

## To Martin Van Buren

Washington October 27th. 1834—

My dear Sir,

yours of the 23rd. inclosing one from Mr Rives reached me this morning—that inclosing one from Genl Hamilton (S.C.) by due course of mail. I should have written you before this, but detained to be able to give you the result in Ohio—but still doubts hang over the success of Helfenstein. Still my own opinion, from all the information recd. is, that the result will be found ten in favour of the administration nine against it. This is of no other importance except the election of the next President should devolve on congress, when it would give the state to the republican candidate. Lucas is certainly elected, as I suppose by a majority of from 4 to 6000, majority, and there is no doubt but ohio is decidedly democratic. Mr Lytle lost his election by his own folly and Dr Mitchell lost his by defection and the secrete management of some of the friends of the administration who wanted to run themselves, and by their course neutralised many who would have been at the poles and have voted for Doctor Mitchel.<sup>1</sup>

Newjersy, Pennsylvania, and Georgia, have nobly done their duty. Nullification is nullified, and the ire of So. Carolina is beginning to burn against Calhoun, and will destroy him. The state has shewn systems of returning to its senses again by electing two Union members of Congress, Manning in the Lancaster District and Rogers vice, Clowney in York District, and it is believed, but not positively known here, that Mr Campbell of the Georgetown District, formerly Mitchells, is beaten, and I have no doubt that in two years more the Union men will triumph, and nullification be entirely repudiated in So.C.<sup>2</sup>

I have read Mr. Rives letter with attention he is badly advised, from Paris, as to Mr. Livingston absence—he was in Paris until the chambers was prorogued by the King—did every thing that could be done to induce the King to convene the chambers in October or the 1rst. of November

to which he had given his pledge “that all his constitutinal powers should be employed to bring this matter before the chambers,” so that we should be advised of the result before the meeting of congress—and to induce the King to comply (hazzarded the experiment of shewing the King at a private audience my private letter—) his reply, that he could not put the members of the chambers to the *great inconvenience* of meeting in the hot season.<sup>3</sup> What’s the personal inconvenience of the members put in competition with his private pledge, as well as the pledge of the national faith by his own act in ratifying the Treaty. Livingston is quite outrageous at this conduct—complains that nothing was done last congress, and is of the opinion that the King and minsters are acting hypocritically, & does not want the Treaty carried into effect, and wishes to throw the responsibility upon the chambers—surely Mr Rives has not ~~wayed~~ weighed the subject well. Can the Executive under the circumstances be longer silent? if he speaks to congress, it must be in languge of truth, and he cannot refrain from recommending to them to Legislate provisionally upon this subject—for as one chamber have refused, another may, and the King having prorogued the chambers to the 29th. of December, it is evidently with the view, that congress may adjourn before we hear of the result—and that result will be, (unless overawed by the provisional Legislation) another rejection. The right way is for the Executive to speak and let congress act, or not, as it wills.

I mean to speak of the Bank, and with point & energy with regard to its robbery of the Treasury & recommend a suspension of its bills in payment of the public dues, until the Bank pays over the amount withdrawn from the Treasury.

I hope Newyork will do its duty as Newjersey, Pennsylvania, & Georgia, and I may add ohio, for since I began this letter I see a letter from Mr. Helfensteins District, saying he is certainly elected. This gives a majority in that state in congress.

I am anxious to see you here—should you be detained after the election send on the remarks on the Wabash appropriation. Mr Taney informs me he handed it over to you.

you have no doubt seen the Nashville & some other Tennessee papers—be assured that Tennessee will never seperate from the democratic party, or take any step to weaken it—no man will be run for President unless taken up by the general convention. I know judge White too well, not to know that he never will permit his name to be used unless he believes it is a the wish of a respectable portion of the people of several states—he never will permit his name to be used to withdraw from the people the power of the election of President, and throw it into Congress. This would be aiding the views of the opposition, *divide & conquor*, all things are progressing well. To fill the vacant seat of judge Johnston I have some difficulty—there are several from Georgia—Cuthbert recommended by Govr. Lumpkins warmly—Wayne & Haynes by others—from S.C Petigrue, by

Mr Poinsett, & judge Johnston by judge Oneal; all good men, & I suppose true—which to take will you advise. Cuthbert (as judge Wayne has been elected) and as Cuthbert is so strongly recommended by Govr. Lumpkin in whom I have great confidence, if his principles of the constitution are sound & well fixed, I would like to gratify.<sup>4</sup>

Write me on the receipt of this and if you are to be detained long at Albany, send me on the paper on the Wabash appropriation

I have just heard that my dwelling House at the Hermitage is burnt—the whole main body with the addition on the east end has been consumed, with the furniture in the upper story. I have ordered it to be rebuilt as early as possible. I am afraid all my old wine has been consumed, if so, the quarter cask got from you of sherry is gone—with great respect yr friend

Andrew Jackson

ALS, DLC-Van Buren Papers (26-0751). Van Buren replied on November 5 (below).

1. Robert Lucas's majority was 3,324 votes. In addition to Helfenstein and Lytle, Democratic incumbent Robert Mitchell (1778–1848) of Zanesville, a physician, was defeated for reelection.

2. Unionist Richard Irvine Manning (1789–1836) won election in South Carolina's ninth district, and Unionist James Rogers (1795–1873) defeated incumbent William Kennedy Clowney (1797–1851) in the seventh. Incumbent nullifier Robert Blair Campbell (1791–1862) won reelection to a seat that had been held intermittently from 1821 to 1833 by Thomas Rothmaler Mitchell (1783–1837).

3. Livingston reported to the State Department on July 26 and August 4 that he had met several times with King Louis Philippe and urged him to either present the indemnity question to the Chambers at their August session or call them back in the autumn, both of which the King dismissed as "impossible." Livingston reported that at an August 2 interview he had spoken "without reserve" of how French inaction "might not only interrupt the commerce of the two nations, and create injurious and lasting impressions, but might affect their peace; and what was of more importance to France its national reputation for good faith." He read "from a private letter received from Washington" (AJ's of June 27) and invoked Louis Sérurier's June 5 pledge of the French government's intention "to do all that our constitution allows, to hasten, as much as possible, the period of the new presentation of the rejected law." He told the King that "if an early autumnal convocation of the chambers should be attended with inconvenience, that it should not be put in competition with the importance of fulfilling a promise thus solemnly made." To this, Livingston reported, "the King said that Mr Serurier could not have intended to promise that the law should be introduced at this session" (DNA-RG 59, M34-30; *HRDoc* 40, 23d Cong., 2d sess., pp. 81–82, Serial 272). Livingston had left Paris after the King prorogued the Chamber of Deputies on August 16.

4. Alfred Cuthbert (1785–1856) had been a congressman in 1813–16 and 1821–27. In November the Georgia legislature elected him to the U.S. Senate seat vacated by John Forsyth's resignation to be secretary of state. His brother John Alfred Cuthbert (1788–1881) was a former Georgia legislator and congressman. Georgians James Moore Wayne (1790–1867) and Charles Eaton Haynes (1784–1841) had just been elected to Congress.