HENRY D. GILPIN
A PENNSYLVANIA JACKSONIAN

By Ralph D. Gray*

IN THE fifty-nine years of his life, Henry D. Gilpin (1801-1860) made outstanding contributions in law, literature, and politics. Even more remarkable is the fact that his major achievements came before he reached the age of forty. The pinnacle of Gilpin's political career was appointment to Van Buren's cabinet as Attorney General in 1840, when already the young lawyer was a noted author, editor, and political leader. Although Gilpin never held elective office, he attained important appointive positions in recognition not only of his merit but also of his staunch support of the Democratic party. A vigorous and learned writer, Gilpin's talents with the pen were used in zealous support of Jackson and Jacksonianism.

Henry D. Gilpin was the son of a prominent Philadelphia merchant, miller, and canal authority, Joshua Gilpin. During the "grand tour" of Europe from 1795 to 1801, Joshua studied

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See the sketch of Gilpin's life by Roy F. Nichols in the Dictionary of American Biography, VII, 315-316. Joshua Gilpin, like his father, Thomas Gilpin, who initiated the project, advocated the construction of a canal between the Delaware River and Chesapeake Bay, and served on the board of directors of the Chesapeake and Delaware Canal Company for over twenty years. Three generations of the Gilpin family thus were intimately connected with the canal, finally completed in 1829, for Henry D. Gilpin was secretary-treasurer of the canal company for ten years before being elected to the board of directors in 1832. According to John K. Kane, a Philadelphia lawyer and canal board member, Gilpin, "... a very young lawyer, ... owed his place [as secretary] with a very small salary to his father's connection with the Canal Direction." Kane added, in probably an exaggerated boast: "It was in my power first to befriend him by refusing to displace him, and afterwards by aiding him to become well known to Gen. Jackson and Mr. Van Buren." Autobiography of the Honorable John K. Kane, 1795-1858 (Philadelphia, 1949), 66. See also Joshua Gilpin, Memoir on the Rise, Progress and Present State of the Chesapeake and Delaware Canal (Wilmington, Delaware, 1821); Ralph D. Gray, "The Early History of the Chesapeake and Delaware Canal," Delaware History, VIII (March, 1959), 207-264; (September, 1959), 354-397, and the same author's The National Waterway: A History of the Chesapeake and Delaware Canal, 1769-1965 (Urbana, Ill., 1967).
antiquities, industrial processes, and canal engineering. There also he met and married Mary Dilworth, daughter of a Lancaster banker, in 1801. The eldest of eight children, Henry Dilworth Gilpin was born in England before his parents returned to the United States.\textsuperscript{2} From 1811 to 1815, the Gilpin family was again in England, where Henry attended Dr. Hamilton's school at Hemel-Hempstead, near London. In 1816 he entered the University of Pennsylvania, "at which institution he was graduated, with the highest collegiate honours, in 1819.\textsuperscript{3} That same year, in September, Gilpin entered the office of Joseph R. Ingersoll to study law. A "commonplace book" kept by the young student "to note down my readings and my observations thereon" reveals the diligence and orderliness with which he pursued his studies.\textsuperscript{4} Gilpin felt that in the two and one-half years spent at the university, he could have accomplished more had he "studied privately." He had no regrets, however, for the university studies were necessary to obtain the degree the world "considers important for a professional man." Nevertheless, in the summer between his university career and beginning the formal study of law, Gilpin planned a systematic review of the ancient classics, "as it is proper that I should have a perfect knowledge of them," and an intensive study of languages—Latin, Greek, Italian, and French, in addition to reading great works on law.\textsuperscript{5}

A typical entry in the commonplace book, made August 31, 1819, reads:

\begin{quote}
After a hard day's work I finished the Commentaries of Sir William Blackstone—I have seldom read a book more contrary to my expectations, I have heard indeed that he treated the dry subject of law in a very handsome manner but had no idea that work on so abstruse a subject could
\end{quote}


\textsuperscript{3}"Political Portraits with Pen and Pencil, No. XXIII: Henry D. Gilpin," \textit{United States Magazine and Democratic Review}, VIII (December, 1840), 513. Perhaps it is significant that this biographical sketch in the Democratic Review ignored the fact that Gilpin was born abroad, but rather emphasized that Gilpin belonged to a respectable family which emigrated to Pennsylvania at about the time of the establishment of the colony by William Penn, and that two brothers of his grandfather, who himself was a personal friend of Benjamin Franklin, were in the revolutionary army. \textit{Ibid.}, 512.

\textsuperscript{4}Henry D. Gilpin, "Extracts from a Common-place Book," \textit{Pennsylvania Magazine of History and Biography}, XLV (1921), 244.

\textsuperscript{5}Ibid., 225-226.
be written with a beauty and elegance that might entertain the most superficial reader. Perhaps it would be going too far to say that its style is the finest in the English language but yet I must confess I know none superior.\textsuperscript{5}

While still a law student in Ingersoll's office, Gilpin gained his introduction to the business world as secretary-treasurer of the Chesapeake and Delaware Canal Company, a moribund enterprise which was revived in 1821 at the instigation of Philadelphians, particularly Mathew Carey. Gilpin readily accepted this position, partly because the recent financial panic had seriously affected his father's papermaking establishment on the Brandywine and threw Henry upon his own resources for support, but also because of the opportunity it afforded him. He proved an able and efficient officer of the company, which completed its canal in 1829, sixty years after Gilpin's grandfather had surveyed a route and broached the subject to an American Philosophical Society meeting.

As agent of the Chesapeake and Delaware Canal Company, Gilpin traveled to Washington, D. C., in March, 1825. After nearly twenty years of importuning by the company, the government had authorized a $300,000 subscription to the stock of the company. Gilpin was delighted at being selected to make the trip "on behalf of the Company to receive the subscription and on behalf of myself to see the coronation" of John Quincy Adams.\textsuperscript{7} Gilpin was escorted onto the floor of Congress and introduced to leading members of the House and Senate by Louis McLane, representative from Delaware and later a member of Jackson's cabinet. But the young lawyer was even more impressed with his visit to the Supreme Court, where he heard a case being argued by Attorney General William Wirt, Charles Ingersoll, and John Berrien of Georgia. The Court, Gilpin reported to his father, "is I think infinitely more dignified than the Court of King's Bench, and I do not recollect ever to have seen a man with whose appearance I was more struck than Chief Justice Marshall; immediately on his right sits Judge [Bushrod] Washington who is the most lawyer-looking man I have ever seen."\textsuperscript{8}

\textsuperscript{5} Ibid., 230-231.
\textsuperscript{7} Henry D. Gilpin to Joshua Gilpin, February 28, 1825, Henry D. Gilpin Papers (Historical Society of Delaware, Wilmington).
\textsuperscript{8} Henry D. Gilpin to Joshua Gilpin, March 4, 1825, Henry D. Gilpin Papers.
Gilpin’s journal, in the form of letters to his father, of his trip and sojourn in Washington, contains an interesting account of the inauguration and the reception which followed. The former young Gilpin found a “striking scene”; “the dignified appearance of the Senate, and especially of the Judges, the waving plumes of the ladies, the gay dress of the officers, and the breathless attention to every word, conspired with the magnificence of the room, and the moral grandeur of the event itself, to make a strong and lasting impression.” But the reception lacked, if not the “gay dress,” at least the “moral grandeur.” “[S]uch a scene I never beheld,” he exclaimed:

the whole street which is a wide one was filled with carriages, and the crowds of persons ladies in full dress, and gentlemen in shorts and silk stockings who endeavored to make their way up the narrow staircase exceeded anything you can imagine; when I arrived in the drawing room which was after no little pushing and squeezing, I found it completely filled; I however made my way up to Mrs. Adams & had the honour of several minutes conversation with her. . . . The most amusing part of the business however was the perfect non-chalance with which Tom Dick & Harry pushed through the rooms, and devoured the pound cake which seemed quite a new thing to them—clean boots were by no means considered indispensable by some of the worthy republicans, & others did not find the place at all too warm as they wore their hats & great coats. . . . I saw a woman march into the drawing room with perfect composure dressed in thick muddy shoes, a large plaid cloak, and an awkward black straw bonnet, nor was she the only one who was not in full dress. The plain dresses however of most of the gentlemen & ladies were much handsomer than the ridiculous dresses of some of the foreign ministers; you never saw any thing more frightful than those of the British legation, which looked like the tawdry livery of Sir Everard Waverley’s servants.10

But this was not Gilpin’s chief interest. The thrill of visiting Congress and meeting its leaders, and of attending the inauguration and the inaugural ball was but secondary to the pleasure he

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10 Ibid., 248-249.
derived from pursuing his literary and legal interests. "You must not suppose I have been doing nothing but frolicking since I arrived," he admonished his father: "I spent some hours this morning in the library of Congress, where I found to my great delight, the printed Records from the Tower & Exchequer published by the English Government which I had been long anxious to see; . . . after all the library and Supreme Court have afforded me more pleasure than anything since I have been here." 11

In 1822 Gilpin had been admitted to the bar, and soon thereafter he was admitted to practice before the Supreme Court of Pennsylvania. The Philadelphia bar was very large, with keen competition, but Gilpin soon distinguished himself professionally. He also managed to continue his literary activities and, from 1825 to 1831, he supplemented his income by serving as editor of the first important gift book published in the United States, *The Atlantic Souvenir.* 12 This annual was published by Henry C. Carey and Isaac Lea, who hired Gilpin to edit all seven issues at a salary which ranged from $100 to $225 a year. Gilpin, a frequent contributor to the pages of *The Atlantic Souvenir* himself, also obtained contributions from such writers as Longfellow, Bryant, and Irving.

During this time Gilpin brought out in 1828 the second edition of John Sanderson's *Biography of the Signers of the Declaration of Independence* (9 vols.; Philadelphia, 1820-1827), to which he made numerous changes and additions. After the *American Quarterly Review* was established in Philadelphia in 1827, Gilpin regularly contributed essays on literary criticism, geographical research and travels, the fine arts, and biography. 13 In addition,

12 *Gift Books*, annual deluxe publications usually filled with sentimental prose and poetry, were common Christmas gifts during their vogue from approximately 1825-1865. See Ralph Thompson, *American Literary Annuals and Gift Books, 1825-1865* (New York, 1936).
13 "Political Portraits: Gilpin," 534. An essay which possibly came from Gilpin's pen, a matter which consultation of the Gilpin Papers in the Historical Society of Pennsylvania or the Historical Society of Delaware should determine, was a review of Timothy Flint's *Geography and History of the Western States*. The main criticism made in this generally favorable account was of Flint's style, especially his use of colloquial expressions: "He sometimes uses phrases which are not grammatical, and sometimes permits himself to indulge in a barbarous slang, which is unpardonable in polite writing. We notice this the more particularly, because Mr. Flint is a man of classical education, an erudite scholar, who need only consult his own taste and judgement to correct this fault." *American Quarterly Review*, V (June, 1829), 358.
He was a contributor to the *North American Review* and the *Democratic Review*. He demonstrated a particular flair for writing biography, and several of the "political portraits," a regular feature in the *Democratic Review*, were "drawn" by Gilpin. Among his biographical sketches published there and elsewhere are lives of Thomas Jefferson, Benjamin Franklin, Silas Wright, Edward Livingston, and Joel R. Poinsett.\(^4\)

A classical scholar, an accomplished lawyer, and a writer of light essays and verses, Henry D. Gilpin seemed an unlikely prospect to achieve eminence in a political career. But he was converted to the Jackson cause immediately after the "coalition election" of Adams, and remained a steadfast and stalwart supporter of the Democratic party. A slender, erect man with cultivated tastes and impeccable manners, Gilpin brought intellectual vigor and cultural attainments to the Democratic party.

The young writer first came to the attention of President Andrew Jackson through a spirited defense of the government's Indian policy written in 1830, *A Memorial of Sundry Citizens of Pennsylvania, relative to the Treatment and Removal of the Indians*. This earned for its author appointment in 1831 as Attorney of the United States for the Eastern District of Pennsylvania, an office vacated by Gilpin's friend and mentor, George M. Dallas, upon his election to the United States Senate. For the next ten years, Gilpin held public office and distinguished himself through service to his party and his country.

In the 1832 election, Gilpin served as an active and energetic leader of the Jackson forces. At the Democratic convention held in Harrisburg, Gilpin was named to a "committee of correspondence" designed to publicize the issues (chiefly the Bank question) and party platform. He was the principal author of numerous "Addresses to the People of Pennsylvania," made several public speeches, and was an influential supporter of Jackson's candidacy for reelection.\(^5\) Shortly after the election, in January, 1833, Jack-

\(^4\) Gilpin wrote of Poinsett: "As a member of the Administration, his long tried and sound republican principles secure for him the confidence of the great party by which it was elevated and is sustained, and his zeal, abilities, attainments, and experience, are a guarantee to his country, that he is able to discharge his trust with usefulness and honor." "Political Portraits with Pen and Pencil, No. III: Joel R. Poinsett," *United States Magazine and Democratic Review*, I (March, 1838), 456.

\(^5\) "Political Portraits: Gilpin," 521.
son appointed Gilpin as one of the five government directors of the Bank of the United States.

Jackson, of course, regarded his election in 1832 as a popular mandate against the Bank and took immediate steps to have government funds deposited in state banks rather than in the "monster" corporation. It was soon apparent, however, that Biddle, president of the Bank, was not going to give in without a fight. In the "Bank War" which resulted, Gilpin became a leading advocate of the administration position and headed the opposition to Biddle within the Bank parlors. Gilpin was most exasperated by Biddle's authoritarian handling of Bank affairs and the exclusion of the government representatives, not only from seats on the important committees, but also from any discussion of business:

I never saw such a Board of directors [Gilpin grumbled to a friend]—it is a misuse of terms of directed... We know absolutely nothing. There is no consultation, no exchange of sentiments, no production of correspondence, but merely a rapid, superficial, general statement, or a reference to a Committee which will probably never report... We are perfect cyphers.

Gilpin agreed with Jackson and the other recently appointed government directors that the five public representatives were intended by the bank charter to keep an eye on all actions by the Bank to prevent mismanagement or abuses of privilege. They did not look upon themselves as merely representatives named to vote the stock of the United States, but rather as public officers obligated to protect public interests. Gilpin vigorously defended these views in a memorial from the government directors to Congress, made in order to "vindicate themselves of charges by the majority of the Bank directors":

Nothing can be plainer, than that the public directors were devised as instruments for the attainment of public

Ibid., 522. According to this account, it was on Gilpin "that fell the chief burthen of the labours which it was found that the faithful performance of their duties was to involve...—he being at the same time the author of the various documents which issued from their collective number, the chief advocate at the council-board of the Bank, and the special object of the storm of attack, public and private, political and social, through every mode of influence, by which they were assailed, so soon as the spirit was understood in which they were determined to maintain the rights, and perform the duties, of their high trust."

Quoted in A. M. Schlesinger, Jr., The Age of Jackson (New York, 1942), 75.
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objects; that they being insisted upon in the charter itself, was in obedience to the rule of those who elected the legislative body by which it was passed; and that their appointment was given to the President, with the advice and consent of the Senate of the United States (not to the mere fiscal representative), in order to clothe them with all the character of official representation, and to exact from them a discharge of all of the duties, public, political and patriotic, incident to a trust so conferred.18

Gilpin cited both Hamilton's Report of 1790 and a report by Alexander James Dallas, the author of the bill authorizing the existing bank, as well as the legislative debate on the Bank bill, to support his arguments. The memorial continued:

And yet we are told . . . that the public directors . . . have no other attributes or duties than the other directors—and their remonstrances are treated with scorn, proportionate to the numerical ascendency of the private representatives of the stockholders. . . . Yes! The bank has the boldness to claim co-equality with the nation; to assert and to exercise, as far as it can, the right of silencing and despising the legally constituted public functionaries of the nation; to disregard the organs and representatives of the people: and thus in the fulness [sic] of money-pride and pretension, utterly to set at nought the people themselves.

A case parallel to our's has never yet been exhibited in this country. It is the case of a subordinate corporation, spurning at and virtually discarding the agents of those by whom it was created; paying no sort of respect to the exalted public sources whence their appointment immediately emanates: denying the true nature of their trusts; and nullifying by preconcert and pretense, the law of the land and its ministerial officers. Individually and personally this arrogant and unequalled proceeding, conducted under the semblances of official forms, cannot affect us; we are in fact relieved by it from many labours, irksome, painful, and unjustifiable; made silent and useless by the force of a majority, we are freed from much responsibility and care. But to our constituents—to the American nation and people, the example is of vast, and we believe, vital interest; and to them and for them, we feel it a duty to make the statement which we now submit to their assembled representatives. With

18 Quoted in "Political Portraits: Gilpin," 523.
them alone it remains whether they will assert the supremacy of the law; support their public agents in the discharge of their duties; and confine within its proper sphere of subordination and real usefulness, an institution, created, not for its own, but their benefit.¹⁹

Early in 1834 Jackson supported the incumbent government directors. Strongly opposed by Biddle, Gilpin and his colleagues were rejected by the Senate 20 to 25. Jackson immediately re-nominated Gilpin, Peter Wager, and John T. Sullivan of Philadelphia, and Hugh McEldery of Baltimore, and accompanied this with a message intended as a vindication of his and his associates' actions.²⁰

Jackson noted that something in the official conduct of the public directors must have caused the Senate to refuse to re-confirm their appointments and inferred that it could only have been the reports of the directors made April 22, 1833, and August 19, 1833, which charged the Bank with grave misdemeanors. But Jackson asserted neither the accuracy nor the propriety of the reports can be questioned. Indeed, it was the duty of the directors to make the disclosures which revealed “the most alarming abuses.” Jackson then gave his interpretation of the functions of the government directors:

[They] can not be regarded in the light of the ordinary directors of a bank appointed by the stockholders and charged with the care of their pecuniary interests in the corporation. They have higher and more important duties. They are placed at the board not merely to represent the stock held by the United States, but to observe the conduct of the corporation and to watch over the public interests.²¹

As expected, however, the Senate again rejected the nomination, this time by a vote of 11 to 30.²²

²⁰Ibid., 524-525.
²¹James D. Richardson, ed., A Compilation of the Messages and Papers of the Presidents (Washington, 1897), III, 1260. James A. Bayard of Delaware had previously been approved as the fifth director, but he refused to accept the appointment. Ibid., 1267; Niles' Weekly Register, XLVI (March 1, 1834), 2.
²²Richardson, Messages and Papers, III, 1262.
²³Ralph C. H. Catterall, The Second Bank of the United States (Chicago, 1903), 309. According to “Political Portraits: Gilpin,” 530, Jackson expected this, but wanted his protest entered on the Senate records.
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Party animosity also prevented Gilpin from succeeding General Porter as governor of the Michigan Territory, for his nomination to that important position was twice rejected by the Senate. This action brought forth angry denunciations by the Democratic press, which uniformly considered the rebuff to Gilpin as totally unjustified and based solely upon his actions as Bank director, not upon his qualifications. One Pennsylvania newspaper called the rejection "the last exhibition of the partizan malignity of the United States Senate," an act of "petty political hostility." Another, the *Harrisburg Reporter*, stated that Michigan had been deprived "of the services of a citizen whose fine talents, extensive and varied learning, legal knowledge, and above all, whose unspotted moral character, would have contributed in a high degree to the promotion of their common prosperity and honor." Gilpin was credited with, in great measure, having delivered the nation "from the power of an institution that had well nigh prostrated the public liberty," but the "expiring struggles of the monster thus cut down in its prime have been . . . of a ferocious kind. Mr. Gilpin is one of the victims of its dying hate."

Rejection four times by the Senate did not end Gilpin's political career, but perhaps increased his favor within the party. He continued writing in support of the Democratic party and principles, and was especially active during Van Buren's campaign of 1836. Already Gilpin was a close personal friend and political adviser of Van Buren. Henry Wikoff recalled their association at Saratoga Springs, New York, in 1833:

"A prominent member of the Philadelphia bar, and Government Director of the United States Bank, Henry D. Gilpin, was a good deal remarked at the Springs: a slight-looking man, in gold spectacles, very erect, and displaying in his conversation rare intelligence and force of character. He was an ardent ally of the Vice-President [Van Buren], and doubtless passed hours with him in secret council, when people supposed them in bed, over the next . . ."

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23 Many years later, in 1861, Gilpin's younger brother, William, became governor of the territory of Colorado. He is also known for his books on the West, Hancock and Wilkinson, "The Gilpins," 392 n.


25 February 3, 1835, quoted in *ibid.*, 531.
move on the political chessboard, though they were seldom seen together in the daytime.²⁶

Shortly after Van Buren's election to the presidency, Gilpin was named Solicitor of the Treasury, and, in 1840, he succeeded Felix Grundy as Attorney General in Van Buren's cabinet. He acquitted himself well during his brief tenure in that office,²⁷ but evidently did not regret his retirement in 1841 from the active political scene. Gilpin was content to return to Philadelphia, his private law practice and his literary labors.

At no time had Gilpin neglected belles-lettres, his first love, and his major publications occurred during the time of his active political life. Just prior to going to Washington, he published his Report of Cases Adjudged in the District Court of the United States for the Eastern District of Pennsylvania [1828-1836] (Philadelphia, 1837), which covered the period that Dallas and then Gilpin himself had served as District Attorney. Besides making what was described as "a very accurate analysis and distinct statement of the points of each case," Gilpin, in a noteworthy innovation in this publication, included "a condensed abstract... of the arguments of counsel, as well as of the decision of the bench."²⁸ Later, while Attorney General, Gilpin was asked to assume the editorship of the Madison papers released for publication under the auspices of Congress. A landmark in the writing of American constitutional history was reached upon the publication of The Papers of James Madison (3 vols., Washington, 1840). As Farrand has pointed out, with the appearance of Madison’s voluminous and detailed notes on the debates in the federal constitutional convention, "... at once all other records paled into insignificance."²⁹ George Bancroft, already coming to be known as "the historian of America," immediately acclaimed the volumes and praised the work of its editor. Although the text is not free

²⁶ Henry Wikoff, Reminiscences of an Idler (New York, 1880), 60.
²⁷ The Democratic Review had this to say of Attorney General Gilpin: "His efforts at the bar of the court were remarkably happy and successful, his forensic style is very effective and excellent—his arguments singularly accurate in analysis, lucid in statement and illustration, strong in logical combination, terse and comprehensive in language, and in manner he is polished and gentlemanly, while earnest and forcible." "Political Portraits: Gilpin," 518.
²⁸ "Political Portraits: Gilpin," 516.
²⁹ Max Farrand, ed., The Records of the Federal Convention of 1787 (New Haven, 1911), I, XV.
of corruptions—later revisions by Madison entered the original notes without mention—by contemporary standards of scholarship, Gilpin's performance was commendable, particularly in arrangement and in providing references to other collections.\(^3\)

In his later life Gilpin became president of the Pennsylvania Academy of the Fine Arts, vice-president of the Historical Society of Pennsylvania (to which he bequeathed his personal papers), a director of Girard College, and a trustee of the University of Pennsylvania. In 1834 he married Eliza Sibley Johnston, the widow of Senator Joshua S. Johnston of Louisiana, but no children were born of this union.

As his correspondence during these years reveals, Gilpin did not lose all contacts with politics, and he remained true to the principles of the Democratic party. In November of 1841, he wrote to a former colleague in Van Buren's cabinet, Joel R. Poinsett, that "the defeat of the Democrats in 1840 may have a good result in the end, for it is serving to expose the falsehood and false pretensions of the Federalists."\(^3\) In 1843 he predicted that Pennsylvania delegates would favor Van Buren over Buchanan for the presidential nomination; and in 1844 he was in Baltimore to see the deadlocked convention at last agree on Polk as a candidate. In 1855 Gilpin was collecting material for a biography of his former political associate, Poinsett, onetime ambassador to Mexico and the Secretary of War under Van Buren.

Gilpin was the very antithesis of Andrew Jackson in background, training, and character, but his political views coincided exactly with the main tenets of Jacksonianism. He did not share Jackson's personal distrust of all corporations, but he did strongly oppose the monopoly character of the Bank of the United States, and was a champion of the underprivileged. He became an influential political leader in his own state and soon gained recognition for his loyal and zealous espousal of the Democratic cause. Gilpin represents the small but significant group of intellectuals who brought high ideals, noble purposes, and respect to their political party.

\(^3\) Gilpin also published a compilation consisting of the opinions of former Attorney Generals in 1841.