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PROCEEDINGS OF THE FIRST ALABAMA CONGRESSIONAL
DELEGATION: 16TH CONGRESS OF THE UNITED
STATES 1819 to 1821

by

Henry S. Marks

and

Richard A. White

Alabama was admitted¹ to the Union on December 14, 1819 as the 22nd state,² and after much effort, the new state's first congressional delegation was selected. John Williams Walker³ and William Rufus King were named to the Senate and John Crowell was elected to the House of Representatives.

As was to be expected, Madison County played an important role in the selection of Walker and King and the election of Crowell. It may even be argued that Madison County was the 'kingmaker' in the selection of our first two senators.

On the surface, it seemed that the two senators were chosen by the State Legislature rather amiably. There was an understanding that one senator was to come from north Alabama and one from the southern region of the state. The choice of the Tennessee Valley was Walker; the Alabama and Tombigbee region chose King. Beneath the surface, however, two men were to offer opposition to the selection of Walker and King; Charles Tait and William H. Crawford, both Georgians.⁴ Crawford had become the Secretary of the Treasury in the Monroe Administration and considered Alabama part of his territorial imperative as far as patronage was concerned. Our first territorial and state governor, William Wyatt Bibb, was a close friend of Crawford, and it was probably through the latter's influence that Bibb was appointed governor of the Alabama Territory.

Tait, Georgian and friend of Bibb and Crawford, became involved with Alabama as early as 1802 when he notified the federal Senate of the state of Georgia's consent to a division of the Mississippi Territory. Later he was a chief architect of the final bill which provided for division of the Territory in 1817.⁵ Tait resented being overlooked as a Senator, but was in a political and geographical dilemma. Walker was set to represent north Alabama and could not help his friend Tait. Neither could Crawford, although he certainly tried. Crawford offered a land office receivership to King as an inducement to get him to allow Tait to be chosen from the southern section of the state.⁶ But King could not be persuaded to step aside and Walker, once he became a senator, was able to obtain for Tait the federal judgeship in Alabama, at the expense of Harry Toulmin, who had been federal judge for the Alabama Territory.⁷ Thus it was Walker and King who served as our first senators.

Walker took his seat first, on December 14, 1819, his term to expire, as determined by lot, on March 3, 1825. On Tuesday, December 16, six days before King took his seat, Walker was appointed to two standing committees, the Committee on the Militia and the Committee on Naval Affairs.⁸

King took his seat on December 22, 1819, his term to expire as determined by lot, on March 3, 1823. According to Albert James Pickett, in his History of Alabama, and Incidentally of Georgia and Mississippi, From the Earliest Period, King learned of his selection as a senator only while in Georgia on his way back to Alabama from a trip to his former residence in North Carolina to dispose of his holdings there. On reaching Milledgeville he received a letter from Governor Bibb informing him of his selection. Although, in Pickett's words, "this was the first intimation that Colonel King had heard that his name even had been presented to the Legislature for that high honor...",⁹ King immediately accepted the position,

retraced his steps and arrived in Washington a few days before the meeting of Congress, Walker having arrived before him.

On January 3, 1820, two additional standing committees were created by the Senate and the following day King was appointed to one of them, the Committee on Indian Affairs.¹⁰

The senators, then, began their service in the 16th Congress, which met from March 4, 1819 to March 3, 1821, including the first session from December 6, 1819 to May 15, 1820, and the second from November 13, 1820 to March 3, 1821.

John Walker had the more illustrious career of the two up to this time. A native of Amelia County, Virginia, he moved with his father to Elbert County, Georgia, during childhood. He received an excellent education, first in a private academy in Georgia and then at what is now Princeton University, graduating from this institution in 1806.¹¹ Walker then studied law, was admitted to the bar, began practice in Petersburg, Georgia in 1810 and married Matilda, the daughter of LeRoy Pope of that town. In the same year Walker moved to Huntsville with his father-in-law and several of his neighbors and began his law practice. He served as a member of the Territorial House of Representatives in 1817, being selected its speaker. He was president of the state constitutional convention of 1819, and the same year declined the appointment of district judge, tendered him by President Monroe. Unfortunately, ill health forced him to resign his seat in the Senate on November 21, 1823 and he died on April 23, 1823. According to Pickett, Walker was a tall, slender man, with "manners and address, mild, graceful and prepossessing."¹²

William King, unlike Walker, was to serve Alabama for a much longer period of time, finally passing away on his plantation, "King's Bend," on April 18, 1853.¹³ A native of North Carolina, and a graduate of the University of North Carolina at Chapel Hill, King, like Walker turned to

the practice of law and to a life of political service. He served in the North Carolina house from 1807 to 1809, and was a federal Congressman from 1811 to 1816. For the following two years he served as secretary of the American legations at Naples and St. Petersburg. He returned to the United States and moved his residence to Alabama during the winter of 1818-1819. He took an active part in the development of statehood, being a prominent member of the Constitutional Convention. King was placed on the committee appointed to draft the Alabama Constitution and was one of three members chosen to put it in its final form.

The selection of King as Senator from Alabama was actually the beginning of his national political prominence, for he was to serve as Senator continuously from 1819 to April 15, 1844, when he resigned from that august body. From 1844 to 1846 he served as Minister to France and again served in the Senate from July 1, 1848, until his resignation on December 20, 1852. His political career culminated in his being elected Vice President of the United States in 1852. Thus, unlike Walker, when he was first selected as senator in 1819, his political future largely lay ahead of him. According to Pickett the senator was about six feet tall, and "remarkably erect in figure." He also possessed, according to the same source, "fine colloquial powers."

The only representative to the federal congress actually to be directly elected by the people of Alabama was John Crowell. He was born in Halifax County, North Carolina, about 1785. In 1815 he came to Alabama as the Indian agent of the federal government according to Thomas McAdory Owen,¹⁴ to the "Muscogees." It is known that in 1817 he had a temporary residence in St. Stephens, and that a John Crowell was listed in the 1820 census of Dallas County as single and owning seven slaves. Crowell served only one term as Congressman, being appointed agent in 1821, on the removal of D. B. Mitchell, who had served as Governor of Georgia at one time. He served in this capacity until the Indians were moved to the

Indian Territory in 1836. He died ten years later, in Fort Mitchell, Alabama.¹⁷

Crowell was opposed for the seat in Congress by Henry H. Chambers, who represented Madison County and most of the Tennessee Valley. Chambers was defeated for the house seat at this time, but was to become a United States Senator from Alabama before his untimely death in January, 1826 at the age of 35, while on the way to the federal capital to claim his seat for the first time (having been selected by the state legislature for the term which began in December, 1825).¹⁸ Madison County voted solidly for Chambers, giving him 2,382 votes for Crowell's 215.¹⁹ Limestone County was even more favorable to Chambers: he received over 1,000 votes to a mere 12 for his opponent. But central and south Alabama did Chambers in. The Alabama Republican on October 2, 1819 made the comment that "We are now most apprehensive that our fellow citizen Doct. Chambers is not elected to Congress ... His majority in the Tennessee Valley is between four and five thousand" Two weeks later the Huntsville Weekly announced that ".... We have received sufficient returns from the election to satisfy us that Mr. Crowell is elected Representative to Congress."²⁰

Madison County and Huntsville lost its bid to control Alabama's only seat in the federal House of Representatives. Crowell took his seat in Congress on the 14th of December, 1819.²¹ Yet they had a more than able senatorial representative in John Walker.

Seldom has a state's first congressional delegation had a greater impact upon the fortunes of our country. The year 1819 was a crucial one in United States history. Domestic problems dealing with financial chaos and the question of slavery and westward expansion had to be faced by the American people. Expansion to the south involved possible conflict with Spain over the avowed intention of some members of the federal government (and considerably more outside it) to obtain the Floridas at all cost. Walker and King, and to a much lesser extent, Crowell, took advantage

of the possibility of joining in debates and action in and out of the Congress concerning these problems and at least Walker was able to influence final decisions on these matters.

Probably the most lasting influence of the first Alabama congressional delegation was in the area of public land policy and the relationship of this policy with the Panic of 1819 and its aftermath.

Walker had previously taken public positions on the question of the sale of public lands by the federal government before Alabama became a state, and, according to Hugh Bailey, his positions had "increased his popular esteem and further endeared him to his fellow Georgia men."²² Bailey also asserts that "Walker became the advocate of a most liberal land policy" by the creation of the Alabama Territory. Well he might, for he was most certainly involved in business relations with land purchases and speculators in the Territory, centering about the Huntsville area.

Far too much land had been sold by the federal government, in fact, and, along with poor banking practices on the part of state banks, particularly in the west, had helped to precipitate the Panic of 1819. Far too much land had been sold in Alabama in particular, for over fifty percent of funds due the United States Public Land Office in 1820 was due from the new state of Alabama alone.²³ For a number of reasons, especially in an effort to encourage rapid settlement of western lands, the federal land laws of 1800 and 1803 basically allowed for an over extension of credit to the purchaser. With the advent of the Panic of 1819 it was obvious that most of the recently sold lands of the federal domain would revert to the government. The land speculator as well as the average settler would have to forfeit, losing most, if not all, their possessions. The results would be catastrophic.

It was obvious the land laws would have to be altered. In 1820 Walker and King were unsuccessful in gaining surcease for the people who had already purchased land. In January of this year Walker had

submitted to the Senate a motion,²⁴ "that the Committee on Public Lands be instructed to inquire into the expediency of protecting any occupant in his possession, when the land on which he shall have settled shall be sold, after the month of March in any year, until he shall have and gathered his crop." However, the motion was defeated. Walker then proposed an amendment to the proposed new land bill the Senate was considering:²⁵

"And be it further enacted, that purchaser of public lands, which shall have been sold prior to the _____ day of _____ next, shall be permitted to forfeit and surrender the same before the day of final payment by delivering their certificates to the register, and endorsing thereon their consent that the land therein described shall be resold: whereupon, the said certificates shall be considered as cancelled, and the lands shall be deemed and taken to have reverted to the United States, and shall be disposed of, in all respects like other reverted or forfeited lands, according to the provisions of the fourth section of this act: but if such lands shall sell for more than one dollar and _____ cents per acre, the excess shall be paid over to the former certificate holder: provided that such excess shall not be greater than the amount previously paid on such certificate."

This, too, was defeated, even though King fully supported Walker. King made an eloquent speech on the floor of the Senate, reminding the members they should "take into consideration the condition of those who had purchased lands from the government." King emphasized "that those who had purchased under the old system would be in a worse condition than those who will purchase under the new one."²⁶ By the 1820 Act credit was abolished and the minimum price of the public land was reduced to \$1.25 per acre.

In January, 1821 Walker tried again. On January 15, he presented a petition signed by a number of

Alabamians stating the new law operated unfairly against them and that they may be permitted to apply payments already made by them "to such positions of their entries as such payments will cover at two dollars per acre²⁷ ..." This petition was the first of many attempts of Walker and King to amend fundamentally the Act of 1820. Walker reintroduced his 1820 amendment with little actual change and met with much better success, so much success that Hugh Bailey, in his biography of Walker, calls him the father of the Land Law of 1821. Walker delivered the longest speech of his career, on January 22nd, in support of his beliefs and, together with King, cast the deciding votes to prevent substituting 25 for 37½ per cent as the discount rate offered for immediate payment. The debt question was uppermost in his mind and Walker concluded his January 22nd speech with the following words:²⁸

It is for you now to determine whether they shall be stifled by the horrible incubus of this debt, which presses upon their vitals, paralyzing their energies, and arresting the wholesome play of their organs: whether they shall be crushed by this gigantic Colossus, which bestrides the vast and fertile region of the West, with one foot in the Gulf of Mexico, and the other known not where—on the shores of the lakes, on the summit of the Stony Mountains, under whose "huge legs" your fellow citizens in that quarter "must peep about" to find the grave of their hopes and fortunes!

The Land Act of 1821 probably did more than anything else to make Walker a hero in Alabama, yet he, as with King, was against "easy" bankruptcy laws passed these two years. What Alabamians wanted was financial solvency, the ability to pay off their debts and not go into bankruptcy. This Walker and King (to a lesser extent) provided them. In a speech before the Senate in March, 1820, King stated he was in favor of a bankruptcy law "if confined to the trading part of the community,"²⁹ and not extended to all classes.

It was King's belief that "it would be extremely injurious, if not ruinous, to the planters and farmers to be subjected to the operation of such a system..." of bankruptcy for all classes and groups of people.

Walker was for continued sale of public lands and he even offered a motion in the Senate in January, 1820, that two additional land offices be established in Alabama, at Tuscaloosa and Conecuh Courthouse.³⁰ The Alabama senatorial delegation was interested not only in aiding those who had already purchased lands but in continuing the sale of lands in Alabama and elsewhere, in an endeavor to restore prosperity. Walker attempted to aid the ill-fated "vine and olive," or French colony, by presenting in the Senate a petition to amend the original federal act creating the colony. This was not enough, however, to save the colony. Prosperity was to be only an illusion for many, many people in Alabama.

Settlement of the western territories had forced the burning issue of slavery to override even the problem of land sales, as far as most of the American people and Congress were concerned. When King and Wallace were selected to the Congress the struggle over slavery was in its second year of debate in this country, centered over how Missouri would be admitted to the Union. Naturally, as representatives of a southern state, King and Walker opposed the restriction of slavery in Missouri as elsewhere.³² Both were satisfied with the famous Missouri Compromise³³ and generally the people of Alabama applauded their attempts to keep slavery from being excluded from Missouri.

Another aspect of the expansion of the country was the acquisition of the Floridas by the United States, in the Adams-Onis Treaty.³⁴ Alabamians had long coveted the section east of the Mobile area, claiming this part of west Florida to be a geographical and physiological part of the state. Walker tried to obtain this area for Alabama when he introduced in the Senate on February 22, 1821, a memorial asking that the "country lately ceded by Spain as lies west

of the Appalachian River..." be annexed to Alabama. This move, of course came to naught.

The final effect of expansion of the country upon the Alabama delegation to be discussed here was the question of federal aid for development of canals and roads in the west. Walker can again be used as an example of what many Alabamians felt. In January, 1821, there was prolonged discussion in the Senate as to whether or not the federal government should aid in construction of a canal between "the navigable waters of the Ohio to Lake Erie." The bill in question would provide for the appointment of commissioners to "lay out" the route of the Ohio and Erie Canal. On January 11, 1821 Walker declared on the floor of the Senate that "such a work ought not to be undertaken unless as part of a great system of internal improvement ..."³⁵ This antedates Jackson's veto of the Maysville Road bill by quite a few years.

CONCLUSION

Alabama was fortunate to have King and Walker as its senatorial representatives. Together they accomplished a great deal, Walker in particular for his activity in the Senate as well as for his role in the development of the Land Act of 1821. Crowell, however, is another matter. In the perusal of the Annals of Congress for the period of the 16th Congress Crowell is very rarely mentioned. Evidently he accomplished very little. Little is known about him, either, and it is my opinion that Alabama would have been far better served in the federal house by Chambers, the man Crowell defeated.

Huntsville and Madison County have made notable contributions to Alabama history. John Williams Walker is a part of this heritage.

¹Adams, James Truslow, ed. Dictionary of American History, 7 vols. (New York, 1961), V. 5, 249.

²Webster's Geographical Dictionary, rev. ed. (Springfield, Mass., 1965), 17.

³The definitive biography of Walker is by Hugh C. Bailey, who did his doctoral dissertation on the life of Walker, and then published it as John Williams Walker (University, 1964).

⁴Abernethy, Thomas Perkins, The Formative Period in Alabama 1815-1828 (University, 1965), 49-50; 58-60.

⁵Ibid., 50.

⁶Ibid., 60.

⁷Ibid.

⁸Annals of Congress of the United States, 1789-1825 (Washington, 1834-1856), December 16, 1819, 26.

⁹Pickett, Albert James, History of Alabama, and Incidentally of Georgia and Mississippi, From the Earliest Period (Birmingham, 1962), 644.

¹⁰Annals, January 3, 1820, 51, and January 4, 1820, 57.

¹¹Biographical Directory of the American Congress 1774-1961 (Washington, 1961), 1765.

¹²Pickett, 637.

¹³Ibid. 641-647 and Biographical Directory, 1168.

¹⁴Owen, Thomas McAdory, History of Alabama and Dictionary of Biography, 4 vols. (Chicago, 1921), v. 3, 432.
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¹⁵Biographical Directory, 758; Marks, Henry S., Who Was Who In Alabama (Huntsville, 1972), 49; Abernethy, Formative Period, 53, 115.

¹⁶Brannon, Peter, "Indian Treaties," The Alabama Historical Quarterly, vol. 12, (1950), 249.

¹⁷Marks, Ibid.

¹⁸Marks, Henry S. Sketches of the Tennessee Valley in Antebellum Days: People, Places, Things (Huntsville, 1976), 14.

¹⁹Huntsville, Alabama, Republican, Oct. 2, 1819, 2.

²⁰Ibid., October 11, 1819.

²¹Annals, December 14, 1819, 726.

²²Bailey, Hugh C., "John W. Walker and the Land Laws of the 1820's," Alabama Review (July, 1955), 814.

²³American State Papers, III, 645.

²⁴Annals, January 26, 1820, 256.

²⁵Annals, February 20, 1820, 444.

²⁶Annals, February 22, 1840, 448.

²⁷Annals, January 15, 1821, 183.

²⁸Annals, January 22, 1821, 236.

²⁹Annals, March 31, 1820, 564.

³⁰Annals, January 25, 1820, 237

³¹Annals, January 8, 1821, 147.

³²Annals, December 28, 1819, 1320; February 7, 1820, 1138; February 12, 1821, 354-355 and Bailey, Walker, 108-119.

³³Bailey, Walker, 119-123.

³⁴Annals, February 22, 1821, 366.

³⁵Annals, January 11, 1821, 154.