.” Accordingly, the group called on Congress to prohibit slavery in any new state admitted to the Union. In Boston, there was more of the same. Less than one week before the start of the Sixteenth Congress, a large gathering of anti-slavery advocates assembled at the state house “to take into consideration the measures necessary to be adopted to prevent the further extension of slavery.” Daniel Webster drafted much of the memorial presented to Congress. A similar meeting was held a few days later in Hartford, Connecticut. Clearly, then, Missouri was a political call to arms. It polarized North and South. During the winter of 1820, Congress became the battleground where a war of words was fought over the issue of slavery in the territories. Southerners like John Tyler saw in it a bigger issue and would regard the Missouri crisis as no less than a threat to liberty.¹⁴

After considerable delay, debate in the House on Missouri began in earnest on January 27, 1820. For weeks, John W. Taylor of New York had moved to postpone discussion, ostensibly to find out how the Senate proceeded on the matter. His

¹⁴*Annals of Congress*, 16th Cong., 1st sess., 736-37 (first quotation); *Richmond Enquirer*, December 11, 16, 1819; Charles M. Wiltse and Harold D. Moser, eds., *The Papers of Daniel Webster*, Series 1: Correspondence, 7 volumes (Hanover, NH: University Press of New England, 1974), 1: 267-68; Cooper, *Liberty and Slavery*, 136-37.

colleagues eventually tired of stalling, however, and the House formed into a Committee of the Whole.¹⁵

Shortly after debate started, Tyler fell alarmingly ill. On February 2, he suffered what he described as a “violent and singular shock...on my constitution.” The sickness began as “a disagreeable sensation” in his head that got so bad he had to leave the House chamber and return to his bed at McGowan’s Hotel. Before the day was over, the malady had spread; he experienced numbness in his hands, feet, tongue and lips. A doctor in Washington bled him and administered purgatives, telling him that he likely had a “diseased stomach.” That news came as little surprise to Tyler. He had known for some time that his stomach was unhealthy. Still, he seems to have believed that the diagnosis was incomplete. He wrote to Henry Curtis, himself a medical doctor, describing his symptoms and requesting a second opinion through the mail.¹⁶

Whatever the affliction, Tyler remained bedridden for only three days, though he still felt the effects of his illness weeks later. “I am now walking about and am to appearance well,” he told Curtis, “but often experience a glow in my face and over the whole system.” Pain in the neck and arms also increased his discomfort. But there was no time to convalesce. “‘Missouri’ is the only word ever repeated here by the politician,” Tyler said and he wanted to make sure he was present for the proceedings in

¹⁵*Annals of Congress*, 16th Cong., 1st sess., 938, 940-52.

¹⁶John Tyler to Henry Curtis, February 5, 1820, in Tyler Papers, LC; one medical historian cited by Robert Seager, II, *And Tyler, Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963), 566, n.36, suggests that Tyler suffered from cerebral vascular disease, brought on by a thrombosis, or blood clot, in his head. This is one possibility. Another is that Tyler may have suffered from the lingering effects of malaria, quite possibly contracted the previous summer. I would like to thank Dr. Timothy Ewing, of the LSU Student Health Center for discussing Tyler’s symptoms with me.

the House. No doubt, the Missouri issue and the excitement it created troubled him. "Men talk of a dissolution of the Union with perfect non-chalance and indifference," he reported sadly. But Tyler would not even allow himself to think of such a drastic course. "I for one...will not be frightened at false fire," he declared. He hoped his colleagues could resolve the problem and in a manner satisfactory to the South. "The storm I trust will burst on the heads of those very wretches who have presumptuously raised it," he predicted. Singling out Rufus King, the New York senator so outspoken in favor of restricting slavery in the territories, Tyler wished the man "exposed as [an] object of derision and scorn."¹⁷

Tyler's illness had forced him to do nothing more than sit and listen to most of the proceedings in the House. On February 17, however, he was compelled to speak. Motivated by what he called a "sense of duty," but no doubt influenced by a touch of anger over what he had been hearing, he immediately launched into an attack of the North. "Behold now our situation!" he exclaimed. He said that during the course of the debate "we have heard much of excitement, of irritation." How "has it arisen," he asked, "and who has produced it?" For Tyler, as for most Southerners, the answer was clear. "Let it be set down in the tablets of your memory that it is the work of the North, and not of the South," he declared.¹⁸

Tyler denied that Congress had the authority under the doctrine of implied powers to prohibit slavery in the territories. Rather, he argued, the Constitution left it up to the people of the territory to decide the matter for themselves. In discussing

¹⁷John Tyler to Henry Curtis, February 5, 1820, in Tyler Papers, LC.

¹⁸*Annals of Congress*, 16th Cong., 1st sess., 1382-83.

implied powers many years later, he denounced the exercise of what he called “doubtful powers” by the federal government, which had been “whipped like vagrants through every clause of the constitution.” Congress had no right to involve itself in a “question of local policy.” To do so would undermine state sovereignty, he said. Here lay the crucial point of Tyler’s argument, yet it is also where his case was weakest.

Throughout this speech, he continually referred to Missouri as a “state.” He focused his argument on what should occur after the territory entered the Union, often without even acknowledging that the issue before Congress was how to get to that stage. Tyler did not accept Pennsylvania Congressman John Sergeant’s argument that there had to be a distinction made between old and new states. If the new state did not have the same rights as the old, he maintained, the government could not exist. “Are not our rights the same as those of our predecessors, although *they* originated the very Constitution under which they [sic] are now assembled?” he asked. “This Constitution,” he continued, “is but the creature of the new States as well as the old, liable to their amendments, and continued only as the creature of the common will.” Tyler wanted the people of Missouri placed “upon a footing with the people of New York, Connecticut, and of the other States.” They had “the right to alter, to amend, to abolish their constitutions,” he pointed out. “Equality is all that could be asked for, and that equality is secured to each state of this Union by the Constitution of the land.” He asked, “will you deny to the people of Missouri this right?”¹⁹

¹⁹John Tyler, “An Address Delivered Before the Literary Societies of the University of Virginia, on the Anniversary of the Declaration of Independence by the State of Virginia,” June 29, 1850, in *William Wirt Henry Pamphlets*, VHS (first and second quotations); *Annals of Congress*, 16th Cong., 1st sess., 1387-88 (third quotation), 1385 (fourth and fifth quotations), 1384 (remaining quotations).

Tyler may have conceded the weakness of his position towards the end of the speech. For sake of argument, he granted the North's contention that Congress had the right to prohibit slavery in Missouri. In doing so, however, he urged representatives from the free states to pursue a conciliatory course. Forbidding slavery would be "unjust and impolitic," he argued. The Louisiana territory had been purchased "out of a common purse" and the states—North and South alike—were "joint tenants in the estate" of the Union. What good could possibly come out of further polarization of the two sections?²⁰

Given Tyler's record as a strict constructionist and in light of his dedication to states' rights principles, the bulk of his speech could not have come as any surprise to those who heard it. The argument put forth on the constitutional question was, in fact, unremarkable. What was more significant—largely because it reveals much about Tyler himself—was the segment of the speech that addressed a more practical concern: the diffusion of slavery. Echoing to some degree an argument favored by men like James Madison, Tyler argued that opening Missouri and other territories to slavery would "ameliorate the condition of the slave" in old states like Virginia and South Carolina. For one thing, doing so would reduce overcrowding. By 1820, some 422,000 slaves lived in the Old Dominion; more than one quarter of that total resided in the Tidewater region that Tyler called home. For another, the existence of an expanded market west of the Mississippi would increase the worth of the slave, making him more valuable and making it in the best interest of the slaveholder to treat him better. Tyler did not stop there. He claimed that the diffusion of slavery west might actually bring

²⁰*Annals of Congress*, 16th Cong., 1st sess., 1388.

about abolition. A decrease in the number of bondsmen in the South would make the economic cost of compensated emancipation less burdensome for the states. Rejection of the Tallmadge Amendment, then, was essential. Tyler made an appeal to Northern guilt. Referring to slavery as a “dark cloud,” he asked “will you suffer it to increase in its darkness over a particular portion of this land until its horrors shall burst upon it?” Too, “will you permit the lightnings of its wrath to break upon the South, when by the interposition of a wise system of legislation, you may reduce it to a summer’s cloud?” Tyler had placed the onus for the question squarely on the shoulders of Northern congressmen, telling them that “you add much to the prospects of emancipation and the total extinction of slavery.”²¹

These words demonstrate several things about Tyler’s view of slavery. First of all, it is clear he regarded the institution in much the same way that Thomas Jefferson did, as a necessary evil. His thinking mirrored that of most Virginians of the time, in fact. As his son Lyon put it years later, “Mr. Tyler, like his father, deplored slavery; but it was here without his fault or that of his contemporaries, and he like the best patriots of the Revolution, would tolerate no officious interference from without.” Simply put, no one outside the South had the right to determine the fate of slavery. The question was for Southerners, and Southerners alone, to address. In addition, much of Tyler’s diffusion argument had been borrowed word for word from Jefferson himself, and from Madison. There was little that was new in what Tyler fed his Northern colleagues in the

²¹*Ibid.*, 1393 (first and final quotations), 1391 (second, third and fourth quotations); Freehling, *Road to Disunion*, 151; Robert McColley, *Slavery and Jeffersonian Virginia* (Urbana: University of Illinois Press, 1964), 219; Drew R. McCoy, *The Last of the Fathers: James Madison and the Republican Legacy* (Cambridge: Cambridge University Press, 1989).

House of Representatives; he was not an original thinker on the subject, like a St. George Tucker. Furthermore, in articulating the economic component of the diffusion argument, Tyler clearly showed he regarded slaves as property first.

As he later told a friend, “slaves are... plac’d on the footing of property, and he must be a wretched and misguided enthusiast who would now question the correctness of that.” Tyler had no reservations about selling a slave if his financial situation demanded it. One example is particularly telling. In the fall of 1827, Tyler was in dire need of money. He instructed Henry Curtis, acting as his agent, to sell a female slave, Ann Eliza. While he preferred Curtis sell her “in the neighborhood,” he had no qualms about sending her to Hubbards’ auction in Richmond. Expediency and necessity were the priorities. Finally, Tyler, like most slaveholding Virginians, clearly believed the process towards abolition should be a gradual one. In this, he seemed to concur with the view of Tucker, who, years earlier, had declared that “the more gradual the transition from slavery to freedom, the better qualified will the blacks be to enjoy their future condition, and the less violent will the prejudices of the whites be.”²²

There was another advantage of diffusion: the process would rid Virginia of a possibly large number of free blacks. Like many Southerners, Tyler regarded free blacks as a potentially dangerous influence on slaves and viewed the question of what to do with such individuals as “a question big with the fate of this Union.” It was “one

²²Lyon G. Tyler, quoted in Tyler, *Letters and Times*, 1: 313; John Tyler to Littleton W. Tazewell, May 2, 1826, in Tyler Papers, LC (second quotation); John Tyler to Henry Curtis, September 4, October 26, November 16, 1827, *Ibid.*; St. George Tucker to Jeremy Belknap, November 27, 1795, in *Collections of the Massachusetts Historical Society*, Fifth Series 3 (1877): 417-23; John Chester Miller, *The Wolf By the Ears: Thomas Jefferson and Slavery* (Charlottesville: University Press of Virginia, 1991), 234-35.

that startles and is well calculated to alarm all the sensibilities of the patriot,” he said. Virginia and neighboring Maryland had the largest free black populations in the United States in 1820. Tyler was not alone in his alarm. In the 1830s, influenced by the horror of Nat Turner’s rebellion, he took his conception of diffusion a step further; he became an active member of the American Colonization Society, eventually serving as its president.²³

Though the ensuing agreement in Congress would put off the slavery issue for the time being, Tyler’s speech had very little effect on the outcome of the Missouri crisis. When it became obvious that the House and Senate could not agree on the terms whereby Missouri would enter the Union, a conference committee was appointed to settle the matter. The committee accepted an amendment proposed by Illinois senator Jesse B. Thomas that called for the admission of the territory without the slavery restriction and the exclusion of slavery from the remainder of the Louisiana Purchase north of the 36 degrees, 30 minutes line that marked Missouri’s southern border. Missouri entered the Union as a slave state, Maine as a free state, and the so-called Missouri Compromise was accomplished. The measure passed both houses of Congress. Tyler voted against it.²⁴

Tyler was displeased at the outcome of the Missouri crisis. He believed that the compromise would hurt the South in the long run. The admission of Missouri as a slave

²³John Tyler to Littleton W. Tazewell, May 2, 1826, in Tyler Papers, LC (quotations); Circular of Colonization Society, 1837, enclosed in letter from Charles W. Andrews to John H. Cocke, June 20, 1837, in Cocke Family Papers, Alderman Library, University of Virginia; McColley, *Slavery*, 218.

²⁴*Annals of Congress*, 16th Cong., 1st sess., 1410, 1454-57, 1551-54, 1563-87; Moore, *Missouri Controversy*, 101-103; Cooper, *Liberty and Slavery*, 139.

state was offset by the stipulation that slavery was forbidden north of 36 degrees, 30 minutes forever. “*Forever!*” one Virginian exclaimed in disbelief. This individual explained his displeasure thusly: “No one can cast his eye upon the map without being struck by this disproportion.” Tyler agreed. He felt the South had given away too much in an effort to keep the peace. Years later, when asked about Missouri, he said “I would have died in my shoes, suffered any sort of punishment you could have inflicted upon me, before I would have done it.” Sentiment throughout Virginia echoed his. The Missouri Compromise was ominous to many; it was, as Thomas Jefferson described it, “a fire bell in the night” with respect to the slavery issue. “Let us not shut our eyes on the evil that stares us in the face” a letter to the editor in the *Richmond Enquirer* warned. “Let us forecast this thing. The Union is in danger.”²⁵

Little could be done to cheer Tyler after Missouri. But towards the end of the first session of the Sixteenth Congress, another battle emerged he had to fight: the tariff. Supporters of Henry Clay’s American System sought to raise import duties on many products above what the tariff of 1816 had established. In the wake of the Panic of 1819, there was increasing pressure from the manufacturing interest in the North for Congress to provide “security and encouragement” for its endeavors. The South would have none of it, however. Its support for the tariff of 1816, garnered largely through the efforts of John C. Calhoun, had ensured that bill’s passage. Amendments providing still more protection passed in 1818. By 1820, Southerners saw no need to come to the aid of manufacturing yet again. They had done so before because of the need to raise

²⁵*Richmond Enquirer*, February 22, 1820 (first quotation), February 26, 1820 (last two quotations); John Tyler quoted in Tyler, *Letters and Times*, 1: 329; Richard H. Brown, “The Missouri Crisis, Slavery, and the Politics of Jacksonianism,” *South Atlantic Quarterly* 65 (Winter 1966): 60-61.

additional revenue after the War of 1812. Too, they feared the possibility of a new war with Great Britain at some time in the near future, which would interrupt trade. Neither reason was relevant in 1820.²⁶

The tariff was destined to become one of the most divisive issues in national politics and would demand Tyler's attention through his presidency. Debate in Congress over the tariff bill of 1820 followed along sectional lines. "This bill is next to the Missouri question, in the interest it excites and the consequences it involves," declared the *Richmond Enquirer*. While this may have been an exaggeration, there was no doubt Southerners strongly opposed an increase in duties because they stood to bear the brunt of the cost. Protection benefited Northern manufacturers; as the predominant consumers of imported goods, Southerners felt protection's sting. Like Missouri, then, the issue further polarized North and South and served as yet another reminder that post-war nationalism had disappeared, replaced with sectionalism that would continue to grow.²⁷

Tyler spoke out against the tariff in late April 1820. He did not question the constitutionality of the bill, which, to him, required no argument. He instead attacked its practicality. Raising duties would "shut us out from the foreign market," he argued. Tyler acknowledged that the conclusion of the Napoleonic Wars had dried up the market for most American products abroad and had, in fact, contributed to the general malaise afflicting the manufacturing sector. But, "all human affairs are constantly

²⁶*Annals of Congress*, 16th Cong., 1st sess., 737 (quotation); Norris W. Preyer, "Southern Support of the Tariff of 1816—A Reappraisal." *Journal of Southern History* 25 (August 1959): 311.

²⁷*Richmond Enquirer*, April 28, 1820 (quotation), May 2, 5, 1820.

undergoing a change,” he pointed out. “Who can tell how long the causes which now operate to our injury may continue to exist?” Tyler saw no need to alter the course charted by the 1816 tariff bill for what was in all likelihood a temporary downturn. More importantly, he knew what raising the duty on imports meant for the South. The “agricultural class,” he argued, would pay the cost of bolstering manufacturing. “Agriculture and commerce are twin sisters,” he further reasoned. “You cannot inflict a wound on the one without injuring the other.” Moreover, the South had no tariff protection for their staple commodities, nor did they ask for it. To Tyler, the 1820 bill represented little more than economic exploitation.²⁸

Tyler advocated a free-trade economic philosophy. He had studied Adam Smith while at William and Mary and believed fully that protectionism was unnecessary for the economic health of the country. “Does there exist any necessity for us to resort to artificial means to hasten our growth?” he asked. He agreed with Smith’s suggestion that the United States should actively participate in the world market, selling those commodities it could cheaply and efficiently produce, and buying those products more cheaply and efficiently produced in other countries. The American consumer would be better off under this philosophy. Even more important, the South would not find itself at the mercy of the manufacturing interest.²⁹

Tyler could take some satisfaction that his efforts in opposing the tariff bill did not meet with the same fate as his attempts to affect the Missouri legislation. The bill failed. Generally, Southerners found this good news. A jubilant *Richmond Enquirer*

²⁸*Annals of Congress*, 16th Cong., 1st sess., 1959 (first, fourth, fifth and sixth quotations), 1955 (second and third quotations).

²⁹*Ibid.*, 1960 (quotation), Seager, *And Tyler, Too*, 67.

proclaimed, "We have not met with a single citizen, however humble or however high, who does not sincerely thank them [Congress] for their vote."³⁰

At the close of the Congressional term, Tyler returned home "as speedily as [he] could." During the time he spent in Virginia between the first and second sessions of the Sixteenth Congress, Tyler attempted to regain his health and spirits. In August 1820, he took Letitia and two of the children on a trip west to the Blue Ridge Mountains, where he hoped the mineral springs and fresh air would rejuvenate him. The vacation "well nigh established" his health. Shortly after he returned to Charles City, however, he contracted a violent cold and flu and spent the early part of October trying mightily to get over it. Suffering further trouble with a stomach ailment and still dejected over the outcome of the Missouri crisis, he did not look forward to returning to Washington. He of course dutifully made his way to the capital, but was nearly two weeks late in arriving.³¹

Much to his displeasure, Missouri reared her ugly head again. A debate began shortly after the new state had submitted the state's constitution to Congress; it contained a clause barring free blacks and mulattoes. Tyler had little patience for the whole thing and just wanted the matter ended. He lamented that "our country is agitated from one end of it to the other." The sectional wounds caused by the entire Missouri question created "awful forebodings of the future," he said. Tyler hoped the question would be settled "and forever." Henry Clay's "Second Missouri

³⁰*Richmond Enquirer*, May 9, 1820.

³¹John Tyler to Henry Curtis, August 2, 1820 (first quotation), October 9, 1820, in Tyler Papers, LC (second quotation); *Annals of Congress*, 16th Cong., 2nd sess., 433, 455.

Compromise,” through which the legislature of Missouri formally declared it would never deprive a citizen of the United States of rights guaranteed under the Constitution allowed her constitution to gain approval in Congress. Tyler voted for the measure.³²

In December 1820, after having been in Washington a few short weeks, Tyler informed Henry Curtis that he intended to resign from Congress. “I have become in a great measure tired of my present station,” he said. He told his brother-in-law that he had devoted “all my exertions” to public service, but now felt he wanted to enjoy time with his family. In poor health and still smarting from the Missouri debacle, he sadly concluded, “I can no longer do good here.” He said that he “stood in a decided minority, and to waste words on an obstinate majority is utterly useless and vain.” Tyler cited the neglect of his law practice as another reason for retiring to Virginia. “By devoting myself to my profession,” he predicted, “I might soon make up for leaway.” Curiously, Tyler mentioned that he might at some point seek re-election to the Virginia House of Delegates. For the time being, however, he would have no more of public life. He explained his decision to his constituents in an open letter that was printed in the *Richmond Enquirer* on January 15, 1821. Returning to Charles City in March 1821, not quite thirty-one years of age, Tyler looked forward to a new stage in his life, one without the stress of government service.³³

³²*Annals of Congress*, 16th Cong., 2nd sess., 1024 (quotations), 1239-40.

³³John Tyler to Henry Curtis, December 8, 1820, in Tyler, *Letters and Times*, 1: 335-36.

CHAPTER FIVE

A SHORT-LIVED RETIREMENT AND RETURN TO PUBLIC LIFE

While increasing frustration over political matters and ill health contributed greatly to Tyler's decision to retire, family considerations also played a prominent role. In fact, he confided to Henry Curtis, they were "the most important view of the case." Letitia was pregnant again in the winter of 1820-21 and Tyler worried about supporting his growing family. "My children will soon be treading on my heels," he said, "and it will require no common exertions to enable me to educate them." Tyler knew he had to revive his floundering law practice and replace clients who had "passed very properly into other hands." His tenure in Congress had taught him that public service and a legal career were "incompatible," a lesson made painfully aware to him by dwindling income. Now that he no longer had to spend the better part of four months per year in Washington, he could devote his energies to his profession full time. He even contemplated moving his family from Charles City to the burgeoning town of Petersburg, where he believed the prospects of practicing law were more promising.¹

Letitia gave birth to a healthy little girl on May 11, 1821. The baby, named Letitia after her mother, was the Tylers' fourth child. Tyler happily reported that both his new daughter and wife recovered from the trauma of childbirth rather quickly. Certainly, this birth was much easier on Letitia than the previous one had been and her health seemed better than it had for a long time. Everyone in the family, in fact, was well in the summer of 1821 except Tyler himself. "I get on *but so so*," he complained one day. "For a week at a time I feel as well as ever, but then comes the fit again and I

¹John Tyler to Henry Curtis, December 8, 1820, in Lyon G. Tyler, ed., *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittet and Shepperson, 1885) (cited hereafter as *Letters and Times*) 1:336.

suffer severely.” Tyler believed his lingering illness resulted from stomach problems—he asked Curtis to recommend a remedy for dyspepsia—but the symptoms he described indicate he likely suffered a minor cerebrovascular accident, or stroke, in February 1820. “The disorder not only affects my body but often my mind. My ideas become confused and my memory bad while laboring under it,” he reported. It seemed as if he would never be fully healthy again and after awhile, Tyler worried that his condition might impair his ability to practice law. “Unless I can remove it [the illness],” he concluded, “it would be idle for me to enter into an active and mentally laborious business.” Moreover, a move to Petersburg seemed unrealistic, as it would surely require more effort than Tyler could manage at the time. Eventually, Tyler sought relief in a return trip to the Blue Ridge mountains. He had enjoyed his stay there the summer before and believed the cooler air of the region and the mineral springs would help restore his health. It is unclear whether his family accompanied him this time. Whatever the case, Tyler returned to Woodburn feeling somewhat better. He even resolved to take advantage of his improved condition and visit Henry Curtis and Kitty in Hanover. The malady did not disappear completely, however, and he grew increasingly frustrated because the symptoms of his disease returned intermittently and were “so variable that [he] [could not] reduce them to form or order.”²

Despite his medical problems, Tyler enjoyed settling in at Woodburn and spending time with Letitia and the children. No doubt, it was beneficial for both his

²John Tyler to Henry Curtis, July 20, 1821, in John Tyler Papers, Division of Manuscripts, Library of Congress (cited hereafter as Tyler Papers, LC) (first four quotations); John Tyler to Henry Curtis, September 30, 1821, *Ibid.* (final quotation); *Professional Guide to Diseases*, 6th edition (Springhouse, PA: Springhouse Corp., 1998), 623-24.

health and spirits that he did not have to leave home in the fall of 1821 and return to Congress. He could not free himself from political matters entirely, however. Shortly after he returned from the mountains, friends approached him about running for a seat in the House of Delegates in April 1822. Tyler considered the idea, but told one of the individuals, "It has been with some difficulty that I have brought myself to determine on remaining in that retirement which I have voluntarily sought." Not swayed by assurances that he would win, Tyler declared that the reasons he left public life were "insuperable." He feared putting his health at further risk, he explained. More importantly, the happiness of his family was now the primary concern of his life. He knew Letitia wanted him home; she had clearly tired of her husband's prolonged absences. Furthermore, he had already missed significant moments in the lives of his small children. "I desire quiet and ease in the bosom of my family to which I have been in a great measure an alien," he said. With some regret, he pointed out that "I have never past [sic] a winter at home since I attained the age of manhood." Much like he did when he announced he was leaving the House of Representatives, though, Tyler held open the possibility of returning to the political arena at some point in the future. He indicated that his retirement might not be permanent. If any crisis arose, he insisted, he would "unhesitatingly overlook all private considerations either of health or of ease." In short, he did not want his political friends to overlook him later when the timing might be better.³

Having abandoned plans to move the family to Petersburg, Tyler set about tending his farm at Woodburn. He received an unexpected piece of good news late in

³John Tyler to Howard Shields, November 2, 1821, in Tyler Family Papers, Earl Gregg Swem Library, College of William and Mary.

the fall of 1821 when the owner of his boyhood home, Greenway, put the farm up for sale. Greenway had been out of the Tyler family since the death of Judge Tyler in 1812 and the farm had much sentimental value for Tyler. Too, it was much larger than Woodburn. Tyler jumped at the chance to purchase it, coming to a complicated agreement with the owner to buy the property for \$7000.⁴

As was the case at Woodburn, wheat was the primary crop grown at Greenway. Tyler's slave labor force, which numbered approximately twenty four in 1821-22, cultivated enough of the staple for both farm consumption and sale.⁵ Unfortunately, retirement from public life coincided with two very poor growing seasons for wheat throughout much of Virginia. One observer noted that in some parts of the Old Dominion, "the wheat never perhaps promised less to the husbandman than now."⁶ The vagaries of a wheat harvest put pressure on Tyler to pursue his law career more vigorously, and he sought out clients once again. At first, his chief client was Henry Curtis. As Tyler would soon discover, however, much of the work he did for his brother-in-law was quite troublesome. The Dixon estate, a sizeable property bequeathed by a Tyler relative to Curtis and Kitty upon their marriage in 1815, suffered numerous claims against it and seemed to require Tyler's constant attention. Many judgments took years to resolve. Tyler became executor of the estate and found himself "greatly harrass'd and much to the *leeward*," as claimant after claimant sought their share of the pie. Most of the claims were relatively small—for example, one individual

⁴Tyler, *Letters and Times*, 1: 339-40.

⁵Population Schedules of the Fourth Census of the United States, 1820, Virginia: Charles City County.

⁶*Richmond Enquirer*, May 31, 1822.

held paper for the amount of fifty-three dollars—but they added up, of course, and made what appeared at first to be a windfall to Curtis little more than a financial nightmare. For Tyler, the problems associated with the estate meant many hours of tedious paperwork, as he waded through inquiries and replied to claimants. He also pursued judgments owed Curtis in an effort to pay off some of the claims against the Dixon estate. To make matters worse, Tyler received little, if anything, in the way of payment and often reached into his own pocket to ward off creditors. He could ill afford to keep this practice up for very long. Thus, while acknowledging Curtis's strained financial situation, he at one point told him simply, "I am cashless" and stressed a need for remuneration. The continuous problems connected with the estate would in time lead to a rift between the two men.⁷

Thankfully for Tyler, there was more to his legal practice than the Dixon estate. In June 1822, the county of New Kent retained his services in a suit brought against it by a Colonel Macon. Macon claimed the county had been deficient in paying him for land surveys he had completed under contract. During the course of the trial, Macon's son Thomas was called as a witness. Straying from the subject during his testimony, the younger Macon had to be reminded to keep his answers confined to the questions at hand. Tyler grew increasingly frustrated as he examined him; he finally admonished the witness to stick to the point and "say all you know about the *matter before* the court." After that particular day's proceedings, Tyler walked outside the courthouse. Thomas Macon greeted him harshly, and according to Tyler, declared, "Mr. Tyler you have taken with me a very unjustifiable liberty." Tyler replied that he

⁷John Tyler to Henry Curtis, July 20, 1821, in Tyler Papers, LC.

“was not conscious of having done so.” The conversation continued with both men becoming more agitated. Tyler apparently tried to downplay what had happened in court but could not resist telling Macon again what he thought of his performance in the witness chair. Macon, angered even more, told his adversary “you have not acted the part of a gentleman sir.” Tyler responded by striking Macon in the face. Startled, Macon returned the blow and battered Tyler about the upper body with a small riding crop that he had been holding. Eventually, Tyler claimed, he succeeded in wrestling the whip from Macon and “struck him several times with it.” In recounting the incident later for Henry Curtis, Tyler proudly said that he had sustained no injury. If Tyler can be believed, Macon was not so lucky. The blow to the face had been hard enough to leave a bruise which, Tyler said, “if I do not mistake, his appearance even now gives evidence of.” The details of the actual fight matter little. What is most significant about this display of bravado is the word that prompted Tyler to respond with violence. Macon had questioned his status as a “gentleman,” a serious insult in the antebellum South and one no Tidewater Virginian could take lightly. Like most men of his upbringing, education and professional achievement, Tyler believed he embodied gentility. His social standing derived from it. Honor, therefore, demanded he defend himself against Macon’s remark. Tyler’s behavior needed no justification, but he made sure to point out that he had given “no insult and repell’d the one given to me promptly.”⁸

⁸John Tyler to Henry Curtis, June 21, 1822, in Tyler Papers, LC; for a discussion of gentility and its association with honor, see Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 88-90.

Retirement provided little stimulation for Tyler, the run-in with Macon notwithstanding. He passed the summer and fall of 1822 at Greenway with his family, but in the winter of 1823 he thought of returning to the legislature again. The life of a farmer and country lawyer just did not have the appeal of a political career and he was restless. Moreover, his health had seemingly returned. Tyler eventually decided to run for a seat in the House of Delegates and stood for election in April 1823. The timing was propitious; both delegates from Charles City had chosen not to run for re-election, meaning there were two vacant seats available. Moreover, there was tremendous excitement in the Old Dominion, and throughout the nation, concerning the presidential election of 1824. Speculation on who would follow James Monroe in the White House began early and the field was wide-open. Virginia traditionally cast her vote for president by a general ticket, which was arranged by legislative caucus. The legislature chose the electors, who in turn, were pledged to vote for one man. An individual had to vote for the general ticket or not at all. Representatives in the General Assembly, therefore, effectively determined the state's choice for president, a fact that made the elections held in the spring of 1823 especially important. Accordingly, the *Richmond Enquirer* implored voters to be "*wide awake at this time.*" An editorial in the paper warned them to "arouse yourselves from the dead calm and lethargic slumber...and see into whose hands the important power will be placed, which will be exercised by your next representatives." It was crucial that "men of talents and integrity" were sent to Richmond. Voters evidently believed Tyler was one such man. Of the three candidates running for the two seats, he received the most votes. Retirement was short-lived.

Tyler had become a politician once again and could look forward to returning to the setting in which he was most comfortable.⁹

Tyler took his seat in the House of Delegates on December 1, 1823. He was appointed to the Committee for Courts and Justice, a post he held during his previous stint in the legislature. One of the first matters of business before the House at large concerned the upcoming presidential election and it caused quite a stir. In November 1823, the state legislature of Tennessee had adopted resolutions to change the traditional method of nominating a candidate for president. The traditional Republican apparatus to select a man for president was the congressional caucus system. Under this system, a group of senators and representatives chose one individual for president and another for vice-president and placed them at the head of the party standard, came under attack. The preamble to the Tennessee Resolutions declared that “the practice of Congressional nominations is a violation of the spirit of the constitution of the United States.” No senator or representative, the preamble continued, could rightfully make himself an “elector.” The Tennessee legislature sought to leave the election of president and vice-president “to the people themselves.” The goal was to democratize the process and eliminate the caucus.¹⁰

Virginia Governor James H. Pleasants relayed the Tennessee Resolutions to the House of Delegates. Tyler immediately moved that a select committee be established to debate them and prepare a report. His motion carried and he was appointed chairman.

⁹*Richmond Enquirer*, January 10, July 2, 1822, March 21 (quotations), April 22, 1823.

¹⁰*Journal of the House of Delegates of the Commonwealth of Virginia*, 1823-24 session, 12-13, 29, Appendix, “Governor’s Letter Transmitting Preamble and Resolutions of the General Assembly of the State of Tennessee.”

The resolutions troubled Tyler greatly. The Republican party had used the congressional caucus to nominate every candidate for president since Thomas Jefferson. Tyler saw no need to change the process now. In fact, abandoning the caucus in 1824 would be particularly dangerous, for it became evident quite early that the election would revive the contest for the presidency. Five candidates sought the nomination; none was a Virginian. These men included William H. Crawford, Henry Clay, John Quincy Adams, John C. Calhoun and Andrew Jackson. "With five candidates for the presidency," the report of the select committee argued, "each zealously supported by his immediate adherents, enlisting in his behalf sectional feelings and local attachments, we are threatened with internal schism for the time." A Congressional candidate from Virginia concurred, adding that "the number of candidates, the local and sectional feelings thereby excited, will render the election a subject of greater National interest than any election since that of Mr. Jefferson." If ever an election called for uniting behind one candidate, Tyler maintained, this was the one. To that end, the committee he headed quickly offered its own resolutions and called for a repudiation of those Tennessee had passed.¹¹

Tyler believed Crawford the best candidate for the presidency. Moreover, he likely also believed he had the best chance of any of the candidates to secure the nomination in a congressional caucus. The Georgian had been born in Virginia and had

¹¹ *Journal of the House of Delegates*, Appendices, "Governor's Letter Transmitting Preamble and Resolutions," "Report and Resolutions of the Select Committee on the Subject of the Tennessee Resolutions," 1 (first quotation), 4; *Richmond Enquirer*, April 4, 1823 (second quotation); Richard P. McCormick, *The Second American Party System: Party Formation in the Jacksonian Era* (Chapel Hill: University of North Carolina Press, 1966), 330-32; William J. Cooper, Jr., *Liberty and Slavery: Southern Politics to 1860* (New York: Alfred A. Knopf, 1983), 158.

established himself in Congress as a somewhat inconsistent defender of states' rights. He had supported the first Bank of the United States in 1811, but on the whole, his principles were sound, akin to those of the Old Republicans in Virginia. As one observer noted, Crawford was the "heir apparent of the Virginia dynasty." In fact, he had been the leading Republican candidate for the White House since 1816, when he stepped aside for Monroe. There had been numerous attempts from many quarters to associate Crawford with Federalism, but the charge did not stick, at least in Virginia. For Tyler, as for members of the Richmond Junto, Crawford's candidacy represented the best hope for states' rights. He was, one Republican said, less "unconstitutional" than the others. In light of the events of the last several years—the decision in *McCulloch v. Maryland*, the settlement of the Missouri crisis—such a label was no small benefit for a man who wanted the support of the South. But Tyler also had personal reasons for supporting Crawford, and for opposing the Tennessee Resolutions. He did not want Andrew Jackson, a man he regarded disdainfully as a "*mere soldier*," with "little value as a civilian," as president. Clearly, the Old Hero stood to benefit most, and Crawford least, from the elimination of the caucus system. Jackson's managers had successfully held their candidate up as an opponent of banks and economic privilege, a tactic that resonated with voters who still suffered the lingering effects of the Panic of 1819. Crawford received the support of those who favored banks; consequently, many voters saw him as the candidate of privilege. Proponents of the other candidates also did their best to discredit Crawford.¹²

¹²Lynwood M. Dent, Jr., "The Virginia Democratic Party, 1824-1847" (Ph.D. diss., Louisiana State University, 1974), 39-40; James F. Hopkins, "Election of 1824," in *History of American Presidential Elections, 1789-1968*, 3 vols., ed. Arthur M. Schlesinger, Jr. and Fred L. Israel (New York: Chelsea House Publishers, 1971), 351-

Tyler fought to have the Virginia legislature adopt the resolutions of his committee. There were many friends of Clay, Adams, Calhoun and Jackson in the House of Delegates, however. Combined with a sizeable number of representatives who had come to oppose the caucus system on principle, they were able to postpone debate on the committee's resolutions by a vote of 77 to 76. This outcome surprised many politicians. Robert S. Garnett, a Virginia Congressman, heard the news in Washington and likened it to an "*explosion*." Postponement was tantamount to a defeat, and Tyler took it hard. He lamented the result to a friend, saying that after working so hard in opposition to the Tennessee Resolutions, he now felt as if he was "covered in sackcloth and ashes." He could take some consolation that the congressional caucus did meet in February 1824, despite the absence of nearly three-fourths of the Republicans eligible to attend. Most of these men had stayed away because they feared the political repercussions of taking part in a process that many now believed undermined the will of the people. Crawford won the nomination of the caucus, but anti-caucus sentiment had succeeded in making the victory all but meaningless.¹³

52, 365; Mrs. E.F. Ellet, *The Court Circles of the Republic, or the Beauties and Celebrities of the Nation* (Hartford, CT: Hartford Publishing Co., 1869), 111 (first quotation); Norman K. Risjord, *The Old Republicans: Southern Conservatism in the Age of Jefferson* (New York: Columbia University Press, 1965), 250 (second quotation); John Tyler to Henry Clay, March 27, 1825, in James F. Hopkins, ed., *The Papers of Henry Clay*, 11 vols. (Lexington: University Press of Kentucky, 1959-), 4: 189-90 (third and fourth quotations); William G. Shade, *Democratizing the Old Dominion: Virginia and the Second Party System, 1824-1861* (Charlottesville: University Press of Virginia, 1996), 84-85; *Richmond Enquirer*, April 25, 1823; Cooper, *Liberty and Slavery*, 158.

¹³*Richmond Enquirer*, January 1, 1824; Charles F. Adams, ed., *Memoirs of John Quincy Adams, Comprising Portions of His Diary From 1795-1848*, 12 vols. (Philadelphia: J.B. Lippincott and Co., 1875) 6: 226 (first quotation); Oliver P. Chitwood, *John Tyler: Champion of the Old South* (New York: D. Appleton-Century Co., 1939), 61 (second quotation); Cooper, *Liberty and Slavery*, 159.

After Crawford's nomination, the Junto-controlled Virginia legislative caucus acted quickly to endorse him for president and went to work to deliver the state for their choice. In the *Enquirer*, Thomas Ritchie proclaimed Crawford's dedication to the principles of '98 and called him an heir to Thomas Jefferson. It quickly became clear to Crawford supporters, however, that the election of 1824 would be a contest like no other. Republican unity had begun to show signs of weakness during the Monroe administration; it collapsed under the weight of trying to choose his successor, undermining the dominance of the Junto in the process. The party had splintered into factions and the Old Republicans now controlled only the states' rights wing. To make matters worse, in May, Crawford suffered a violent illness, the result of either a stroke or an overdose of a drug administered to relieve a skin disease. Though the exact details of the illness were never made public, the news seemed to bolster the hopes of the other candidates. Clay supporters met in their own caucus in Richmond. Jackson men held a meeting in Fredericksburg in July. Junto members feared Crawford's candidacy was in danger. By August 1824, just three months before the election, there was still enough uncertainty as to who Virginia would support that opponents of Crawford could claim that the outcome, "though as yet favourable to the Caucus factions, [was] by no means desperate."¹⁴

Though Crawford's health improved somewhat in the months leading up to the election, he never regained full strength. Most of Virginia's Old Republicans stuck with their favorite, despite the knowledge that he was no longer a viable candidate. Not

¹⁴Dent, "Virginia Democratic Party," 47-51; Shade, *Democratizing*, 85; Hopkins, "Election of 1824," 367, recounts the details of Crawford's illness but erroneously places the date he fell ill as September 1824; William Polk to James Iredell, August 26,

John Tyler. After Crawford fell ill, he threw his support to John Quincy Adams. In analyzing his decision to do so, it seems he rationalized his choice solely by a process of elimination. He found Adams less objectionable than the other candidates. Clay's American System offended Tyler's states' rights sensibilities. Congressional passage of a revised tariff bill in 1824 made his candidacy even more distasteful. Calhoun's nationalism made him a poor choice, too; Tyler could not be sure of his dedication to states' rights in view of his legislative record up to that point. Moreover, he had supported the Missouri Compromise. Calhoun eventually withdrew and devoted his energies to securing the vice-presidency. Finally, there was Jackson. Tyler did not know exactly what Old Hickory stood for. His record on internal improvements and banks was inconsistent. More importantly, his appeal to the masses and his connection with the Tennessee Resolutions made Tyler uncomfortable. He also disliked the man. Though they had never met, Tyler found Jackson objectionable. His bluster disgusted him. Adams, then, became the only choice. Tyler seemed to agree with an observer who commented that "Adams has thus far acquitted himself the most uniformly, and pursued the most direct course, though he is objectionable in many respects." Tyler had to have known that Adams was a nationalist. For some inexplicable reason, however, he talked himself into believing that Adams would not pursue a course detrimental to Southern interests.

As president, Adams would quickly force Tyler to realize he had made a mistake. His support of Clay's American System, Tyler would later say, was "a direct

1824, in James Iredell Papers, Rare Book, Manuscript, and Special Collections Library, Duke University (quotation).

insult upon Virginia” that “mocked at her principles.” But in 1824, he seemed more moderate and more predictable than his opponents.¹⁵

On November 16, the *Enquirer* announced the much-anticipated results of the election. “The decision is made beyond the possibility of a doubt,” the paper proclaimed. “Wm. H. Crawford is the declared favorite of our fellow-citizens.” Indeed, Crawford received 56 percent of the popular vote in Virginia. Voter turnout had been low. “Thousands of his [Crawford’s] friends absented themselves from the polls, because they were secure of his election.” Adams finished second in the state’s popular vote, with 27.5 percent. Nationally, Crawford finished a dismal fourth in the popular vote, third in the electoral tally. Jackson received a plurality of the popular and electoral votes, followed in both counts by Tyler’s candidate, Adams. But, he failed to command a majority in the electoral college. So the House of Representatives would decide the outcome, choosing between Jackson, Adams and Crawford, the top three electoral vote-getters. Each state would cast one vote. Whichever candidate received the most votes would become the sixth president.¹⁶

Defeated in his bid for the presidency, Henry Clay nevertheless emerged as the kingmaker for the election of 1824. He worked behind the scenes in the House to ensure Adams’s election. His efforts paid off; Adams was elected and soon chose Clay

¹⁵*Richmond Enquirer*, August 10, 1824; John Floyd to Claiborne W. Gooch, June 9, 1824, in Gooch Family Papers, Virginia Historical Society, Richmond, Virginia (first quotation); John Tyler to Henry Curtis, March 18, 1828, in Tyler Papers, LC (second and third quotations); Tyler, *Letters and Times*, 3: 29; Robert Seager, II, and Tyler, *Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963), 74-75.

¹⁶*Richmond Enquirer*, November 16, 1824 (quotations); Shade, *Democratizing*, 85; Dent, “Virginia Democratic Party,” 54-55; Hopkins, “Election of 1824,” 409.

as his Secretary of State. Cries of “corrupt bargain” emerged from the Jackson camp. Clay’s appointment, often the most direct route to the White House, seemed much too suspicious, at least to Jackson partisans. Naturally, Clay himself denied all charges that a secret deal had secured Adams the votes he needed. Many were unconvinced. The *Richmond Enquirer* blasted the Kentuckian, accusing him of perpetrating a “flagrant violation of duty to his constituents under the most suspicious appearances.” Robert Y. Hayne of South Carolina decried the “monstrous union between Clay and Adams.” Tyler professed to believe none of it. Returning to Charles City not long after the outcome of the election had been decided, one of the first things he did was write an unsolicited letter to Clay, telling the secretary of state that he had been “assail’d by unjust reproaches.” Tyler assured Clay that, “For the time the tide may run against you, but when the ferment excited by the feelings of the day shall have subsided, and men shall regard things with unprejudic’d eyes, your motives and your acts will be justly appreciated.”¹⁷

There was likely more behind Tyler’s words than a mere gesture of friendship towards Clay. A traditional view accepts his letter at face value, arguing that Tyler clearly regarded the “corrupt bargain” charges as groundless and wrote to Clay primarily to offer his support. Closer examination of what was written yields a slightly different interpretation, however. Tyler skillfully avoided the issue of whether Clay and Adams had acted in concert. True, he did say that Clay had been the victim of “unjust

¹⁷Hopkins, “Election of 1824,” 377-81; *Richmond Enquirer*, March 1, 1825 (first quotation); Robert V. Remini, *Andrew Jackson and the Course of American Freedom, 1822-1832*, Vol. 2 (New York: Harper and Row, 1981), 89 (second quotation); John Tyler to Henry Clay, March 27, 1825, in Hopkins, ed., *Papers of Clay*, 4: 190 (third and fourth quotations).

reproaches.” Despite his claims to the contrary, though, this appears to be little more than flattery. From Tyler’s point of view, it does not matter whether there actually was a secret agreement between Adams and Clay. He does not care what Clay’s motives were. The primary purpose of the letter was not to defend Clay, nor to necessarily offer any support, but to praise him for the role he played in defeating Jackson. There was a sense of relief on Tyler’s part, and the implication seems to be that if there was a “corrupt bargain,” at least it worked out in favor of Tyler’s candidate. What matters to Tyler is that the House of Representatives placed Adams in the White House. He indicated as much when he told Clay that the country “owes you a deep debt of gratitude for that course [his machinations behind the scenes], resulting as it did in the speedy settlement of that distracting subject.” He acknowledged that he believed “Crawford’s chance of success to have been utterly desperate,” and assured Clay that his efforts had “not only met my wishes...but I do believe, the wishes and feelings of a large majority” of Virginians. In sum, then, the letter seems less a gesture of friendship than it does a statement calculated to curry political favor. Tyler’s motives, unfortunately, are unclear. But he was a shrewd enough politician to know that it could not hurt to stay in Clay’s esteem, despite the ideological differences that existed between the two men.¹⁸

Amidst all the excitement of the presidential election, Tyler had been nominated for a seat in the United States Senate. John Taylor of Caroline, a prolific republican theorist and author and staunch Jeffersonian had died on August 20, 1824. When the House of Delegates convened again in December 1824, Charles City’s other

¹⁸Seager, *and Tyler, Too*, 76; John Tyler to Henry Clay, March 27, 1825, in Hopkins, ed., *Papers of Clay*, 4: 189-90 (quotations).

representative, John Armistead, stood up and offered Tyler for consideration to replace him. Littleton W. Tazewell was nominated in opposition. Tyler lost to his older counterpart, but the discussion in the House revealed much about the reputation he enjoyed among his colleagues. Clearly, Tyler's standing as an Old Republican had been solidified by his tenure in the House of Representatives. Armistead praised his "zeal and his talents" and recounted his record on the bankruptcy bill, the tariff, and Missouri. Another delegate pointed out that "some politicians...leave no trace by which their political principles may be recognized." Tyler, he declared, left no doubt as to his principles. As a result, he inspired the "utmost confidence." There were other plaudits. An editorial in the *Richmond Enquirer* stated that Tyler had never, "upon any occasion, departed from the principles of the old school Republicans." These sentiments reflected no empty praise and reveal just how important ideological purity was to Virginia's political leaders in the early 1820s. Old Republicans worried—and for good reason—about the future of states' rights. The principles of '98 had become more important than ever and no man could expect office at the national level serving the Old Dominion "unless he be supposed to interpret the Constitution according to those principles."¹⁹

Tyler served for two more years in the House of Delegates. Not surprisingly, politics extracted a cost. His law practice suffered as a consequence of his time in Richmond. He had to refer most of his cases to his sister Anne's husband, James Semple, who practiced in Williamsburg. On one occasion, he told Henry Curtis to seek

¹⁹Robert E. Shalhope, *John Taylor of Caroline: Pastoral Republican* (Columbia: University of South Carolina Press, 1980), 212; *Richmond Enquirer*, December 7 (fourth quotation), 9 (first, second, third and fifth quotations).

Semple's counsel, adding that "if the case should come on at any time when I am at home, I will assist him." Tyler seemed little concerned that he would find himself in the same predicament as before. He threw himself into the business of the House. He seemed to thrive on committee work; in addition to the Committee for Courts and Justice, he served on the Committees of Finance, Roads and Internal Improvements, and Schools and Colleges. Tyler consistently voted for bills that appropriated funds for the maintenance of the state's Literary Fund. He supported increased public education. He also successfully fought a proposal in the legislature to move the College of William and Mary from Williamsburg to Richmond. Finally, he saw the benefits of state-sponsored internal improvements and supported proposals to improve the James and Rivanna Rivers. His stance on these issues, in fact, indicated that Tyler had begun thinking about the long-term economic and social health of the Old Dominion. His efforts did not go unnoticed. Many in the legislature began to view him as a viable possibility for governor of the state, a possible reward for his good work and a testament to the status he had achieved around the state house in Richmond.²⁰

Indeed, in December 1825, Tyler was elected governor of Virginia by joint vote of the state senate and House of Delegates. He defeated his friend John Floyd for the office by a considerable margin in an election noteworthy for what one representative called "indifference." At that time, the governorship was largely symbolic; Virginia still operated under her first state constitution and most of the political power rested

²⁰John Tyler to Henry Curtis, November 11, 182[-4?], in John Tyler Papers, LC (quotation); *Richmond Enquirer*, February 3, 10, 17, 19, December 8, 1825, *Journal of the House of Delegates*, 1823-24 session, 82, 95; 1824-25 session, 119, Appendix, "Report of the Committee of Schools and Colleges on the Subject of the Removal of the College of William and Mary"; James Madison to Thomas Jefferson, February 8, 1825, in James Madison Papers, LC;

with the legislature. As governor, Tyler could recommend legislation, but had no ability to veto laws. Moreover, it is no exaggeration to say that the Executive Council, the eight-member body chosen by the General Assembly, the same body Tyler served in some years earlier, had more authority than the governor.²¹

Like his father had done years earlier, Tyler happily accepted the governorship, though he worried he was “too poor” to hold the office, which paid an “inconsiderable sum.” He regarded his election as “a great honor,” he said, and promised that his “constant exertions” would go to fulfilling his obligations. He assured the legislature that he trusted “neither the rights or the interests of Virginia will suffer disparagement at my hands.”²²

There were two major concerns to which Tyler devoted his energies during his tenure as governor: internal improvements and education. He believed improving the state’s roads and waterways was vital. For one thing, sectional feelings within the Old Dominion had intensified after the War of 1812, contributing to distrust and political unrest. Tyler wanted internal improvements to solidify the commercial relationship between the counties west of the Blue Ridge and the Piedmont and Tidewater. Improving the infrastructure would also demonstrate to the federal government that Virginia did not need the federally-funded improvements that national figures like Henry Clay proposed. “Virginia has ever been found exerting her influence against the

²¹*Richmond Enquirer*, December 13, 1825; George Loyall to Littleton W. Tazewell, December 10, 1825, in Tazewell Family Papers, Library of Virginia, Richmond, Virginia (quotation); Chitwood, *John Tyler*, 63-64.

²²Henry S. Foote, *Casket of Reminiscences* (New York: Chronicle Publishing Co., 1874; reprint, New York: Negro Universities Press, 1968), 58 (first and second quotations); *Richmond Enquirer*, December 13, 1825 (third and fourth quotations).

exercise of this alarming power,” Tyler said. He acknowledged that the state’s needs were great, but he urged the legislature to put the Fund for Internal Improvement, which, in 1825, stood at more than \$2 million, to “judicious” use. Virginia possessed a “surface of territory larger than almost any other state in the union,” Tyler reminded the legislature, “the moiety of which is distinguished by its irregularities.” Effective planning was therefore essential.²³

Improving the James River and providing a canal that would connect it with the Kanawha River in western Virginia represented the most ambitious endeavor undertaken by the state. Virginia was fortunate to have enlisted the services of the French-born Claudius Crozet as her principal engineer. Crozet had come to the Old Dominion in 1823 after serving for seven years as an engineering instructor at the United State Military Academy at West Point. When he arrived, the organization for the James River project was in a shambles. Mismanagement of funds and incompetence had wasted a considerable portion of the money earmarked for the project. Crozet set about immediately to find a more efficient way to make the plan work. By the time Tyler became governor, Crozet had identified specific problems associated with the project, created a detailed budget of what the project would cost, and hired experts to complete it. Tyler trusted Crozet completely and admired his ability. He was, the governor said, “a gentleman of the most unquestionable talents; one, who unites to

²³Tyler’s Message to the Virginia General Assembly, December 4, 1826, in *Journal of the House of Delegates*, 1826-27 session, 9 (quotations), 10.

diligence in the discharge of the duties of his station, an ardent devotion to the public interests.”²⁴

Tyler spent the end of the summer and the early part of the fall of 1826 traveling with Crozet to points in the Kanawha River Valley. He wanted to see the projects first hand and discuss further funding with his principal engineer. Tyler showed a keen interest in all facets of the endeavors and enjoyed speaking with some members of the project crews. One of these individuals reported that the governor “appeared to be quite satisfied with *our* work.”²⁵

Much to his displeasure, Tyler would discover that the legislature was unwilling to dispense with the funding necessary for completing the projects envisioned by Crozet. Pleas from Tyler accomplished little. Petitions from citizens like John Hartwell Cocke and William Cabell Rives, just two examples of tireless advocates for internal improvements, had virtually no effect. Regarding further improvement of the James, Rives called trying to get the legislature to appropriate the funds “the great desideratum.” By the time Tyler left the governor’s mansion in March 1827, many of the projects he had such high hopes for were languishing, stopped almost completely by a lack of money.²⁶

²⁴John Tyler to John Hartwell Cocke, November 27, 1826, in Cocke Family Papers, Alderman Library, University of Virginia (cited hereafter as UVA); Robert F. Hunter and Edwin L. Dooley, Jr., *Claudius Crozet: French Engineer in America, 1790-1864* (Charlottesville: University Press of Virginia), 45 (quotation).

²⁵Hunter and Dooley, *Claudius Crozet*, 45; Robert Gamble to James Breckinridge, September 15, 1826, in James Breckinridge Papers, Virginia Historical Society, Richmond, Virginia (quotation).

²⁶William C. Rives to John Hartwell Cocke, November 30, 1826, in Cocke Family Papers, UVA; Rives to Cocke, March 15, 1827, *Ibid.* (quotation); Hunter and Dooley, *Claudius Crozet*, 45.

Tyler found the same problem when he appealed to the legislature for money to aid the state's educational system. Like his father, and like Thomas Jefferson, Tyler believed education was vital to the welfare of Virginia. As Judge Tyler had found out during his tenure as governor, however, the legislature was strangely apathetic when it came to education. Little had changed by 1825. The "shameful parsimony" his father had bemoaned almost twenty years earlier plagued Tyler as well. The legislature had habitually mismanaged the Literary Fund, established in 1810 as a means to promote educational endeavors in the state. In fact, while Tyler found mismanagement of the money for internal improvements distressing, he was appalled at what had happened to the Literary Fund. "Certainly, there never did exist greater or more unpardonable mismanagement on any subject," he told a friend. Tyler hoped that alerting the people of Virginia to the situation would help. "The attention of the people," he said, "may eventually be awakened to the subject, and things may thus be brought right." He was to be sorely disappointed in this matter.²⁷

Tyler advocated a public school system for Virginia and sought to convince the General Assembly of its necessity. In December 1826, it looked as if the plan might make some headway. There was a bill introduced in the House of Delegates that established some of the basics of a program. However, early optimism faded, as the bill laid on the table for the remainder of the session. Moreover, Tyler realized he would have to raise taxes to support his plan, and he did not dare propose that.²⁸

²⁷John Tyler, Sr. to Joseph Prentis, Sr., March 31, 1809, in Webb-Prentis Collection, UVA; Tyler, *Letters and Times*, 1: 236-37 (first quotation); John Tyler to Charles F. Mercer, December 5, 1826, in McGregor Autograph Collection, UVA (second and third quotations).

²⁸Chitwood, *John Tyler*, 69.

Tyler's service as governor had proved frustrating. The legislature made him acutely aware of how little power the office possessed. He served one full term and was re-elected for another. But he would not complete the second term, for in January 1827, he was elected to the United States Senate. The circumstances surrounding his election were strange indeed and they illustrated just how fickle the state of politics had become in Virginia by the late 1820s. Tyler was able to defeat the incumbent, the venerable John Randolph, because the old man had fallen out of favor with Thomas Ritchie and the Richmond Junto. Randolph had made several vituperative speeches personally attacking colleagues in the Senate and had looked bad doing so. In one particularly galling incident, Randolph threw papers at a fellow senator, screaming at him and interrupting a speech. For the sake of Virginia, then, he had to be relieved of his duties. Tyler was an acceptable candidate, to be sure. More importantly, he would uphold the states' rights values of the Old Republicans in the Senate.²⁹

²⁹John Tyler to Henry Curtis, September 4, 1827, in Tyler Papers, LC; *Richmond Enquirer*, January 16, 20, 1827.

CHAPTER SIX
AN UNEASY ALLIANCE: TYLER, THE OLD REPUBLICANS
AND ANDREW JACKSON

Tyler left Letitia and the children at Greenway in late November 1827 and journeyed to the nation's capital. He took his seat in the Senate on December 3, the day the first session of the Twentieth Congress began.¹ He joined such notable figures as Robert Y. Hayne of South Carolina, Hugh Lawson White of Tennessee, Martin Van Buren of New York and Ohio's William Henry Harrison. Daniel Webster had also been elected to the Senate in 1827. The Old Dominion's other senator was Littleton W. Tazewell, the man who defeated Tyler in his first attempt at the office three years earlier. Despite his support of Andrew Jackson in 1824, Tazewell had won the trust of the Richmond Junto, and Virginians widely regarded him as a man of unimpeachable integrity. Naturally, he was a states' rights defender. The pairing of Tyler and Tazewell proved fortuitous for both. Always cordial with one other, they became close friends during their tenure in Washington together. Tyler greatly respected his older colleague, as a man and politician, and admired his intellect. So great was Tyler's esteem that he even named the last child he had with Letitia after Tazewell.²

¹John Tyler to Henry Curtis, November 16, 1827, in John Tyler Papers, Division of Manuscripts, Library of Congress (cited hereafter as Tyler Papers, LC); *Journal of the Senate of the United States of America: Being the First Session of the Twentieth Congress* (Washington: Printed by Duff Green, 1827), 6; *Richmond Enquirer*, December 6, 1827.

²*Biographical Directory of the American Congress, 1774-1961* (Washington, DC: Government Printing Office, 1961), 106-109; Robert Allen to John Tyler, February 10, 1834, in Tyler Papers, LC; John Tyler to Robert Tyler, May 18, 1859, in Lyon G. Tyler, *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittet and Shepperson, 1885), 2: 550 (quotation); Norma Lois Peterson, *Littleton Waller Tazewell* (Charlottesville: University Press of Virginia, 1983), 113-14, 138-39, 142-43; Tazewell Tyler, the ninth child of John Tyler and Letitia, would be born on December 6, 1830.

Tyler found a capital slightly different from the one he left in 1821. The Capitol although in use during his tenure in the House of Representatives, had not been completed until 1825. The finished structure was remarkable. Congress had commissioned the Italian sculptors Guiseppe Franzoni and Giovanni Andrei for the building's stone carvings. There were also elaborate murals from artists such as Rembrandt Peale and John Trumball depicting scenes from the country's early history. Tyler thought the result of this artistic labor "very splendid." He especially enjoyed the rendition of Pocahontas rushing to save the life of Captain John Smith. The size of the building impressed him, as well. "It is so large that I have nearly lost myself in it two or three times," he remarked shortly after Congress began. Tyler found more than his physical surroundings pleasing. He happily relayed to Henry Curtis that he had been "well received" upon his arrival in Washington. Still smarting from the criticism leveled against him for his supposed role in John Randolph's demise, he responded with relief when the eccentric politician made a surprise visit to his boardinghouse one evening. Though it pained Randolph to talk for long—"he can only speak in whispers," Tyler said—he apparently enjoyed spending time with his younger fellow Virginian. He genuinely appreciated the gesture of good-will, for it seemed that Randolph harbored no ill feelings toward the man who had replaced him in the Senate.³

Tyler likely took much less pleasure in his committee appointments for the upcoming session. As a first-term senator, he could not expect to receive plum

³John Tyler to Mary Tyler, December 26, 1827, in Tyler, *Letters and Times*, 1: 389 (first and second quotations); John Tyler to Henry Curtis, December 16, 1827, in Tyler Papers, LC (third and fourth quotations); Constance M. Green, *Washington: Village and Capital, 1800-1878* (Princeton: Princeton University Press, 1962), 67-68, 104-105.

assignments, which usually went to more senior members. Accordingly, he was appointed to the less glamorous committees on the Militia and the Post Office. Both offered little more than mundane responsibilities. The Committee on the Post Office, for example, looked into the expediency of providing mail service on Sunday. After some discussion, its members decided against the notion. Clearly, these committees did not have the appeal of more powerful ones, like Finance or Judiciary. Tyler would have to wait for more meaningful committee service.⁴

The first matter of business the entire Senate addressed in December 1827 concerned the Senate printing contract. For years, Joseph Gales and William W. Seaton, editors of the Washington *Daily National Intelligencer*, a pro-Republican newspaper, held the contract that allowed them to publish and disseminate the Senate *Journal* and other documents prepared during Senate proceedings. They also published the proceedings of the House of Representatives. The contracts were financially beneficial; more significantly, as *de facto* grants of patronage, they illustrated the strength of single party sentiment in Washington during the “Era of Good Feelings.” Until the John Quincy Adams administration, there never was any question the editors of the *Intelligencer* would keep the contracts. They never faced opposition. During the second session of the Nineteenth Congress, however, both the House and Senate voted to award their contracts to Duff Green, editor of the *United States Telegraph*. A relative by marriage of John C. Calhoun, Green had launched his paper in February 1826 as a means to oppose the Adams administration and bolster support for Andrew Jackson’s

⁴*Richmond Enquirer*, December 13, 15, 1827; *Register of Debates, Comprising the Leading Debates and Incidents of the First Session Of The Twentieth Congress*, Vol. 4 (Washington, DC: Gales and Seaton, 1828), 474; *ibid.*, 20th Cong., 2nd sess., 42.

presidential candidacy. The vote granting him the Senate printing contract, however, had not been made official by the time the previous session adjourned, and it fell to Tyler and his colleagues in the Twentieth Congress to affirm Green's selection. Although a brief discussion on the matter "entirely satisfied" Tyler that Green had indeed been elected by the earlier balloting, the Senate decided to vote again. By a tally of 25-19, the decision of the previous Congress held. Green had wrested the Senate contract away from his rivals. After losing the House contract, Gales and Seaton regarded what had occurred in the Senate as a calamity. In fact, Tyler said, the editors of the *Intelligencer*, "[were] quite chopfallen at having lost the printing of the Senate."⁵

Green's election as printer for both chambers of Congress was significant and had ramifications beyond what it meant for Gales and Seaton. Under the usual terms of each contract, the printer received government subsidies to support his newspaper. As editor of a relatively new paper, Green did not yet possess the financial resources that his counterparts at the *Intelligencer* had enjoyed for years. The contracts would undoubtedly aid him in this regard. But there was more. The prestige that came with the contracts lent more credibility to an editor; as he reported political news he became more influential in Washington and voters took his columns more seriously. Green undoubtedly hoped to capitalize on his newly-won position and increase his vocal opposition to the Adams administration. Green's success also represented a victory of

⁵*Register of Debates*, 20th Cong., 1st sess., 2; *Richmond Enquirer*, December 8, 1827; Robert V. Remini, *Andrew Jackson and the Course of American Freedom, 1822-1832*, Vol. 2 (New York: Harper and Row, 1981), 412, n.34; John Tyler to Henry Curtis, December 16, 1827, in Tyler Papers, LC (quotations).

sorts for Andrew Jackson. An ally like Green could only help his presidential candidacy.⁶

Green's election also reflected a change in the nation's political climate that had crystallized by the time Tyler arrived in Washington in December 1827. The "Era of Good Feelings," so called because the Republican party enjoyed virtually unchallenged hegemony over national affairs since the days of Thomas Jefferson, had clearly ended. When Tyler took his seat in the Senate, both houses of Congress contained majorities in opposition to the Adams administration. The 1827 congressional elections swept many Adams stalwarts out of office. Evidence of the strength of the anti-administration forces became obvious right away. Immediately after the Twentieth Congress began, the opposition men succeeded in replacing the Speaker of the House, John W. Taylor of New York, an Adams supporter, with a man more palatable to their political taste, Tyler's old friend and favorite of the Richmond Junto, Andrew Stevenson. Taylor had been accused of philandering, a charge he denied, but to no avail. The message in Taylor's ouster, and in Green's election, quickly became clear. "The tables are turned," one representative said. "This is conclusive testimony." Tyler concurred. "The position of the Jackson party as it is call'd," he declared, "has been totally chang'd by the events which have transpir'd since the opening of Congress." Furthermore, he said

⁶Robert V. Remini, *Henry Clay: Statesman for the Union* (New York: W.W. Norton, 1991), 428; Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Hill and Wang, 1990), 89; On Green, see Fletcher Green, "Duff Green: Militant Journalist of the Old School," *American Historical Review* 52 (March 1947): 247-54.

confidently, “the fate of the President is consider’d as seal’d and so it inevitably is if wise councils are follow’d.”⁷

Adams himself had alienated the South with his nationalistic agenda and had splintered the Republican Party into several factions. Nowhere was this alienation from the national party more evident than in Virginia. Thomas Ritchie bitterly condemned the “heresies of J.Q.A.” A group of the Old Dominion’s Republicans declared in the *Richmond Enquirer* that they “regard[ed] the present, as the most eventful crisis” since the election of 1800, when Thomas Jefferson saved republicanism from the abuses of the Federalist party. The election of 1828, they said, would give voters the chance to decide whether they would continue to allow “the purity of their institutions to be polluted, and their excellent constitution disregarded and overthrown.” Clearly, states’ rights Republicans could not wait to vent their wrath and replace Adams with someone more sensitive to their interests. One of them put it quite simply: “The ejection rather than the election of Mr. Adams should be the aim of Virginia.”⁸

John Tyler expressed the same sentiments. He had read Adams’s first annual message to Congress in December 1825 with absolute horror. In this message, the president described the direction he wanted the government to take under his

⁷James K. Polk to Alfred Flounoy, December 6, 1827, in Herbert Weaver, ed., *The Correspondence of James K. Polk*, 9 vols. to date (Nashville: Vanderbilt University Press, 1969-), 1: 187 (first and second quotations); John Tyler to John Rutherford, December 8, 1827, in John Rutherford Papers, Rare Book, Manuscript, and Special Collections Library, Duke University (third and fourth quotations); *Richmond Enquirer*, December 6, 1827; George Dangerfield, *The Era of Good Feelings* (Harcourt, Brace and Co., 1952), 396-97.

⁸Thomas Ritchie to Col. A. Ritchie, n.d. [but circa 1826], in “Unpublished Letters of Thomas Ritchie,” *The John P. Branch Historical Papers of Randolph-Macon College* 3 (June 1911): 206 (first quotation); *Richmond Enquirer*, December 20 (second and third quotations), 11 (final quotation), 1827.

administration. He spoke in favor of a vigorous program of federally-sponsored internal improvements, a national university, and national laws designed to promote commerce, agriculture and manufacturing. Such goals were incompatible with the ideology of states' rights and limited government. Tyler later maintained that the message was a "direct insult upon Virginia," one that "mock'd at her principles." By 1827, he believed Adams was "as confirmed a Federalist now as at any preceding day of his life." He could not be trusted; a change had to follow. "I have never seen the day since Mr. Adams's first message," Tyler said, "when I esteemed it possible for me to vote for him [again]." Not surprisingly, then, he undertook his senatorial career intent upon safeguarding states' rights. He wanted to ally with those "who agree[d] with Virginia in political doctrine" and eradicate the threat to the rights of the South that the man he supported in the election of 1824 had come to represent. His course "[would] be the result of honest conviction of the best interests of the country."⁹

Tyler believed Adams had betrayed the trust he placed in him in the election of 1824. He chose to abandon the Junto's candidate, William Crawford, in favor of Adams, a decision that cost him political capital in Virginia. Much of the fallout that accompanied Tyler's surprise victory over John Randolph, in fact, can be traced back to his vote for Adams in 1824. The Junto questioned his loyalty to Virginia principles, which stung him. Thomas Ritchie had wished to see Randolph, not Tyler, in the Senate. The mercurial politician's behavior may have caused some embarrassment to Virginia,

⁹John Tyler to Henry Curtis, March 18, 1828, in Tyler Papers, LC (first, second and fourth quotations); John Tyler to Henry Curtis, December 16, 1827, *ibid.* (third quotation); John Tyler to John Rutherford, December 8, 1827, in John Rutherford Papers, Duke (last two quotations); James D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, 10 vols. (New York: Bureau of National Literature and Art, 1903), 2: 299-317.

but at least his orthodoxy remained unassailable. Criticized because of his support for Adams, then, Tyler felt bitterness towards the president and regretted that he had supported the wrong man.

There was a curious letter printed in the *Richmond Enquirer* under the pseudonym “Junius Brutus” just two months before the 1828 election that embodied much of Tyler’s bitterness. The missive could very well have been penned by Tyler. Junius Brutus is a character in William Shakespeare’s *The Tragedy of Coriolanus*. In light of Tyler’s love of Shakespeare, it is not unreasonable to think that he may have used this name to conceal his identity. More importantly, the letter contained the exact same sentiments towards Adams that Tyler expressed in private correspondence with friends. The letter began with an answer to the charge that some Jackson supporters in Virginia were guilty of inconsistency because they had voted for Adams in 1824. The author of the letter acknowledged that Adams had received support from some states’ rights advocates. But these voters had “opposed themselves to [him] so soon as he developed his principles in his first message to Congress.” Tyler repeatedly explained, seemingly to all who would listen, that he had turned against the administration immediately after the message. The letter also addressed the unfavorable opinions of Andrew Jackson held by these states’ rights Adams supporters. “Some of us, indeed, most of us, spoke harshly of Gen. J. during the former presidential canvass,” the author wrote. “We spoke indeed, too harshly of him. We allowed our prejudices to carry us too far.” Tyler’s “prejudices” against Jackson were indeed a significant factor in his decision to support Adams. Finally, in what is perhaps the most interesting part of the letter, the author addressed the corrupt bargain charges. While never using that exact

phrase, he alluded to recent developments that had “plac[ed] that agreement beyond a doubt.” Just what these developments were was left unsaid. Moreover, there is no way to prove that Tyler actually wrote this letter. If he did and used it to rationalize his previous behavior to the Richmond Junto and the voters of Virginia, why did he not use his real name? The only explanation seems to be that it was a way for him to soften criticism of erstwhile Adams supporters without having to publicly embarrass himself and concede his error.¹⁰

Much to the satisfaction of Tyler and other states’ rights men, the Adams administration had virtually collapsed by 1827. The opposition to the presidency had also begun to coalesce into a new political party. Largely through the efforts of New York’s Martin Van Buren, an alliance that would become the Democratic Party gradually developed between the supporters of Jackson, William Crawford and John C. Calhoun, Adams’s vice-president.

Beginning in 1825, Van Buren sought “the substantial reorganization of the Old Republican Party.” With the help of Senator Thomas Hart Benton of Missouri, who worked to mobilize the support of the West to the cause, he was able to begin building a coalition dedicated to a strict construction of the Constitution and states’ rights. Ultimately, Van Buren wanted to revitalize the political affiliation between New York and Virginia, unite the opposition to Adams under one banner and get Andrew Jackson elected president in 1828. His goal was to join “the planters of the South and the plain Republicans of the North.” To that end, he realized he would need to assure

¹⁰The letter is printed in the *Richmond Enquirer*, September 12, 1828. The private correspondence it most resembles is John Tyler to Henry Curtis, December 16, 1827, in Tyler Papers, LC. In this letter, Tyler refers to the “sinister efforts which have been resorted to to prop this administration.”

the South, and especially the influential Richmond Junto, that his principles were sound. During the Nineteenth Congress, therefore, Van Buren introduced resolutions in the Senate that expressly denied the power of the federal government to construct roads and canals solely within states. He also called for the appointment of a committee that would prepare a constitutional amendment on internal improvements designed to safeguard the rights of the states. Van Buren was shrewd. He knew that Thomas Jefferson and James Madison had advocated an amendment for internal improvements. By mirroring their principles, he hoped to allay any distrust Southern political leaders may have felt for him personally and for his idea to construct a national opposition party that cut across sectional lines. As he put it, he would find it “gratifying to meet the Republicans of the South upon the old platform which was laid by Jefferson & supported by Madison.” The ambitious Jackson, eagerly awaiting his chance to get even with John Quincy Adams and Henry Clay, supported Van Buren’s efforts.¹¹

It was not difficult to get Calhoun on board. Having abandoned the nationalism of his earlier career, he had become much more attuned to the dangers of policy advocated by men like Adams. Too, defending states’ rights had become a matter of political survival for the South Carolinian; his constituency feared a strong federal government. More importantly, Calhoun had a personal reason for lending his support

¹¹Martin Van Buren to Thomas Ritchie, January 13, 1827, in Martin Van Buren Papers, LC (first quotation); William G. Shade, *Democratizing the Old Dominion: Virginia and the Second Party System, 1824-1861* (Charlottesville: University Press of Virginia, 1996), 87 (second quotation); Donald B. Cole, *Martin Van Buren and the American Political System* (Princeton: Princeton University Press, 1984), 156 (third quotation); Martin Van Buren to Claiborne W. Gooch, December 5, 1827, in Gooch Family Papers, Alderman Library, University of Virginia; Watson, *Liberty and Power*, 89; Lynwood M. Dent, Jr., “The Virginia Democratic Party, 1824-1847 (Ph.D. diss., Louisiana State University, 1974), 57-63.

to Van Buren's coalition. He wanted to become president himself and had set his sights on the election of 1832. If Adams captured the presidency again in 1828, Henry Clay would likely succeed him. If Clay served two terms, it would mean Calhoun would not have a realistic chance at the White House until 1840. He did not want to risk that possibility. In early 1826, then, he agreed to lend his support to Van Buren's plan, becoming, as one historian has called him, a "reluctant Jacksonian."¹²

Calhoun's willingness to become part of the national opposition party made Van Buren's job in Virginia somewhat easier. Winning the support of the Old Dominion's opposition leaders was crucial. Without it, Van Buren realized the coalition had no chance; Virginia still had much influence in the national political arena. Virginians were also intensely suspicious of the federal government and longed for a return to the days when original Jeffersonian principles ruled national politics. They had come to believe that Adams, and his ideology, threatened their liberty. State sovereignty had been under assault since 1819. Only by forcing Adams out of office could they safeguard their liberty. After careful consideration, Thomas Ritchie and the Richmond Junto agreed that the New Yorker's strategy was sound. Van Buren's hope of "combining Genl. Jackson's personal popularity with the portion of old party feeling yet remaining seemed promising. Moreover, Van Buren had persuaded Ritchie and his cronies that he shared their commitment to states' rights and a strict construction of the Constitution. In the fall of 1826, the *Enquirer* denounced the Adams-Clay "corrupt bargain" that had won the presidency in 1824 against the "popular will" and declared its

¹²John Niven, *John C. Calhoun and the Price of Union: A Biography* (Baton Rouge: Louisiana State University Press, 1988), 126-28; Dent, "Virginia Democratic Party," 61-62; It was actually after Calhoun had agreed to join the Jackson coalition that Duff Green's *United States Telegraph* began its operations.

support for Jackson in 1828. The paper presented the Old Hero as the heir to Thomas Jefferson, labeling him a “politician of the Richmond school.” The Junto also delivered most of the former Crawford men in the Old Dominion into the fold. Crawford himself, largely confined to his Georgia plantation by 1827, grumbled that he could not support his enemy Calhoun for the vice-presidency, but gave his support to Jackson and the coalition anyway.¹³

Tyler had not fully made up his mind to support Jackson’s candidacy until after he had been in Washington for a couple of weeks. To be sure, he had already decided against Adams. But, Jackson still gave him reason for pause. His objections were primarily personal. He simply did not like Jackson and remarked that he “entertained the strongest objections” towards the man. There were “many, many others whom I would prefer,” he complained. One preference was De Witt Clinton of New York. Tyler had admired him for a long time and regarded his principles as sound and safe for the South. The fact that the Erie Canal had been completed under Clinton’s watchful eye with the aid of only state funds, solidified his reputation for Tyler. “If we had taken

¹³Martin Van Buren to Thomas Ritchie, January 13, 1827, in Van Buren Papers, LC (first quotation); Dent, “Virginia Democratic Party,” 59-61; *Richmond Enquirer*, November 24, 1826; William J. Cooper, Jr., *Liberty and Slavery: Southern Politics to 1860* (New York: Alfred A. Knopf, 1983), 166-67; Shade, *Democratizing the Old Dominion*, 87 (second quotation); Carl R. Osthaus, “Between Nationalism and Nullification: The Editorial Career of Thomas Ritchie,” chap. in *Partisans of the Southern Press: Editorial Spokesmen of the Nineteenth Century* (Lexington: University Press of Kentucky, 1994), 27-29; Charles H. Ambler, *Thomas Ritchie: A Study in Virginia Politics* (Richmond: Bell Book and Stationery Co., 1913), 106-108; By the early 1830s, Virginians, and indeed most Southerners regarded the protection of slavery as a crucial component of loyalty to “Jeffersonian principles.” Before Jackson became President, however, the protection of slavery had not become the central issue. The key instead was merely forcing Adams from the White House. On this point, see, William J. Cooper, Jr., *The South and the Politics of Slavery, 1828-1856* (Baton Rouge: Louisiana State University Press, 1978), 10-11.

up De Witt Clinton by uniting with the state of New York the result might have been auspicious,” he said. Once it became obvious Jackson would head the opposition ticket, though, he conceded that “these are now but useless speculations and we must make the best of our situation.” Tyler’s disgust with the Adams administration made almost anyone seem appealing. As he discussed the upcoming election with members of Congress, he felt better about declaring for Jackson. Rationalizing his support, he maintained “every day that passes inspires me with the strong hope that his administration will be characteriz’d by simplicity—I mean republican simplicity.” Though Jackson had voted for both the tariff and road surveys as a member of the Senate, his supporters assured Tyler that he actually disapproved of federally-sponsored internal improvements. He had voted for the tariff of 1824 only because it protected materials essential to the national defense, like hemp, iron, lead, and woolens. Moreover, his vote in favor of surveys had been confined to the completion of those already begun and did not authorize new ones. Apparently, the explanations satisfied Tyler. He also thought about the men Jackson would likely consider for cabinet posts—Clinton, Van Buren, Littleton W. Tazewell, Hugh L. White, just to name a few—and took heart that each agreed with Virginia in principle. “I hear our principles again commended and the Jeffersonian policy extolled,” he declared optimistically.¹⁴

Many of Tyler’s fellow Virginians were convinced that Jackson was their man long before their first-term senator made up his mind. One representative in the

¹⁴John Tyler to Henry Curtis, December 16, 1827, in Tyler Papers, LC (first, second, fifth and sixth quotations); Tyler to Curtis, September 4, 1827 (third and fourth quotations), March 18, 1828, both, *ibid.*; Tyler to John Rutherford, December 8, 1827, in John Rutherford Papers, Duke; Evan Cornog, *The Birth of Empire: DeWitt Clinton and the American Experience, 1769-1828* (New York: Oxford University Press, 1998), 146-49, 158-60; Remini, *Jackson and the Course of Freedom*, 68.

General Assembly, exasperated at Adams's devotion to the tariff, argued in February 1827 that "poor Old Virginia and the Southern states will be as poor as a church mouse if there is not a change—we must make the watch words Jackson or starvation." An observer in southwest Virginia noted a full year before the election that "the people in this quarter of the State are almost unanimous for Jackson." Another gleefully declared that "Virginia is *against Adams, at least four for one.*"

By December 1827, Thomas Ritchie had launched an aggressive campaign in the *Enquirer* to mobilize support for Jackson and convince voters who may have remained unsure that the Tennessean was the right choice. Ritchie defended Jackson's character and explained away actions such as his suspension of *habeas corpus* in New Orleans during the War of 1812, his supposed complicity in the Burr Conspiracy, and his execution of Ambrister and Arbuthnot, the two British adventurers captured during the Florida campaign and charged with inciting the Indians. As one letter in the *Enquirer* said, "All of Jackson's most censured public acts are to be ascribed to the excitement and impulse of the moment in unusual, nay, new and trying emergencies." They were not the result of "any premeditated design or long formed and settled opinion."¹⁵

Ritchie seemed little concerned that Virginians would oppose Jackson because of his alleged "indiscretions." He focused his rhetorical efforts, therefore, on Jackson's commitment to states' rights and a strict interpretation of the Constitution. He knew what mattered to Virginia's voters. The state Jackson committee followed Ritchie's

¹⁵Robert E. Cummings to David Campbell, February 17, 1827, in Campbell Family Papers, Duke University (first quotation); David Campbell to James Campbell, November 11, 1827, *ibid.* (second quotation); Charles Cocke to Thomas W. Gilmer, November 19, 1827, in Tyler Scrapbook, Tyler Family Papers, Earl Gregg Swem Library, College of William and Mary (cited hereafter as WM)(third quotation); *Richmond Enquirer*, December 11, 1827 (fourth quotation).

lead and encouraged local rallies in all parts of the state. Throughout December 1827, meetings were organized in Rockbridge County, located in the Valley, Albemarle in the Piedmont, Grayson County in the southwest and in Portsmouth, near Norfolk. Tyler's brother-in-law, James Semple, chaired a Jackson meeting in Williamsburg. Turnout for these meetings varied from a few dozen partisans to over two hundred. All who attended were enthusiastic in their denunciation of the Adams administration and in their support of Jackson. Adams men held their own rallies, too, but they paled in comparison to what their counterparts from the opposition had organized. By late 1827, the Adams candidacy appeared dead in Virginia. Adams made an attempt to court Virginia's support by naming popular ex-Governor James Pleasants as a possible candidate for Vice-President, but most in the Old Dominion scoffed at such an idea. Tyler himself put it best when he said, "The administration are now playing their last game. Jas. Pleasants is nam'd as Vice-President." He wanted to know what "possible affinity can exist between Jas. Pleasants and J. Q. Adams?" The combination, he said derisively, was akin to "a union between oil and water."¹⁶

Tyler followed political events in Virginia as closely as he could while in Washington and was no doubt pleased with the developments. He also did his best to stay informed on matters pertaining to his family. During his time in the Senate, Tyler became much closer to his children and wrote to them tirelessly. Letters from Greenway never failed to make him happy. He especially appreciated those written by

¹⁶*Richmond Enquirer*, December 13, 15, 18, 20, 1827; John Campbell to James Campbell, October 26, 1827, in Campbell Family Papers, Duke University; John Campbell to David Campbell, October 26, 1827, *ibid.*, John Tyler to Henry Curtis, December 16, 1827, in Tyler Papers, LC (quotations); Shade, *Democratizing the Old Dominion*, 87-89; Ambler, *Thomas Ritchie*, 116.

his eldest child, Mary. Mary was twelve years old when her father returned to Congress in December 1827. Tyler delighted in his daughter's questions about the capital and paid special attention to what she said about her studies. Like his father, he believed an education essential for both boys and girls—he had even hired a new instructor for his children in November 1827—and he wanted Mary to write to him often so he could judge her progress and “bear witness to the expansion of [her] mind.” Also, as his father did to him, he gently chided her for poor penmanship. “A young lady should take particular pains to write well and neatly,” he told her, “since a female cannot be excused for slovenliness in any respect.” As the oldest child, Mary served as messenger to Tyler's other children. In one letter, he told her to inform Robert that he was a “bad fellow for not having written to me.” In another, he requested she make sure John, Letitia and Elizabeth “sit down and send me messages.”¹⁷

Tyler missed his children very much while he was away. His letters reveal a marked attempt to keep up with their activities as they grew up without him. Though he kidded them when they did not write, it is obvious that it bothered him when he failed to receive a timely letter or note. The correspondence, after all, was the only link he had with them when he was in Washington. Tyler seemed particularly worried that he would not hear about important occurrences, or milestones, in each of his children's lives. He had still another reason to fret about being away from home for such long periods of time: Letitia's health. Ever more prone to debilitating headaches as she got older, his wife's condition caused Tyler “much uneasiness.” She never seemed

¹⁷John Tyler to Henry Curtis, October 26, November 23, 1827, in Tyler Papers, LC; John Tyler to Mary Tyler, December 26, 1827 (first and second quotations), February 24, 1828 (third quotation), April 30, 1828 (fourth quotation), in Tyler, *Letters and Times*, 1: 390-92.

completely well and Tyler worried about her “delicate” health almost constantly. He relied on Mary to look after her mother when she suffered from one of the attacks and keep him informed about her condition.¹⁸

While he paid as much attention as possible to the concerns of his family, Tyler necessarily devoted considerable energy to business in the capital. January 1828 proved especially busy as the Senate addressed a flurry of legislative matters. Tyler’s first recorded vote occurred near the end of the month and was made in support of a bill authorizing a salary increase for lieutenants in the Navy. The measure passed easily.¹⁹ Tyler also made his first speech in January. The issue at stake was the Cumberland Road, a key component of Henry Clay’s American System and perhaps his favorite project. In 1806, Congress had authorized construction of the so-called National Road that would lead westward from Cumberland, Maryland, a town located on the north bank of the Potomac River. Thomas Jefferson, serving his second term as president, expressed hope that the road would ultimately prove an “important link in the line to St. Louis” and increase the commercial success of the country. Two years later, Jefferson’s secretary of the treasury, Albert Gallatin, submitted a detailed plan for internal improvements to Congress. He estimated the total cost of his program at \$20 million, a figure he thought attainable if extended over a ten-year period. Jefferson approved of the plan. His approval was ambiguous, however. He qualified his stance on the issue by saying that appropriations for federally-sponsored internal improvements could only

¹⁸John Tyler to Mary Tyler, February 24, 1828, *ibid* (first quotation) John Tyler to Henry Curtis, May 1, 1828, in Tyler Papers, LC (second quotation).

¹⁹*Register of Debates*, 20th Cong., 1st sess., 102; *Richmond Enquirer*, January 26, 1828.

be approved “under the powers which Congress may already possess,” or by a constitutional amendment approved by the states. Thus, he wanted progress, but not at the expense of his constitutional scruples.

The War of 1812 placed talk of internal improvements on hold. Nationalistic fervor after the war, however, revitalized a commitment to building roads and canals. Congress paid particular attention to the National Road after 1815 and periodically appropriated funds for more surveys and construction. President Madison stymied efforts, and shocked many in Congress, with his veto of an internal improvements bill in 1817. By 1818, the turnpike stretched to Wheeling, Virginia, on the Ohio River. In 1825, \$150,000 more had been approved to keep the road moving westward. In January 1828, the project had stalled, though the road had reached the western bank of the Ohio. It had been completed as far as Bridgeport, Ohio, near the Virginia-Ohio border. There was a bill before the Senate during the Twentieth Congress which provided for additional appropriations for an extension of the road from Bridgeport to Zanesville, Ohio. If approved, the measure would also authorize further funding for surveys of the route as far west as Missouri. Senator William Hendricks of Indiana spoke in support of the bill, arguing that because the appropriations had been granted before, the Senate should vote to finish the project. Of course, as a resident of one of the states through which the Cumberland Road would pass if completed, he had a stake in pushing the bill through. Not surprisingly, his constituents enthusiastically supported more appropriations.²⁰

²⁰Joseph H. Harrison, Jr., “The Internal Improvement Issue in the Politics of the Union, 1783-1825,” (Ph.D. diss., University of Virginia, 1954), 154-55 (first quotation), 199, 243-53 (second quotation on pages 252-53); George R. Taylor, *The Transportation Revolution, 1815-1860* (Armonk, NY: M.E. Sharpe, Inc., 1951), 17-19; Register of

Tyler opposed the bill and intended to speak on the matter. He rose from his chair and, no doubt aware that his reputation preceded him, expressed his hope that his colleagues in the Senate chamber felt no “alarm” in seeing him ready himself to talk. He actually had no intention of making his speech a “constitutional discussion,” he assured them. But in no time at all, it became just that. He asked, “is it true, that this allurements of State interest causes them [his fellow Senators] to embrace it [the bill] without stopping even to glance at the Constitution, the charter of their rights, and those of the States?” Tyler referred to the precedent established in 1806, when Congress authorized the construction of the national road, as a “monstrous evil.” He noted that during the previous session of Congress, Littleton Tazewell had voted against appropriations for the Dismal Swamp Canal, even though the project stood to benefit Virginia. Tazewell had done so, he said, because federal funding for internal improvements was unconstitutional. The passage of that bill dismayed Tazewell, as it did Tyler, because of the principle behind it. Federal involvement in internal improvements represented a “gradual encroachment” on the liberty of the states, which would ultimately make the destruction of their sovereignty “as certain as if it was assailed by the bayonet.”

Tyler did not stop there. He defended his principles and those of his state. “Virginia has been, over and over again, reviled,” he said, “and efforts have been unceasingly made to ridicule her for her advocacy of principles at war with the latitudinarian [broad interpretation of the Constitution] principles of this day.” He saw

Debates, 20th Cong., 1st sess., 106; *Memorial of the General Assembly of Indiana, Expressive of the Advantages Resulting from the Cumberland Road, and the Desire Of That State For Its Completion*, February 20, 1828, *Senate Documents*, 20th Cong., 1st sess. (Washington: Printed by Duff Green, 1828), Serial Set, No. 166.

no end in sight to federal interference unless it stopped with this bill. The national government would continue to seek “fresh pretexts for its enlargement,” Tyler warned. The by-product, or “bitter fruit” of the federal government’s expanded scope, he maintained, was an increase in “sectional interests.” The result would inevitably lead to “a feeling engendered, which has the effect of arraying State against State and brother against brother.” To allay this possibility, there could be but one solution: “Let this Government avoid all interference with the internal affairs of the States.”²¹

Eventually, this particular bill providing for the extension of the Cumberland Road passed. During the course of Tyler’s Senate career, similar bills appropriating funds for the project also passed. He voted against every one. In doing so, he reinforced the record he had established in the House of Representatives some years before. In no way could he approve of federally-funded internal improvements. For him, the matter was simple. Others might object to an internal improvement bill because it appeared “inexpedient.” From Tyler’s point of view, though, “If it was unconstitutional, it was inexpedient.” In fact, “the preservation of the Constitution was the heighth [sic] of expediency.”²²

In presenting his argument opposing internal improvements to the Senate, Tyler actually proved he was more “Jeffersonian” than Jefferson himself. As his colleague John H. Eaton of Tennessee pointed out, the original appropriations for the Cumberland Road had been approved during Jefferson’s second term. Surely “no man was more

²¹*Register of Debates*, 20th Cong., 1st sess., 107-109; *Richmond Enquirer*, January 26, 1828; *Washington Daily National Intelligencer*, January 23, 1828.

²²*Register of Debates*, 20th Cong., 1st sess., 107 (quotations), 453-58, 657-60, 787, 809-810; *Ibid.*, 20th Cong., 2nd sess., 1-2; 43-44.

scrupulously regardful of the exact letter and meaning of the Constitution,” Eaton declared. He was right, to a point; Jefferson had approved the original Cumberland Road appropriations bill. Furthermore, his somewhat vague message to Congress in 1806 suggested that he regarded internal improvements as the responsibility of the national government, not the states. Commerce between the states was, according to Jefferson, a “foreign” matter and the federal government had jurisdiction over “foreign” matters. In issues concerning political economy, Jefferson was a nationalist, for he believed a national market system presented the best way to ensure economic stability. Jefferson, however, clouded the issue by maintaining that a constitutional amendment was necessary to grant Congress the broad power to implement internal improvements like those advocated by Henry Clay. In this sentiment, he concurred with James Madison, who ultimately came to regard an amendment as the only means to place internal improvements under the purview of the federal government. Jefferson never did anything more than speak of such an amendment, however. His less than enthusiastic endorsement of it left the matter open to interpretation. Tyler saw no need to confuse the issue; his stance in the Senate had no ambiguity. He spoke of no amendment. In this, he reflected the attitude of the Old Republicans, who saw the issue only in terms of the bottom line; grant the federal government the right to implement internal improvements, and more dangers—opposing slavery?—were sure to follow.²³

²³*Ibid.*, 20th Cong., 1st sess., 114-15 (quotations); David N. Mayer, *The Constitutional Thought of Thomas Jefferson* (Charlottesville: University Press of Virginia, 1994), 218-19; Drew McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill: University of North Carolina Press, 1980), 122; James Madison to Thomas Ritchie, December 18, 1825, in James Madison Papers, LC; Drew McCoy, *The Last of the Fathers: James Madison and the Republican Legacy* (Cambridge: Cambridge University Press, 1989), 92-99; John Lauritz Larson,

Tyler gave the speech against the Cumberland Road under the duress of ill health. In fact, he labored throughout most of January and early February 1828 battling the effects of an unspecified sickness. His short-lived retirement and self-imposed exile from Washington seven years earlier had done nothing to revitalize his physical condition. Never a robust man and, in fact, rather sickly, his health had become worse as he had grown older. Certainly, the winter cold did not make him feel any better. He did not like to confine himself to his room though, preferring to attend to business if he felt at all up to it.²⁴

Ill health did not prevent Tyler from speaking on the floor of the Senate when he thought it necessary. In his second speech of the session, he argued against a bill to provide relief for surviving officers of the Revolutionary army. The measure had been introduced to appropriate \$1,100,000 for their care. Tyler maintained that the federal coffers could not support such an allocation of funds. Moreover, he did not approve of discriminating against those Revolutionary soldiers who were not officers. "They were paid in paper money, in miserable trash, which depreciated a thousand for one," Tyler pointed out. How could any bill appropriating money for such a cause slight these men? Tyler thought the whole idea inexpedient. He reminded his colleagues that the government had already addressed these veterans under laws passed in 1780 and 1783. "To these surviving worthies, then," he said, "I would say, Brave men, your country

"Jefferson's Union and the Problem of Internal Improvements," in Peter S. Onuf, ed., *Jeffersonian Legacies* (Charlottesville: University Press of Virginia,), 361-64.

²⁴*Register of Debates*, 20th Cong., 1st sess., 70, 84, 233; Oliver P. Chitwood, *John Tyler: Champion of the Old South* (New York: D. Appleton-Century Co., 1939), 86-87.

venerates and reveres you.” But, she “has done for you all that justice required—that you yourselves demanded.” After much debate, the bill died during the next session.²⁵

The first session of the Twentieth Congress gave Tyler his first sustained contact with William Henry Harrison, the senator from Ohio he would succeed as president in 1841. On March 28, 1828, Tyler even engaged him in debate. On that day, a bill granting a township in Ohio public land for the benefit of Kenyon College was read from the previous session. The legislature of Ohio had presented a memorial to the Senate on behalf of the school. There was an amendment added to provide a similar grant for Waterville and Bowdoin Colleges in Maine. Debate focused on the issue of whether the federal government could constitutionally provide public lands for what were clearly local institutions. Senator Harrison, obviously biased, argued the claims had merit because they were brought by the state legislatures and not by individuals. During the course of his speech on the matter, he referred to the College of William and Mary in an effort to prove his point. Just what exactly he said about the little college in Williamsburg was not recorded. But his statement gave Tyler the prompt he needed to address the question at hand. He rose and quickly told the chamber that he would not have felt compelled to talk had Harrison not mentioned his alma mater. Perhaps this was true, but the issue interested him regardless, because it involved a matter of constitutional interpretation.

Tyler began his speech by making sure his counterpart from Ohio knew that William and Mary survived because of private donations. The federal government granted no support. “If any one state in the Union had stronger claims than any other on

²⁵*Register of Debates*, 20th Cong., 1st sess., 228-33, 436, 448, 699, 713, 2nd sess., 70-73.

the public lands,” though, he declared, “surely it would not be denied that Virginia was that State.” He cited her contribution in ceding portions of her original territory for the purpose of carving new states as justification. Then, in dealing with the substance of the bill, he presented a predictable argument. Congress had no constitutional authority to make such an appropriation, he said. He could not support the bill for that simple fact. He also predicted that some who disagreed with him might consider the bill too unimportant to argue its constitutionality for very long. “Immensely important consequences often flowed from apparently trifling causes,” he lectured, reminding his listeners that Madison’s proposition to survey a post road from Maine to Georgia some years before had been seized upon as a precedent for a federally-funded system of roads and canals. “Were gentlemen prepared to set a precedent which would be carried to such conclusions,” he asked? Apparently, on this issue, they were not, for the measure failed. The public lands issue, however, would assume even greater importance throughout the 1830s, generating controversy and contributing to sectional hostilities.²⁶

One thing quickly becomes clear when examining Tyler’s record in the Senate. The majority of speeches he made—certainly the lengthy ones—were in regard to bills he opposed. Constitutional issues, in particular, prompted him to take the floor, and he spoke in no uncertain terms. He never wavered in his dedication to states’ rights and a strict construction of the Constitution. He believed these principles essential to protecting the rights of Virginia and the South. On all the important matters before Congress during the Age of Jackson—internal improvements, the tariff, national bank,

²⁶*Register of Debates*, 20th Cong., 1st sess, 532-50 (quotations from pages 540-541); On the public lands, the standard study is Daniel Feller, *The Public Lands in Jacksonian Politics* (Madison: University of Wisconsin Press, 1989).

public lands and nullification—Tyler remained true to his principles. His senatorial career bears this out.

Senate duties did not always entail making speeches and considering momentous legislation, however. Tyler received substantial correspondence from individuals in Virginia who often wanted him to act on their behalf while he was in Washington. On some occasions, the request was addressed to both of the state's senators. Most of the time, it came addressed only to one or the other. For example, James P. Preston, a friend from Richmond, wrote in 1828 requesting Tyler's help in obtaining a government position in the Treasury Department. Tyler had already submitted the name of another man for the appointment, but assured Preston that "at any future time it shall be in my power to advance any views you may entertain in regard to office, you may command my best exertions." Sure enough, Preston made a similar request two years later. Unfortunately for him, by that time, Tyler had run afoul of Andrew Jackson, so any requests for appointments likely would have been ignored. Happily, Tyler was able to deliver some patronage plums. He was successful in securing his sister Martha's husband, Henry Waggaman, a job in the Post-Master General's Department. Waggaman parlayed the position into a successful government career and he and Martha remained in Washington for the duration of their marriage.²⁷

The latter part of Tyler's first session in the Senate provided him yet another issue on which to assert his states' rights principles. That issue was the tariff and it dominated proceedings during the spring of 1828. The leadership of the opposition

²⁷John Tyler to James P. Preston, May 7, 1828 (first quotation), April 26, 1830, in Preston Family Papers, Virginia Historical Society (cited hereafter as VHS); John Tyler to Henry Curtis, May 1, 1828, in Tyler Papers, LC; Anonymous letter addressed

party in Congress hoped to pass a new tariff bill that could help Andrew Jackson's electoral prospects considerably in the states where he appeared weakest. To that end, the bill favored the products of iron-producing states like Pennsylvania and protected the hemp and flax prevalent in New York and Ohio. The state of Kentucky stood to benefit somewhat, for it provided much of the nation's hemp. But this was of little consolation to tariff foes in the South. The proposed duty schedules also called for an increase in duties on materials vital to the Northwest. Finally, the bill discriminated against the woolen manufacturers of John Quincy Adams's New England. The hope was that Adams would sign the measure if it passed the House and Senate, thereby alienating his home constituency. For his part, Andrew Jackson said nothing more than he might favor a "judicious" tariff, a deliberately vague statement that served to keep him out of trouble as the election of 1828 neared.

Henry Clay quickly realized that the bill was nothing more than a scheme to curry voter favor for Jackson. He even questioned whether the opposition leaders really wanted the tariff to pass. Ironically, the success of the tariff bill necessitated bringing together nationalists like Clay with opposition men. Politics did indeed make strange bedfellows, at least in this case. John Tyler had no choice but to oppose the bill, no matter what the leaders of the party with which he had affiliated himself wanted. He was constitutionally opposed to a tariff. Furthermore, he believed, like many Virginians, that it represented "government tampering" and was ideologically opposed to the principle of protection. Accordingly, he voted against the bill, in all the various forms it took as it made its way through Congress. Tyler agreed with Robert Y. Hayne

to John Tyler and Littleton W. Tazewell, n.d. [circa 1828 or 1829], in Tazewell Papers, WM.

of South Carolina, who labeled the tariff “unjust” and “an unconstitutional measure.” That so much discussion was wasted on what was clearly an affront to the free trade principles advocated by the South angered Tyler. “The hated tariff Bill—that curse to the whole South is reported to the Senate with sundry villainous amendments,” he told Henry Curtis as debate on the measure lapsed into May. By late spring, Tyler wanted to return home. The Senate had been in session for over five months. During that time, he had suffered a serious winter illness and repeated colds. The session was scheduled to end on May 26, but Tyler worried the tariff question would keep him in Washington still longer. “So soon as we can see land from the tariff-sea on which we are afloat, the Senate will concur,” he remarked to a friend in Virginia.²⁸

Spearheaded by opposition leaders like Van Buren and by nationalists such as Henry Clay, the tariff bill passed both houses of Congress and was signed into law by President Adams. Southerners decried the measure as the “Tariff of Abominations.” It was the highest tariff in American history to that point. Protection always hurt the South more than any other section. Southerners, lacking good roads and waterways that would have provided fuller access to the markets of the North, bought mostly imports. And southerners would surely bear the brunt of the tariff of 1828. Opposition was particularly vocal in John C. Calhoun’s South Carolina. Her memorials had gone unheeded and the people of the state were angry. Calhoun himself left Washington in the early summer of 1828 and returned home to write *The South Carolina Exposition*

²⁸Remini, *Henry Clay*, 329-30; Claiborne W. Gooch to Col. George Thompson, August 29, 1828, in Gooch Family Papers, Alderman Library, University of Virginia (first quotation); *Register of Debates*, 20th Cong., 1st sess., 785-86 (second and third quotations); John Tyler to Henry Curtis, May 1, 1828, in Tyler Papers, LC (fourth quotation); John Tyler to James P. Preston, May 7, 1828, in Preston Family Papers, VHS (fifth quotation).

and Protest. This essay, published anonymously, presented the doctrine of nullification that asserted the right of a state to declare a federal law null and void if it found that law to violate the Constitution. The legislature of the Palmetto State would lodge her formal protest over the tariff during the next session of Congress, declaring the measure a “violation” of the expressed powers contained in the Constitution, a “breach of a well-defined trust,” and a “perversion of the high powers vested in the Federal Government.” The “Tariff of Abominations” undoubtedly helped seal Adams’s fate in the upcoming election; it surely helped Jackson capture the presidency. More importantly, it also set in motion the events that would force a showdown between Jackson and South Carolina in 1832 and ultimately make John Tyler abandon the Democratic Party.²⁹

Tyler left Washington in late May 1828 and hurried home to Greenway. He would monitor the remainder of the presidential campaign from Virginia. Jackson, of course, did win the election in 1828. But the Adams men did not relinquish the White House without a fight. The campaign, particularly throughout the summer and fall, was scurrilous. Duff Green charged that Adams had served as a pimp to the Czar of Russia while secretary of state. Adams partisans circulated a broadside that proclaimed Jackson’s mother had been a prostitute. There were other personal attacks. Much of the campaign at the state level, though, focused on more substantive concerns and the organizations of each candidate dominated the course of events. In Virginia, Adams maintained a significant amount of support, despite the efforts of the Richmond Junto to discredit him. The convention of National Republicans actually met in Richmond; the

²⁹*Register of Debates*, 20th Cong., 2nd sess., 52-58 (quotations on page 53); Remini, *Jackson and the Course of Freedom*, 137-38; Clyde N. Wilson, ed., *The Papers of John C. Calhoun*, 24 vols. to date (Columbia: University of South Carolina Press, 1959-), 10: xli-xlvi.

two hundred delegates in attendance unanimously endorsed Adams and Richard Rush of Pennsylvania. Thomas Ritchie kept up the attack on Adams and repeatedly published editorials that highlighted the president's latitudinarian constitutional views and his dangerous economic policy. On election day in the Old Dominion, an unprecedented number of voters turned out. Before 1828, the presidential election had seemed a waste of time. From 1804 through 1824, Republican hegemony ensured who would win the office. But this was an election that hinged on real issues and on personalities and ideology played perhaps the most significant role in bringing men to the polls. When it was over, Jackson had claimed more than twice as much of the popular vote in Virginia as Adams. Nationally, Adams fared no better, and lost by a sizeable number in both the popular vote and electoral college.³⁰

After the final returns of the election had been reported, Thomas Ritchie proclaimed, "There is no mistake—Jackson is triumphant, and our utmost hopes are realised." Somewhat ominously, however, he tempered his happiness with an admonition directed to the victorious Jacksonians. Undoubtedly, he had Jackson himself and Van Buren foremost in his mind. "But it is one thing to *gain* a victory—it is another to *improve* it," he said. "Now is the time to display the patriotic principles which have actuated the supporters of Jackson. Now is the time to show, that they have fought not for themselves, but their country." Ritchie and the Junto, indeed all of the Old Republicans, including Tyler, had accepted the notion of "Jackson and reform." They had trusted Van Buren. Their distaste for Adams had virtually demanded they do

³⁰Robert V. Remini, "Election of 1828," in Arthur M. Schlesinger, Jr., *History of American Presidential Elections, 1789–1968*, 4 vols. (New York: Chelsea House Publishers, 1971), 1: 492; Remini, *Jackson and the Course of Freedom*, 140–42; Shade, *Democratizing the Old Dominion*, 87–89; Cooper, *Liberty and Slavery*, 166–68.

so. But, they had done so with reservation. Some of the conservatives in Virginia believed they had allied with the Jackson camp at a cost to their ideological purity. Tyler, for one, repeatedly worried about the course Jackson would take regarding the tariff. Still, immediately after the election, optimism abounded. Adams had been defeated and the cause of states' rights appeared safe.³¹

Jackson's victory made returning to Washington for the start of the second session of the Twentieth Congress much easier for those in his camp. Tyler himself had additional reasons to look forward to a return to the capital in December 1828. For one thing, the summer had proved especially troublesome. Even before he left for Greenway the previous May, Henry Curtis had informed him that creditors were demanding payment for debts that had fallen seriously past due. Time and again, Curtis had endorsed his brother-in-law's promissory notes at the Bank of Virginia in an effort to stave off bill collectors. Tyler was not above using guilt to goad Curtis into signing a note, either. Of course, when the note came due and had not been paid, the Bank, or the creditor to whom money was owed, sought out Curtis. These financial matters seemed to bother Tyler less while he was in Washington because he did not have to address them directly. At Greenway, however, he had nowhere to escape and during the summer preceding Jackson's election, matters seemed especially stressful. Constantly in need of cash, Tyler told Curtis at one point that he did not "feel as a freeman should, with these incumbrances [sic] hanging over me." Selling slaves always seemed a viable option. "I am ready and willing to sell slaves at this moment for this object [debt relief]

³¹*Richmond Enquirer*, November 25, 1828; John Tyler to John Rutherford, December 8, 1827, in John Rutherford Papers, Duke; Shade, *Democratizing the Old Dominion*, 89.

if I could find a purchaser,” he said. Tyler also repeatedly used the proceeds from the annual sale of his wheat crop to alleviate debt. A bad harvest, however, could make the situation worse. Tyler expressed a determination to “get clear of the world,” and eliminate the bulk of his most oppressive debt. He never seemed able to do so. Returning to the Senate, then, always seemed more appealing and provided a way for him to ease his mind of the financial difficulties he faced.³²

The other reason Tyler could look forward to his return to Washington in December 1828 concerned his wife. Letitia made plans to travel with him this time. During Tyler’s entire career in national politics, she made the trip to the capital only once before he became president. The upcoming session promised to be much shorter than the previous one—it lasted from December 1 until March 3, 1829—so the timing was fortuitous. She would not have to remain away from the comforts of home for long. It is not clear whether any of the children traveled with the Tylers, nor is it known where they stayed while in Washington.³³

It did not take long for Tyler to realize that this particular session of Congress would not hold the same excitement as the previous one. A few weeks into the proceedings, he remarked to a friend that “we have nothing here of the slightest interest other than the numerous speculations which are afloat upon the subject of the next cabinet.” During meals, Tyler and his colleagues engaged in “loose conjectures” about the men Jackson would appoint to various posts. Tyler seemed quite pleased that

³²John Tyler to Henry Curtis, April 23, May 1, 16 (quotations), 1828, in Tyler Papers, LC.

³³John Tyler to Conway Whittle, December 18, 1828, in Conway Whittle Papers, WM.

Littleton Tazewell had emerged as a leading candidate for secretary of state. He acknowledged that his friend's appointment would be a "great personal loss" to him but declared that "no man" could better assure Jackson of unwavering Southern support. "With him in that station," he declared, "the South would feel assur'd that it possess'd one able advocate of its rights and interests, and the excitement now so extensively pervading that scene of country would be greatly if not entirely allayed." Tyler did not speak with the same enthusiasm about legislative matters. Restless, he found little to prompt him into speaking. In fact, during the entire session, he gave no speeches. When he did address the chamber, it was usually to present a memorial or dispose of some small matter of business. "We are here in a dead calm," he said. "When the General comes we may expect more bustle and stir."³⁴

Jackson began the long journey from the Hermitage to the capital on January 18, 1829. All of Washington eagerly awaited the arrival of the new president. Tyler and the Old Republicans anxiously looked forward to the beginning of the new administration. As he addressed the first matter of business and made his cabinet appointments, however, Jackson alienated many of the Southerners that had guaranteed his election. Tyler and other states' rights men were baffled at some of the choices, quite displeased at others. "How sorrowfully all have been disappointed, a friend of

³⁴*Ibid.* (first five quotations); Tyler quoted in Robert Seager, II, *And Tyler, Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963), 82 (last two quotations).

Tyler's, John Floyd, later said. The displeasure would only grow as the contentious Jackson disappointed them repeatedly during the course of his administration.³⁵

³⁵Remini, *Jackson and the Course of Freedom*, 158-59; "Diary of John Floyd," in *The John P. Branch Historical Papers of Randolph-Macon College* 5 (June 1918), 120 (quotation).

CHAPTER SEVEN
“LET US BE TRUE TO OURSELVES, TO OUR CONSTITUENTS,
BUT, ABOVE ALL, TO THE CONSTITUTION”

The throng of people that descended upon Washington for the inauguration of Andrew Jackson certainly shared none of Tyler’s reservations about the new president. In fact, the exact opposite sentiment prevailed. “I never saw such a crowd here before,” Daniel Webster declared. “Persons have come five hundred miles to see General Jackson, *and they really seem to think that the country is rescued from some dreadful danger!*” Hotels and boarding houses in the capital teemed with people in the days leading up to the ceremony. Overflow crowds found lodging in nearby Georgetown and Alexandria. Everyone, it seemed, wanted to take part in the celebration. Inauguration day, March 4, 1829, was sunny and clear and began with a thirteen-gun cannon salute at 8:00 A.M. Not long after, people began to gather along Pennsylvania Avenue, lining the route Jackson would take from Gadsby’s Hotel, where he had slept, to the Capitol, where he would take the oath of office and deliver his inaugural address. One observer reported that “between ten and twelve the hum of voices and the din of life pervaded every avenue of the metropolis, the concourse of citizens and visitors choking the way to the capitol.” After Jackson had finished his short, largely inaudible address, the crowd followed him in procession to the White House, prompting Supreme Court Justice Joseph Story to remark that the “reign of King Mob seemed triumphant.” The ensuing party that lasted well into the night confirmed Story’s assessment. “Orange punch had been made by the barrels full,” a bemused and somewhat astonished reveler recalled later, “and as the waiters opened the door to bring it out, a rush was made, the glasses were broken, the pails of liqueur upset, and general confusion prevailed.” For

his own safety, Jackson fled the White House and returned to Gadsby's. The mansion itself was saved from impending disaster only after someone moved the punch bowls out to the front lawn, prompting the drunken horde to follow.¹

Even though Tyler was in the capital on inauguration day, no surviving record indicates what he may have felt about the occasion. Tradition held that Congress would adjourn the day before a newly-elected president was sworn in and then meet in special session. The Twentieth Congress was no different; its special session lasted from March 4 until March 17, 1829. Exactly what Tyler may have seen of the celebration is not known. Nor is there any indication of what he thought of Jackson's inaugural address. Much as he had during the campaign, the new president talked in vague generalities. Little policy had been outlined in the ten minutes Jackson spoke, though Duff Green's *United States Telegraph* reported that the "address breathes throughout the pure spirit of republicanism of the Jefferson school." Tyler likely took no comfort in this characterization and probably nothing that occurred on March 4 altered his perception that Jackson was a "*mere soldier*" not fit to govern.²

The spectacle that accompanied Jackson's inauguration reflected a fundamental change sweeping the United States during the late 1820s and signaled the emergence of what historians have called "Jacksonian democracy." The rhetoric of the so-called Age

¹Robert V. Remini, *Andrew Jackson and the Course of American Freedom, 1822-1832* (New York: Harper and Row, 1981), 172-80 (Webster quotation on page 172); Mrs. E.F. Ellet, *The Court Circles of the Republic, or the Beauties and Celebrities of the Nation* (Hartford, CT: Hartford Publishing Co., 1869), 145-46 (remaining quotations).

²*United States Telegraph*, March 5, 1829, quoted in Remini, *Jackson and the Course of Freedom*, 176; John Tyler to Henry Clay, March 27, 1825, in James F. Hopkins, ed., *The Papers of Henry Clay*, 11 vols. (Lexington: University Press of Kentucky, 1959-), 4: 189-90 (second quotation).

of Jackson emphasized an emerging egalitarianism in American life. During the Jackson administration, the White House became a place where common citizens seemed just as important as the elite. Public receptions were open to all and social barriers were broken down. Harriet Martineau, an Englishwoman visiting the United States at the time, marveled that public officials, diplomats, and wealthy members of Washington society, whose hands were washed, mixed with “men begrimed with all the sweat and filth accumulated in their day’s—perhaps their week’s labour.” The political process itself had also become more democratic by 1829 and during the 1830s, popular rights would take on increased importance. Though actual democracy proved in many ways more apparent than real, and while slaves and Native Americans enjoyed none of its benefits, Jackson’s ascendancy highlighted government’s responsiveness to the will of the people. Indeed, some of the seeds had been planted well before Jackson won the presidency. Several of the original thirteen states, for example, which had long operated under constitutions crafted during the Revolutionary era, had responded to popular discontent and created new ones that emphasized the franchise and universal manhood suffrage. Massachusetts changed its constitution in 1820. New York did so the following year. Virginia responded to the burgeoning democratic impulse relatively late. It was not until 1829, in fact, that the leaders of the Old Dominion, Tyler among them, attempted to create a new state constitution of their own.³

³Harry L. Watson, *Liberty and Power: The Politics of Jacksonian America* (New York: Hill and Wang, 1990), 3-5; Lawrence F. Kohl, *The Politics of Individualism: Parties and the American Character in the Jacksonian Era* (New York: Oxford University Press, 1989); For an assessment of the scholarly literature and an explanation of how the meaning of the “Age of Jackson” has evolved historiographically, see Richard P. McCormick, “New Perspectives on Jacksonian Politics,” *American Historical Review* 65 (January 1960): 288-301, Richard B. Latner, “A New Look at Jacksonian Politics,” *Journal of American History* 61 (March 1975): 943-69, Ronald P.

Virginia's original constitution had been framed in 1776. At that time, men like George Mason and other members of the conservative Tidewater aristocracy controlled the Old Dominion's government. The document they wrote ensured eastern domination of state politics. It did so through apportionment and suffrage requirements. The system of apportionment was based on county representation, with each county sending two representatives to the House of Delegates, the lower house of Virginia's bicameral legislature. The upper house, the state senate, consisted of twenty-four members, each representing a district of counties grouped together. Suffrage was limited to freeholders. Only white males who owned 100 acres of uncultivated land without a house, or 25 acres of improved land with a house could vote. With the exception of clerics, all freeholders (and only freeholders) could serve in the legislature.

By 1829, many in the state believed that the constitution of 1776 was outdated and that it did not reflect the changes that had occurred in the fifty-three years since it had been written. After the Revolution, Virginia's population had moved increasingly west. The large area of the state west of Richmond, in fact, grew rapidly after 1800 and by the early nineteenth century, four distinct regions had formed in the Old Dominion: the east, or Tidewater, which extended from the Atlantic coast to the Fall Line of the state's rivers; the Piedmont, extending westward from the Fall Line to the Blue Ridge mountains; the Valley, which lay between the Blue Ridge and Allegheny mountains; and the trans-Allegheny west. Much of the population growth occurred in the Valley

Formisano, "Toward a Reorientation of Jacksonian Politics: A Review of the Literature, 1959-1975" *Journal of American History* 63 (June 1976): 39-54, and Daniel Feller, "Politics and Society: Toward a Jacksonian Synthesis," *Journal of the Early Republic* 10 (Summer 1990): 135-61; Harriet Martineau quoted in Jack Larkin, *The Reshaping of Everyday Life, 1790-1840* (New York: Harper and Row, 1988), 162-63; Arthur M. Schlesinger, Jr., *The Age of Jackson* (Boston: Little, Brown and Company, 1945), 12.

and the trans-Allegheny mountain region. This growth did not translate into commensurate political power, however. Because legislative apportionment was based on the county system and not on population, older, more established eastern counties maintained their hold on the state government. Moreover, westerners depended on an eastern-controlled legislature to create new counties if they were to enjoy any representation at all. The newer counties that were created tended to comprise larger geographic areas, which meant the portion of the state west of the Fall Line had fewer representatives than the Tidewater area, despite its increasingly greater population. Disfranchisement also hurt the west. Suffrage requirements excluded many more Virginians in the areas west of Richmond than they did in the east. At the time of Andrew Jackson's election, for example, nearly one-half of the adult white males in the Valley could not vote. By 1829, sectionalism had come to characterize politics in the Old Dominion. More importantly, conservatives in the Tidewater did not equate the beginning of Jacksonian democracy with fair apportionment of the legislature or expanded suffrage.⁴

Clamor for a convention to change Virginia's fundamental law surfaced long before 1829. The first stirrings began around 1800 or so, as Virginians in the west, imbued with the promise of the Revolution and buoyed by the election of Thomas Jefferson, first proposed revising the constitution to make it more democratic and fairer

⁴Dickson D. Bruce, Jr., *The Rhetoric of Conservatism: The Virginia Convention of 1829-30 and the Conservative Tradition in the South* (San Marino, Calif.: The Huntington Library, 1982), 1-3; William G. Shade, *Democratizing the Old Dominion: Virginia and the Second Party System, 1824-1861* (Charlottesville: University Press of Virginia, 1996), 50-51, 64; Robert P. Sutton, "The Virginia Constitutional Convention of 1829-30: A Profile Analysis of Late Jeffersonian Virginia" (Ph.D. diss., University of Virginia, 1967), 259-60; Charles Henry Ambler, *Sectionalism in Virginia From 1776 To 1861* (New York: Russell and Russell, 1910), 24-136, *passim*.

to all sections of the state. After the War of 1812, this sentiment evolved into outright agitation. One member of the House of Delegates from the trans-Allegheny region insisted that a “reformation *must* take place.” He wanted to take power away from the eastern gentry and distribute it more equally throughout the state, arguing that “*population alone* is the *only* fair & just principle upon which representation ought to be apportioned.” This legislator further declared that he would “*fan the flame*” for as long as he could. He wanted to “blow the weasels [the eastern conservatives] all sky high,” and “*upset the government*.” Naturally, he also favored expanding suffrage to allow more men access to the ballot.⁵

Others spoke in less dramatic terms, but they concurred with the underlying opinion. One supporter of reform put it this way: “that ten citizens living in one section of the State should have no more weight than one living in another quarter was never contemplated by any man who fought for the liberties of this country.” The *Richmond Enquirer* tended to favor a change in the constitution, although Thomas Ritchie and his associate editor, Claiborne W. Gooch, differed on how extensive such a change should be. The conservative Gooch, who believed calling a convention could prove “dangerous,” nevertheless captured the essence of the problem, when he said “the grievances complained of in our present constitution can be no longer borne by a people boasting of a government founded on the *equal* rights of man.” He acknowledged the “injustice” inherent in the constitution. So, too, did Thomas Jefferson. Jefferson had been a vocal critic of the constitution from its inception and spent the remainder of his life trying to convince whoever would listen of the necessity of a change. In his *Notes*

⁵John Campbell to Col. David Campbell, June 11, 1816, in Campbell Family Papers, Rare Book, Manuscript, and Special Collections Library, Duke University.

on the *State of Virginia*, written in 1781-82, he pointed out that the constitution of 1776 had been drafted primarily as a way to organize Virginia's government and help prosecute the Revolution. Once the crisis of war had passed, a new document should have been written. Jefferson opposed the system of representation established in 1776 and favored more liberal suffrage requirements than did men like George Mason. Much of the argument for reform in the 1820s, then, mirrored Jefferson's criticism of what he called the "defects" of the constitution.⁶

Politicians from the Tidewater and southeastern piedmont areas were able to keep reformers at bay for quite awhile. They did so by offering small concessions. In 1817, the Virginia General Assembly passed a bill that created new senatorial districts. By 1820, five additional senators from the counties west of the Fall Line took their seats in the legislature. The push for a convention to change the constitution, which, by the 1820s, had become an annual endeavor, always met with failure, however. Western Virginians repeatedly introduced bills calling for such a meeting; eastern Virginian planters defeated the measures in turn. At times, the opposition to a convention focused on suffrage. A frustrated member of the House of Delegates from the west recognized that his eastern colleagues used their distaste for the extension of the right to vote as an "excuse" to kill any proposal for scrapping the constitution. One of these men declared that he opposed a convention because he thought it "impolitic to extend the right of

⁶David Campbell to Claiborne W. Gooch, December 22, 1816, in Gooch Family Papers, Virginia Historical Society (cited hereafter as VHS) (first quotation); Claiborne W. Gooch to David Campbell, October 24, 1816, in Campbell Family Papers, Duke; John Campbell to David Campbell, November 20, 1816, *ibid.*; *Richmond Enquirer*, January 8, 1829; David N. Mayer, *The Constitutional Thought of Thomas Jefferson* (Charlottesville: University Press of Virginia, 1994), 59-66; Shade, *Democratizing the Old Dominion*, 54.

suffrage—every person can not be permitted to vote; the limit must be fixed somewhere, and I contend that it is already wisely fixed.” More often, those in power justified their opposition to a convention by appealing to a fear of the unknown. They believed a convention would foster instability and lead to anarchy. “And to alarm the people out of their rights they keep up a continual cry about the danger to be apprehended from a Convention,” one westerner complained. It mattered little what rhetoric they used, however. Most Virginians recognized that the situation was quite simple. Those “who have the power in their hands hesitate to give it up.”⁷

Beyond the rhetoric, there were important reasons why eastern Virginians sought to retain their dominance of state politics and why those in the west wanted to increase their say in the government. Economics played a major role. The eastern portion of the state depended upon plantation agriculture for its economic survival. The west had developed differently. Largely because of geographic limitations, the region’s leaders had necessarily promoted a more diversified economy. Large plantations that cultivated one staple were rare in the Valley and non-existent in the trans-Allegheny region. Westerners instead grew a variety of crops, such as wheat and other grains, and continually increased their stake in the manufacture of iron and textiles. Virginians in the west understandably supported protective tariffs on both iron and wool. Their counterparts in the Tidewater consistently opposed such measures,

⁷*Richmond Enquirer*, February 15, 1817, December 10, 13, 1825, August 18, 1826 (second quotation), December 21, 1826, March 27, 1829; John Campbell to David Campbell, February 20, 1817, in Campbell Family Papers, Duke; John Campbell to David Campbell, January 27, 1817, *ibid.* (first quotation); David Campbell to Claiborne W. Gooch, December 22, 1816, in Gooch Family Papers, VHS (third and fourth quotations); Shade, *Democratizing the Old Dominion*, 57; William W. Freehling, *The Road to Disunion*, Vol. 1: *Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 162-66, 169-70.

however. In fact, eastern leaders at both the state and national levels exhibited little regard for the economic concerns of the people in the west.

Another division between the sections arose over banks. Westerners needed a system of credit to stimulate economic development and lobbied for the introduction of state-chartered banks into their region. The matter came before the General Assembly several times. In 1817, politicians from the Tidewater and southeastern Piedmont lent their support to an effort to charter two branches of the Bank of Virginia at Wheeling and Winchester. The reason for this support soon became apparent. The Bank of Virginia, located in Richmond, limited the money it made available to the west, keeping its purse strings tightly drawn and doing little to aid the economic development of the west.

The issue of internal improvements became the most important source of division between east and west. A poor transportation system in Virginia hampered the efforts of farmers and manufacturers in the west to get their goods to markets in the east. Consequently, politicians from the west supported both state and federally-sponsored internal improvements. Too often, however, their counterparts from the Tidewater opposed these endeavors. As governor, John Tyler recognized that linking east and west by appropriating state funds for improvements would benefit the economy of the entire state. His appeals for better roads and canals to accomplish that goal, however, fell on deaf ears. He did try to improve the James and Kanawha rivers, but the legislature did not cooperate. Delegates from the Tidewater, who stood to benefit least from the canal projects, cried that the undertakings were much too costly.⁸ So,

⁸See pages 150-54, above.

throughout the 1820s, the west, particularly the trans-Allegheny, failed to develop to its full potential economically; all of Virginia suffered as a result. Held hostage by the east, leaders in the west realized that replacing the constitution of 1776 offered the only means by which they could alter their economic situation and change their political standing within the state.⁹

Underlying the tension between the state's sections was the issue of slavery. Eastern slaveholders jealously guarded against any attempt to undermine their power because they equated their political hegemony with the protection of slavery. To these men, any debate over whether the constitution should be altered had implications beyond mere democratic reform. In the wake of what they saw as the federal government's assault on states' rights in 1819—the Missouri Crisis, the *McCulloch v. Maryland* decision—maintaining control within the borders of the Old Dominion became crucial. Put simply, they saw constitutional reform as a threat. Western Virginians hoped that a revised constitution would allow them to address their concerns and grant them more power in the political process. Tidewater politicians, on the other hand, viewed what was at stake in much larger terms. Fearful of change, they fought against a convention, believing they could ill afford to concede anything of substance to the west.¹⁰

Eventually, the matter came to a head. Pro-convention forces had become strong enough to bring the issue to Virginia's people. In January 1828, a bill calling for

⁹Bruce, *Rhetoric of Conservatism*, 3-5; Alison G. Freehling, *Drift Toward Dissolution: The Virginia Slavery Debate of 1831-1832* (Baton Rouge: Louisiana State University Press, 1982), 16-17.

¹⁰Shade, *Democratizing the Old Dominion*, 54-55.

a popular referendum on whether a convention should assemble passed both houses of the General Assembly. Voters would decide the issue during the state elections in April of that year. Because only freeholders were eligible to participate, though, conservative politicians clung to the hope that the referendum would suffer defeat. It did not. The convention measure passed by a margin of over 5000 votes. The greatest support came from the Valley and trans-Allegheny area. Not surprisingly, opposition to a convention proved strongest in the Tidewater region. Almost three-fourths of the voters there voted against the measure. Strong reform minorities in eastern counties such as Stafford and Spotsylvania, in addition to pro-convention votes in the eastern shore counties of Accomac and Northampton, and a virtual split in the vote from Richmond ensured the measure's passage. Forty-five per cent of freeholders in the Piedmont also voted in favor of a convention. Reformers finally had their convention, and leaders in the east had to address concerns they had put off for decades.¹¹

It fell to the General Assembly of 1828-1829 to decide how delegates would be chosen for the convention. In fact, the legislature discussed little else during the session. "Various plans [had] been offered, discussed, amended & rejected, as the basis of representation in the Convention." Reformers favored representation based solely on white population. Conservatives divided over how to solve the problem. Some wanted to use the existing system of county representation. Others favored a plan that would allocate delegates in the same way numbers were decided for the United States House of Representatives; slaves would be counted as three-fifths a person. A sizeable number

¹¹John Campbell to David Campbell, January 31, 1828, in Campbell Family Papers, Duke; *Richmond Enquirer*, February 10, 1829; Alison G. Freehling, *Drift Toward Dissolution*, 45-46; Bruce, *Rhetoric of Conservatism*, 22-26.

of conservatives advocated what they called a “mixed basis,” a scheme of apportionment combining white population and taxation. Many Tidewater planters believed this proposal offered the best way for them to ensure the protection of slaveholders’ interests.

After intense debate on the matter, the legislature finally settled on an alternative plan in February 1829. Freeholders from each of the twenty-four senate districts would elect four convention delegates. Though offered by a Piedmont reformer as a compromise, this plan actually favored the eastern conservative interests. For one thing, only freeholders could vote. More importantly, the senate districts were based on the white population enumerated in the 1810 census. The system of apportionment agreed upon thus failed to take into account the large number of whites who had moved into the western Piedmont, Valley and trans-Allegheny region during the previous nineteen years. It deprived western Virginia of nine delegates. In the final tally, the Tidewater had twenty-eight delegates, the Piedmont thirty-two, the Valley sixteen, and the trans-Allegheny mountain region twenty. The convention delegates also proved wealthier and more conservative than the House of Delegates.¹²

Tyler watched these developments with great interest. By the time he had become governor in 1825, he accepted the virtual inevitability of a convention to change the constitution. In principle, he believed in the right of the people to alter or amend their system of government. He told his friend Charles Fenton Mercer, an advocate of reform, that “whensoever they [the people of Virginia] shall express their

¹²James Madison to James Barbour, February 6, 1829, in Barbour Family Papers, Alderman Library, University of Virginia (cited hereafter as UVA) (quotation); Alison G. Freehling, *Drift Toward Dissolution*, 45-48; Shade, *Democratizing the Old Dominion*, 64.

wishes, I shall be ready in good faith to set about with you and others in the work of reformation and amendment.” When it became apparent he would likely be called to serve in the convention, however, Tyler changed his course. He wanted no part of the process. “I am every thing but desirous of being in it,” he said. Political concerns help explain his reluctance. As senator, Tyler represented the entire state of Virginia. As a Tidewater planter, however, he favored the sentiments of the slaveholding conservatives. “Does it become me, representing as I here [the Senate] do, the interests of the whole state to become a party to this contest?” he wondered. Tyler recognized that his standing with constituents in the western portion of Virginia might suffer if he became a member of the convention. Accordingly, he sought out his friend John Rutherfoord for help. Rutherfoord, a member of the House of Delegates from Richmond had a great deal of influence with eastern conservatives. Tyler wanted Rutherfoord to back others for the convention post and do everything in his power to ensure Tyler would not have to serve. Discretion was of the utmost importance, though. Tyler warned Rutherfoord to keep secret the fact that he had approached him for help. “I do not wish to manifest an indifference or repugnance to the public will,” he declared. Tyler realized that the perception he was trying to avoid duty would damage his reputation. He did not wish to provide his enemies with an issue they might exploit to drive him from office. If elected to the convention, he would serve, he said, but he would not do so happily.

As if to further solidify his claim that he should be exempted from the convention, Tyler informed Rutherfoord that his health had been bad. He had missed nearly one month of the Twentieth Congress because of illness and wanted to spend as

much time at home recuperating without having to worry about traveling to Richmond in October. He also appealed to his friend's sense of family. Longing for the companionship of his wife and children, Tyler lamented that he had become "literally a stranger to my own household." Living in Washington several months out of every year was more than enough without the added burden that the convention would bring.¹³

Tyler did not receive his wish. In the election for delegates held in May 1829, he was chosen to represent the Richmond district. The three other men elected from that district included John Marshall, the chief justice of the Supreme Court, John B. Clopton and Philip N. Nicholas. The convention would begin in October, meaning Tyler would have to leave Letitia and the children several weeks earlier than he would have had he been returning to Washington. In fact, his obligation to the convention delayed his return to the Senate and he missed the first month of the Twenty-first Congress.¹⁴

The convention began on the morning of October 5, 1829 in the Capitol in Richmond. Nearly all of the delegates had arrived by that time; only six were absent. Large crowds gathered in the public square. Those lucky enough to press their way into the building positioned themselves so that they might catch a glimpse of the famous men who would soon enter. "An intense interest was excited—the Gallery, the Lobby and a part of the Hall were crowded with anxious Spectators." By late morning, James Madison and James Monroe had taken their seats. Littleton W. Tazewell had been

¹³John Tyler to Charles Fenton Mercer, December 5, 1826, in McGregor Autograph Collection, UVA (first quotation); John Tyler to John Rutherford, February 23, 1829, in John Rutherford Papers, Duke (remaining quotations).

¹⁴*Richmond Enquirer*, May 19, 22, 26, 29, June 2, 1829.

elected, meaning that both Virginia senators would participate in the momentous occasion. John Randolph was also there. The membership of the convention as a whole included what one Virginian called the “best talents of the State.” Indeed, the *Richmond Enquirer* declared that the “body will present a very imposing spectacle of Citizens, distinguished by their talents and the offices they have filled.” There were two ex-presidents who served, James Madison and James Monroe, as well as John Marshall, the chief justice of the Supreme Court. No one could dispute this assessment of the ninety-six men elected to the convention. However, a more optimistic statement—“Every thing seems to be propitious to the cause of Reform”—would soon prove misguided.¹⁵

Shortly after noon, Madison called the delegates to order. He immediately nominated James Monroe as president of the convention. After unanimous approval, the elderly Monroe was led to the president’s chair at the front of the room by Madison and Marshall. The scene, reported the *Enquirer*, “was peculiarly touching.” The delegates spent the remainder of the first day conducting parliamentary business and taking care of preliminary matters. During the first week, they organized committees.¹⁶

The convention accomplished little in the first two months it sat. Delegates had, according to one account, delivered many fine speeches, but nothing had been settled. After awhile, acrimony marked the proceedings and matters often turned ugly. The issue of apportionment in the legislature sparked the most heated exchanges.

¹⁵*Ibid.*, June 2, 1829 (third and fourth quotations), October 2, 6 (first quotation) 1829; David Campbell to Mary Campbell, May 20, 1829, in Campbell Family Papers, Duke (second quotation); Alison G. Freehling, *Drift Toward Dissolution*, 48.

¹⁶*Richmond Enquirer*, October 6, 1829.

Sometimes it appeared as if delegates would come to blows. Sarcasm and threats abounded. John Randolph even went so far as to denounce reformers from the west as abolitionists. One delegate complained to his wife that the assembly “has taken such a turn from the commencement of our deliberations, so much bad temper has been exhibited.” A spectator noted with some derision that the convention embodied “a great mass of talent.” But, he said, the delegates “have been devoted with all the energy of selfish passions” and have jealously guarded their interests and those of their sections. What was particularly appalling was their neglect of “the true objects of their pursuit.” In the pages of the *Enquirer*, Thomas Ritchie chastised the delegates for wasting time. The paper printed a section every day entitled “Progress of the Convention.” By late December, the frustrated editor stated that “We fear it is almost time to strike out the first term from our usual caption—Progress!” He warned the convention that the body “is now gaining little credit in the eyes of the nation.” After the first of the year, more was accomplished and by January 14, 1830, delegates had adopted a revised constitution.¹⁷

The result of more than three months of labor decidedly favored the eastern conservatives. The new constitution did very little to democratize Virginia and left

¹⁷William Fitzhugh Gordon to “Dear Wife,” December 18, 1829, in Gordon Family Papers, UVA (first quotation); William B. Rogers to Henry Rogers, January 2, 1830, in *William and Mary College Quarterly*, Second Series, 7 (April 1927): 123-24 (second, third and fourth quotations); William W. Norvell to Jesse Burton Harrison, January 12, 1830, in Burton Harrison Family Papers, Division of Manuscripts, Library of Congress (cited hereafter as LC); Jacob Lynch to William B. Campbell, October 23, 1829, in Campbell Family Papers, Duke; *Richmond Enquirer*, December 29, 1829 (final quotation); Robert P. Sutton, *Revolution to Secession: Constitution Making in the Old Dominion* (Charlottesville: University Press of Virginia, 1989), 84-94; Alison G. Freehling, *Drift Toward Dissolution*, 49-77; Armistead C. Gordon, *William Fitzhugh Gordon, A Virginian of the Old School: His Life, Times and Contemporaries* (New York: The Neale Publishing Company, 1909), 167-81.

western leaders frustrated and angry. Philip Doddridge of Brooke County in the Virginia panhandle was so upset he got drunk the night before the final vote and did not show up the next day. Conservatives granted some concessions in the form of less stringent suffrage requirements and in an alteration of the system of apportionment. Smaller property owners were given the right to vote. Representation in the House of Delegates would henceforth be granted on the basis of the 1820 white population. But these changes did not effectively alleviate the plight of the west. No method of determining future apportionment had been decided and even using the 1820 figures, the valley and trans-Allegheny regions gained little of substance. As one observer sadly yet perceptively noted, the convention succeeded in “giving the people east of the [Blue] Ridge the power in both Houses forever, or until another Convention, which is pretty near the same thing.” Tyler voted for the amended constitution. Voters ratified it in April 1830. Ratification in no way indicated a unanimous electorate, however. Piedmont conservatives allied with enough moderates in the valley to ensure passage.¹⁸

Tyler played a minimal role in the convention proceedings. He did not feel well most of the time and preferred to remain away from the action. He rarely spoke and did not participate in any of the especially nasty exchanges that arose. When he did talk, he made sure to stress that he was a “friend of all Virginia” who wanted his constituents to know that he had the best interests of the entire state at heart. He later said that he hoped the bad feelings that had surfaced during the convention would “pass off as a summer cloud, leaving in the horizon no trace of its existence.” In light of his appeal to

¹⁸William W. Norvell to Jesse Burton Harrison, March 23, 1830, in Burton Harrison Family Papers, LC (quotation); *Richmond Enquirer*, January 21, 1830; Shade, *Democratizing the Old Dominion*, 76-77; Alison G. Freehling, *Drift Toward Dissolution*, 77-81.

John Rutherfoord, Tyler's course is not surprising. During the convention, when others practiced, or at least attempted to practice their statesmanship, he played the part of politician. Silence on the most controversial issues demonstrates his concern for his political standing throughout the Old Dominion. His vote on the apportionment issue is also revealing. Tyler voted in favor of making population the sole basis for representation in the House of Delegates, thus allying himself with the reformers. Perhaps he knew, however, that the proposal would fail. He was certainly no reformer. In fact, as a tidewater conservative, he resisted the push for greater democracy prevalent in the Age of Jackson. Voting as he did, though, allowed him to acquire some political capital from the west without having to concede anything of substance that might have alienated his conservative friends. Tyler even sought out men he knew from the west to offer an olive branch after the constitution had been ratified. "The low-country will very soon find it to be its interest to foster a friendly feeling...by cherishing the interests of your region of the State," he told one. Reiterating his devotion to the entire state, he declared that "I am a Virginian & my affections are not limited to the east or the trans Alleghany [sic]. Nothing short of *all Virginia* will satisfy my affections."¹⁹

The convention adjourned on January 15, 1830. Tyler and Littleton Tazewell then had to travel to Washington to take their seats in the Senate. Neither man seemed in much of a hurry. At least one of their colleagues noticed their absence with some

¹⁹*Richmond Enquirer*, December 5 (first quotation), 25, 1829; *Register of Debates Comprising the Leading Debates and Incidents of the First Session Of The Twenty-Second Congress* (Washington, DC: Gales and Seaton, 1831), 360 (second quotation); John Tyler to William Morgan, April 24, 1830, in Tyler Family Papers, Earl Gregg Swem Library, College of William and Mary (third and fourth quotations); Hugh Blair Grigsby, "Sketches of Members of the Constitutional Convention of 1829-1830," *Virginia Magazine of History and Biography* 61 (July 1953), 323-24.

displeasure. “The two Virginia Senators have not arrived & we do not know why—nor when they will come,” Josiah S. Johnston of Louisiana complained in late January. He worried that someone might have to go and get them. The reason for Johnston’s impatience concerned the unprecedented number of appointments President Jackson had placed before the Senate for confirmation. Immediately after taking office, the Old Hero had purged official Washington of political opponents and replaced them with men loyal to the Democratic party. The Senate needed to begin confirmations as soon as possible and Tyler and Tazewell were holding up the process. Tyler finally arrived in the capital on February 1 and went to the Senate chamber the next day. Tazewell arrived two days later.²⁰

Besides delaying the assessment of Jackson’s use of the “spoils system,” Tyler and Tazewell had missed the Senate’s first sustained discussion on Indian affairs. While they were absent, a bill was introduced which proposed enabling the president to extinguish titles to land Native Americans held in the state of Indiana. They had also missed much of the famous Daniel Webster-Robert Y. Hayne debate on the public lands question. At the beginning of the session, Senator Samuel A. Foot of Connecticut proposed that the federal government restrict the sale of lands in the West. Thomas Hart Benton, a Missourian, labeled the proposal nothing more than a plot by the northeast to undermine western development and keep poorly-paid laborers from leaving their jobs in eastern factories. Hayne, a senator from South Carolina agreed with Benton and argued forcefully against Foot’s resolution. He saw in the issue an

²⁰Josiah S. Johnston to Henry Clay, January 26, 1830, in Robert Seager, II, ed., *Papers of Henry Clay*, 8: 171 (quotation); *Journal of the Senate of the United States of America: Being The First Session Of The Twenty-First Congress* (Washington: Printed by Duff Green, 1829), 115, 119.

opportunity to solidify the alliance between the South and West. According to Hayne, the federal government endangered the Union by implementing any policy that benefited one section of the country while injuring another. He also decried the efforts of the government to consolidate its power at the expense of the states.²¹

Daniel Webster, senator from Massachusetts and widely regarded as the country's greatest orator at the time, spoke against the so-called "attack on the East." After addressing the issues directly raised by Foot's resolution, he turned his attention to Hayne's characterization of the federal government. The debate soon developed along more philosophical lines, as Webster baited his opponent into dealing with the larger issues suggested by Foot's proposal. The debate soon focused on the nature of the Union. Hayne vigorously defended states' rights and the doctrine of nullification elucidated in John C. Calhoun's *Exposition and Protest*. Webster delivered a brilliant nationalist defense of the Constitution in language that thrilled all who heard it. The Foot resolution eventually died, but the Webster-Hayne display placed sectional differences at the forefront of national politics and foreshadowed the conflict between South Carolina nullifiers and President Jackson that would emerge a short time later.²²

Tyler may have arrived in the capital too late to witness the excitement of the Webster-Hayne debate, but he certainly did not miss out on the frenzy of social activity that characterized the winter of 1830. The dinner parties held at the White House during that season captured the attention of Washington society. "In no city in the Union could there be found a more polished and refined society than in Washington at

²¹*Register of Debates*, 21st Cong., 1st sess., 3-6, 16-21, 23, 31-33.

²²*Ibid.*, 35-41, 43-58, 58-80.

this period,” one woman declared. “Foreigners of high rank, citizens of wealth, men of the most distinguished intellect and learning, with ladies the most lovely and refined, were assembled there during the congressional terms.” It seemed there were parties every night. Tyler attended one such gathering in March and was struck instantly by Jackson’s behavior. The president seemed to “have fancied himself at the Hermitage,” Tyler said. “All satisfied me that I stood in the presence of an old fashioned republican, who whenever and in whatever he could, laid aside the affectation of high life.” Clearly, these were not the same types of parties Tyler had attended as a member of the House of Representatives some years before. As Harriet Martineau correctly observed, Jackson had changed the way things were done. Amused at discovering this for himself, Tyler asked a friend, “*would you old fashioned Virginian believe it*, he even went so far as *to introduce his guests to each other*—a thing without precedent here and *most abominably unfashionable*.” Despite what he considered a breach of etiquette, Tyler begrudgingly found something admirable in what he saw. He also seemed to soften a bit on Jackson as president. “If his measures be not as popular as his manners,” he said, “the fault lies elsewhere than at his own door...and if ruin awaits him, the true cause thereof will be found to lie in the circumstance of his having lean’d too much on *favorites*.” In 1830, at least, Tyler was willing to give Jackson the benefit of his doubt. In his opinion, it was the spoils system that would undo the Old Hero; the men he charged with administering the government were untrustworthy.²³

²³Ellett, *Court Circles of the Republic*, 156, 200 (first and second quotations); John Tyler to John Rutherford, March 14, 1830, in John Rutherford Papers, Duke (remaining quotations).

Jackson's favorites did indeed present problems. They also provided Tyler with his first opportunity to oppose the administration openly. Most of the men Jackson appointed to government positions during his first year in office had questionable credentials for their posts. An inordinate number of these men, their ranks including Mordecai M. Noah, Isaac Hill and Amos Kendall, were newspaper editors who had supported Jackson during the election of 1828. The new president wanted to reward them for loyal service. Tyler would have none of it, however, and during the confirmation proceedings, spoke out against what he labeled Jackson's "purchasing the press." Littleton Tazewell agreed with his friend, and the two Virginians became the symbols for senatorial opposition to Jackson on the matter. Tyler later said proudly that "Mr. Tazewell and myself had taken our stand against the appointment of *Editors by the Score* to office." Colleagues in the Senate soon realized they were "inflexible" on this issue and did not attempt to change their minds. Tyler declared that "all the efforts of the President with all his cabinet and satellites to back him, and the mercenaries to boot, cannot shake us in our purpose." He also firmly believed in the righteousness of the stance he and Tazewell took.²⁴

Tyler's outspokenness against one particular Jackson appointment proved surprisingly troublesome. Henry Lee, IV, son of Light Horse Harry Lee and half-brother of Robert E. Lee, had been named United States consul general to Algiers.

²⁴John Tyler to John Floyd, May 4, 1830, in Johnston Family Letters and Papers, Library of Virginia (cited hereafter as LVA)(first and last quotations); John Tyler to William F. Pendleton, January 19, 1833, in Tyler Papers, LC (second quotation); Josiah S. Johnston to Henry Clay, April 30, 1830, in Seager, ed. *Papers of Henry Clay*, 8: 198 (third quotation); John Campbell to James Campbell, April 23, 1830, in Campbell Family Papers, Duke; William W. Norvell to Jesse Burton Harrison, June 3, 1830, in Burton Harrison Family Papers, LC; John Tyler to Robert Tyler, February 2, 1832, in Tyler Papers, LC.

Jackson commissioned “Black Horse Harry,” as he was called, to write a campaign biography for the 1828 election. Lee never completed the work but Jackson still saw fit to offer him the relatively insignificant patronage post. Lee readily accepted; moving abroad would provide him a means to evade his many creditors.

To a man, the Senate regarded Lee’s appointment as laughable and rejected him unanimously. He had no qualifications to represent the United States in a diplomatic capacity. Most believed his mere nomination an embarrassment. The debate over his appointment, however, focused not on his fitness for the post, but on a highly publicized personal transgression he had committed some years earlier. Lee had seduced his sister-in-law in 1820. Rumors abounded that the liaison produced a child that had been either stillborn, aborted, or murdered. Lee eventually admitted the affair.

Jackson secured the nomination of a few of his appointees despite the efforts of Tyler and Tazewell. Amos Kendall, for example, slipped through after Vice-President Calhoun broke a tie vote in the Senate. The president also submitted some of the same names more than once when circumstances appeared more favorable to confirmation, succeeding in a few instances by using this tactic. Jackson used a different strategy when he appointed a commission to travel to Turkey and establish a relationship with that country’s government on behalf of the United States. The commissioners were chosen during a recess of Congress in September 1829. Their names were not submitted for confirmation when Congress reconvened for the first session of the Twenty-first Congress, however, and many senators howled their disapproval. This time, more than just Tyler and Tazewell opposed Jackson’s course, though the pair from Virginia again proved most outspoken in their opposition. Many senators believed

circumventing the confirmation process in this manner had violated the Constitution. The opportunity for holding the president accountable for the transgression did not arise until well over one year later. During the second session of the Twenty-first Congress, an appropriations bill came before the Senate. One of the provisions of the bill called for an allocation of funds to pay the men sent to Turkey. Tazewell moved to strike out the portion of the bill providing for these salaries, arguing that Jackson's refusal to submit the names of the ministers had been "in flagrant violation of the rights and privileges of this body."²⁵

Tyler took the floor in the Senate and delivered a methodical and pointed speech explaining his position. He focused his attention on the unconstitutionality of what Jackson had done. "It is our duty, Mr. President," he admonished, "under all circumstances, and however situated, to be faithful to the constitution." In a jab at the spoils system, which he believed had motivated Jackson's choice of ministers to Constantinople and that he thought had begun to undermine the government, Tyler said that if "we are asked to lay down the constitution upon the shrine of party, our answer is, the price demanded is too great." Significantly, Tyler disagreed with Tazewell over whether the ministers should be paid for their services. He had no objection to their compensation but wanted an amendment added to the appropriation bill stating that providing the ministers with salaries should not be construed as approval for the president's actions. Jackson had, after all, ignored the proper course and Tyler wanted

²⁵John Tyler to Robert Christian, May 13, 1830, in John Tyler Papers, LC; *Register of Debates*, 21st Cong., 2nd sess., 217 (quotation).

to send him a message. "Let us tell the President that he has erred," he said solemnly. "Let us be true to ourselves, to our constituents, but, above all, to the constitution."²⁶

Jackson supporters in the Senate did not let Tyler and Tazewell escape criticism. Tyler, in fact expected—even welcomed—it, acknowledging that he would likely be "abused, slandered, vilified, as much as my bitterest enemies may please." Bedford Brown of North Carolina opposed Tyler's amendment because he believed it was tantamount to an outright charge that the president had violated the Constitution. Apparently missing the point, he also argued that the Virginia senators had made too much of the Turkish mission. "I cannot discover anything in this act of the President, calculated to alarm the fears of those most devoted to a rigid construction of the constitution," he said. John Forsyth of Georgia was more scathing in his assessment. "But, on this petty appropriation," he taunted, "the grave constitutional question is stirred here by both Senators from Virginia—the one [Tazewell] from despair—the other [Tyler] because an attack ought to be openly made." After debate that lasted for several days, and despite the criticism, Tyler's amendment passed. So too did another provision that actually increased the amount of compensation the envoys received.²⁷

The stance Tyler and Tazewell took on the Turkish mission hurt their standing among Jackson men in Virginia, but only slightly. Thomas Ritchie criticized the senators, not for their opposition to Old Hickory but for the zealotry with which they had made it known in the Senate. "Our *principles* were right but our *manner* was

²⁶*Register of Debates*, 21st Cong., 2nd sess., 261 (first quotation), 262 (second quotation), 266 (third quotation).

²⁷*Ibid.*, 266 (first quotation), 271 (second quotation), 295 (third quotation), 310-311, 328.

offensive,” Tyler said, in assessing the *Richmond Enquirer*’s account of the matter. In 1831, Tyler saw no need to abandon the Jackson standard publicly. The president’s appointments, as well as the controversy surrounding the Turkish mission, were not enough to justify turning against the administration. Moreover, Tyler agreed with Jackson’s veto of the Maysville Road bill, which would have provided federal money for a turnpike in Kentucky. He had also supported the president’s nomination of Martin Van Buren as minister to England; this appointment differed from the others, Tyler said, because the Little Magician “was qualified for the place.”²⁸

Privately, however, Tyler sounded a different refrain and made it clear he was not sanguine about the prospects of Jackson’s presidency. He had nurtured a dislike and distrust of Jackson that started years before in the wake of what had come to light about the man’s behavior during the Seminole wars. As president, Jackson disappointed Tyler. More than that, he affirmed the reservations Tyler had expressed even as he pledged his support in 1828. In particular, Jackson’s course on the tariff alarmed him and reinforced a growing conviction that the Constitution was unsafe as long as Old Hickory occupied the White House. In 1828, the president had been able to sidestep the tariff issue by saying that he favored a “judicious” measure. Such wording was deliberately vague. Four years later, to the dismay of Southerners, it became evident just what Jackson believed was judicious.” A new tariff bill passed both houses of Congress in July 1832; Tyler, of course, decried the measure. As he had consistently done since his days in the House of Representatives, he voiced his opposition and voted

²⁸*Richmond Enquirer*, March 10, 1831; John Tyler to Littleton W. Tazewell, May 8, 1831, in John Tyler Papers, LC (first quotation); John Tyler to Robert Tyler, February 2, 1832, *ibid.* (second quotation); *Register of Debates*, 21st Cong., 1st sess., 433-35, 456.

against the measure, but to no avail. Jackson signed the bill into law. As early as May of 1830, Tyler remarked that his “hope of any good from the administration becomes slighter and feebler every day.” The only choice he had, however, was to stay his course. Breaking with Jackson at this juncture would have left him politically isolated in Virginia. With his eye toward re-election in 1833, Tyler knew he had to keep the support of the Jackson party in the Old Dominion to ensure he returned to Washington. He could not have known at this time that Jackson himself would provide the means by which he could break from the ranks. The furor in Virginia over Jackson’s Force Bill, coupled with his removal of the deposits from the Bank of the United States, would soon allow Tyler to sever ties with the Democratic party without the fear of political reprisal. The emergence of a new party, the Whigs, would provide the means for him to continue his career.²⁹

²⁹*Register of Debates*, 22nd Cong., 1st sess., 77, 105, 177-78, 335-67; John Tyler to John Floyd, May 4, 1830, in Johnston Family Letters and Papers, LVA (quotation); John Tyler to General Hayne, June 20, 1831, in John Tyler Papers, LC.

CHAPTER EIGHT FROM JACKSONIAN TO WHIG

As an United States senator, John Tyler spent more than six months out of every year in Washington, away from his farm and family. He usually thrived in the politically-charged atmosphere of the nation's capital and seemed to crave the contentiousness of Senate debates, but such prolonged absences from Virginia often distracted and distressed him. Towards the middle of his first term, Greenway became the source of much of this distress.

Like most other Tidewater planters in the 1830s, Tyler grew wheat and corn on his twelve-hundred acre farm. Tobacco had been the cash crop of colonial Virginia and made many old families along the coastal plain wealthy. After the American Revolution, however, the once lucrative tobacco trade with England declined sharply, necessitating a change in staple crop production. Fortuitously, the Napoleonic Wars created a market for American wheat in Europe and the West Indies. By 1815, then, many planters in the area where Tyler lived had substituted cereal production for the cultivation of tobacco. When tobacco prices rose briefly again in 1818, some planters reverted to the old crop in an effort to make a profit. Most abandoned it for good, though, when the market became glutted in the early 1820s. Never again would tobacco dominate the agricultural landscape of the Tidewater. In fact, by the early 1830s, the majority of Virginia's tobacco production had shifted to the Piedmont.¹

While wheat planters like Tyler worried about the dangerous Hessian fly that might ravage their crops or despaired over the devastating blight of rust, they found

¹Clement Eaton, *The Growth of Southern Civilization, 1790-1860* (New York: Harper and Row, 1961), 5, 182-83.

cereal production less troublesome than tobacco. For one thing, it was easier on the soil. Tobacco depleted nutrients very quickly, and cultivation left a field useless often after just a few growing seasons. Wheat and corn, on the other hand, deprived the land of relatively little. Moreover, the production of these staples was not as labor intensive. In cultivating tobacco, a slave could tend only two or three acres with any reasonable degree of care. That same slave could easily cultivate twenty acres of wheat, however, and an almost equal acreage of corn. As a result, a planter who grew wheat or other cereals could run an efficient farm and enjoy modest financial success with significantly fewer slaves than his counterparts who chose tobacco as their cash crop. John Tyler offers a case in point.²

By 1830, Tyler owned twenty-nine slaves. Only six were males between the ages of ten and thirty-five, however, meaning the number of “prime” field hands he owned—those expected to perform the most arduous tasks—was quite small. More than half of his slaves—fifteen, in fact—were children under the age of ten. Another was an elderly woman. Tyler’s slave population appears relatively modest when compared with those of wealthier Tidewater planters like Hill Carter, who owned ninety-eight slaves, or Benjamin Harrison, who owned seventy-two. These men were the exceptions, however. They also owned significantly more acreage than most Tidewater planters. Tyler owned a number of slaves comparable to that of many of his neighbors in Charles City and the surrounding counties. His brother Wat, for example, who lived several miles away, owned a farm with seventeen slaves. More importantly,

²*Ibid.*, 183; Avery O. Craven, *Soil Exhaustion as a Factor in the Agricultural History of Virginia and Maryland, 1606-1860* (Urbana: University of Illinois Press, 1926), 81 and *passim*.

the number of slaves Tyler owned, as well as the number of “prime” hands under his control, proved sufficient enough for the cultivation of the wheat and corn grown at Greenway. His slaveholdings, then, marked him as a “typical” Tidewater planter of the 1830s.³

Tyler was an atypical planter in one important respect, however. He spent much of his time away from his farm. Most slaveholders of the nineteenth century South—and Tidewater Virginia was no exception—exhibited a resident mentality that tied them to their land and slaves. Slave owners typically felt strong attachments to their home and preferred to stay there if possible. Wealthy Virginia planters from the east sometimes owned land and slaves in the Piedmont or mountain region, but ventured to what were essentially secondary holdings only once or twice per year. They usually only left their primary residences for specific reasons: either to inspect the operations at the other location or to seek relief from the hot, often malarial summers. As a rule, they stayed at home. Politicians like Tyler followed a different pattern. Duties either in Washington or their state capitals required these planters to spend significant time away from their farms.⁴

Like most slaveholder, Tyler relied on an overseer to manage his labor force and keep his farm running efficiently. Overseers generally were entrusted with the care of slaves, the land, livestock and farm implements. Absentee planters especially

³*Fifth Census of the United States*, 1830, Population Schedules: Virginia, Charles City County.

⁴Peter Kolchin, *American Slavery, 1619-1877* (New York: Hill and Wang, 1993), 101-102.

depended upon them for a successful harvest. Throughout the antebellum South, competent overseers surely justified the trust placed in them. Unfortunately, the man Tyler had hired for Greenway, an individual named Branton, proved inadequate for his job and plantation management suffered as a result. In one instance, a field at the farm sustained what Tyler's brother-in-law, Robert Christian, reported to him as an "injury." Though he did not elaborate, it is possible he meant that Branton had directed the slaves to plow the field too soon. Perhaps the field had been sown before sufficient time had passed to allow the soil to recover from a previous harvest. While it is unclear if blame rested solely with the overseer, Christian strongly implied that it did. Tyler had previously asked Christian to look in on Greenway periodically and serve as *de facto* master in his absence. He worried that Branton objected to the intrusion. "When I was at home I directed him to take as much care of everything as if no change had taken place," Tyler said upon hearing his brother-in-law's bad news. Upset at what he had been told, Tyler declared that he would be "deeply wounded" if Branton had indeed let him down.⁵

Tyler's difficulties with Branton did not make him unique. In fact, the man's apparent shortcomings illustrate a general problem some planters faced when leaving their farms in the care of overseers. Many Southerners regarded overseeing as a degrading occupation. Inexplicably, slaveholders themselves often looked with contempt upon the profession. Consequently, as one South Carolina planter put it, only a "limited number" of men, often characterized by "want of education generally," took

⁵William Kauffman Scarborough, *The Overseer: Plantation Management in the Old South* (Baton Rouge: Louisiana State University Press, 1966), xi, 5-6; John Tyler to Robert W. Christian, May 13, 1830, in John Tyler Papers, Division of Manuscripts, Library of Congress (cited hereafter as Tyler Papers, LC) (quotations).

the job. While some overseers were the sons or close relatives of planters, most were yeomen. These men often knew very little about proper agricultural practices. Many were unschooled in the benefits of crop diversification and other aspects of scientific farming that became increasingly prevalent during the 1830s. In their zeal to generate profits and perhaps increase their own pay, many tried to maximize the size of the crop no matter what it cost in abuse of the land. The planter inevitably paid the price for his overseer's ignorance. Making matters worse, overseers often proved temperamentally unsuited to maintaining control over a slave force. Many exhibited undue harshness toward their charges and drove them needlessly hard. Some also undoubtedly came to resent the authority of the master, which was especially ominous for a planter who spent the amount of time away from his home that Tyler did. One contemporary editor summed up the problem this way: "In the master's absence, the overseer is viceregent; his powers for good or evil are unlimited." That thought could not have made Tyler happy as he left his home every December for the nation's capital.⁶

Why did planters entrust their livelihoods and the care of their slaves to men often intellectually or temperamentally ill-equipped to handle the job? Put simply, they had no choice. Overseers were necessary in the antebellum South. Men like Tyler needed individuals like Branton. Until late in his life, Tyler found little enjoyment in

⁶Drew G. Faust, *James Henry Hammond and the Antebellum South: A Design for Mastery* (Baton Rouge: Louisiana State University Press, 1983), 124-26 (first and second quotations on page 125); H. N. McTyeire, "Plantation Life—Duties and Responsibilities," *DeBow's Review* 29 (September 1860): 363 (third quotation); Scarborough, *Overseer*, 44-45, 102-112; James Oakes, *The Ruling Race: A History of American Slaveholders* (New York: Alfred A. Knopf, 1982), 156, 174-75; Eugene Genovese, *Roll, Jordan, Roll: The World the Slaves Made* (New York: Random House, 1974), 13-25; Kenneth M. Stampp, *The Peculiar Institution* (New York: Random House, 1956), 37-39.

farming. He realized as a young man that his talents lay in politics and usually grew impatient during recesses of Congress when he had no excuse but to attend to his farm. Over time, he became interested only in efficiency and the bottom line. His political career made it absolutely imperative that an overseer assume the day-to-day operations at Greenway. There was no viable alternative and Tyler, like most slaveholding politicians, seemed consigned to that fact. Only under certain circumstances—after the death of a husband, for example—would the woman of the farm exercise authority over a slave force. Few had the necessary training or inclination to attend to business matters. Letitia Tyler was a case in point; her chronic ill-health would have made it impossible anyway. In most cases, women also had little to say to the overseer regarding farm management. Certainly, Letitia did not act as an intermediary between her husband and Branton. Tyler's request to his brother-in-law to check on Greenway, therefore, was the only way for him to ensure that his overseer did his job. Too, it allowed him to maintain some control over his farm while he was away. The request was not unusual, either. Indeed, it was a practice common in the antebellum South, one borne out of both necessity and convention. By imposing upon Christian, Tyler at least implicitly acknowledged the potential danger in placing complete trust in Branton. Accordingly, he dealt with the problem the way most other absentee planters did.⁷

During the spring of 1831, after the second session of the Twenty-first Congress had adjourned, Tyler moved his family to another farm. The new home was a six hundred thirty-acre expanse of land on the north side of the York River in Gloucester

⁷Scarborough, *Overseer*, 119-20; Elizabeth Fox-Genovese, *Within the Plantation Household: Black and White Women of the Old South* (Chapel Hill: University of North Carolina Press, 1988), 205-206.

County. Appropriately, Tyler called the new residence Gloucester Place. He had acquired the property from an acquaintance as settlement for a debt, possibly as payment for legal services. Soon after taking control of the farm, he sold Greenway.⁸

Tyler's reasons for abandoning Greenway and moving to Gloucester County are not clear. He could have easily sold the property in Gloucester after acquiring its title and spared his family the aggravation of a move. Surely, selling his boyhood home could not have been easy. He was overjoyed, in fact, at the opportunity to purchase the property in 1821, happy it belonged to the Tyler family once again. Letting it pass to someone outside the family could not have been an easy thing to do. Perhaps the land could no longer yield a sufficient harvest. Or maybe Tyler believed his slave force would be even more efficient on a smaller farm. Whatever the reason, the move proved beneficial from the start. After seeing that Letitia and the children had settled in, Tyler organized the operations of the farm and prepared for the first summer wheat harvest at the new residence. The family enjoyed an enormously successful crop that year. Writing in mid-June to his friend John Floyd, serving as the Old Dominion's first governor under the recently adopted constitution of 1830, Tyler proclaimed proudly that "the sickle is about to go into the best crop of wheat that I have seen in lower Virg[ini]a." The good fortune pleased Tyler greatly and it seemed to affirm his decision to move. Understandably, he wanted to show off his new home to Floyd. Inviting him

⁸Lyon G. Tyler, *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittet and Shepperson, 1885), 1: 415; John Tyler to Littleton W. Tazewell, May 8, 1831, in Tyler Papers, LC; Robert Seager, II, *and Tyler, Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963), 103.

to visit, he told the governor that “I will make you an unqualified promise to shew [sic] to you the most beautiful country in Virginia.”⁹

Tyler had better luck with his overseer at Gloucester Place, as well. Before leaving for Washington and the beginning of the Twenty-second Congress in December 1831, he hired a man named Gregory for the position. Gregory proved more reliable than Branton and appeared more adept at carrying out his duties, a fact of no small relief to Tyler. Tyler could also rest easier knowing that another brother-in-law, John Seawell, lived just a few miles from Gloucester Place. Much like Robert Christian did at Greenway, Seawell looked in on the farm while Tyler was in Washington. By this time, too, fifteen-year-old Robert Tyler had assumed a prominent role in making sure the farm ran smoothly. In fact, Tyler often wrote to his oldest son with instructions for Gregory and messages for his uncle John. The young man did more than merely relay orders, however. He apparently had been given the duty of tending to some of the livestock. Horses and steer roamed the meadows of Gloucester Place. These animals were Gregory’s responsibility. Robert’s chore was to look after the pigs, a job made difficult by the temperament of the biggest one of the lot. The exact problem the boy faced is not clear, but after hearing of his son’s difficulties, Tyler offered a simple suggestion. “The mischievous sow ought to be put in a pen by the kitchen with her pigs,” he told him. He instructed Robert to continue his duties with diligence, because the pigs “might be raised to be fine hogs with attention.”¹⁰

⁹John Tyler to General Hayne, June 20, 1831, in Tyler Papers, LC; John Tyler to Governor John Floyd, June 16, 1831, in John Floyd Papers, Miscellaneous Manuscript Collection, LC (quotations); see also, “Original Letters,” *William and Mary Quarterly*, First Series, 21 (July 1912): 6-7.

¹⁰John Tyler to Robert Tyler, February 2, 1832, in Tyler Papers, LC.

From his correspondence with John Seawell and Robert, it is obvious that Tyler thought about matters at home constantly. The farm was a ceaseless preoccupation as he attended to political business. Often, he did more than just think about Gloucester Place. During his free time, he liked to search the shops of Georgetown for farm implements he could ship back to Virginia by steamboat. In the spring of 1832, for example, he sought a new scythe blade to use for the upcoming wheat harvest. Tyler clearly trusted Seawell to supervise the overseer and ensure the success of the farm while he was away. "Do for the best and I shall be content," he told him. This trust, however, was no substitute for seeing to matters himself and he often expressed frustration at being absent for such long periods of time. If Tyler did not aspire to the life of a farmer, he often acted as if he would have preferred remaining at home so that he could know what occurred at Gloucester Place first-hand. The precarious nature of his finances had a lot to do with this ambivalence and he was at once optimistic, yet exceedingly anxious, as each harvest season approached. He never failed to predict a good price for his wheat crop in his letters to Seawell, which may have been more an attempt to encourage himself than persuade his brother-in-law. Tyler's attitude toward his farm reflects an ambivalence that characterized him for virtually his entire political career. When he was home in Virginia during recesses of Congress, he longed for the political world of the nation's capital—the excitement, the personalities, even the struggles with men like Henry Clay and Daniel Webster over matters of policy. When in Washington, though, he seemingly could not wait to return to Gloucester Place and assume control of his farm. In short, no matter where he was, Tyler always thought about being someplace else.

Tyler exhibited no ambivalence when it came to his family. He missed his wife and children terribly when he was away and constantly concerned himself with their well-being. He enjoyed an especially close relationship with his eldest child, Mary, who turned seventeen soon after the family moved to their new home. During her teenage years, Mary had taken on an increasingly important role. Tyler came to rely on her to look after her mother in his absence. Letitia's health, always a worry, deteriorated even further as she aged. Plagued by chronic headaches that were often quite severe and suffering from numerous other ailments, she was unwell most of the time. In 1832, Tyler purchased a bathing tub and fixed up the old dairy at Gloucester Place as a retreat for his wife to enjoy a hot bath. He hoped that soaking in salt water once or twice a week would alleviate Letitia's health problems. It was up to Mary to prod her to use the tub. Reminding his daughter that people went to the seashore for the benefits of salt water, Tyler encouraged her to take advantage of the tub, as well. "I promise you all one thing," he said, "that if you use the bath once, you will never consent to be without it."¹¹

Letitia's health problems in no way diminished Tyler's esteem for her. Her character and demeanor, despite the burden of chronic illness, were beyond reproach. "I could not hold up to you a better pattern for your imitation than is constantly presented you by your dear mother," he told Mary. Indeed, Tyler found much to admire in his wife. "You never see her course marked by precipitation, but on the contrary everything is brought before the tribunal of her judgment, and her actions are all founded in prudence," he said. Moreover, Letitia was a devoted mother. By 1830, she

¹¹John Tyler to Mary Tyler, June 15, 1832, in Tyler Papers, LC.

had given birth to nine children. Tazewell, the last child she and Tyler would have together, was born in December of that year. She had withstood the deaths of two of her children in their infancies with remarkable grace, arguably better than Tyler himself. Emotionally, she was a strong woman. As she got older, she also came to accept her husband's political career. She may not have liked his prolonged absences, but she got used to spending their married life apart. By the time Tyler had become a senator she stopped voicing her complaints because she realized they did no good.¹²

Tyler's efforts on the Senate floor belied the fact that he was often preoccupied by matters at home. Certainly, he did not allow homesickness to prevent him from addressing important issues and taking a stance to protect the South and states' rights. During the first session of the Twenty-second Congress, he would get his chance yet again, as debate on the tariff once more dominated Senate proceedings. In early January, 1832, Henry Clay offered a resolution calling for an adjustment of the so-called Tariff of Abominations that had been passed in 1828. South Carolina's vociferous objection to that bill and her rumblings of disunion had forced both the Jackson administration and pro-tariff men in Congress to consider modifications. In his annual message to Congress in December 1831, the president explicitly called for a reduction of the 1828 bill. Under Clay's proposal, duties on imports that did not compete with similar articles made or produced in the United States were to be abolished. He also proposed to lower the duties on other selected articles, such as wine, tea, coffee and silk.¹³

¹²John Tyler to Mary Tyler, March 4, 1830, *ibid.*

¹³James D. Richardson, *A Compilation of the Messages and Papers of the Presidents*, 10 vols. (New York: Bureau of National Literature and Art, 1903), 2: 556;

Southerners responded quickly to Clay's resolution. They realized that the proposed tariff reductions did little to alter the system of protection. Under this newest proposal, duties on cottons, woolens and iron remained high. Recognizing Clay's proposal as mere window dressing, Senator Robert Hayne of South Carolina pounced on the Kentuckian almost immediately. "Sir," he addressed Clay, "I seize the opportunity to dispel forever the delusion, that the South can derive any compensation in a home market for the injurious operations of the protecting system." Hayne charged that, despite the resolution before the Senate, Clay wanted the protective system to "remain untouched; that all its contradictory provisions, its absurdities, injustice, and inequality, shall be maintained inviolate." Senator Willie P. Mangum of North Carolina bitterly assailed Clay as "the most dangerous man in the country." The *Richmond Enquirer* was pointed in its criticism. Mocking Clay's contention that his resolution was "nothing but a plain, unvarnished and unambitious exposition," the paper declared that "It is *plain*, that he [Clay] goes for the whole protective system. It is *plain*, that he is for protecting the luxuries more than the necessities of life." Summing up the position of most Southerners, the *Enquirer* remarked, "It is *plain*, that the North is still to be favored at the expence of the South."¹⁴

Virginians generally did not advocate outright nullification of the tariff as the more extreme politicians in the Palmetto State did. They also did not speak openly of disunion. To be sure, however, they resented the tariff and found the principle of

Register of Debates, Comprising the Leading Debates and Incidents of the First Session of the Twenty Second Congress (Washington, DC: Gales and Seaton, 1832), 67.

¹⁴*Ibid.*, 82 (first quotation), 102 (second quotation); Willie P. Mangum to James Iredell, Jr., February 11, 1832, in James Iredell Sr. and Jr. Papers, Duke University; *Richmond Enquirer*, January 17, 1832.

protection reprehensible and inimical to their interests. “The Tariff, (I feel myself) is both oppressive and unconstitutional,” one individual maintained. He found the issue “truly alarming.” Indeed, another from the Old Dominion argued, “Now is the time for Virginia to rouse herself.” An editorial in the *Enquirer* wondered why neither of Virginia’s senators had as yet spoken out against Clay’s resolution. “Why is it that Virginia, who in former times so gallantly led the Debate, is now in the back ground?” this writer wanted to know. Another anti-tariffite asked, “Will not our Virginia Senators come forth on this great occasion?”¹⁵

Tyler came forth on February 9 and began an impassioned speech on Clay’s resolution that lasted for parts of three days. He probably would have spoken sooner, but, as was often the case during the harsh Washington winters, he had taken ill in January and spent much of his time either in bed or in silence at his desk in the Senate chamber. As the debate progressed, however, and as his health improved, Tyler said that he could no longer sit as a “mere ‘looker on here in Venice,’ while this great question, so deeply and vitally affecting the interests, the enduring happiness of America, was under discussion.” He owed it to Virginia to answer Henry Clay, he solemnly declared and wanted to “break the deep spell of his enchantment.”¹⁶

¹⁵Claiborne Watts Gooch to John Campbell, June 28, 1832, in Gooch Family Papers, Virginia Historical Society, Richmond, Virginia (cited hereafter as VHS)(first and second quotations); *Richmond Enquirer*, January 17, 1832 (third and fourth quotations), January 21, 1832 (fifth quotation).

¹⁶*Register of Debates*, 22nd Cong., 1st sess., 335 (first quotation), 359 (second quotation).

Tyler's speech echoed much of the argument on the tariff question he had made years earlier in the House of Representatives.¹⁷ Again, he attacked the notion popular among pro-tariff men that protection would make the United States less dependent on foreign countries for her economic success. He spent most of his time, though, explaining just how the tariff hurt the South economically. The cause of the South's impoverishment at the hands of the protective system, he declared, resulted "from the single fact that we sell cheap, and purchase dear." He examined in detail some specific commodities—iron, sugar, cotton, and woolens—in an attempt to demonstrate the validity of his argument. High prices on these products, he pointed out, felt most acutely when a southerner attempted to purchase farm implements or clothing, made agricultural production more expensive. South Carolina nullifiers argued that only significant tariff reductions on these commodities, which were generally the products exchanged for southern staples, could bring economic relief. Tyler agreed. "The consequence of such a traffic is ruin," he said, "inevitable ruin." Worse, the tariff "elevates the money principle above the influence of moral and just political causes."¹⁸

Concluding his lengthy speech, Tyler assured his northern colleagues that the South sought "to lay no rude or violent hand on existing establishments." But, he said, she had "a right to expect an amelioration of its burdens." He stressed that Clay's resolution, far from offering a viable solution to the problem "yields nothing" to the complaints of most southerners. The onerous burden of protection remained intact, no

¹⁷See Chapter 3, above.

¹⁸*Register of Debates*, 22nd Cong., 1st sess., 338 (first quotation), 339–40 (second quotation), 358 (third quotation); William W. Freehling, *Prelude to Civil War: The Nullification Controversy in South Carolina, 1816–1836* (New York: Harper and Row, 1965), 247.

matter how much rhetoric Clay and the tariff men showered upon the South. “The taxes which he proposes to repeal,” Tyler reminded the Senate, “have never been complained of, and have existed from the foundation of the Government.” Only an adjustment of the tariff done in good faith, he warned, could restore harmony to the Union and quash all talk of nullification and disunion. Settlement of the issue thus hinged on the willingness to compromise of those individuals Tyler labeled the “tariffite Jackson men and the tariffite Clay men and the reckless latitudinarians”¹⁹

Debate on the tariff continued well into March. The topic was literally almost a daily issue. Tyler was not optimistic that the South would gain any concessions from the pro-tariff forces in the Senate. Adjustment of the oppressive duties seemed a remote possibility, at best. “The prospect of doing so [adjusting the rates] to the satisfaction of the country is greatly overcast,” he said. Still, he was not “entirely without hope that something may be done to quiet the excitement which prevails, before Congress adjourns.” The entire process of settling the controversy drained him and he eventually tired of even hearing about it. At one point, exasperated, Tyler remarked that he hoped for “one single day [when], the subject of the tariff would have been allowed to rest unmolested.”²⁰

The matter had been referred to a committee headed by Clay that had the responsibility of shaping the final provisions of the bill. Finally, on March 30, the

¹⁹*Ibid.*, 367; (first, second, third and fourth quotations); *Washington Daily National Intelligencer*, February 15, 1832; John Tyler to General Hayne, June 20, 1831, in Tyler Papers, LC (final quotation).

²⁰John Tyler to William C. Rives, March 30, 1832, in William C. Rives Papers, LC (first and second quotations) (cited hereafter as Rives Papers, LC); *Register of Debates*, 22nd Congress, 1st sess., 593 (third quotation).

committee completed its task. The result was a measure that reduced overall duties between five and six million dollars, but one that raised the tax on several articles to a level even higher than the tariff of 1828. Seeking a middle ground between Clay and the nullifiers, the Jackson administration sought to adjust the Senate bill and succeeded in having it tabled. In the House, John Quincy Adams's Committee on Manufactures drafted a bill to counter the Senate proposal that incorporated much of the compromise the White House advocated. Duties remained high on key articles like woolens. The House bill, however, deleted a few articles and lowered the tariff for many noncompetitive goods. The committee reported its version of the tariff bill to the full House on May 16. Despite vocal southern opposition, the measure passed. Clay skillfully made several adjustments to the House bill when it came before the Senate in July, but the joint committee of the two houses, the final arbiter of the bill, rejected the Senate's amendments. In its final form, the measure lowered most rates to 25 percent. Not surprisingly, yet much to the chagrin of Tyler and other southern congressmen, high duties on woolens, iron, and cotton remained. President Jackson signed the Tariff of 1832 on July 14. In its final form, the bill was both lower and more proportionally protective than the Tariff of Abominations.²¹

Though some Southern representatives in the House had voted for the tariff bill, and while a select few Southerners looked optimistically on it and hoped it would "allay much of the excitement in the south," most states' rights men regarded its passage as a severe blow. Nullifiers in South Carolina, especially, viewed the measure as evidence

²¹*Register of Debates*, 22nd Cong., 1st sess., 656-58, Robert V. Remini, *Henry Clay: Statesman for the Union* (New York: W.W. Norton, 1991), 395-96; Freehling, *Prelude*, 248.

that the federal government, and men like Clay, sought to injure the South and destroy her economic vitality. Even before the bill passed, Tyler had told all who would listen that “We, from the South, look in vain for our allies.” Apparently, none were to be found in the Jackson administration. Tyler supported Jackson over Clay in the presidential election of 1832. He really had no choice. Jackson was re-elected by an overwhelming margin. Indeed, the Old Hero polled nearly 80 percent of the popular vote in Virginia. The numbers do not tell the whole story, however. The Democratic party in the Old Dominion, and in much of the South, divided over the tariff issue and over other issues that remained from Jackson’s first term. Many Virginians, Tyler included, blamed the president for his failure to accomplish more fundamental tariff reform. Many remained bitter over patronage policies, or Jackson’s endorsement of Martin Van Buren as his vice-president. This division was not fatal, however, and though dissension existed within the party, both in Virginia and elsewhere, the Democrats were still mostly intact as Jackson began his second term. Fallout over the tariff issue would eventually disrupt the party, though, and along with Jacksonian financial policy, it would contribute to the coalescence of a new opposition party, the Whigs. Jackson’s withdrawal of the federal deposits from the Bank of the United States, the Specie Circular and Van Buren’s sub-treasury scheme, would lead most of the remaining states’ rights men out of the Democratic party. John Tyler himself, however, would abandon the Democratic standard in 1833 over the issue of nullification.²²

²²John Rutherford to William C. Rives, July 16, 1832, in Rives Papers, LC (first quotation); *Register of Debates*, 22nd Cong., 1st. sess., 359 (second quotation); Lynwood M. Dent, Jr., “The Virginia Democratic Party, 1824-1847,” (Ph.D. diss., Louisiana State University, 1974), 121-23; William G. Shade, *Democratizing the Old*

In October 1832, South Carolina called a special state convention to address the issue of nullification. At issue was the question of whether the tariffs of 1828 and 1832 could be declared unconstitutional and, thus, null and void within the borders of the Palmetto State. Nullification, a doctrine first used in response to the Alien and Sedition Acts and embodied in the Virginia and Kentucky Resolutions penned by James Madison and Thomas Jefferson in 1798, meant a state could essentially disobey unconstitutional law. Nullifiers emerged triumphant at this convention. They declared the tariffs null and void and maintained the state would secede from the Union if Jackson attempted to use force to collect the tariff duties. These men were willing to risk civil war not merely because the protective system had proven economically burdensome. The tariff issue had focused their attention on an even larger, more complex, problem. If the federal government could assert its authority and implement an unconstitutional tariff and force the South to pay, what was to stop it from passing laws that might lead to the abolition of slavery? In the wake of Nat Turner's rebellion in Southampton County, Virginia, a bloody slave insurrection that occurred in August 1831, South Carolinians had become much more sensitive to anything that might threaten their hegemony over the state's slave population. Nullification, then, represented an interplay between genuine economic distress and fear. Standing up to Jackson and the federal government seemed the only course.²³

Dominion: Virginia and the Second Party System, 1824-1861 (Charlottesville: University Press of Virginia, 1996), 90-91; Peter Temin, *The Jacksonian Economy* (New York: W.W. Norton and Company, 1969), chapter 4; Henry H. Simms, *The Rise of the Whigs in Virginia, 1824-1840* (Richmond: The William Byrd Press, 1929); Arthur C. Cole, *The Whig Party in the South* (Washington, D.C.: American Historical Association, 1914; reprint, Gloucester, Mass.: Peter Smith, 1962), 1-52.

²³Freehling, *Prelude*, 258-64.

Jackson responded with vigor to South Carolina's Ordinance of Nullification. On December 10, 1832, he issued a proclamation denouncing the nullifiers, asserting that he believed their actions unconstitutional. He sought to "preserve this bond of our political existence from destruction" and made it clear that he would use force, if necessary, to compel South Carolina to obey the federal law. "Treason is an offense against *sovereignty*," he argued, "and sovereignty must reside with the power to punish it." Congress would eventually concede the power of the president to use force, if necessary, and passed the so-called "Force Bill" early in 1833, authorizing Jackson to use the army and navy to carry out the law.²⁴

Tyler agonized over what Jackson had said to South Carolina. Troubled by the implications of the crisis, he slept little in the days after the proclamation had been delivered. Writing to John Floyd in the middle of the night on December 13, he admitted his fear. "I tremble for the Union—and equally much for our institutions," he told his friend. "That silly proclamation—so unnecessary, so out of place." Tyler believed Jackson had taken a wrongheaded approach to the situation. The president had been much too bellicose and had not left the nullifiers with a way to save face. Now, he reasoned, "no alternative is left them but to secede." Moreover, the proclamation offended Tyler as a states' rights man and it contained "ruinous, destructive errors" concerning the nature of the relationship between the federal government and the states. "Not only the Union is in danger," he pointed out sadly, "but all the rights, nay the very

²⁴Richardson, *Message and Papers*, 2: 641 (first quotation), 650 (second quotation).

existence of the States is greatly threatened by the false doctrines of the proclamation.”²⁵

The Nullification Crisis was a turning point in John Tyler’s political career. After Jackson’s proclamation, he began to question his devotion to the Democratic party. He thought, perhaps more than ever before, about his political principles. “I have been rear’d in the belief that this gov’t was founded on [sic] compact to which sovereign States were the parties—in the strongest devotion to the great and enduring principles of the report and resolutions of 1798-9,” he said. Jackson’s stance toward South Carolina, and his justification for that stance, were “subversive” of all that Tyler had ever considered “dear and sacred.” Bitterly, he asked Littleton W. Tazewell, “Were ever men so deceived as we have been, I mean those of the old democratic school, in Jackson?” Never a party stalwart, Tyler had nevertheless voted for Old Hickory in 1828 and 1832 because he believed he would preserve states’ rights and uphold the constitution as Jefferson had interpreted it. Now this! “His proclamation has swept away all the barriers of the constitution and given us in place of the federal govt. under which we had fondly believ’d we were living, a consolidated military despotism,” Tyler declared.²⁶

Tyler was determined not to be a party to what he saw as despotism. Accordingly, when the Force Bill came before the Senate for passage, he took a bold step. Every other opponent of the measure—southerners all—had walked out of the

²⁵John Tyler to Governor John Floyd, December 13, 1832, in Tyler Papers, VHS.

²⁶John Tyler to William F. Pendleton, January 19, 1833 (first, second and third quotations) and to Littleton W. Tazewell, February 2, 1833, in Tyler Papers, LC.

Senate rather than even register a vote. Tyler remained, preferring to make a statement with his lone dissenting vote. The bill passed by a vote of 32-1.²⁷

Tyler's vote signified the beginning of his break with Andrew Jackson and the national Democratic party. He had certainly not advocated nullification and disapproved of the course of action South Carolina took in opposing the tariffs. However, his states' rights principles would not allow him to support the coercion of a sister state by the federal government, no matter the reason. This stance ran counter to the position of many Virginia Democrats. Thomas Ritchie, in fact, criticized Tyler for his position. Party loyalty meant everything to Ritchie. Coming up for re-election in January 1833, Tyler believed he had little chance to retain his seat in the Senate. At one point, he proclaimed his disgust with the "servility of party" and expressed a hope that he might lose the election and be allowed to give up the political battles and return to Gloucester Place. "Believe me that I am heartily sick of the double dealers," he told Littleton W. Tazwell, "and wish myself most sincerely in retirement." But, the vicissitudes of politics in Virginia would not let him retreat to his farm, not yet, anyway. Tyler soon gave up talk of retirement; he did not want to lose his seat in Washington. Though many Democrats opposed him, Tyler narrowly won re-election. His role in promoting the Compromise Tariff of 1833, which effectively ended the nullification crisis, contributed at least in part to his success in the election. Tyler had worked tirelessly behind the scenes with Henry Clay and John C. Calhoun to come up with a measure that would allow South Carolina to retreat from the controversy. The final bill reduced duties year by year until a twenty percent *as valorem* tax was reached in 1842.

²⁷*Register of Debates*, 22nd Cong., 2nd sess., 6, 88-89.

Both the House and Senate passed it with minimal opposition. Tyler was credited with a significant role in bringing the two sides together. Many in the Virginia legislature, in fact, acknowledged that his work had help produce “the most soothing and tranquilising [sic] effect on the public.”²⁸

By 1833, Tyler found himself squarely in the anti-Jackson camp. The president’s Force Bill had been too much for his states’ rights principles. During Tyler’s second term in the Senate, another controversial issue would arise that would eventually push him into retirement.

In 1833, trying to destroy the institution he hated so much, Jackson ordered the removal of the Bank’s deposits and had the funds transferred to specially-designated state banks. Transferring the deposits was highly questionable and sparked acrimonious debate in Congress. Jackson supporters defended removal and the attempt to destroy the Bank as necessary to the preservation of republican virtue. Too, they argued, the Bank was financially unstable and threatened the country’s economy. Opponents like Tyler maintained that the Constitution did not grant power to the president to meddle with the Bank. On December 26, 1833, Henry Clay offered resolutions in the Senate censuring Jackson for his actions. After months of partisan squabbling, the Senate finally passed the resolution on March 28 of the following year. That same day, Senator Thomas Hart Benton answered for Jackson; he introduced a motion to “expunge” the censure resolution from the Senate *Journal*. Anti-Jackson forces

²⁸John Tyler to Littleton W. Tazewell, February 2, 1833, in Tyler Papers, LC (first and second quotations); *Richmond Enquirer*, February 12, 1833; John M. Patton, to Littleton W. Tazewell, April, n.d., 1833, in Tazewell Family Papers, Library of Virginia, Richmond, Virginia (third quotation); Merrill D. Peterson, *Olive Branch and Sword: The Compromise of 1833* (Baton Rouge: Louisiana State University Press, 1982), 33, 53, 66-84.

defeated the motion in 1834 and again early in 1835. Benton reintroduced the motion in December 1835, however, knowing he had more support, and it passed. The pro-Jackson legislature of Virginia subsequently instructed Tyler and fellow senator Benjamin Watkins Leigh to vote for the expunging resolution. Tyler refused. He had voted to censure Jackson in the first place and preferred to give up his seat rather than concur with what he believed was an affront to the Constitution.

The Virginia legislature presented Tyler with a complex dilemma by instructing him in 1836. Regarded throughout the South as a consistent defender of states' rights, and with his belief in the right of instruction public knowledge, he nevertheless found the "villainous" expunging resolution distasteful and loathed the thought of voting for it. Benton wanted the Senate *Journal*, the official record of proceedings, mutilated. Tyler declared that he "dare not touch" the *Journal*. "The Constitution forbids it," he argued. Making matters worse for him was his conviction that a national bank was unconstitutional. Like many Southerners, Tyler distrusted the Bank and would have been happy to see its charter expire. But he disagreed with, and found appalling what he considered Jackson's unconstitutional use of executive authority. The "advocates of free institutions," he said, had to condemn the president's actions.²⁹

Partisan concerns added to Tyler's dilemma. During the course of Jackson's administration, increasingly vocal opposition developed, challenging the president on virtually every major policy issue. The Whig party emerged early in 1834, dedicated to

²⁹James Campbell to David Campbell, March 4, 1827, in Campbell Family Papers, Duke; John Tyler to Robert Tyler, February 15, 1836, in Tyler Papers, LC (first quotation); Lyon G. Tyler, *The Letters and Times of the Tylers*, 3 vols. (Richmond: Whittett and Shepperson, 1885), 1:536 (second and third quotations); John Tyler to William Patterson Smith, March 31, 1834, in William Patterson Smith Papers, Duke (final quotation).

defeating “Jacksonism” and the Democratic party. Jackson’s willingness to use force against the nullifiers in South Carolina had convinced Tyler that his conception of executive power threatened republican government. Complicating matters further, Tyler headed a congressional committee that investigated the Bank in 1834. The committee’s report placed the Bank in a slightly favorable light, arguing against the Jacksonian contention that it was financially unstable. This finding undoubtedly pained Tyler, given his opposition to the Bank. But he performed his duties in what he called “the consciousness of my own honesty,” however much he may have hoped to find more damning evidence against the Bank.³⁰

His break with Jackson and the Democrats complete, Tyler found himself allied with the fledgling Whig party. His committee work on the Bank even led some Whigs to suggest that he might make an acceptable nominee for vice-president in 1836. Herein lies another facet of Tyler’s difficult situation. While he certainly wanted to stem the tide of Jacksonianism, particularly in his home state of Virginia, Tyler was no Whig. He disagreed with the American System of internal improvements developed by party chief Henry Clay. His states’ rights ideology was at odds with the Whig belief in a strong central government, a fact made painfully obvious to party leaders in 1841, when, after becoming the country’s first “accidental” president, he vetoed crucial legislation. Tyler had drifted into the Whig camp out of default, solely because of his

³⁰John Tyler to Henry Curtis, December 16, 1827, in Tyler Papers, LC; John Campbell to James Campbell, April 23, 1830, Campbell Family Papers, Duke; Josiah S. Johnston to Henry Clay, April 30, 1830, in Robert Seager, II, ed. *The Papers of Henry Clay*, 11 vols. (Lexington: University Press of Kentucky, 1959-), 8:198; John Tyler to John Floyd, May 4, 1830, in Johnston Family Letters and Papers, Library of Virginia, Richmond, Virginia (hereafter cited as LVA); Robert Seager, II, *And Tyler, Too: A Biography of John and Julia Gardiner Tyler* (New York: McGraw-Hill, 1963), 94-95, 111 (quotation).

opposition to Andrew Jackson. For their part, the Whigs viewed Tyler as the best possible choice to counter the Democrats in Virginia. As Clay told an anti-Jackson leader in Richmond before Tyler's re-election to the Senate, "We believe he [Tyler] is greatly to be preferred to any other person that you *could* at this time send from Virginia" to Washington. "In favor of State rights he is; but he is of the Virginia not South Carolina school." The Whigs overlooked his deficiencies because they could turn to no one else.³¹

This political marriage of convenience left both Tyler and the Whig party in awkward positions after the Senate passed the expunging resolution. The Virginia legislature debated the matter from December 1835 until February 1836 before officially instructing its senators to vote for it. Tyler deliberated during that time, trying to decide what course to take. On the other hand, Benjamin Watkins Leigh made up his mind even before resolutions of instruction had been introduced. The Democrats gained control of the Virginia House of Delegates after the April 1835 elections and Leigh knew what was coming. Despite his belief in the right of instruction, however, he would not resign. "I will not be instructed out of my seat," he wrote Tyler in July 1835. "If I shall be instructed to vote for expunging...I shall obey the instruction, when I shall be prepared to write myself fool, knave, and slave, and not before." Leigh would come to see the controversy as his "hour of trial," but would not budge. Well into February of

³¹Henry Clay to Charles J. Faulkner, January 26, 1833, in Seager, ed., *Papers of Henry Clay*, 8:616.

1836, though, he had no idea what Tyler would do. “I verily believe *he* does not, even yet,” Leigh told a friend.³²

Tyler leaned toward resignation from the very moment he realized the legislature would instruct him. His principles dictated that he not vote for the expunging resolution. As he put it, forcing him to do so would “command him to do an act which in [my] judgment would violate the constitution.”³³ Those same principles, however, made him think hard about the right of instruction and its place in representative government. If he could not in good conscience obey instruction, would it be right for him to remain in the Senate and go against the position he took in 1812? Tyler has been criticized by one historian as a man who “crept rather than leapt for his principles.”³⁴ To many, he characteristically seemed to take much too long to make up his mind, no matter what the issue. Such a portrayal is somewhat unfair in this case, especially when one considers that the situation involved more than constitutional scruples. Again, political concerns had to be factored into his decision, and he received advice from many corners. Whigs like Henry Clay wanted Tyler to retain his seat and vote against the expunging resolution because they worried his resignation would hurt the anti-Jackson cause nationally. “Such a course would be against the united judgment

³²Benjamin Watkins Leigh to John Tyler, July 5, 1835, in Tyler, *Letters and Times*, 1:523 (first two quotations); Leigh to Littleton W. Tazewell, February 18, 1836, in Tazewell Family Papers, LVA (third and fourth quotations).

³³John Tyler to William F. Gordon, January 8, 1836, in Rochelle Papers, Duke.

³⁴William W. Freehling, *The Road to Disunion*, Vol. 1: *Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990), 357.

of his friends from other States,” Clay pointed out.³⁵ Whig leaders also worried that if Tyler resigned and Leigh did not, the Democrats would capitalize on the apparent dissension in the opposition party. There were Whigs in Virginia, though, who believed his resignation could actually *help* their cause, because clinging to principle would highlight the unconstitutionality of Benton’s expunging motion. The state elections slated for April 1836 could then become a referendum on integrity and devotion to the Constitution. Of course, this meant that Tyler and Leigh had to resign together, which most Whigs realized would not happen.³⁶

Tyler clearly knew what lay behind the Democratic strategy to instruct him and Leigh. Instruction offered the party the chance to accomplish one of two goals. First, by forcing the senators to vote for the expunging resolution, Democrats could ensure the removal of the censure resolutions against Andrew Jackson. Secondly, if at least one of them resigned his Senate seat over the issue, the Democrats could replace him with a loyal party man. Virginia Democrats still bristled over the resignation of Senator William Cabell Rives just two years earlier, forced out by the instruction of an anti-Jackson legislature. Regaining his seat would not only be a satisfying victory, it would seriously damage the Whig cause in the Old Dominion.³⁷

³⁵Henry Clay to Thomas W. Gilmer, January n.d., 1836, in Seager, ed., *Papers of Henry Clay*, 8:820.

³⁶William Crump to John Tyler, February 14, 1836, in Tyler Scrapbook, Tyler Family Papers, Earl Gregg Swem Library, College of William and Mary; *Richmond Whig*, February 13, 1836.

³⁷John Tyler to William F. Gordon, January 8, 1836, in Rochelle Papers, Duke; Lynwood Dent, “The Virginia Democratic Party, 1824-1847” (Ph.D. diss., Louisiana State University, 1974), 174-75.

More than principles or politics troubled Tyler, however. There were also personal reasons that help explain why he took so much time to decide his course. Resignation had practical ramifications. Always in debt, Tyler needed the salary his Senate seat provided. By 1836, the farm in Gloucester County had suffered poor wheat harvests. Tyler always seemed to require an infusion of cash. The needs of the farm—a constant demand for additional livestock, as well as keeping his slaves fed and clothed—had to be met. Tyler had also lost money in several ill-advised loans to family members who never paid him back. Moreover, his duties in Washington kept him away from home for long periods of time, which meant that his law practice, the other source of his income, suffered. Tyler did not relish the thought of trying to re-build his practice at this point in his life. Finally, to make matters worse, Mary Tyler had recently married; the wedding occurred during the Christmas holidays in 1835 and it had been a costly affair. Tyler confided to his son Robert that his sister's marriage "has drained me pretty well of money," and left him with "large debts to pay." Giving up the salary would be difficult, indeed.³⁸

Finally, Tyler got tremendous personal satisfaction Tyler from his position as a United States senator. Like many Virginia aristocrats, especially Tidewater aristocrats, Tyler believed it was his duty to serve in government. Remembering his father's advice that "good and able Men had better govern than be govern'd." Tyler took his obligation seriously. But, the Jackson administration had forced Tyler to question, to some degree, at least, his devotion to public life. He had become increasingly disheartened by the intense partisanship of the early 1830s that often obscured what to him really mattered:

³⁸John Tyler to Robert Tyler, January 16, 1836, in Tyler, *Letters and Times*, 1:529-30; Seager, *And Tyler, Too*, 103, 112-13.

service. “The agitated condition of the country” and the “mad career” of Jackson worried Tyler. “I wish I could indulge in more sanguine anticipations as to the future,” he told a colleague. Unfortunately, “the rays of light have not penetrated the dark cloud which hangs over us.” The state of politics in early 1836 surely gave Tyler reason for pause. But he did the best he could to go about his business in the Senate. He enjoyed the “animated discussion” over issues like Indian removal and abolition. He reveled in the “overflowing galleries,” often packed with people filled to hear important debates. Giving this up would not be easy.³⁹

Hand wringing aside, and despite his desire to remain in the Senate, Tyler realized he could not abandon his principles. He most certainly would not vote for the expunging resolution. Forced to do that, one of his sons remarked, “the Old Man [would] take a step home.” He also could not disregard the orders of the legislature, even though he believed the Democrats had allowed “a debasement of the great right of instructions to purposes of faction.” Resignation was the only course he could follow; it would allow him to remain consistent and preserve the sense of honor he had tried to cultivate during his political career. More importantly, resignation offered a way for him to take the moral high ground regarding the Constitution. *He* would not be a party to a measure merely “calculated to rescue Gen[era]l Jackson’s reputation,” he said. He could return home to Virginia and hope the people of the United States vindicated his

³⁹John Tyler, Sr. to Thomas Jefferson, May 16, 1782, in Julian D. Boyd, ed., *The Papers of Thomas Jefferson*, 27 vols. (Princeton: Princeton University Press, 1954-), 6: 183-84 (first quotation); John Tyler to Thomas W. Gilmer, January 7, 1834, in Tyler, *Letters and Times*, 1:480 (second and third quotations); John Tyler to John Rutherford, February 7, 1831, in John Rutherford Papers, Duke (fourth and fifth quotations); John Tyler to Mary Tyler Jones, January 20, 1836, in Tyler, *Letters and Times*, 1:531 (final two quotations).

course with “one general burst of indignation from the Ohio to the Atlantic.” By late January, he had made up his mind.⁴⁰

On February 10, 1836, the resolutions of instruction formally passed both houses of the Virginia legislature and Tyler was officially ordered to vote for the expunging motion. In one last attempt to keep him from resigning, the Virginia Whigs nominated him for the vice-presidency of the United States. They hoped he would be grateful enough, and consider the good of the party over resignation. Whig senators in Washington also wanted Tyler to reconsider. Once his course became apparent, Henry Clay and John C. Calhoun called on him in an effort to change his mind. Tyler met the two men cordially, but quickly put a stop to their pleas. “Gentlemen,” he said, “the first act of my political life was a censure on Messrs. Giles and Brent, for opposition to instructions. The chalice presented to their lips is now presented to mine, and I will drink it....” Calhoun responded that if Tyler made resignation a “point of honor,” there was “nothing more to say.”⁴¹

Tyler submitted a formal letter of resignation to the Virginia legislature on February 29, 1836. The statement gave him a chance to air views he had mostly confided only to family or friends. But no one who read it should have been surprised. Tyler argued that the expunging resolution was unconstitutional. The Constitution mandated that the Senate keep a *Journal* of its proceedings, he pointed out, a complete

⁴⁰John Tyler, Jr. to Letitia C. Tyler, January 6, 1836, in Tyler Family Papers, VHS (first quotation); John Tyler to William F. Gordon, January 8, 1836, in Rochelle Papers, Duke (second, third and fourth quotations); John Tyler to Mary Tyler Jones, January 20, 1836, in Tyler, *Letters and Times*, 1:531.

⁴¹John Tyler to Robert Tyler, February 15, 1836, in Tyler Papers, LC; John Tyler to Hugh Blair Grigsby, January 16, 1855 (copy), in Hugh Blair Grigsby Letterbook, Hugh Blair Grigsby Papers, VHS; Seager, *And Tyler, Too*, 114.

account that should be preserved for posterity. Tyler worried that the precedent of expunging the *Journal* would allow party considerations to override the historical record. The Senate would be made into a “secret enclave, where deeds the most revolting might be performed in secrecy and darkness.” He also predicted that partisanship would undermine the true purpose of legislative instruction. The events of the past several months had convinced him that instruction had “degenerate[d] into an engine of faction—an instrument to be employed by the outs to get in.”⁴²

Predictably, Tyler’s resignation prompted responses from both the Whig and Democratic camps. The *Richmond Whig*, by 1836, the leading anti-Jackson newspaper in Virginia, praised Tyler and congratulated him for his “ardent devotion to the Constitution.” Though the forced resignation was “shameful,” the paper maintained that Tyler could be proud he would have nothing to do with expunging Jackson’s censure from the Senate *Journal*. Compared to the moniker “Expunger,” the *Whig* declared, the old derisive label “Hartford Conventionist” seemed like a term of “patriotic worth.”⁴³ The Democratic papers were just as harsh in their condemnation of Tyler. The Jacksonian *Washington Globe* hissed that he wanted to “seduce Virginia into the ranks of the coalition against republicanism.” Furthermore, the paper charged, Tyler’s report on the Bank was nothing more than a “whitewash,” designed to gather support for Henry Clay’s presidential bid in 1836. The Virginia senator had been used by Clay to further his purposes.⁴⁴ The *Richmond Enquirer*, another Democratic paper,

⁴²*Richmond Whig*, March 4, 1836.

⁴³*Ibid.*

⁴⁴*Washington Globe*, March 1, 1836.

echoed some of these same sentiments.⁴⁵ Tyler's resignation thus became just one weapon in the escalating party warfare between Democrats and Whigs, which only got worse as November 1836 neared.

Tyler's resignation actually had very little effect on the Whig party's fortunes. Clay's fear that it would hurt the Whigs in the national arena proved unfounded. In fact, Democratic victories in congressional elections in two key southern states made it a non-factor. As Clay himself admitted, "the loss of one vote in Tyler is not at present so great, after the adverse issue of the Elections in Louisiana and Mississippi. On all party nominations, were he to remain, the Admin[istration] will probably be able to succeed."⁴⁶ The impact of the resignation is harder to assess within Virginia. In the state elections of 1836 and 1838, the Whigs achieved substantial success in turning back the Democratic tide. But this development likely had more to do with voters abandoning the "hard money" policy embraced by Democrats in the Specie Circular than anything else. The financial Panic of 1837 also undoubtedly drove voters into the Whig ranks. Put simply, then, Tyler's resignation had negligible impact, if any, on the political landscape after March or April 1836.⁴⁷

Politics was of little concern to Tyler himself by this time. He returned to Gloucester Place in the spring of 1836 just forty-six years old, convinced that "If I can have health, there may remain to me ten years of activity, which can be devoted to make

⁴⁵*Richmond Enquirer*, February 16, March 3, 1836.

⁴⁶Henry Clay to Francis T. Brooke, February 26, 1836, in Seager, *Papers of Henry Clay*, 8:831.

⁴⁷ Seager, ed., *Papers of Henry Clay*, 9:173-74, fn.11 discusses the Virginia state elections.

worldly acquisitions.” Tyler had been in Washington for the better part of eight years and wanted to get to know his family again. He and his wife Letitia had four children still living at home. A few months after his return, he sold his farm and moved his family to Williamsburg, where he bought a spacious house owned by his friend Nathaniel Beverley Tucker. He quickly began the process of building up a law practice again. Tyler’s financial affairs were in disarray and he looked forward to retirement from public life, which would give him the time to “put [his] house in order.”⁴⁸

Tyler did not long remain out of public life. The lure of office proved too strong. In April 1838, he returned to the Virginia House of Delegates for a third time, representing a district comprising Williamsburg, James City County and York County. His election caused some controversy. Opponents maintained that he had not resided long enough in Williamsburg and was ineligible for a seat in the Assembly. The question troubled Tyler and for awhile it appeared as if he might resign. Much to his relief, however, the matter was dropped. The Whig-controlled House seemed little concerned about mere technicalities. Tyler’s supporters warmly welcomed him back to Richmond and elected him Speaker of the House.⁴⁹

Tyler enjoyed his return to the political arena and approached his duties as a state legislator with a great deal of enthusiasm. As always, illness slowed him during the winter. In January 1839, he became sick with a bad cold. He worked through his discomfort, however, devoting much energy to his position as chairman of a Select

⁴⁸John Tyler to Mary Tyler Jones, February 18, 1836, in Tyler, *Letters and Times*, 1:535 (first quotation); John Tyler to William F. Pendleton, October 27, 1836, Tyler Papers, LC; Seager, *And Tyler, Too*, 115, Chitwood, *John Tyler*, 152.

⁴⁹Chitwood, *John Tyler*, 153.

Committee on Public Lands. The public lands issue had become a major source of contention in American politics by the late 1830s. Politicians in Washington argued over whether lands owned by the federal government in the west should be sold or given away to settlers. By the time Martin Van Buren became president in 1837, Whigs and Democrats had become unequivocal in their respective positions on the land issue. The Whig party favored the sale of the lands and wanted to distribute the proceeds of such sales to the states for things like public education. The public lands, Henry Clay said, were a “great resource.” Giving them away deprived the entire country of an important source of revenue. Democrats opposed the policy and maintained the land should be given away to settlers. The *Richmond Enquirer* had previously denounced distribution as part of “claims and schemes” by the west to capture control of the public domain. The purpose of Tyler’s committee was to formulate Virginia’s official position on the matter. Tyler himself favored the Whig policy and believed the individual states were entitled to reap the rewards of the sales. Late in January 1839, after recovering from his illness, he presented a detailed report to the House of Delegates arguing the merits of this position. Largely on the basis of this report, the House passed a series of resolutions that articulated its support of distribution. The House also requested the Old Dominion’s Senators and Representatives in Washington to introduce these resolutions in Congress. The Virginia Senate, controlled by Democrats, would have none of it, however. Determined not to give the vocal supporters of distribution at the national level any satisfaction, the Senate tabled the resolutions. Doing so effectively ended the discussion in Virginia and kept support for distribution from becoming the state’s official stance.

Despite their success in tabling the resolutions on distribution, Virginia Democrats were a weakened lot by 1839. Their party included a significant number—one historian places the number at sixteen—of what were called “Conservative” Democrats. These states’ rights men had swallowed hard and remained loyal to Jackson during the nullification crisis. Moreover, they had stuck with the Old Hero throughout the Bank War, even as the removal of deposits sparked a widespread financial panic. Van Buren’s Subtreasury plan disturbed them, however, and created an ever-widening breach between their ranks and the Democratic stalwarts in Virginia like Thomas Ritchie. Under the Subtreasury proposal, the federal government would take the deposits out of the pet banks and place them in special federal depositories. Conservatives argued that using state banks to house the funds made more sense. Deposit banks could be strengthened by federal regulations, they reasoned, which would provide enough security for federal revenues. What made Van Buren’s idea particularly onerous was that it obligated debtors to the national government to pay only in specie. An extension of Jackson’s Specie Circular, it worsened the financial crisis by reducing the supply of currency at a time when a policy of controlled inflation would have been more prudent. The Conservatives broke with the Democratic party over this policy.⁵⁰

⁵⁰John Tyler to Thomas R. Dew, January 16, 1839, in Tyler, *Letters and Times*, 1:588, *Richmond Enquirer*, January 29, 30, 31, February 2, 1839; *Enquirer* quoted in Daniel Feller, *The Public Lands in Jacksonian Politics* (Madison: University of Wisconsin Press, 1984); Henry Clay quoted in Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979), 138; Chitwood, *John Tyler*, 157; Shade, *Democratizing the Old Dominion*, 94-96; Dent, “Virginia Democratic Party,” Chapter 6, Major L. Wilson, *The Presidency of Martin Van Buren* (Lawrence: University Press of Kansas, 1984), 63-78.

The break between the Conservatives and Van Buren had a direct impact on the political fortunes of John Tyler. On March 3, 1839, the Senate term of William Cabell Rives expired. Tyler hoped to oust the man who had replaced him upon his resignation and return to Washington. Whig leaders in Congress had other plans. Recognizing the crucial influence the Conservatives would have on advancing their fortunes in Virginia, they supported Rives for re-election. The hope was that by championing Rives, the rest of the Old Dominion's Conservatives would follow him foursquare into the Whig fold. The Whigs would then likely carry the spring 1839 elections in the state, which would aid their cause considerably in the presidential election of 1840. Henry Clay wanted to follow a course that would "conduce to the success of our cause." He also knew that "what may be done will exercise an influence beyond the confines of the state." Virginia Whigs, on the other hand, were not so sure that Rives was the correct choice. Many expressed a hope that a "pure Whig" could be found. The Whigs caucused in late January 1839 and rejected Rives. Tyler received the most support during the proceedings, but failed to win the nomination at first. There were enough Whigs who gave their support to Rives to prevent Tyler's candidacy, at least for awhile. The party eventually voted its support at a second caucus. Tyler would face Rives, the candidate of the Conservatives and the Democratic nominee, John Y. Mason.⁵¹

Tyler should have been the logical candidate of the national Whigs. His stance on the distribution issue enhanced his standing in the party. More to the point, he had seemingly sacrificed his career three years earlier in support of the opposition to

⁵¹Henry Clay to Francis T. Brooke, January 7, 1839, in Seager, ed., *Papers of Henry Clay*, 8: 266-67; Shade, *Democratizing the Old Dominion*, 95-96; Dent, "Virginia Democratic Party," 259-60.

Jackson and the Democrats. Now would have been the time for the Whigs to reward his stance. Party considerations necessitated support of Rives, though, and Tyler stood no chance of returning to the Senate. Rumors even abounded that Clay had offered Tyler the Whig vice-presidential nomination in exchange for his withdrawal from the Senate contest. If he had indeed made such an offer, Tyler clearly refused it. The election took place in February 1839. The Virginia legislature voted in joint session and for the first five ballots, Tyler ran ahead of Rives. Enough Whigs ultimately threw their support behind Rives to force Tyler to the realization that he could not win. After falling behind Rives in the sixth ballot, he conceded defeat and withdrew.⁵²

Tyler's part in the election did not end there, however. Allying himself with a group of Whigs known as the "Impracticables," a group of roughly fifteen men who could not countenance the thought of a Rives victory, Tyler played a key role in preventing the election of his opponent. He helped mobilize opposition to Rives and repeatedly voted against his election. By late February, the Conservatives in the Virginia legislature had moved entirely into the Whig camp and attempted to seize the election for Rives. The Impracticables were strong enough in number to prevent this from happening. The result was a deadlock. No man in either of the two factions would budge. Finally, after twenty-eight ballots, the House passed a resolution calling

⁵²*Richmond Enquirer*, February 16, 17, 23, 1839; There is no conclusive evidence to prove whether Clay did indeed offer Tyler the vice-presidential nomination in exchange for his withdrawal from the Senate contest. He preferred Rives, but Seager, *Papers of Henry Clay*, Volume 8 contains no letter that indicates he made the offer. The source of the controversy appears to have been Henry Wise, who, in his *Seven Decades of the Union: The Humanities and Materialism Illustrated by a Memoir of John Tyler* (Philadelphia: J.B. Lippincott and Co., 1872), 165-66, asserts that Clay approached Tyler with the proposal. Lyon G. Tyler accepted Wise's account.

for an indefinite postponement of the election. The senate concurred and the Old Dominion's second U. S. Senate seat remained vacant.⁵³

Tyler's actions to prevent the election of Rives aroused some bitterness on the part of several Virginia Whigs. Certainly, it undermined his standing nationally, as well. There was no long-term damage to his career, though, for in 1840, the party chose him as its vice-presidential candidate, placing him on the ticket with William Henry Harrison. The Whigs met in Harrisburg, Pennsylvania in December 1839 to decide upon their candidates. Tyler traveled to Harrisburg for the convention. Like most of the party, he had expected Henry Clay to secure the presidential nomination. Indeed, one possible scenario discussed in the days leading up to the convention envisioned a Clay-Tyler standard. When the proceedings began, Clay found himself running ahead of Harrison. General Winfield Scott placed a distant third. Secret negotiations, however, ultimately threw the nomination to the Hero of Tippecanoe. Thurlow Weed of New York and Thaddeus Stevens of Pennsylvania combined, albeit with different agendas, to undermine Clay's candidacy and win support for Harrison. Clay, shocked and angry at losing the nomination, had been outmaneuvered by intrigue.⁵⁴

Harrison's nomination meant the Whigs had to turn to a Southerner to balance the ticket. There were rumors in the South of the General's abolitionist sympathies and it became imperative that these fears be assuaged with a vice-presidential candidate acceptable to the states' rights faction of the Whig party. Daniel Webster, who had a

⁵³Dent, "Virginia Democratic Party," 260-61.

⁵⁴John Tyler to Henry Clay, September 18, 1839, in Tyler, *Letters and Times*, 3: 76; *Washington Daily National Intelligencer*, December 9, 10, 1839; Michael F. Holt, *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War* (New York: Oxford University Press, 1999), 102-104; Remini, *Clay*, 548-52.

great deal of support within the party and who may have been the front-runner for the vice-presidential nomination had Clay been nominated for president, was out of the question. As one of the editors of the *Richmond Whig* put it long before the Harrisburg convention met, "No ticket could be sustained in the South, with him upon it." The "prejudices of the Southern people" would ensure a Whig defeat.⁵⁵

The party instead turned to Benjamin Watkins Leigh, the Virginian who had served in the Senate with Tyler. Leigh immediately declined. Thurlow Weed appeared before the convention and nominated John M. Clayton of Delaware. Through an intermediary, Clayton had told the Whigs he would not consider the nomination. William C. Preston of South Carolina and Willie P. Mangum of North Carolina also preferred not to have their names placed on the ticket. The Whigs thus turned to Tyler by default. He remained the only available candidate for the nomination. He also wanted the nomination. With no political office awaiting him in Virginia, the vice-presidency offered Tyler a chance to remain in politics. Never mind that he opposed much of the Whig program.⁵⁶

The Washington Whig organ, the *Daily National Intelligencer* applauded Tyler's nomination. He had been "so recently and so conspicuously engaged in the councils of the nation," the paper pointed out, and his principles were sound. Moreover, "all intelligent citizens are acquainted with his character and abilities, both of which qualify him to discharge with ability and honor the trust which he is invited to accept." The *Richmond Enquirer* thought differently and mocked Tyler's nomination. His

⁵⁵John S. Gallagher to William C. Preston, December 17, 1837, in Johnston Family Letters and Papers, LVA.

⁵⁶Holt, *Whig Party*, 104-105.

“influence can scarcely add any weight to such a cause in the Old Dominion,” an editorial declared. Indeed, the proceedings at Harrisburg and the Whig ticket were “Humbug,” the paper grumbled. “Could the Whigs of Harrisburg have seen their brethren in Richmond, on receiving the intelligence [of the ticket], they would have thought it to be a better subject of condolence than congratulation.” The Virginia Whig paper, the *Richmond Whig*, acknowledged that Henry Clay had been their favorite for the presidential nomination, but declared itself squarely behind the Harrison-Tyler ticket.⁵⁷

Tyler accepted the nomination, which he said had been “wholly unanticipated by me.” He then threw himself into the Whig campaign and worked to advance his party’s prospects in Virginia. He asked his friend Henry Wise to appeal to “influential men of the Counties” and stressed the “necessity of advancing money” to aid the cause. Tyler also attempted to convince the Whigs that he stood squarely behind Harrison. He maintained that a “mutual esteem” existed between the two men and declared that the honor of receiving the vice-presidential nomination was “greatly enhanced by the association of my name with that of the illustrious individual who has been nominated for the Presidency.” Even so, Whigs preferred that Tyler say little about his politics during the canvass. Indeed, the Whig strategy was to keep both Harrison and Tyler deliberately vague on matters like a national bank and the tariff. In August 1840, the two men embarked on a tour of western Virginia and Ohio. Try as they might, the

⁵⁷Washington *Daily National Intelligencer*, December 10, 1839; Richmond *Enquirer*, December 12, 1839; *Richmond Whig and Public Advertiser*, December 10, 13, 1839.

Democrats could not get their opponents to issue any statements that would hurt their chances in November.⁵⁸

The 1840 campaign of log cabins and hard cider was one of the most colorful in American history. Whigs attacked Martin Van Buren with catchy slogans that stuck with the voters. There was an unprecedented level of voter response and the contest signaled the vitality of the new second party system. More importantly for Tyler, 1840 proved to be the Whig party's year. The Democrats captured Virginia, barely, with Van Buren winning the state by less than 1400 votes. But Harrison captured the presidency. His death just one month into his term, however, altered the Whig conception of what that victory meant. Tyler would succeed to the White House and prove that the party had made a disastrous decision at Harrisburg.⁵⁹

⁵⁸John Tyler to George E. Belcher, July 10, 1840, in Tyler Family Papers, WM (first and fifth quotations); John Tyler to Henry Wise, June 10, 1840, *ibid.* (second and third quotations); Tyler's draft of a campaign autobiography, 1840, in Tyler Papers, LC (fourth quotation); Seager, *And Tyler, Too*, 137-39.

⁵⁹Michael F. Holt, "The Election of 1840, Voter Mobilization, and the Emergence of the Second American Party System: A Reappraisal of Jacksonian Voting Behavior," in *A Master's Due: Essays in Honor of David Herbert Donald*, ed. William J. Cooper, Jr., et al. (Baton Rouge: Louisiana State University Press, 1985), 16-58; Holt, *American Whig Party*, 105-13; Robert Gray Gunderson, *The Log Cabin Campaign* (Lexington: University of Kentucky Press, 1957); Shade, *Democratizing the Old Dominion*, 97-98; William Nisbet Chambers, "Election of 1840," in *History of American Presidential Elections, 1789-1968*, ed. Arthur M. Schlesinger, Jr., (New York: Chelsea House Publishers, 1971), 665-90.

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Major Field: History

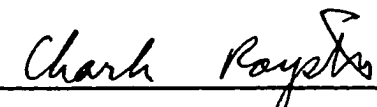
Title of Dissertation: John Tyler Before the Presidency:
Principles and Politics of a Southern
Planter


Approved:



Major Professor and Chairman

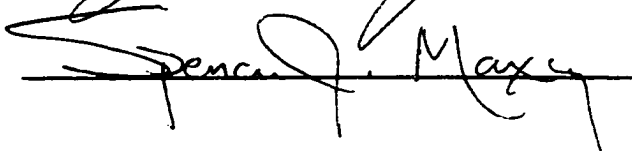

Dean of the Graduate School

EXAMINING COMMITTEE:









Date of Examination:

7 December 2000