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## Governor James K. Polk of Tennessee: An Administrative Appraisal

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GOVERNOR JAMES K. POLK OF TENNESSEE:  
AN ADMINISTRATIVE APPRAISAL

Joseph M. Pukl, Jr.  
Seminar in Tennessee History  
Dr. Bergeron  
Spring 1976

I commend you for your good use of primary materials. A more in depth study would of necessity have to utilize more newspapers and private correspondence. Of secondary materials, I would especially recommend J.D. Sharp, Jacksonians versus the Banks and Claude A. Campbell, The Development of Banking in Tennessee.

There are some organizational problems here and there in your essay, the most apparent one being your discussion of the secretary of state patronage.

My notations throughout your essay should indicate certain questions and/or reservations I have about particular conclusions or generalizations.

At times you have fallen prey to the temptation to make this a legislative study more than an administrative analysis. This is unavoidable to some extent, but one must be careful. Folk gets lost in the shuffle from time to time.

All in all, you have done a creditable job. I see some potential in this essay that you might wish to  
201.1.111

When James K. Polk took his seat at the head of Tennessee's executive branch in the fall of 1839, he naturally considered it a substantial achievement in his career. He had not only redeemed Tennessee for the Democratic party, but he would now be able to test his heretofore untried administrative abilities. These, however, were not Polk's only thoughts. The governorship represented only another step in his drive for higher office. By proving that he could win the votes of the recalcitrant Volunteer state, Polk's object was to make himself into a viable vice presidential candidate in time to be considered for the 1840 Democratic ticket with Van Buren.<sup>1</sup> This motivation, and not the redemption of Tennessee or the governorship per se, is what convinced Polk to relinquish his powerful position as speaker of the house. } ?

During the 1830's, banking, internal improvements, and education reform made up the significant state issues in Tennessee.<sup>2</sup> To resolve these dilemmas the state produced very few able leaders. James K. Polk, compared with the highly capable William Carroll, must be grouped with these less than outstanding governors. This is not a reflection of his innate ability, however; it must be remembered that Polk was primarily a politician and loyal Democrat, and therefore, all other considerations were of secondary importance.<sup>3</sup>

Consequently, during his term as governor, Polk devoted much attention to issues essentially political in nature. On the other hand, being very cautious politically, he hesitated to disturb the status quo unless the attainment of a clearly visible goal was nearly assured. Hence, Polk refused to embark upon extensive reforms unless obvious support existed for such a program. Taking this into consideration, Polk's term as governor must be regarded as uneventful in terms of an extensive legislative program.

Polk's character fit<sup>ed</sup> in perfectly with the partisan political battles then raging in Tennessee. The enemies made by Andrew Jackson during his climb to the premier position in the Democratic party denied Van Buren the state's electoral votes in 1836. In the next state canvass, the Whigs not only re-elected Newton Cannon to the governor's chair, but also controlled the legislature.<sup>4</sup> When Polk assumed control of the executive office, he along with the Democratic assembly, maneuvered the state's two Whig senators, Foster and White, into resigning, and appointed Democrats in their place. Furthermore, the legislature officially recommended Polk for the party's vice presidential spot in the upcoming election. Beyond these political actions, Polk kept up a constant communication with the state's representatives in Washington.

Because these partisan conflicts are the more controversial aspects of Polk's governorship, his contributions in

regard to state policy have been neglected. This study, which will attempt to shed some light on the governor's activities in both legislative and administrative affairs, must first briefly examine the background of the three issues--banking, internal improvements, and education--which continued to dominate Tennessee's attention throughout Polk's term in office. Then we must look at his campaign planks and his messages to discover his thoughts concerning these subjects.

Tennessee, as a relatively new state, favored some type of internal improvement which would open up markets for its produce. Prior to 1836 these improvements were performed by private companies which, under an 1829 law, were supported by land sales in the Hiwassee district.<sup>5</sup> Because of meager results the plan was replaced in 1836 by one which directed the governor to buy one-third of the stock of the internal improvement companies incorporated by the legislature. This share in the stock then, entitled the state to select one-third of the company's directors.<sup>6</sup> Under this plan, however, unimportant projects were taken up solely to obtain state funding, while fraud and negligence became all too common.<sup>7</sup> Another policy change was sorely needed.

To make matters worse, the Panic of 1837 not only caused the nation's banks to suspend specie payments, but drew attention to the state's fiscal difficulties. In order to provide some financial relief, the legislature of 1837-38 recreated

the Bank of Tennessee, whose charter had been allowed to expire earlier in the decade. Capitalized at five million dollars, its assets included the state school fund and a fund for internal improvements. This law authorized the governor to subscribe, from bank assets, ~~to~~ one-half of the stock in internal improvement companies chartered by the legislature. The bank was also to provide one hundred thousand dollars to the common schools and eighteen thousand dollars to the academies from its profits.<sup>8</sup> The combination of these three important issues made certain the passage of the bill, but the vote was still split along sectional lines.<sup>9</sup>

The sectional division over these issues had its roots in the state's geography. The large scale cotton planters of Middle and West Tennessee, made extensive use of bank notes and credit in their dealings with the commission merchants who sold their crops in distant ports. On the other hand, the yeoman farmers of East Tennessee had no need for banks since their foodstuffs were sold much closer to home. The mountainous east, however, favored any type of internal improvement which would lessen the difficulty in getting products to markets. While Middle Tennessee was served by an excellent system of rivers, the west, only open to settlement since 1819, also favored an improvement program. A bill incorporating both a bank and aid to internal improvements would enlist the support of the state as a whole. Educational reform, a popular subject throughout the state, was appended to insure success.<sup>10</sup>

The 1838 act still left much to be desired. Unimportant projects continued to add to the state debt, while fraud and corruption became chronic. The underdeveloped sections of the state, however, still backed an improvement program since they received little of the expected benefits from the 1838 law. The bank moreover, had been unable to pay the school fund subsidy. Guided by these circumstances, the people elected a general assembly in 1839 which, although it "contained a very strong faction...pledged to the support...of the state aid system, it contained a majority pledged to vote for its repeal."<sup>11</sup>

James Phelan described Polk as "one of the first politicians of his day. He appreciated public sentiment and knew how to guide it, when it could be guided, to evade it or to follow it when it could not be guided."<sup>12</sup> Polk entered the canvass of 1839 realizing that support for a national bank had subsided since the creation of the Bank of Tennessee. He also knew that both internal improvements and education were popular issues. Therefore, in his campaign, he supported a "well digested system of State Internal Improvements," but he opposed projects which were "visionary, extravagant or wasteful" because they would overburden the people with "onerous taxation." Knowing that a more efficient operation would increase benefits to the state, Polk argued for a reorganization of the school fund system. He also revealed his hard money stand and pushed for the closer regulation of the state's banks.<sup>13</sup>



In the election held on August 1, 1839, Polk easily defeated the incumbent Governor Cannon. Although Polk's greater ability as a stump speaker had a definite effect on the results, as did his attempt to make the contest one based on national issues, the principle<sup>a</sup> reason for Cannon's defeat was a general dissatisfaction with the act of 1838. Naturally, the incumbent administration was held responsible for the shortcomings of the measure.<sup>14</sup>

Polk had redeemed Tennessee for the Democracy, and he had attained his political objective. Because he believed the act of 1838 largely determined the election, the governor-elect recognized that his administration would be judged by his actions in relation to the bank and internal improvements. Yielding to his cautious nature, and in order to consolidate his political gains, Polk was "content to modify and correct abuses in the existing institutions." Also contributing to this approach was his preoccupation with national, rather than state, affairs.<sup>15</sup>

In his inaugural address of October 14, which the Banner referred to as a "demagogical production," Polk continued his attack of the Whig national program.<sup>16</sup> He stressed not only the federal government's lack of power to establish a national bank, but pointed out that the institution had already exhibited its "power for mischief."<sup>17</sup> To sum up, Polk expressed his "uncompromised opposition to a National Bank, and to Internal Improvements within the States by the Federal Government."<sup>18</sup>

In regard to state issues, he continued to expound his desire for a "'well-regulated system of Internal Improvement,'" and in hopes of reform, he opined that quality education was "'essential to the preservation of Republican institutions.'" His emphasis, however, was placed on fiscal matters. Polk wished to impose tighter regulations on the state's banks to make sure they "confine their operations within their reasonable means and to meet their responsibilities promptly."<sup>19</sup> In his inaugural, the governor pointed out specific areas for reform but offered only general recommendations to correct them.

Between his election and his inauguration, the governor-elect had sufficient time to organize the Democratic general assembly which rode in on his coattails. Among these legislators was Samuel H. Laughlin, who in Charles G. Sellers' opinion, "was closer to Polk than any other member of the senate...."<sup>20</sup> Laughlin's role in the legislative struggles was certainly significant, and he performed well enough to warrant a position among the governor's most trusted friends.<sup>21</sup>

Laughlin, who early in August took the initiative in the drive for an early organization of the Democratic legislature, recommended a minor patronage job for John Young. Ten days later the McMinnville Democrat recognized that the present secretary of state, Luke Lea, would have to be replaced simply because he was a Whig. General Cheatham was offered as a possible replacement, but Laughlin explained that he was "committed

Why?

to nothing, however, only that the secretary...be a democrat." Laughlin also forwarded Polk's letter of August 15 to John Young, but Polk's reference to the latter can only be pure conjecture, since Young personally asked Polk for a position in a letter of August 25. The governor-elect apparently either had not considered Young for the secretary of state post at this early date, or if he did, he kept the matter even from these two men.<sup>22</sup>

Laughlin discussed the prospective claimants for the speakership of the senate in that same letter of August 20. He revealed that Thomas Love had "paramount claims" but that John Aiken, John Gillespie, and Levin Coe also were contenders. To prevent intra-party factionalism, Laughlin recommended a meeting of the Democratic members prior to the convening of the general assembly on October 7. He hoped that either "General [Robert] Armstrong, or some friend would write to about half a dozen proper senators, and as many more representatives, to meet at Nashville about a week or ten days before the meeting of the Assembly."<sup>23</sup>

Armstrong was contacted and the letters were sent. Numerous correspondents from East Tennessee assured both Polk and the General that nearly all of their delegation would arrive in Nashville prior to the meeting of the legislature. Laughlin reported that he and H.L.W. Hill planned to be in the capital on October 1, and urged Polk to be there and to attend the meeting.<sup>24</sup>

Because he did not want to cause discord within the party by backing specific office seekers, Polk hoped to absent himself from this strategy meeting which was scheduled for October 2. Finding this out, J.P. Hardwicke tried to convince Polk to attend, pointing out that if things go awry, the governor would be held responsible. Laughlin expressed the same sentiment in a letter of September 30.<sup>25</sup>

Even though these opinions changed Polk's mind about attending the meeting, he did not make it to Nashville in time to meet with his colleagues. Many of the state's leading Democrats met together on October 2 and chose officers for the approaching session. Most assemblymen arrived in Nashville on October 4, and Polk entered the capital on the following day. As a result of prior arrangements, Jonas Thomas and Thomas Love were elected to the speakership of the house and senate respectively on the first day of the session. Apparently the Democratic caucus was only able to decide upon officers and did not arrive at a decision concerning state issues.<sup>26</sup> *Probably did not try to reach such agreement; caucus almost always confined its concerns to political posts, not platform/principles*

Preparations for this strategy session may not have been well organized, even if it was initiated soon after the election. Key western Democrats were in attendance but no word had earlier been received from that part of the state. Certainly both distance and inadequate means of transportation were factors. But no one can deny that a lack of interest on the part of a majority of the newly elected Democrats, made the prior adoption of a party program impossible. Most of the legislators, who were

encouraged to reach Nashville on the first of the month, did not arrive until October 5.

In a campaign address, Polk revealed his Whiggish philosophy of the governorship. "Under the constitution of the State, the Governor is invested with but limited powers and little patronage. His duties are chiefly ministerial." It was his function " to recommend measure to the consideration of the Legislature, but beyond this he possesses no power or control over..."<sup>27</sup> "their actions." Polk's influence, however, can be clearly discerned by the sheer number of his recommendations taken up by that body, and his position was adequately expressed by his organ, the Nashville Union.

?  
word choice  
potentially  
confusing

In fulfilling his duty, Polk had a message delivered to the legislature on October 22, 1839, which was, according to the Union, a "clear and powerful exposition of State Affairs claiming legislative consideration...."<sup>28</sup> With the nation still suffering under the effects of the 1838 panic, economic considerations received premier attention. A national bank, he argued, could not have prevented the panic. The only adequate remedy was the restriction of bank credit and note issues, and to generally "bring our expenses within our income."<sup>29</sup>

{ awkward

In more specific terms, Polk was disappointed that all of Tennessee's banks had suspended specie payments. He urged the legislature to examine the bank charters, and if suspension was found to be in violation of them, the assembly should "impose..."

{

additional restrictions as the public safety may require...."<sup>30</sup>

The governor attacked the practice of using both specie and bank notes of equal denominations, advocating that such notes be restricted to a twenty dollar minimum. A restriction should also be placed on a bank's ability to issue notes in relation to its specie holdings. Furthermore, he warned against increasing the overall amount of banking capital, which was sufficient to cover all of Tennessee's needs.<sup>31</sup>

In shifting his attention to the Bank of Tennessee, Polk especially chastised the state-owned institution for suspending specie payments, and reminded the legislators that the bank had sold only one million of its two and one-half million dollars in state bonds which were provided as part of its capital. Since these bonds could not be sold in the United States under the existing economic conditions, Polk proposed that they be converted into sterling bonds, that is, salable on the international market. He predicted that the sale of these bonds would enable the bank to resume specie payments.<sup>32</sup>

In regard to internal improvements, Polk charged that "Charters...have been indiscriminately granted for the construction of local and unimportant works, instead of confining them to works of general importance and permanent utility." He then urged the legislature to revoke the charters for projects which have not been started but hoped that projects already in progress would continue to be subsidized. To prevent further fraud and corruption, Polk recommended that a board of public works be  
33  
created to oversee the projects.

In relation to the school fund, the governor merely mentioned that a "strict accountability" should be imposed upon those to whom it is entrusted, and that measures should be adopted to "insure a more general diffusion of its benefits throughout the State."<sup>34</sup> Polk, as was his cautious way, refused to recommend an extensive legislative program. He attacked the existing evils which were, in the eyes of the people, clearly visible. The governor, in this way did not jeopardize any of his political gains, and yet he hoped to earn the confidence of the people through these reforms.

*strange word*  
Even before Polk's message, the legislature revealed its interest in the Bank of Tennessee. On October 14, Thomas Howard, a Democrat representing Franklin County, introduced a resolution which was consequently adopted, requesting the bank to submit a statement to the house. The report arrived on October 18, the very day the Planters' and the Union banks of Nashville suspended specie payments, after a ten month nationwide effort to resume. Four days later the Bank of Tennessee also suspended payments. The city's two stock banks also issued reports to the legislature explaining their actions.

*I'm confused here. You have earlier stated that the banks in Tenn. suspended in response to 1837 panic. Or did they? Why suspend in late 1837? I think that I know - but do you?*  
In the senate on October 22, Henderson Yoakum, a Democrat from Rutherford County, introduced a resolution which would require the stock banks to resume specie payments by a certain but unspecified date, and would deny them the power to suspend in the future. The senator from Monroe, Bradley, and McMinn Counties, John F. Gillespie, supplementary to and in conjunction with Yoakum's proposal, submitted a resolution ordering the Bank

of Tennessee to resume "forthwith."<sup>35</sup> On October 23, the same day the legislature formed a joint committee on banking, a Whig representative from Madison County, James S. Lyon, emphasized the inherent worth of the state bank but he admitted that faults may exist in the chartering law. It was the duty of the present legislature to "diligently examine for ourselves and correct the errors of our predecessors...."<sup>36</sup>

The senate, on October 23 and 24, was engaged in a debate over the expediency of ordering the Bank of Tennessee to resume specie payments. Yoakum, Laughlin, and Gillespie argued for the affirmative position, agreeing with Polk that the state institution should only suspend paying specie if it could not pay. Laughlin clarified his stand on October 28, reminding the senators that the bank should not be required to resume if that action would result in the bank's failure. A Davidson County Whig, Thomas R. Jennings, then denied the senate's right to order the bank to resume since it was a chartered institution.<sup>37</sup>

When the senate rejected Gillespie's resolution ordering the bank to resume paying specie, the Nashville Banner took the opportunity to chastise the executive: "if Governor Polk had been sincere in his regrets at the suspension by the Bank, he hae[had] only to give the cue to his partizans in the Legislature, and the edict...would...have gone forth." Furthermore, the Whig paper charged that the Democrats were afraid to accept the responsibility inherent in requiring the resumption of specie payments.<sup>38</sup>



In the house on October 28, Alfred Martin of Washington County, advocated ordering the stock banks to resume specie payments before November 15. On the next day in the senate, Laughlin submitted a bill instructing the committee on banks to examine the bank charters for any violations in regard to specie suspension. The committee was also directed to draw up legislation to correct any discrepancies. This recommendation, originating in Polk's October 22 message, was adopted by the upper house. Early in November, representative Thomas L. Barry of Sumner County, suggested the creation of a board of bank commissioners empowered to regulate all of Tennessee's banks. After passing the first of three required readings, it was referred to the committee on banks. Upon the motion of Felix Parker, a Whig from Gibson County, Barry's bill was indefinitely postponed, inspite of staunch Union support, on December 21. The Banner, recognizing the stalemate, suggested that the Bank of Tennessee be required to resume specie payments within sixty days after the New Orleans and Philadelphia banks <sup>resumed</sup> ~~do~~. 39

The plethora of ideas continued as a bill introduced by Barry on November 7, was amended by Robert Farquharson of Lincoln County on the following day to require the state's banks to resume specie payments. The bill was immediately adopted by the house in a near unanimous action and sent to the senate, where it was referred to the committee on banks. Even though the Union, and presumably Governor Polk, supported the

measure, it never emerged from committee.<sup>40</sup>

During the fight for the Barry bank bill, the Banner again attacked Polk's sincerity. The governor, it pointed out, held the power to force resumption through his power to appoint the bank's directors, and "if he acts out his principles, [he will] force the Bank of Tennessee to resume in January by nominating...gentlemen who agree with him in opinion."<sup>41</sup>

The governor's proposal to convert the Bank of Tennessee's unsold bonds into sterling attracted general Democratic support because it would strengthen the state bank and thus allay cries for a national institution. Opposition, however, was based on the grounds that even on the world market, considering the current economic situation, the bonds would not sell. Nevertheless, Alfred Martin and Gillespie, of the house and senate respectively, introduced the proposal which was not even seriously considered. Probably the similar but unsuccessful attempts of private companies doomed the measure to defeat.<sup>42</sup>

Early in December, Farquharson introduced another bill into the house requiring all Tennessee banks to resume, and prohibited them from dealing in the notes of any banks <sup>which</sup> ~~who~~ refuse to redeem them in specie. This bill passed along non-party lines on December 13. When the bill came to a vote in the senate, members again crossed party lines, but in this instance, it was to indefinitely postpone the measure.<sup>43</sup>

In the most ambitious attempt of the session, Samuel Laughlin introduced an omnibus proposal concerning the state's banks on

December 23. It provided for the regional establishment of state bank branches, a previous point of contention, and a definite but yet undetermined date for the resumption of specie was to be set (later set as June 1, 1840). The legislature was granted direct control over the stock banks, and the issuance of notes under ten dollars was prohibited. Furthermore, the banks would be restricted in their note issues by a two-to-one note to specie reserve ratio. A final provision required that all federal funds now in the stock banks must be deposited in the Bank of Tennessee. This measure, incorporating many of Polk's recommendations, passed a first reading and was sent to committee. Laughlin's promising bill was rejected by the senate, however, on January 21, 1840.<sup>44</sup>

*Desire it strike you as odd that  
 Polk and Democrats would favor branching  
 power for the state bank? What has  
 happened to the anti bank stance and  
 what...*

*Why so much trouble  
 with state senate?*

The Nashville Union, thoughtfully explaining the problem that was plaguing the general assembly, stated that if the Bank of Tennessee was forced to resume and the stock banks did not, then specie would be drained from the state bank. This, in turn would force another suspension. The legislature had no power, however, to order the stock banks to resume since they were chartered organizations and unilateral action would be unconstitutional.<sup>45</sup> Toward the end of January, a bill introduced by George W. Jones of Lincoln and Giles Counties, superseded Laughlin's stalled proposal. This measure required the state bank to resume immediately and the stock banks to do so within sixty days, at the risk of losing their charters.<sup>46</sup> This proposal had no more success than any other.

A small group of men led the fight to regulate the state's banks. Even though Laughlin introduced a number of Polk's ideas, he constantly shifted his stand on the issue. Thus he cannot be considered as the governor's spokesman. The same may be said of both Yoakum and Gillespie, who introduced key measures but did not back Polk's recommendations consistently. In reference to Barry, Farquharson and Alfred Martin of the house, an analysis leads to the same conclusion. On the other hand, the "Repeated attempts at bank reform throughout the session revealed a pressure that could have come only from the governor's office."<sup>47</sup>

Even though the bank question dominated state affairs during the session, only three minor acts were passed in relation to it. The first, in an attempt to reduce the state debt, authorized the governor to destroy the Bank of Tennessee's one and a half million dollars of unsold bonds, and it removed the governor's power to increase the bank's capital. Polk certainly considered this as the next best alternative to his sterling proposal. The second of the bank acts set the number of employees and also set the salary of the bank's officers. The third measure reduced the number of directors at each branch bank from nine to five. Even if the governor did not get exactly what he wanted, these measures surely did not displease him.<sup>48</sup>

In accordance with the Bank Act of 1838, the governor appointed twelve directors for the Bank of Tennessee. His appointees, were confirmed by both houses with little trouble.

This group of eight Democrats and four Whigs, in a non-partisan action, re-elected William Nichol as the bank's president, and thus approved of past actions and continued the bank's present policies for at least another two years.<sup>49</sup>

The Bank of Tennessee emerged from the 1839-40 legislative session virtually unchanged. Since the Whigs attached both the educational fund and internal improvements to it, the Democrats were politically prevented from attacking the bank. On the other hand, the Democrats did not seek to destroy the bank, which mitigated the clamor for a national institution, therefore, indirectly bolstering Democratic support on the national level. But the fact that the Democrats were split over the issue cannot be denied. As Eugene I. McCormac states, "The Democrats easily disposed of the political measures of their opponents, but...they had been unable to carry their own," even though they controlled both houses of assembly.<sup>50</sup>

*What the "Whigs" for an Independent Treasury, not a national bank.*

The internal improvements question, tied closely with the Bank of Tennessee, consumed much of the legislature's time. In mid-November both houses agreed to merge their respective committees into a joint committee on internal improvements. While the legislature deliberated, the governor enforced the provisions of the 1838 law to the letter. Polk carefully scrutinized all internal improvement company applications for state bonds and refused to issue them upon the slightest technicality. This policy, which alienated many individuals, may have contributed to Polk's defeat in his

bid for re-election. In East Tennessee, where internal improvements were very popular, James C. Jones soundly defeated Polk in 1841.<sup>51</sup> But when Polk was satisfied that all stipulations were met, he issued bonds according to the law.<sup>52</sup>

Senator Samuel Laughlin, on November 4, 1839, introduced a bill which would remove the governor's power to subscribe to the stock of internal improvement companies. After being debated and referred to committee, the measure was reported to the floor by Gillespie, where it was tabled on November 25. In this same month the senate objected to a house bill which, although it did remove the governor's power to subscribe, required the executive to subsidize projects already in progress.<sup>53</sup>

Senator John Marshall, a Williamson County Whig, introduced a proposal in December removing the governor's subscription powers but compelling him to subsidize projects already in progress. This bill, virtually the same as the house measure of the previous month, passed its second reading on January 2. The Union wholeheartedly supported this bill, which expressed Polk's very wishes. Prominent Democratic senators, especially Yoakum, spoke in support of Marshall's bill. Even though the anti-improvement coalition was successful in the January 13 third reading, the Democratic party was badly split along sectional lines.<sup>54</sup>

Marshall's bill, after adoption by the house, proved to be the answer to the internal improvement question. Besides repealing the governor's authority to subscribe to company stock,

the act made provisions for the surrender of charters already granted but whose projects were not yet under way. In order to prevent further frauds regarding the projects in progress, the act provided for close supervision.<sup>55</sup>

The internal improvements provision of the 1838 act became unpopular because of the rapidly mounting state debt coupled with shocking frauds. Both Democrat and Whig support was weakened by these unexpected consequences of the act, while a majority of Democrats and the governor favored repeal.<sup>56</sup> Polk continued, under the new act, to enforce the law to the very letter.<sup>57</sup>

The common school fund was the remainder of the triumvirate included in the 1838 act. The state constitution of 1834<sup>5</sup> created a perpetual school fund managed by a board of commissioners composed of the superintendent of public instruction, the comptroller, and the treasurer. The 1838 act, however, gave the superintendent a more direct control over the school fund. This officer, therefore, was held responsible for the delays which occurred in the implementation of the system of common schools, and in addition to this, rumors circulated accusing the superintendent of mishandling the school fund monies.<sup>58</sup> Any action to improve the state educational system would have almost unanimous popular support and it would definitely be to the Democrats advantage to closely scrutinize the actions of the superintendent and to find fault, especially since he was a Whig.

The superintendent of public instruction, Robert McEwen, submitted his report to the general assembly during the first week of the session. More than merely a fiscal accounting, it recommended a property tax to supplement the school fund, the professionalization of district school commissioners, and the publication of an education periodical. Based upon these suggestions, "...Col. McEwen's ideas on the subject of popular education were very advanced and very sound."<sup>59</sup>

In spite of McEwen's capabilities, Yoakum made an attempt to abolish his office on October 12, 1839. Two days later the bill was referred to the committee on common schools, and on November 28, Yoakum withdrew the bill from consideration presumably for amendment. In his message of late October, the governor aimed attention toward the actions of the superintendent. As early as October 24, this same senator recommended the creation of a joint committee on the common school fund. After both houses concurred in mid-November, Yoakum, Paulding Anderson, and John E. Wheeler from the senate, and Andrew Johnson, John Buchanan, Barclay Martin, Nicholas Fain, and Felix Parker from the house, were named to the committee. Needless to say, the Democrats predominated.<sup>60</sup>

The committee issued two reports, one in mid-December and the other in early January, which in substance were similar. Both indicted McEwen with mismanagement of the school fund, discovered to be \$121,169.05 out of balance in addition to the absent \$11,728.61 which would have accrued as interest on that



amount. The Union, immediately initiating a partisan attack, referred to the episode as "one of the greatest and most deplorable DEFALCATIONS on the part of a public officer that has ever occurred in this State."<sup>61</sup>

The Banner, in defending the superintendent, accused the Democrats of making a political question of the matter. The Whig sheet also exposed the hypocrisy of certain leading Democrats who, having approved McEwen's investment practices in the 1837 assembly, now condemn the superintendent for continuing them. Furthermore, McEwen justified his procedures by pointing out that the economic difficulties of the country made both profitable and responsible investments almost impossible. The Democrats, however, charged the officer with the violation of the 1836 law which required him to invest the school money in the stock of the Planters' Bank, which he clearly did not do.<sup>62</sup>

There is every reason to believe that the Democrats were playing politics. A Whig minority report, resulting from the committee study, cleared McEwen, and even the majority report admitted that McEwen adhered to the law in respect to the distribution of funds. Furthermore subsequent superintendents had no more success in untangling the state's complicated fund than did McEwen. The onslaught against McEwen resulted in a reform measure, which removed the superintendent's power to "receive" school fund money and required him to turn over the funds to the Bank of Tennessee. In effect the state bank became the trustee of the state's school fund. The school officer, reduced

to a mere collector of debts, could only disperse money through the bank. The act also imposed a one-hundred thousand dollar bond upon the superintendent's post. <sup>63</sup>

Another significant matter before the legislature was the election of heads of the executive departments. In this procedure the assembly voted as a single body, a majority vote being required for election. The choice of a secretary of state, to take office for two years on December 4, came relatively early in the session. Although various names were mentioned, the Democrats only seriously considered John S. Young, nominated by Laughlin, and Philander Priestly, nominated by John B. Fonville. The Whigs of course backed their incumbent, Luke Lea. When Priestly's name was withdrawn prior to the third ballot, the Democrats, rallying behind Young, were able to defeat Luke Lea. <sup>64</sup> Although no direct evidence exists to connect Polk to Young and the office of secretary of state, his name was discussed quite a bit prior to the inauguration in connection with a minor post. Certainly Young's candidacy originated in Polk's office, for if the governor had opposed the prospect in any way, he could have given Young the minor office which he desired.

The office of attorney general and reporter for the state was created by the legislature in 1836. George S. Yerger, elected to serve the first six year term, resigned in 1838. With the legislature out of session, Governor Cannon appointed Return J. Meigs as his successor. On November 6 the assembly

met jointly and elected West Humphries over the incumbent Meigs. Under partisan pressure, the interim appointee voluntarily relinquished his office three days later. In less partisan action, the Democrats returned both the comptroller, Daniel Graham, and the treasurer, Francis Miller, to their posts.<sup>65</sup>

Even though the Democrats were successful in discrediting the incumbent superintendent of public instruction, they were split over his successor. The first ballot of the January 27 election saw the majority divided between Robert Gibson and George Wilson, with Robert Currin receiving a few Democratic votes but attracting Whig support. Currin continually drew Democratic votes until, on the fourth ballot, he was elected.<sup>66</sup>

The 1830's experienced the brunt of the reform movement of the Middle Period. While the North engaged in a general reform of society, Southerners only embarked upon changes which did not effect the basic beliefs of their society. Neither women's rights nor anti-slavery agitation were tolerated. During Polk's administration, and throughout this introspective period, the value of tippling houses was debated.

Tennessee's earliest laws concerning spirituous liquors, passed in 1811, 1821, and 1823, were based on the North Carolina statute of 1779 which restricted the sale of liquor in quantities of less than a quart for consumption on the premises to ordinaries, or lodging houses, owned by socially respectable persons. "In brief, dram drinking, outside of the home was

to be restricted to respectable places." The state changed its course in 1831 however, granting tippling house licenses to anyone who could pay a fifteen dollar fee. Besides this fee, which went into the common school fund, the retailer had to place bond to "keep a peaceable and orderly house...."<sup>67</sup>

By 1838 moral retrogression was evident and the state returned to the system set by North Carolina. This action not only divided the state but violations of the law became all too common. In mid-October the house proposed a joint committee on the subject but the senate refused to act on the measure. Nevertheless the house portion of the committee acted alone. The senate's action may have been motivated by its preparation for the upcoming battle over instructions to the Whig senators in Washington. In comparison, tippling houses were a minor issue.<sup>68</sup>

With petitions backing both repeal of the 1838 law and tighter regulations against tippling, and possibly because Farquharson's committee was opposed to any change, the Lincoln County representative, early in November, proposed the reconstruction of the committee. Speaker Thomas renamed Farquharson, John R. Nelson, John Buchanan, and Robert C. Foster to the committee. He replaced Julian Frazier, Barclay Martin, and H.W.L. Hill, all Democrats, with three Whigs, Lewis P. Williamson, James C. Jones, and James S. Lyon. This changed the complexion of the committee from five Democrats and three Whigs to five Whigs and three Democrats.<sup>69</sup> *I wonder why?*

Farquharson, with his committee still split over the issue, introduced a bill on November 19 which generally relaxed the tipping laws. Democrats, early in December, rallied against indefinite postponement, but when it became apparent that the Farquharson bill would not pass, Buchanan replaced it with a bill virtually the same as the 1838 act. This measure passed the house on January 3 in spite of a split Democratic party but was rejected by a senate coalition of Whigs and Democrats later in the month. The legislature adjourned on February 1, and no measure concerning tipping houses was to be found among its acts.<sup>70</sup>

In the establishment of hospitals for the mentally ill the South led the nation. Earlier in the decade the assembly made funds available for the construction of an institution in Nashville and succeeding legislatures appropriated additional money. The joint committee formed by the 1839 assembly reported on November 11, that the hospital would require more funds before it could receive patients, and recommended that the funds be granted. A bill providing the needed amount passed with bi-partisan support on January 6, 1840. Polk set the institution into operation by appointing its directors in mid-February.<sup>71</sup>

Among the governor's recommendations included in his October 22 message was one advocating a statewide standardization of the method for choosing presidential electors, a factor which he considered crucial to the upcoming presidential contest. The legislature did enact a law stating that anyone who

was eligible to vote for the general assembly could also vote for presidential electors. Still this left the eligibility requirements to the local communities and thus voting qualifications continued to vary over the state. Polk also hoped to curb betting on elections, and Whig Robert Foster introduced just such a proposal to the house early in the session. The bill emerged from committee on January 23 only to be indefinitely postponed.<sup>72</sup>

A constant but trivial issue plagued the state from 1835 to 1843. The constitution of 1834<sup>5</sup> directed the 1843 assembly to choose a permanent seat for the government. Since nearly every town of any size hoped for that honor, and all realized that the city holding the capital in 1843 would have a great advantage, Nashville was hard pressed to retain the capital. On January 29 the assembly passed a resolution to meet in Murfreesborough in 1841. But on the next to the last day of the session, January 31, the house rescinded its approval and adopted a resolution returning the capital to Nashville. The Senate then concurred with this decision. Polk, as a representative of all the people, chose to remain neutral during this squabble, even though he favored removal from Nashville.<sup>73</sup> *Why?*

These were the major issues before the legislature during Polk's term as governor but a brief look at the governor's outgoing message of October 7, 1841, may shed some light on what he considered unfinished business. In the way of bank regulation, Polk suggested that the state bank directors be given

control over the actions of the branch banks in order to coordinate efforts, to the benefit of the state. And he recommended that the number of branch banks be reduced. Because the 1839 general assembly took no action upon the suspension of specie, Polk asked that a date for resumption be set and that the banks be prohibited from suspending in the future. It must be remembered however, that the governor chose not to appoint directors which would accomplish this same end. The governor expressed pleasure while reporting on the progress of the state under the internal improvements act of 1840. He urged both a further appropriation for the insane asylum and, in reference to penal reform, that segregation of the sexes be practiced.

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Even though Polk and the assembly as a whole were much more concerned with national affairs, two of the three most important state issues received decisive action. The Democrats' main concern was retaining their power both in the state and the nation. Since internal improvements and education were tied to the state bank, the Democrats were prevented from attacking the bank which housed the fund for these two popular issues. Furthermore, a stable state institution would weaken the Whig plank calling for a national bank. Therefore, the primary purpose of the Democrats was to strengthen the Bank of Tennessee.

*Not necessarily  
confusing in  
light of report  
of internal  
improvements &*

The party was split over the method to achieve this end. Polk proposed that by selling the bank's unsold bonds on the

international market, the institution would be able to resume. This probably was an unwise suggestion based on the unfortunate results of private companies attempting this. No other recommendation worth mentioning, other than a direct order to resume, emerged from the session. On the other hand, the governor's proposal that note issues be restricted as to denominations and total value in relation to specie holdings would have been beneficial. The acts passed by the divided legislature however, may only be considered as peripheral.

Based upon the governor's two official messages, he was pleased that internal improvements were drastically cut, and that protection was given to projects already in progress. The Democrats were able to continue the popular program of improvements while cutting back on the mounting state debt and reducing fraud and corruption. The state school fund was protected from abuse through a largely partisan action, which probably originated in the governor's office. Because it was such a popular issue in Tennessee, the Democrats could only profit by assuming the initiative in reforming the state's system of education.

Polk's strategy as governor of Tennessee was to reform existing institutions rather than to attack them. His political character allowed him to be led by the issues, when any other course would have been political suicide. Where popular opinion was clearly expressed, such as on the education and improvement issues, the Democrats came to deliberate action, but when it was not, signified by the bank, the party was unable to



come to grips with the problem. The majority of Democrats in the assembly, like Polk, were practical politicians. And considering this, had a well organized caucus met early in October, a decision concerning the bank probably would not have been made. The Democrats were successful at drawing the state bank and internal improvements into their own program. ?

These concerned the governor's legislative duties however. In one purely executive function, Polk saw to it that state bonds were only issued to internal improvement companies which met all the requirements of both the 1838 and 1840 laws. In addition to this he spent hours explaining to unsuccessful applicants just why they were ineligible. The governor was also diligent in using his powers to issue pardons and to post rewards for the capture of criminals.

Political motives were always behind Polk's actions. Even though his course concerning the bank, internal improvements, and education, were for the most part beneficial, they were pursued because they were politically expedient. Since the governorship was considered just a stepping stone to higher office, he hoped to consolidate his strength on the state level in order to facilitate the move upward. But the governor can neither be indicted nor criticized for neglecting his official responsibilities. Although not an outstanding governor, James K. Polk, considering his Whiggish view of the office, adequately fulfilled his duties as governor.

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Grade: B+/-

<sup>1</sup>Thomas P. Abernethy, "The Origin of the Whig Party in Tennessee," Mississippi Valley Historical Review 12 (March 1926), 516-17.

<sup>2</sup>James Phelan, History of Tennessee: The Making of a State (Boston: Houghton, Mifflin and Company, 1888), 268.

<sup>3</sup>Nathaniel Baxter, "Reminiscences [of James K. Polk]," American Historical Magazine 8 (July 1903), 267; Powell Moore, "James K. Polk: Tennessee Politician," Journal of Southern History 17 (November 1951), 493; Earl I. West, "Religion in the Life of James K. Polk," Tennessee Historical Quarterly 26 (Winter 1967), 357, 365.

<sup>4</sup>Oliver P. Temple, Notable Men of Tennessee From 1833 to 1875, Their Times and Their Contemporaries (New York: Cosmopolitan Press, 1912), 256.

<sup>5</sup>Phelan, History of Tennessee, 281.

<sup>6</sup>Tennessee General Assembly, Public Acts Passed at the First Session of the Twenty-First General Assembly of the State of Tennessee, 1835-6 (Nashville: S. Nye and Company, Printers, 1836; Washington, D.C.: Library of Congress Photoduplication Service), Chapter XXII.

<sup>7</sup>Phelan, History of Tennessee, 283.

<sup>8</sup>Tennessee General Assembly, Acts Passed at the First Session of the Twenty Second General Assembly of the State of Tennessee, 1837-8 (Nashville: S. Nye and Company, 1838; Washington, D.C.: Library of Congress Photoduplication Service), Chapter CVII.

<sup>9</sup>Stanley J. Folmsbee, Sectionalism and Internal Improvements in Tennessee, 1796-1845 (Knoxville: East Tennessee Historical Society, (1839), 165, 172; Jack H. Hillsman, "The Bank of Tennessee, 1838-1866" (M.A. Thesis, University of Tennessee, 1937), 33.

<sup>10</sup>Abernethy, "Origin of the Whig Party," 512-13; Thomas P. Abernethy, "The Early Development of Commerce and Banking in Tennessee," Mississippi Valley Historical Review 14 (December 1927), 323-24; J.G.M. Ramsey to Polk, September 29, 1839, James K. Polk Papers (Library of Congress; Washington, D.C.: Library of Congress Microfilm, 1964).

<sup>11</sup>Folmsbee, Sectionalism and Internal Improvements, 195-97; Powell Moore, "James K. Polk and Tennessee Politics, 1839-1841," East Tennessee Historical Society's Publications 9 (1937), 42-43, 45.

- 12 Phelan, History of Tennessee, 377.
- 13 "Address of James K. Polk to the People of Tennessee, April 3, 1839," (Columbia, Tenn.: J.H. Thompson, 1839), 25-26, Polk Papers.
- 14 Folmsbee, Sectionalism and Internal Improvements, 199.
- 15 Moore, "Polk: Tennessee Politician," 503.
- 16 Nashville Republican Banner, October 15, 1839.
- 17 John Jenkins, The Life of James Knox Polk, Late President of the United States (Auburn: J.M. Alden, 1850), 107-108.
- 18 Nashville Union, October 16, 1839.
- 19 Jenkins, James Knox Polk, 113-14.
- 20 Charles G. Sellers, James K. Polk, vol. 1: Jacksonian, 1795-1843 (Princeton: Princeton University Press, 1957), 389.
- 21 Frank B. Williams, Jr., "Samuel Harvey Laughlin, Polk's Political Handyman," Tennessee Historical Quarterly 24 (Winter 1965), 370, 392.
- 22 S.H. Laughlin to Polk, August 10, 1839, Polk Papers; S.H. Laughlin to Polk, August 20, 1839, ibid.; J.S. Young to Polk, August 25, 1839, ibid.
- 23 S.H. Laughlin to Polk, August 20, 1839, ibid.
- 24 R.B. Reynolds to General Robert Armstrong, September 2, 1839, ibid.; A. McClellan to Polk, September 9, 1839, ibid.; William Gammon to Polk, September 13, 1839, ibid.; S.H. Laughlin to Polk, September 6, 1839, ibid.
- 25 J.P. Hardwicke to Polk, September 18, 1839, ibid.; S.H. Laughlin to Polk, September 30, 1830 [1839], ibid.
- 26 Nashville Republican Banner, October 5, 8, 1839; Nashville Union, September 30, October 2, 9, 12, 1839; Polk to S.H. Laughlin, October 1, 1839, Polk Papers; S. H. Laughlin to Polk, October 2, 1839, ibid.
- 27 "Adress of J.K. Polk...April 3, 1839," 24, Polk Papers.
- 28 Nashville Union, October 23, 1839.
- 29 Tennessee General Assembly, Journal of the House of Representatives, 23rd General Assembly, October 7, 1839-February 1, 1840 (Knoxville: Gifford and Eastman, 1839), 57.

- <sup>30</sup>Ibid., 55.
- <sup>31</sup>Ibid., 59-61.
- <sup>32</sup>Ibid., 55, 57-78.
- <sup>33</sup>Ibid., 62-66.
- <sup>34</sup>Ibid., 67.
- <sup>35</sup>Tennessee General Assembly, Journal of the Senate, 23rd General Assembly, October 7, 1839-February 1, 1840 (Knoxville: Gifford and Eastman, 1839; Records of the States of the United States Microfilms. Washington, D.C.: Library of Congress, 1949), 54.
- <sup>36</sup>House Journal, 1839/40, 76; Robert H. White, Messages of the Governors of Tennessee, vol. 3: 1835-1845 (Nashville: Tennessee Historical Commission, 1954), 306.
- <sup>37</sup>Nashville Union, October 25, November 1, 1839.
- <sup>38</sup>Nashville Republican Banner, October 30, 1839.
- <sup>39</sup>House Journal, 1839/40, 90, 359; Nashville Republican Banner, November 6, 1839; Nashville Union, November 6, 11, 13, 22, December, 20, 23, 1839.
- <sup>40</sup>House Journal, 1839/40, 138, 143-44, 146-47; Nashville Union, November 11, 18, 20, 1839.
- <sup>41</sup>Nashville Republican Banner, November 12, 1839.
- <sup>42</sup>Folmsbee, Sectionalism and Internal Improvements, 202-203, 205; J.G.M. Ramsey to Polk, September 29, 1839, Polk Papers; Senate Journal, 1839/40, 400.
- <sup>43</sup>Nashville Republican Banner, December 14, 17, 1839; Nashville Union, December 4, 1839.
- <sup>44</sup>Nashville Republican Banner, December 24, 1839, January 22, 1840.
- <sup>45</sup>Nashville Union, January 1, 1840.
- <sup>46</sup>Ibid., January 24, 1840.
- <sup>47</sup>Sellers, Polk: Jacksonian, 389; Williams, "Laughlin, Polk's Political Handyman," 370-71.

<sup>48</sup>Tennessee General Assembly, Acts Passed at the First Session of the Twenty-Third General Assembly of the State of Tennessee, 1839-40 (Nashville: J. Geo. Harris, 1840; Washington, D.C.: Library of Congress Photoduplication Service), Chapters LXXV, SCVI, CXLVIII.

<sup>49</sup>Hillsman, "The Bank of Tennessee," 37; House Journal, 1839/40, 633; Nashville Union, January 31, February 3, 7, 1840; Governor's Papers of James K. Polk (State Library and Archives Archives Section, Nashville, Tennessee); Senate Journal, 1839/40, 475; White, Messages, 403. Since there is some discrepancy among these sources I relied on the original document located in Nashville.

<sup>50</sup>Eugene I. McCormac, James K. Polk: A Political Biography (Berkeley: University of California Press, 1922), 170.

<sup>51</sup>Polk to R.G. Douglass, secretary and treasurer of the Gallatin and Cumberland Turnpike Company, November 4, 1839; "Executive Correspondence of Governor James K. Polk," American Historical Magazine 8 (July 1903), 272; Governor James K. Polk's Letter Book. In Governor James K. Polk's Papers, State Library and Archives, Archives Section, Nashville, Tennessee; Governor Polk's Papers. The Letter Book, located in the Governor's Papers, contains letters which may or may not appear in the general collection.

Polk to the president and directors of the Clarksville and Russellville Turnpike Company, November 12, 1839; "Executive Correspondence," 273; Letter Book; Governor Polk's Papers.

Gideon J. Pillow, president of the Columbia Central Turnpike Company, to Polk, November 20, 1839; Governor Polk's Papers.

Polk to Gideon J. Pillow, November 26, 1839; "Executive Correspondence," 275-76; Letter Book; Governor Polk's Papers.

Polk to R.G. Douglass, November 29, 1839; "Executive Correspondence," 276-78; Letter Book; Governor Polk's Papers.

Gideon J. Pillow to Polk, November 30, 1839; Governor Polk's Papers.

Polk to the president and directors of the Nashville and Charlotte Turnpike Company, December 11, 1839; "Executive Correspondence," 279-80; Letter Book; Governor Polk's Papers.

Polk to Gideon J. Pillow, January 17, 1840; "Executive Correspondence," 280; Letter Book; Governor Polk's Papers.

Polk to the president and directors of the Gallatin Turnpike Company, January 20, 1840; "Executive Correspondence," 281-82; Letter Book; Governor Polk's Papers; White, Messages, 422-23.

Ibid., 425-26.

<sup>52</sup>Polk to Frederick R. Smith, of the Big Hatchie Turnpike and Bridge Company, November 6, 1839; "Executive Correspondence," 272; Letter Book; Governor Polk's Papers.

Polk to George A. Wylie, secretary of the Nashville and Kentucky Turnpike Company, November 23, 1839; "Executive Correspondence," 274; Letter Book; Governor Polk's Papers.

Polk to Thomas W. Barksdale, secretary of the Clarksville and Russellville Turnpike Company, December 10, 1839; "Executive Correspondence," 279; Letter Book; Governor Polk's Papers.

Polk to the president and directors of the Nashville and Charlotte Turnpike Company, January 6, 1840; "Executive Correspondence," 280; Letter Book; Governor Polk's Papers.

<sup>53</sup>Nashville, Republican Banner, November 25, 1839; Nashville Union, November 6, 20, 27, 1839.

<sup>54</sup>Nashville Republican Banner, December 3, 1839, January 3, 1840; Nashville Union, January 6, 1840; Senate Journal, 1839/40, 394-97.

<sup>55</sup>Tennessee Acts, 1839/40, Chapter I.

<sup>56</sup>Abernethy, "Origin of the Whig Party," 519; McCormac, Polk: A Political Biography, 171.

<sup>57</sup>Polk to Gideon J. Pillow, February 20, 1840; "Executive Correspondence of Governor James K. Polk," American Historical Magazine 8 (October 1903), 371; Letter Book.

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Polk to the president and directors of the Cumberland Turnpike Company, June 19, 1840; Letter Book.

Polk to John Horn, President of the Sullivan and Sparta Turnpike Company, January 26, 1841; Letter Book; White, Messages, 423-24.

Polk to A.M. Ballentine, president of the Columbia, Pulaski, Elkton, and Alabama Turnpike Company, June 2, 1841; Letter Book; White, Messages, 424.

<sup>58</sup>A.P. Whitaker, "The Public School System of Tennessee, 1834-60," Tennessee Historical Magazine 2 (March 1916), 5-13.

<sup>59</sup>Ibid., 15-16.

<sup>60</sup>House Journal, 1839/40, 175; Nashville Union, October 16, November 18, 29, 1839; Senate Journal, 1839/40, 73, 115.

<sup>61</sup>House Journal, 1839/40, 686-709, 744-70; Nashville Union, December 9, 13, 18, 1839, January 17, 1840.

<sup>62</sup>Nashville Republican Banner, December 14, 1839, January 23, 24, 25, 1840; Nashville Union, December 9, 1839; Whitaker, "Public School System," 12-13.

<sup>63</sup>House Journal, 1839/40, 695; Tennessee Acts, 1839/40, Chapter XXXIX.

<sup>64</sup>House Journal, 1839-40, 46-47; Nashville Union, October 21, 1839; Senate Journal, 1839/40, 48.

<sup>65</sup>Joshua W. Caldwell, Sketches of the Bench and Bar of Tennessee (Knoxville: Ogden Brothers and Company, 1898), 92-93; Nashville Union, November 6, 8, 1839; R.J. Meigs to Polk, November 9, 1839, Governor Polk's Paper's; Tennessee Acts, 1835/36, Chapter LI.

<sup>66</sup>House Journal, 1839/40, 593-95; Nashville Union, January 27, 1840; Senate Journal, 1839/40, 487-88.

<sup>67</sup>Tennessee General Assembly, Public Acts Passed at the Stated Session of the Nineteenth General Assembly of the State of Tennessee, 1831 (Nashville: Allen A. Hall and F.S. Heiskell, 1832; Washington, D.C.: Library of Congress Photoduplication Service), Chapter LXXX; White, Messages, 320.

<sup>68</sup>House Journal, 1839/40, 30, 81; Senate Journal, 1839/40, 38; Tennessee Acts, 1837/38, Chapter CXX; White, Messages, 321, 332.

<sup>69</sup>House Journal, 1839/40, 104, 118; Nashville Union, November 6, 1839.

<sup>70</sup>Nashville Republican Banner, December 4, 7, 1839, January 4, 23, 1840; White, Messages, 334-49.

<sup>71</sup>House Journal, 1839/40, 152-53; Nashville Union, October 16, 1839, February 19, 1840; White, Messages, 299, 317-319.

<sup>72</sup>Ibid., 317, 411.

<sup>73</sup>House Journal, 1839/40, 648, 650; Polk to John W. Childress, February 4, 1840, Polk Papers; Senate Journal, 1839/40, 534; St. George L. Sioussat, ed., "Diaries of S.H. Laughlin, of Tennessee, 1840, 1843," Tennessee Historical Magazine 2 (March 1916), 61; Tennessee Acts, 1839/40, 17; Tennessee General Assembly, Acts Passed at the First Session of the Twenty-Fourth General Assembly of the State of Tennessee, 1841-42 (Murfreesborough: D. Cameron and Company, 1842; Washington, D.C.: Library of Congress Photoduplication Service), 1.

<sup>74</sup>White, Messages, 428-29, 435-36, 437-42, 443-44, 445.

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