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The Internal Improvement Vetoes of Andrew Jackson

BY CARLTON JACKSON

President Jackson's bank veto has received so much attention that his internal improvement vetoes have been relatively neglected. The most quoted books on the Jacksonian period either omit or deal slightly with the internal improvement vetoes. Arthur M. Schlesinger, Jr., in *Age of Jackson*, does not mention Maysville or any other internal improvement veto. Glyndon G. Van Deusen, *Jacksonian Era*, devotes two pages to Maysville, while Claude Bowers, *The Party Battles of the Jackson Period*, has a single reference to Maysville. John Spencer Bassett's *The Life of Andrew Jackson* and William MacDonald, *Jacksonian Democracy*, give more attention to the subject than the other volumes cited. This article, then, will seek to place Jackson's internal improvement vetoes in their proper historical perspective.

By and large, Jackson followed the thinking of Madison and Monroe in vetoes of this category. He constantly stated his approval of internal improvements but, like his predecessors, felt that Congress did not have constitutional power to allot money for them unless they were national in scope. What was national and what was not, though, was continually debated between the President and certain members of Congress. Like Madison and Monroe, Jackson suggested on numerous occasions a constitutional amendment which would allow a uniform system of national internal improvements.

This is not to say that Jackson never approved any internal improvement bills. On the contrary, he accepted more than he rejected. Some of those which he approved had no more to do with national affairs than the Maysville Bill, to which he applied a stinging veto.¹ Indeed, just three days after the Maysville veto, Jackson approved bills which appropriated over \$150,000 for surveys and for an extension of the Cumberland Road.² Why, then,

¹ On May 31, 1830, for example, he approved an appropriation of \$8,000 toward the construction of a road from Detroit to Chicago. He stipulated, though, that the use of the money authorized by the act must be confined to Michigan territory. *Gales and Seaton Register*, 21st Cong., 1st Sess., 1148. Hereinafter cited as *Register*.

² William MacDonald, *Jacksonian Democracy* (New York, 1906), 141.

did he veto the Maysville bill? A brief discussion of its provisions may be useful.

The formal title was an act "authorizing a subscription of stock [\$150,000] in the Maysville, Washington, Paris, and Lexington Turnpike Road Company." The company was a Kentucky corporation, authorized by the state legislature to build a section of a road which would ultimately make a junction with the Cumberland Road at Zanesville, Ohio, and extend to the Tennessee River at Florence, Alabama.³ Proponents of the act thought that it was, therefore, national in scope since its object was, ostensibly, to help connect two major transportation systems. Indeed, when Robert Letcher of Kentucky, introduced the bill in the House of Representatives, he called it a "minor bill," and one that could be passed in a short time. He saw no chance for great controversies to rise from it.⁴ The bill, however, was debatable. Representative Thomas F. Foster of Georgia was surprised that Letcher thought it uncontroversial and said that if the Maysville Road could be termed national, any road in the country would likewise qualify.⁵ It took three days for the House to pass the bill by a vote of 102 to 86.

In his veto of the Maysville Bill, Jackson sought to justify his actions through the Constitution and national expediency, but a personal grudge against Henry Clay probably had as much to do with it as anything else. The animosity between Jackson and Clay was long standing: both were from the west, and in their contests for popular favor, they had become enemies. The estrangement came to a climax after the 1824 election when a supposed "bargain" transpired between Clay and J. Q. Adams, whereby the Kentuckian would support Adams for the presidency in return for appointment as secretary of state. Between 1824 and 1828 the Jacksonians proved to much of the electorate that popular will was thwarted in 1824 because Jackson was deprived of the presidency though he attained a majority of popular votes. The feud between Jackson and Clay was deepened by the incident of "bargain," and Jackson

³ *Ibid.*, 139.

⁴ John Spencer Bassett, *The Life of Andrew Jackson* (2 vols. in 1; New York, 1916), 485.

⁵ *National Intelligencer*, May 21, 1830.

was not one to forget old antipathies. The chances for Jackson's approval of the Maysville project would probably have been better if it had been in any state but Kentucky.

Professor Van Deusen explained the veto as Jackson's effort to ruin the American System, formulated by Clay in the National Republican Party: that by the veto he would not only insult the Kentuckian but at the same time he would displease only a small number of voters.⁶ This assessment is valid except that the veto was not *just* an attack against the American System as seen by Jackson's repeated approvals of projects which could fit into such a program.

Clay himself did not believe that Jackson was the real author of the Maysville veto. He said that if he thought the veto really expressed Jackson's internal improvement opinions "because of the unfortunate relations which have existed between us," he would make no comment on the subject. Although Clay felt very wronged by Jackson's veto, the Kentuckian had "freely forgiven him." Jackson believed, no doubt, that Clay "had done him previous wrong," although Clay was "unconscious of it."⁷

Clay charged that some southerners visited Jackson while the Maysville Bill was being considered and told the President that he would lose southern support by approval. Clay said further that each time he thought of the Maysville veto, the name of "Talleyrand" kept coming to mind. He blamed Van Buren for the attack after the veto upon those who favored internal improvements. That system's opponents tried to weaken it by personal abuse. Clay told of being adjured by a citizen just after the veto was published, to "go so far North that even Hell could not thaw him."⁸

The veto, May 27, 1830, expressed regret over the differences between the executive and the legislature on internal improvements. But in a government based upon freedom of opinion, differences were inevitable. A way to eliminate the controversies on this question was an amendment to "reconcile the diversity." Jackson explained that he had already made this suggestion in a

⁶ Clyndon G. Van Deusen, *The Jacksonian Era* (New York, 1959), 52.

⁷ *National Intelligencer*, September 1, 1830. No doubt, Clay was referring here to the charges of "bargain" in the 1824 election.

⁸ *Ibid.*

previous message to Congress and intimated strongly that the lawmakers knew better than to present him with the Maysville proposal.⁹ For this section of the veto Jackson was charged with acting the autocrat toward his serfs. A President could not, by advance notice, tell Congress upon what it should deliberate. Congress had as much right to interpret the Constitution as the President and could not therefore be guided by the executive in that respect.¹⁰ This was an opinion that would have interesting repercussions two years later when Jackson vetoed the bill to recharter the national bank.

In his Maysville message, Jackson said that the public debt must be paid before Congress could indulge in a widespread internal improvement program. The improvement bills already passed and those proposed exceeded the ability of the Treasury Department to liquidate national indebtedness. If all the improvement bills were passed that Congress wanted, said he, the payments on the national debt would either have to be postponed or additional taxes would be necessary. Though United States taxes were lower than in other parts of the world, Jackson felt that the American people would justly protest increased taxes for "irregular, improvident, and unequal appropriations of the public funds."¹¹ It was reasonable to expect that the general government would at some future time aid internal improvements, but for the present such schemes were not the only considerations of the federal government. From the standpoint of fiscal expediency, therefore, the Maysville Bill was illogical and should not become law.

Jackson drew heavily upon Madison and Monroe in the Maysville message. Madison had objected to bills which conferred only local benefits and had argued that the consent of the state in which the improvements were to be placed did not give Congress sufficient authority to provide for them. Furthermore, said Madison, internal improvements could not be justified by any of the existing powers in the Constitution; only an amendment would make them legal.

⁹ James Daniel Richardson (comp.), *A Compilation of the Messages and Papers of the Presidents, 1789-1897* (10 vols.; Washington, 1896-99), II, 484.

¹⁰ *National Intelligencer*, June 24, 1830.

¹¹ Richardson, *Messages*, II, 489.

Secretary of State Van Buren, who had been instrumental in writing the Maysville rejection, began to fear that the veto would cause such a general reaction against internal improvements that such necessary items as lighthouses, fortifications, and armaments would be neglected.¹² A way must be found, he believed, to show the public what the proper areas were for governmental appropriations. He therefore opened a correspondence with the aged James Madison about the construction of the latter's veto of the Bonus Bill in 1817.

In the Maysville message Jackson claimed that Madison had conceded that Congress' right to appropriate should be kept distinct from Congress' power to effect the measures for which the money was asked. Jackson's conclusions at this point were derived from Madison's implications in the 1817 veto that Congress, in providing for the national defense, was able to appropriate money to carry out the "great and most important measures of Government. . . ."¹³ This was true even though Madison had denied elsewhere in his message that the national defense and general welfare clauses could be used to justify a general program of internal improvements.

If Jackson's interpretation of Madison's veto were correct, Van Buren's fears were unfounded, for this would mean that Congress' power to make general appropriations was not limited even though Congress had no power under the Constitution to carry into effect those programs for which money was appropriated. The power of appropriations and the power to execute them, according to Jackson's thinking, were separate and distinct. Thus, the Maysville veto should not be construed as a denial to appropriate for national defense and general welfare. He believed that Madison's veto had given him a good reason for this vein of thought.

When Madison read the Maysville veto he protested immediately that Jackson had placed an improper interpretation on the 1817 disapproval. By that message, Madison intended to deny to Congress not only the power of carrying out internal improvements, but appropriations for them as well.¹⁴ This was the general opinion

¹² Bassett, *Jackson*, 493.

¹³ Richardson, *Messages*, II, 486.

¹⁴ Bassett, *Jackson*, 494.

of the veto in 1817, and nothing had happened in the meantime to make Madison change his mind.

Van Buren continued his efforts to interpret the Maysville veto to a point of flexibility that would allow appropriations for necessities. In a letter from Madison, Van Buren was told that appropriations for lighthouses and harbors should depend on how local or how general they were, and that each work must be decided on its own merits. Madison concluded by asserting that internal improvements were unconstitutional "but that they are highly important when properly selected. . . ."¹⁵ Van Buren could, therefore, get no comfort from the former President. The correspondence between the two was dropped when it appeared that the general public was in favor of the Maysville veto. Van Buren accordingly ceased trying to define areas where the government could legitimately appropriate for internal improvements.

Jackson also referred to James Monroe's 1822 veto of the Cumberland Road Bill to bolster the arguments in the Maysville rejection. Monroe had claimed that Congress had an unlimited power to raise money but only a discretionary power over its distribution. Any appropriations must be for the common defense, and only then on projects of national rather than of local significance. The history of the Cumberland Road, said Jackson, was sufficient proof of the ineffectiveness of internal improvements at their present stage. Some Congresses had appropriated money for the road, while others had refused. Such a fluctuation of opinion needed to be stabilized by an amendment to the Constitution.¹⁶ In all, the Cumberland Road had received \$1,668,000 before Jackson came to power. It is interesting to note that during the remainder of Jackson's presidency after the Maysville veto, the Cumberland Road received \$3,728,000.¹⁷ The President was, therefore, aiding the inconsistency which he so fervently attacked.

Aside from using the Constitution as a base for his veto, Jackson also built the theme that federal appropriations for the Maysville Road were highly inexpedient. The bill, said he, was purely local in nature, to be used exclusively in a state and running for sixty

¹⁵ *Ibid.*, 495.

¹⁶ Richardson, *Messages*, II, 486, 492.

¹⁷ Bassett, *Jackson*, 495.

miles. Even within the state, local, not general, privileges were conferred. He was, of course, bitterly attacked for this stand. Clay constantly referred to an earlier appropriation approved by Jackson for a stream known as Conneaut Creek. Although pretending to know something about American geography, Clay confessed that he had never heard of this place until the bill was passed for its improvement. Investigating, he found that the creek rose in one corner of Pennsylvania and discharged into Lake Erie in a corner of Ohio. The full extent of the improvement was seven miles. Clay and his followers wanted to know, then, if Conneaut Creek was more national than the Maysville Road. According to engineering reports, in a month's time on the Maysville Road, it was traversed by 9,400 persons, 12,800 horses, and 1,570 carts and wagons. This travel, plus its use by the mail between the Atlantic and the west assured beyond doubt the nationality of the Maysville Road.¹⁸ But Jackson disagreed.

People who favored internal improvements, Jackson's veto continued, would not be embarrassed by an amendment which stabilized the program. Lacking such an amendment and provided that the federal government could ever legally go into the internal improvement business, Jackson thought it should be done by distribution of surplus money among the several states according to population. If distribution were questionable, Jackson believed that another constitutional amendment should be considered.¹⁹

His distribution proposal was readily attacked on grounds that inequities would be an immediate result. The west needed most the help at this time but if aid was to come solely on the basis of population, it would indeed be scanty. For every \$34,000 received by New York under Jackson's suggestion, Missouri and Illinois would each receive \$1,000 and Indiana would get \$3,000. Such a scheme, then, would not only enable the larger states to "relegate to insignificance" the smaller states, but it would be unconstitutional as well because it would thrust the federal government into the field of state taxation as a collector of state revenue.²⁰ The Constitution prescribed that states levy and collect their own revenue.

¹⁸ *National Intelligencer*, September 1, June 24, 1830.

¹⁹ Richardson, *Messages*, II, 484.

²⁰ *National Intelligencer*, June 24, 1830.

Finally in his veto, Jackson stated that internal improvements at the present would force indefinitely the continuance of the national debt. This was all the more reason for attaining a uniform system of internal improvements. Governmental aid would be practical, felt Jackson, if the national debt were paid, if taxes were unified and equal, and if internal improvements could be justified within the framework of the Constitution. He waxed eloquent when he said that if other and more pressing monetary considerations could be handled before a general program of internal improvements, an important impression would be made on the rest of the world. This feat would be an additional guarantee that "our political institutions will be transmitted to the most remote posterity without decay."²¹

It was not to be expected that the House of Representatives, to which the veto was returned, would agree wholeheartedly on the President's views. The members sat silently while the veto was read, after which a "hurried and anxious" debate arose in which no principle of the bill was discussed but merely whether it should be reconsidered immediately or postponed. Although the main question before the House was postponement, the Speaker had difficulty in keeping the members from discussing the veto itself.

Generally speaking, the debate in the House on the Maysville veto revolved around the President himself. Members either condemned or eulogized Jackson, depending upon party affiliation and upon the section of the country they represented. There were no finely drawn interpretations of the Constitution in their comments. This indicated further the acrimony that surrounded the President's action.

Representative Henry Daniel of Kentucky opened the House remarks by saying that the veto was the first time in history that the head of a nation had imposed his authority to "stop extravagant and ruinous appropriations."²² Jackson had been elected, maintained Daniel, on the principles of reform and economy; therefore, he was correct in his estimation of the Maysville Bill. Daniel thought that too many internal improvements would lead to logrolling tactics, and to the creation of a fearful bureaucracy. The best

²¹ Richardson, *Messages*, II, 489.

²² *Register*, 1138.

²³ *Ibid.*, 1140.

course to follow, said the representative, was to “suspend” the Maysville issue and let the people decide it at the next election.

A subsequent speaker, Henry Stanbery of Ohio, a state highly in favor of internal improvements, was not nearly so kind in his comments. He lashed out at Jackson for the latter’s claim that improvement bills already approved by Congress would overtax the Treasury. Jackson had used this reference to prove that the Congress was extravagant. Stanbery said that the bills in question had not yet been passed but merely listed as reported in the House or Senate, representing only committee opinion. The unpassed bills gave to Congress an appearance of extravagance which did not exist.²⁴ Jackson used the bills unfairly in his veto, according to Stanbery. This line of attack was corroborated by the *National Intelligencer* in its remarks that the unpassed bills gave no proper ground for a veto. Indeed, just after the Maysville rejection, the President signed one of those bills he had used in the array against internal improvements.²⁵

Continuing the subject, Stanbery said that the veto was “artfully contrived” to disgrace the entire system of internal improvements. It was a “low, electioneering document,” in which the hand of the “great magician,” Van Buren, was visible in every line.²⁶ The Ohio representative was supported in this opinion by the *Intelligencer* which said that Stanbery had perhaps erred in courtesy but not in fact.²⁷ Jackson was an open-minded person who never had occasion before to indulge in such low-handed actions. It was not he, then, but Van Buren, who was the real author of the veto.

Even if extravagance did mark the House, said Stanbery, the majority was not at fault. For most of the appropriations had been requested by executive officers. Appropriations for Indian removal were cited as evidence. In closing, Stanbery dramatized: “Sir, let them [opponents of internal improvements] commence their denunciation—I fear no bravo, unless he carries the assassin’s knife. Against every other species of attack I am prepared to defend myself.”²⁸

²⁴ *Ibid.*

²⁵ *National Intelligencer*, June 24, 1830.

²⁶ *Register*, 1140-41.

²⁷ *National Intelligencer*, June 19, 1830.

²⁸ *Register*, 1141.

Future President James K. Polk from Tennessee spoke next, and denounced Stanbery for his "vindictive" remarks against Jackson. Polk's comments on this occasion gave a fairly good indication of how he would treat internal improvements when he himself became President. He asserted that the broad powers claimed for internal improvements did not originate until the administration of John Quincy Adams. If such a system could grow to dangerous proportions in a short time, it would be immeasurable after several years. The President could not ignore "the constant collisions, the heart-burnings, the combinations, and the certain corruption to which [internal improvements] would tend," both in and out of Congress. Polk contended that Jackson's statesmanship grew immensely by the veto, for if the President had approved the bill, giving full vent to internal improvements, he would have created a "powerful branch of executive patronage and influence."²⁹ Lesser men than Jackson would have succumbed to the idea, in Polk's opinion.

The Tennessean also defended the veto power itself. He gave a short history of the veto and said that the Constitution had generally been the base for its employment. This did not mean, though, that expediency could not be used, and he cited Washington's rejection of the Dragoon Bill in 1792 as an example.³⁰ The veto had never been viewed with alarm, said Polk, but on the contrary, as a "necessary and wholesome" check by the executive on the legislature."³¹

Countering Polk, opponents of the Maysville veto stated that it was the use rather than the existence of the veto that concerned them. The power should rarely be used, as in the present case, for mere expediency. There was more potential danger in an unrestricted veto power than in the ordinary course of congressional

²⁹ *Ibid.*, 1142.

³⁰ This bill had sought to reduce the armed services for the sake of economy. Washington admitted that Congress had the right to limit the army to a certain number, but he believed the bill was inexpedient from a security standpoint and therefore he vetoed it. This was the first bill ever vetoed on the ground of expediency alone.

³¹ *Register*, 1142.

business. The majority by which a bill passed should be used as a guideline by the President. He should have less excuse for rejecting a bill with a large majority than one in which the majority was small. Unfortunately, though, said the opposition, Jackson thought otherwise.³² The only hope for internal improvements was for Jackson to change his mind or for Congress to override his vetoes. Neither possibility seemed likely.

The tenor of Polk's defense was maintained by Representative John S. Barbour from Virginia. He said that if certain House members objected to presidential vetoes, they should for the sake of consistency, also object whenever the Senate destroyed or changed a bill sent to that body from the House. Congress was not infallible in its operations; thus, the purpose of the executive veto. The veto countervailed the opinion of one-third of both houses, "because its interposition makes the concurrence of two-thirds of both houses necessary. To complain, then, of its exercise, is to quarrel with the form of Government under which we live."³³

Barbour, like Polk, rejected the Stanbery thesis by saying that a President in search of power and popularity would have taken a different course on Maysville than Jackson. The only area where Barbour disagreed with Jackson was in the President's statement that Congress still had the power to appropriate for improvements that were really national until "the difficulty is removed by an amendment."³⁴ On all other interpretations of Jackson, though, Barbour had high praise.

Citizens of the west reacted quickly to the Maysville veto. Kentucky Senator George M. Bibb, who had voted against the bill, became the victim of public displeasure. At Maysville, Bibb's effigy was placed in a coffin and "interred with great solemnity and profound silence in the middle of the Turnpike." The same thing happened at Millersburgh.³⁵

Representative of western opinion in Congress, meantime, was Joseph Vance, representative from Ohio, who said that the west

³² *National Intelligencer*, June 24, July 3, 1830.

³³ *Register*, 1143.

³⁴ *Ibid.*

³⁵ *National Intelligencer*, June 18, 1830, quoting the *Farmer's Chronicle*.

must "stand or fall" on the issue of internal improvements. He defended Stanbery for the latter's remarks against the veto, and said that Jackson had deceived people by earlier intimations that he favored an internal improvement system. The south, said Vance, had received during the past year (1829) more disbursements of the federal government than the entire region of the west. As soon as the wealth in the west deriving from emigration was exhausted, every dollar would be drained from that region unless internal improvements were implemented.

Vance's speech was in direct conflict with the opinions of many southern editors at this time. For example, on June 25, 1831, the *Alabama Journal*, soon to become the leading Whig paper in the state, claimed that northern and western states deliberately sought to raise the tariff and delay payment on the public debt so they could use the surplus revenue for internal improvements. Not a cent of the surplus had been spent in the southern states, said the *Journal*. Alabama alone had paid three million dollars into the national treasury since her entry into the Union in 1819 and had received nothing in return. The paper praised the Maysville veto, saying it would halt the ruinous economic policies of the north, and allow the national debt to be paid. No longer would it be necessary for the south to subsidize northern and western internal improvement schemes.

Congressional oratory on the veto was concluded by speeches of John Bell of Tennessee, who, in defending Jackson, was called to order for accusing Stanbery of assuming the manner of a black-guard; and by various remarks upon Jackson's voting record for internal improvements while a member of Congress.³⁶ It was ultimately concluded by William Kennon, Sr. of Ohio that not a single vote would be changed by all the argument. So he called the previous question. The result was 96 to 90. The necessary two-thirds not being attained, the veto was upheld.³⁷

The *National Intelligencer*, in an examination of the veto, termed the message as one directed toward a higher tribunal than the

³⁶ Jackson's affirmative votes on the bill to procure "The necessary surveys, plans, and estimates upon the subject of rivers and canals," April 23, 1824; the bill to "improve navigation of the Ohio and Mississippi Rivers," May 19, 1824; and the bill "subscribing stock in the Chesapeake and Delaware Canal Company," February 24, 1826, were cited. *National Intelligencer*, August 28, 1830.

³⁷ *Register*, 1147-48.

Congress. It was a manifesto to the country at large that Jackson was now making war on not only internal improvements but the tariff and the bank as well. If protection of the manufacturers could be withdrawn there could be no great excess of revenue. Without the excess there could be no internal improvements. So Jackson was striking at the tariff in the veto quite as much as he was at internal improvements. This indicated that Jackson wanted to destroy what he considered to be the monied interests in the country. This assuredly included the national bank. In doing this, he set at variance the practice of harmony between the Congress and the President, because he indicated that he would use the veto to prevent any legislation whatever if it did not meet his personal approval. The maintenance of such an attitude, said the opposition, would be enough to "mark this as an era in the history of our country."

Closing its remarks on the veto, the *Intelligencer* attributed the message, once again, to presidential advisers. The times that Jackson had voted for internal improvements while a member of Congress and the approvals he had given of the program while President indicated that the veto was not entirely expressive of his opinions. Jackson merely wanted to protest against a "too rapid expenditure" of public money for miscellaneous objects, but in the Maysville issue the advisers had "overmatched" the President.³⁸

Whatever the source, the veto was met with general approval throughout the country. In Alabama, a legislative resolution passed overwhelmingly in favor of the "firm and patriotic course pursued by Andrew Jackson . . . in opposition to the passage of the Maysville Road Bill. . . ." ³⁹ The *National Gazette* struck out against the "nullifying politicians" in South Carolina, who would not accept the veto because they wanted too much "to divide the spoils of the South."⁴⁰ A Pennsylvania letter writer, who said he represented much of the thinking in that state, doubted any good that would come from internal improvements. A farewell dinner for the Ambassador to Russia, John Randolph, at Hampton Roads, Virginia, turned into a round of toasts in favor of Jackson: "The rejection

³⁸ *National Intelligencer*, June 24, July 3, 1830.

³⁹ *Washington Globe*, December 11, 1830.

⁴⁰ *National Intelligencer*, July 2, 1830.

of the Maysville Road Bill—it falls upon the ear like the music of other days.”⁴¹ In Maryland a set of resolutions passed the legislature that approved not only of the Maysville rejection but everything else Jackson had done, and in New Hampshire similar resolutions were passed.⁴²

The course of the President was clearly vindicated. The Maysville veto was thought to be representative of what Jackson’s attitude would be on future bills of a similar character. This was not always true because Jackson approved many bills that were just as debatable as Maysville. The President did invoke the language of Maysville in some of his subsequent internal improvement vetoes, but the whole question was so mercurial that no reliable definition of what was national and what was local could be given. The Maysville issue indicated further the extent in 1830 to which sectionalism had grown in the United States. For example, an analysis of the 1817 Bonus Bill shows that approximately fourteen percent of southern congressmen favored it. The Maysville Bill, however, received less than one percent of southern support. Conversely, the northern states accounted for about twenty-nine percent of the support for the Bonus Bill and roughly thirty percent for the Maysville Bill.⁴³ Clearly, then, internal improvements were supported mostly by the western areas. Aligning with the west in this attempt were the northern and eastern states who were interested primarily in national banking and protective tariffs. The three objectives, of course, complemented each other.

The agricultural South, though, could see potential danger if such a system were carried to its ultimate conclusions. Its opposition to internal improvements was almost solid in 1830 because it felt it was being called upon to contribute money to the national treasury but was getting nothing in return. When Jackson vetoed the

⁴¹ *Ibid.*

⁴² *Ibid.*, July 12, August 3, 1830.

⁴³ Statistics were compiled from a chart in David M. Potter and Thomas G. Manning, *Nationalism and Sectionalism in America, 1775-1877* (New York, 1959), 149. Southern states included in the Bonus Bill analysis were Georgia, Louisiana, North Carolina, South Carolina, Tennessee, and Virginia. The northern states were Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. In the Maysville analysis, the southern states of Alabama and Mississippi were added; the northern column remained the same as for the Bonus Bill.

Maysville Bill he stopped, according to southern opinion, a dangerous course. But to the North and the West, Jackson's veto was purely a retrogressive step. Internal improvements, then, was a question upon which great sectionalism grew in America.

A second internal improvement veto was handed down by Jackson on May 31, 1830, but the furor of Maysville caused it to be generally overlooked. The bill authorized a subscription of stock in the Washington Turnpike Road Company. It was designed to improve a road between Frederick and Rockville, Maryland, a distance of approximately thirty miles. Jackson referred the Senate, to whom the bill was returned, to the provisions of the Maysville veto. The *National Intelligencer* regretted the veto for it would halt the development of the upper part of Maryland. The veto was sustained in the Senate by a vote of 21 to 17.

Next, Jackson "pocketed" two internal improvement bills at the close of the stormy first session of the Twenty-first Congress. He announced his intention to "retain" the bills for "further consideration." The first bill was for making appropriations for building "light-houses, light-boats, beacons, and monuments, placing buoys, and for improving harbors and directing surveys." The second one authorized federal government help to the Louisville and Portland Canal Company whose objective was to construct a way for boats to bypass the falls of the Ohio.

The President's retention of these bills led to an intriguing question. By such an action was the President rejecting the bills outright, or would it be constitutional for Jackson at any time during the remainder of his presidency, to sign them? And if he did, would they become law? There was no precedent for the course Jackson took on this occasion, and the *National Intelligencer* at first believed it to be a breach of the Constitution.⁴⁴

A few days later, though, the paper mellowed in its interpretation of the President's retention policy and admitted its probable constitutionality. An elaborate essay was published on June 4 on the veto clause. In summary it said that if a President signs a bill there is no need to return it to the house of origin. Thus, the words "return" and "returned" should be taken in connection with a President's rejection of a bill. The essay quoted the veto clause of

⁴⁴ *National Intelligencer*, June 1, 1830.

the Constitution: "If any bill shall not be returned [that is, with his objections] within ten days . . . it shall be a law in like manner as if he had." The paper wanted to know "as if he had done what?" Returned it? No! "As if he had signed it. It is the signing of a bill that consummates it."

The paper continued that to understand the veto clause one must read the first and last sentences together and assume that all in between is parenthetical. If this is done, "the adjournment of Congress, before a bill is returned by the President, has the effect simply of enlarging his authority," to give him the power of rejection without considering the right of Congress to review his actions. The fate of the two bills, then, was in the hands of the President who, as long as he had not returned them had not actually rejected them. Until the next session the bills were "inchoate" laws. The question of whether they would be put into operation or not would probably be answered in the next session of Congress.

The retention of the bills was ample proof to Jackson's enemies that the President was striving toward a monarchy. They took the occasion to recommend again that some restrictions be placed on the veto power, stating that Jackson's retention policy was in conformity to the ancient usage of the British executive in rejecting bills. The phrase used by the King on such occasions, *Le Roi s'avisera*, was a mild way of giving a rejection.⁴⁵ The threat of a veto, said the *Intelligencer*, would cause Congress to go on the defensive; before any legislation was considered, the question of "what will the President say" would have to be asked. If American government fell into that condition, a most unseemly state of affairs would exist. It would have the effect of changing the republican character of the government into an elective monarchy.⁴⁶

Since the bills were not subsequently approved by Jackson they must be viewed as ordinary pocket vetoes. He gave his reasons for disapproval at the opening of the second session of the Twenty-first Congress. The Lighthouse Bill was unnecessary since it was already the practice of the government to render navigation safe and easy. The bill called for an additional fifty-one lighthouse keepers which, in Jackson's opinion, was excessive. Moreover, the

⁴⁵ *Ibid.*, July 3, 1830.

⁴⁶ *Ibid.*, June 24, 1830.

Lighthouse Bill was vague in that it did not make specific appropriations. He feared that the general nature of the bill would reduce it to one which made appropriations for purely local purposes. He said he would probably have approved the bill if it had provided for direct appropriations for specific projects.⁴⁷

Governmental subscription to the Louisville and Portland Canal Company would impair the relations between state and general governments. The power that would be acquired by bills of subscription (which were actually bills of revenue, said Jackson) would be dangerous "to the liberties of the people." He closed his comments on the bill by stating that the interests of the nation would be better served by "avoiding all indirect modes of [internal improvements]."⁴⁸

In the remainder of Jackson's internal improvement rejections, the pocket veto was used. In December, 1832, Jackson explained in his annual message to Congress why he had kept a bill "for the improvement of certain harbors and the navigation of certain rivers." He claimed that the situation regarding this bill was essentially the same as Maysville and he could not approve it without denying the precepts he used in the Maysville veto.⁴⁹

His final internal improvement veto was given in his sixth annual message to Congress on December 1, 1834. This was against a bill for the improvement of navigation of the Wabash River. Here, he did attempt to define in a clearer way than before his idea of what constituted a national internal improvement. The expenditures of Congress should be confined to areas on waterways below ports of entry or places of delivery established by law.⁵⁰ This interpretation could not work, though, for Congress would continually be establishing "paper ports" to circumvent presidential requirements. He reiterated in his Wabash message his former arguments that bills of this nature would destroy the line that must be kept between state and federal governments and that an amendment was essential to the furtherance of an internal improvement program.

⁴⁷ Richardson, *Messages*, II, 508-517.

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*, II, 638.

⁵⁰ Edward Mason, *The Veto Power* (Boston, 1891), 98.

A study of Andrew Jackson's relation to internal improvements is in many ways a key to understanding his presidency. If one word would express that relationship it would be "inconsistency." Perhaps it was the very inconsistency in Jackson's administrations that made them of lasting value to American history. Jackson was a pragmatic President, one ruled by experimentation instead of by a well thought out political philosophy. Because of this the term "Jacksonian democracy" of which the internal improvement vetoes were the first example,⁵¹ is difficult to define.

Through his internal improvement vetoes, Jackson attained a power that had been denied all previous Presidents. Never before nor for a long time afterwards did a President so bare his opinions to the public as Jackson and challenge the electorate to do something about it if it disapproved. Jackson's veto of the Maysville Bill was based in large part upon what had been said before on the subject, but in subsequent internal improvement vetoes his stand became one of unabashed boldness. The general support given to the Maysville veto enabled Jackson to play the intermediary between the people and a Congress bent on unequal distribution of the public treasure. His was the responsibility of judging the character of internal improvement bills and this responsibility had been given to him by the people. It was he, therefore, who set the standards of what was and what was not national. This power of choice made Jackson the strongest president to that time in American history.

His doctrine of retention, seen in the Lighthouse and the Louisville Canal bills, both of 1830, was completely new in American history. Apparently, Jackson was the only president to use the doctrine because it does not appear in subsequent presidential vetoes. Its importance was that it gave the opposition even more reason than previously to forecast the coming of a presidential dictatorship.

Jackson also set a precedent for using the pocket vetoes in his actions on internal improvements. There were six internal improvement vetoes in all, and four of them were pocketed. He always explained his reasons for the vetoes in his annual messages—directed not so much to Congress as to the people. The practice

⁵¹ Bassett, *Jackson*, 496.

of pocket vetoes, according to the advocates of internal improvements was degrading to the Congress.

In conclusion, Jackson's internal improvement vetoes established a pattern that was freely used by future veto presidents. John Tyler, James Polk, Franklin Pierce, and James Buchanan all had occasions during their incumbencies to quote the Old General on the role of the federal government in internal improvements. Jackson did not, of course, settle the question. On the contrary, he only assured that it would remain one of conflict between the executive and a large part of Congress, and one which reflected the fearful growth of sectionalism in the United States.