



JAMES M. PORTER

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JAMES M. PORTER: A CONSERVATIVE DEMOCRAT IN THE JACKSONIAN ERA

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IN THE midst of his ill-fated presidency, John Tyler presented to the Senate for confirmation as the secretary of war the name of James Madison Porter. As the brother of Pennsylvania's governor and a well-known state politician in his own right, Porter represented a minor gambit in the abortive attempt to construct a Tyler party that could successfully return the country to republican principles and the Virginian to the White House in 1844.¹ Porter functioned as a member of the cabinet for several months; but he was eventually rejected by the Senate and returned to Pennsylvania on the eve of the disaster aboard the *Princeton* which would undoubtedly have taken his life. Instead he lived on for nearly two more decades as a politician, judge, and entrepreneur in Easton where as a young man he had gone to make a name for himself.

Porter's moment on the national stage was brief, and those historians who have taken note have often confused him with his brother, or worse, created an entirely fictional character.² The vagaries of an individual's life make generalizations difficult. Yet there are times at which the close examination of the career of a third-rate figure enables the historian to flesh out vague concepts. In many ways Porter represents a type familiar at the time; a lawyer, local politician, state judge, and federal appointee. Like so many others who litter the landscape of the 1830s and 1840s, however, he was a man slightly out of step with his own time.

Historians are becoming increasingly aware of the transitional character of the Jacksonian period. Between 1825 and 1840 modern mass political parties appeared to alter radically the nature of American politics. At the same time American political culture

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¹Charles McCool Snyder, *The Jacksonian Heritage: Pennsylvania Politics 1833-1848* (Harrisburg, 1958), 168-70.

²Oscar D. Lambert, *Presidential Politics in the United States, 1841-1844* (Durham, 1936), 87.

changed in ways that far transcend what is usually referred to as "the advance of democracy." The style as well as much of the content of politics reflected a new set of political values. One of the major aspects of this emerging political culture was the acceptance of highly disciplined political parties. Not everyone found the new politics of the 1830s congenial, and recent studies have highlighted the importance of antipartyism during these years.³ Porter's career illustrates clearly many of the problems faced by an individual who attempted to cling to traditional values and shun innovation in a time of change.

During most of his life Porter lived in and around Easton, the county seat of Northampton County on Pennsylvania's eastern border. Located at the confluence of the Lehigh and Delaware rivers, Easton had long been a trading center and during the 1830s functioned as the entrepôt of a rapidly developing hinterland rich in natural resources. The town's commercial growth was spurred by the discovery of anthracite coal in the Mauch Chunk area to the northwest of Easton and the construction of the Delaware Division and the Lehigh Coal and Navigation Company, the so-called anthracite canals designed to ship fuel to Philadelphia and New York.⁴

At the same time the Industrial Revolution was making its appearance in Northampton County. By 1840 the transition from an agricultural to a manufacturing area had proceeded to such an extent that nonfarmers made up nearly 60 percent of the county's labor force. Northampton County boasted not only flour mills and tanneries but iron and brass foundries which laid the basis for the development of the steel industry later in the century.⁵ Even the national press took note of this progress. From Washington, *The Daily Madisonian* reported with amazement in April, 1842, that although it was "not remarkable for size or wealth," Northampton County had an invested capital approaching \$10 million.⁶

³Richard Hofstadter, *The Idea of a Party System* (Berkeley, Calif., 1969); Ronald Formisano, "Politics, Character, Anti-Partyism, and the Second Party System," *American Quarterly*, XXI (Winter, 1970), 683-709; *idem*, *The Birth of Mass Political Parties* (Princeton, 1971); William W. Freehling, "Spoilsmen and Interests in the Thought and Career of John C. Calhoun," *Journal of American History*, LII (June, 1965), 25-42; Lynn L. Marshall, "The Strange Stillbirth of the Whig Party," *American Historical Review*, LXXII (January, 1967); and Sidney Nathans, *Daniel Webster and Jacksonian Democracy* (Baltimore, 1973).

⁴W. Ross Yates, *History of the Lehigh Valley Region* (n.p., 1963), 29-128, provides a brief introduction to the area's history during these years.

⁵United States, Bureau of Census, *Sixth Census of the United States* (Washington, 1841), 149.

⁶*Washington, D.C., Daily Madisonian*, April 11, 1842.

Canal activity, mining, and industrialization drew a cosmopolitan population into the county. In its early years Easton had been an English outpost, but rapidly Scotch-Irish settlements appeared in the county, and large numbers of German farmers migrated north from Berks and Bucks counties transforming Northampton into a further province of the Dutch country.⁷ Although a substantial majority of the population was of German descent by the 1830s, and one-half the churches were Lutheran or Reformed, the county was far from homogeneous.⁸ Cultural islands, represented by the Moravian settlements in Bethlehem and Nazareth, as well as the religiously and ethnically cosmopolitan town of Easton, floated in this sea of religiously orthodox Germans.

The economic situation and ethno-religious make-up structured the county's politics. The former determined the county position on major economic issues while the latter defined the fault lines of partisan conflict. During the 1820s Andrew Jackson was the favorite of Northampton County voters, but there was little in the way of party organization and little reason to believe that people in the area were any more at one with Jackson on the major issues of the day than were other Pennsylvanians. As Philip Klein has noted, most Pennsylvanians "took but one step at a time. First they favored Jackson. Then they favored internal improvements. But unless circumstances made the inconsistency gloriously evident, they ignored it—perhaps they were never aware of it."⁹ Matters concerning banks, tariffs, and internal improvements did not seriously divide the county during Jackson's presidency.

By the mid-1830s factions gave way to parties, and county Democrats, who continued to win elections, gradually came into line with the state and national party on most issues. Yet, throughout this period political conflict was basically rooted in the ethno-religious differences within the county. The dominant German Lutheran and Reformed group, aided by the small number of Catholics in the county, supported the Democrats and withstood any offensive on

⁷I. Daniel Rupp, *History of Northampton, Lehigh, Monroe, Carbon and Schuylkill Counties* (Harrisburg, 1845), 12-18; H.F. Raup, "The Pennsylvania-Dutch of Northampton County: Settlement Forms and Culture Pattern," *Bulletin of the Geographical Society of Philadelphia*, XXXVI (Winter, 1938-39), 1-15.

⁸This is based on a compilation from all available county histories used in William G. Shade, "Pennsylvania Politics in the Jacksonian Period: A Case Study, Northampton County, 1824-44," *Pennsylvania History*, XXXIX (July, 1972), 313-338.

⁹Philip S. Klein, *Pennsylvania Politics, 1817-1832, A Game Without Rules* (Philadelphia, 1940), 358.

the part of the varied coalition of the Moravians and New School Presbyterians who made up the Whig party.¹⁰

James Madison Porter came to Northampton County in 1818 to make his fortune and dabble in politics. He had been born on January 6, 1793, at the family estate, "Selma," near Norristown. Andrew Porter, his father, was a Scotch-Irish Presbyterian who had distinguished himself as a general in Washington's army. Following the Revolution, he used his mathematical skills as a surveyor, settling certain boundaries of Pennsylvania in the 1780s and later as surveyor general of the state. His wife, Elizabeth, was pious and extremely well-read; and she insisted that her children follow her example. Six of Andrew and Elizabeth's eight children were connected with early American politics. Harriet Porter married one of the most prominent men in state politics, Thomas McKean. Aside from James's achievements; David became governor of Pennsylvania, George was territorial governor of Michigan, and Robert served as a judge. A second daughter, Eliza Ann, married into the Todd family and fostered Mary Todd Lincoln.¹¹

James Porter's early years provided excellent training for a political career. Like his brothers, he attended Norristown Academy and Princeton. However, he did not graduate. After Princeton burned during a student riot, Porter dropped out to clerk in the land office in Philadelphia. In 1809 he studied law in Lancaster and later in the office of his brother Robert in Reading. From there he moved to Philadelphia and worked in the prothonotary's office until he was admitted to the Philadelphia bar in 1813.¹² By that time Porter had become active in politics and marked himself as a Republican partisan and staunch supporter of the administration of his namesake, James Madison. During the War of 1812 he organized a volunteer company which he commanded at Fort Mifflin. After being relieved by regulars, he continued to serve with the militia and attained the rank of colonel.

Such activities and connections served him well, but his father

¹⁰Shade, "Pennsylvania Politics in the Jacksonian Period," *passim*.

¹¹Lewis E. Stout, "A Biographical Sketch of the Hon. James Madison Porter," James M. Porter Pamphlets, XVI, #1, 3, Easton Public Library (EPL); William Porter, "The Life of General Andrew Porter," *The Pennsylvania Magazine of History and Biography*, IV (1880), 264-92; Autobiography of David R. Porter, William Brooke Rowle Collection, Historical Society of Pennsylvania; and David Bishop Skillman, *The Biography of a College: Being the History of the First Century of the Life of Lafayette College* (Easton, 1932), I, 15.

¹²Daniel L. McMurry, "James Madison Porter," in Dumas Malone, ed., *Dictionary of American Biography* (New York, 1935), XV, 94.

warned him of becoming too involved in politics. Andrew Porter hoped his son would "remain true to the law If your pursuits are diversified . . .," he told him, "you will never rise to the head of your profession."¹³ However, James's forceful personality could not be confined to his legal practice. After being defeated as a candidate for city council in Philadelphia, he accepted an offer to move to Easton to take up a somewhat more prestigious position as deputy attorney general of Northampton County.¹⁴

Porter rapidly rose to prominence in Easton, wisely laying the necessary groundwork for a successful political career. Soon after arriving he married Eliza Michler, the daughter of a prominent local businessman and politician, in 1821. His reputation as a skilled attorney brought him a lucrative practice and led to his election as head of the Northampton County bar while still a relatively young man. Active in the First Presbyterian Church which was the focus of the local aristocracy, he became a trustee of Lafayette College and a member of both the American Colonization Society and the Pennsylvania Abolition Society. Aside from such politically profitable activities, Porter also joined the Masonic Order which functioned in Northampton County, as elsewhere, as one of the main agencies of political recruitment in the period before the emergence of political parties.¹⁵

These preliminary steps taken, he quickly became involved in local politics. Throughout the mid-1820s Porter served as a member of the town council and eventually rose to the position of chief burgess. The council had broad patronage at its disposal, and thru this power became the nucleus of political organization in the city. From this base Porter moved out into state political activities. In 1822 he was a key member of the county committee to nominate a gubernatorial candidate. The next year he acted as a delegate to the Democratic state convention held at Harrisburg. When the canal convention initiated by the Pennsylvania Improvement Society met in Harrisburg in 1825, Porter represented Northampton County and defended the county's interests against what he believed to be the insincerity and recklessness of the Philadelphians. As a consequence,

¹³Porter, "Life of General Andrew Porter," 298.

¹⁴Stout, "Biographical Sketch," 4-6.

¹⁵*Ibid.*; McMurry, "James Madison Porter," 94; Skillman, *Biography of a College*, I, 48, 173; and William J. Heller, *The Grand Valley of the Lehigh* (New York, 1920), I, 153, 156.

two years later he was made chairman of the Delaware Canal committee.¹⁶

Although politically successful during this period, Porter did encounter opposition, and he became embroiled in the factious nature of county politics. The first challenge which Porter faced involved a seemingly innocuous matter, but one which indicated a growing unhappiness with traditional politics. In May, 1827, the council passed an ordinance for the erection of a town clock. An economy minded faction opposed this unnecessary article and put forth a new ticket to challenge the town organization. But in a town meeting the majority of citizens upheld both the ordinance and the Porter-led burgesses.¹⁷

At the same time Porter faced a more serious challenge. In the canal convention Porter, along with Thomas H. Crawford and James Buchanan, had questioned the wisdom of the plan proposed by the Pennsylvania Improvement Society, but there can be little doubt that he was as he claimed a sincere "friend of internal improvement as the means of developing the great riches of the commonwealth and affording its citizens a cheap and easy mode of transporting its products to market."¹⁸ In 1827 he hoped to control the nomination of a state senator who reflected his views on this important question. But when the nominations took place in September, the Pike County representatives ignored the Northampton delegates and put forward William G. Scott, an advocate of fiscal economy and the elimination of the state debt. Believing that Scott's hostility to internal improvements endangered the counties' best interests, Porter led the opposition against Scott and supported James Kennedy. This time,

¹⁶Klein, *Pennsylvania Politics*, 137-38; Ethan Allan Weaver, *Local Historical and Biographical Notes* (Easton, 1906), III, 163; Richard I. Shelling, "Philadelphia and the Agitation in 1825 for the Pennsylvania Canal," *The Pennsylvania Magazine of History and Biography*, LXII (April, 1938), *passim*; *Harrisburg Pennsylvania Argus*, March 2, 1827.

¹⁷*Easton Delaware Democrat and Easton Gazette*, September 27, 1827; Easton Town Commission Reports, January 27, 1827, EPL.

¹⁸*Harrisburg Pennsylvania Intelligencier*, August 26, 1825. The proceedings and portion of the debates appear in *ibid.*, August 12, 19, 26, September 2, 16, 1825. The debate is accurately summarized in Shelling, "Philadelphia and the Agitation in 1825," 189-98. Porter emphasized the cost of the proposed project and the lack of competent estimates of its feasibility. His own pet project for improving the state's major rivers, he believed both practical and less expensive. However, his speech also bristles with hostility toward the Philadelphians, and the pattern of voting revealed sectional differences. For the votes see *Harrisburg Pennsylvania Intelligencier*, August 12, 1825. Sectional conflict at the convention and the subsequent session of the legislature is noted in Shelling, "Philadelphia and the Agitation in 1825," 197; and Louis Hartz, *Economic Policy and Democratic Thought: Pennsylvania, 1776-1860* (Cambridge, Mass., 1948), 133-34.

however, he lost; the voters from Wayne, Pike, and the northern townships of Northampton combined to elect Scott.¹⁹

Finally, during these years Northampton Republicans divided over the merits of the Adams administration and the virtues of Andrew Jackson. Here Porter found himself at odds with the overwhelming majority of Northampton voters who twice rejected his bid for a congressional seat. Porter, who voted for Henry Clay in 1824, aligned himself with the Adams forces for the election of 1828 and ran unsuccessfully for Congress on the administration ticket.²⁰ Two years later he was nominated for Congress as a National Republican by the "friends of Henry Clay." Although he did somewhat better in this off year election, he was again soundly defeated.²¹

During this period the dominant Jacksonian press bitterly attacked Porter as a changeling and an opportunist, but he believed that there was a consistency in his position that was lacking in his opponents.²² He had never liked Jackson and adhered to the brand of republicanism epitomized by Clay, in part because of his moderate temperament, but mainly because of his adherence to the basic elements of the American System. Aside from being an active supporter of internal improvements, Porter also advocated a protective tariff and believed that the government should foster economic enterprise for the benefit of the entire society.

Pennsylvanians in general favored a protective tariff in the early 1830s, believing it was intimately connected to the economic prosperity of the state. For many the only issue was "how much can the tariff be extended?"²³ Thus while Congress debated lowering the

¹⁹*Easton Delaware Democrat and Easton Gazette*, September 27, 1827; *Easton Centinel*, October 4, 1827.

²⁰*Easton Northampton Whig*, September 2, 1828; *Easton Centinel*, September 19, October 24, 1828. The 1827 pattern of voting in the Scott-Kennedy race bore little relationship to that in the Adams-Jackson contest. Among the twenty-two townships eleven that opposed Scott went for Jackson. The rank order correlation between the returns of the two elections is an insignificant .21. However, it should be noted that Scott did quite well in Easton where he got 48 percent of the vote. At this time party names were confused, and it is wrong to speak of parties as we know them although loose organizations existed. The *Whig* on September 12, 1828, called the Adams faction, the Democratic Republicans, and on November 11 the same paper which supported Porter, contrasted the Democratic party of Adams to the "mongrel Jackson party."

²¹*Easton Centinel*, October 8, 1830. Actually six candidates ran for two seats, and Porter came in third.

²²*Ibid.*, September 12, 1828. The *Easton Centinel*, which changed its name to the *Easton Sentinel* in 1834, still distrusted Porter as late as February 6, 1835.

²³Malcolm Roger Eiselen, *The Rise of Pennsylvania Protectionism* (Philadelphia, 1932), 91, 104-105; Klein, *Pennsylvania Politics*, 356.

tariff, Porter addressed a protest meeting of enraged citizens of Northampton County on June 9, 1832.²⁴ The real issue at stake, Porter warned his audience, was the survival of the American System which was being undermined by foreign competition. Porter spoke to local and nativist interest, emphasizing the refusal of foreign countries to buy American grain and insisting that it was in the interest of every class to preserve the tariff intact. His major themes were expressed in the meeting's resolutions which adhered to the economic necessity of protection, chastised Southern protests as treasonable, and insisted that local grain and manufacturing interests would be damaged by any alteration in the tariff.

Here as elsewhere Porter portrayed himself as a defender of the workingman whom he argued was endangered by cheap foreign labor and much needed tariff protection. Porter viewed the mechanic's role as complementary to the capitalist and farmer. In an orderly scheme of society each was dependent upon the other for his well-being, and the recognition of this interdependence was the basis of economic progress. Because of this, Porter had great sympathy with the demands for education and equal opportunity but not those for higher wages or the resistance to the introduction of machines. He calmly asserted in May, 1835, that "those thrown out of work by machines gained increased employment elsewhere at other branches, in consequence of the increased demand from their reduced prices."²⁵

Although Porter's general beliefs seem to mark him out as a natural Whig, he never joined the new party and gradually gravitated toward the Democrats. Of crucial importance was the rise of Anti-Masonry in the county and the state. As a man of conservative temperament and respectable lineage, the enthusiasm of the Anti-Masons unnerved him. As a deputy grand master of the Masonic Order such political bigotry could not be tolerated. The Anti-Masons were "a party based on no principle" striving "to ride into power on the ignorance and prejudice of the weak and uninformed." As they absorbed the National Republicans in the early 1830s, Porter bid adieu to his former colleagues and moved into an uneasy alliance with the Democracy.²⁶ It was as a Democrat that he played his most important role in state politics.

²⁴"Proceedings of the Tariff Meeting [1832]," Porter Pamphlets, VIII, #32, EPL.

²⁵James M. Porter, "Address to the Mechanics of Easton [1835]," Historic Pamphlets, XIV, #9-15, EPL.

²⁶In *Proceedings and Debates of the Convention of the Commonwealth of Pennsylvania to Propose Amendments to the Constitution* (Harrisburg, 1837), III, 49-50, XII, 284-85, Porter traces his political career.

In 1836 Porter was elected as a member of the convention to draw up a new constitution for the Commonwealth.²⁷ Although he had only recently joined the fold, Porter had been recommended by Buchanan for the post of United States attorney general, and he was put forth as the Democrats' candidate for the presidency of the convention.²⁸ He lost to John Sergeant, the coalition candidate, by a single vote; but nonetheless, Porter took a prominent place in the convention debates, speaking out boldly on most of the major issues and revealing an independence of mind unconstrained by his newly adopted partisan identity. As he said in defense of himself, "If I should be driven from my course, it must be by the conviction that I am wrong and not by any force, nor by any motives of mere party policy."²⁹ The record of his speeches in the convention represents the most mature expression of his political views.

On nearly all issues he took a moderate position which while thoroughly republican, reflected the political culture of an earlier day.³⁰ This stance was clear in his response to the first major issue to come before the convention, the election of judges. An independent judiciary had been one of the touchstones of republican theory, but the clamor for an elective judiciary spread through Jacksonian America. In contrast to those demanding this reform, Porter favored retaining the tenure of judges for good behavior. The most likely result of the suggested change would be that judges would be made creatures of party and both the continuity of the law and the rights of minorities would be endangered. The traditional system seemed the only way to maintain the independence of the judiciary. If limited tenure were adopted, Porter argued that it would be necessary to raise judges' salaries in order to insure that there be sufficient "talent on the bench."³¹

In certain cases Porter also opposed the election of lesser officers, but on this issue he took a practical rather than theoretical stand. It

²⁷The background and work of the convention are discussed in Roy H. Akagi, "The Pennsylvania Constitution of 1838," *The Pennsylvania Magazine of History and Biography*, XLVIII (October, 1924), 301-33; and Snyder, *The Jacksonian Heritage*, 96-111.

²⁸Snyder, *Jacksonian Heritage*, 100-102.

²⁹*Proceedings and Debates*, V, 62.

³⁰By this we do not mean the belief system of a particular party but rather the broad political ideology which emerged from the American revolution and has recently been the subject of studies by Bernard Bailyn, Cecelia Kenyon, Douglas Adair, Gordon Wood, John Howe, Richard Buel, Jr., J. R. Pole, Edmund Morgan, James Banner, and Richard Hofstadter.

³¹*Proceedings and Debates*, I, 301, III, 720-22, IV, 346-59, V, 62-70. Porter, who was at odds with his constituents on this matter, abstained when the final compromise was presented (*ibid.*, V, 138).

was best, he believed, to leave those positions that involved direct subordination to another official appointee. This was particularly so, he believed, with a cabinet office like auditor general. To place this office in the hands of the legislature would violate separation of powers and make it difficult for the governor to govern should someone contesting his policies be placed in the office. "Let the Executive take the responsibility of making all cabinet appointments and answer to the people for this conduct in office."³² However, he did not believe that minor judicial offices, particularly that of prothonotary should be allowed to "become the rewards for partizan services." He preferred their appointment by the courts. If they were made elective, some provision should be made to insure that only those qualified for office be allowed to run and the terms of service limited so that no one would be "continued *ad infinitum*."³³

Porter's faith that good government was best secured by the appointment of independent and virtuous men, rather than those tainted by dependence upon factions and special interests, was matched by his belief that suffrage should be limited to those who contributed to the support of government. Along with most Pennsylvanians of his day, Porter had moved away from the classical republican argument that insisted some minimal property qualification was essential to maintain the voter's independence from his economic superiors and insure his personal stake in society. But he was not yet ready to advocate universal manhood suffrage. Although hostile to the nativistic Registry Law of 1836, he insisted that voters be both citizens and taxpayers. "The doctrine of taxation and representation was a republican doctrine," Porter told the convention. "The people were sovereign, but no man ought to exercise any right in a community he did not assist to maintain. Every citizen, however, who contributed to the support of the community, ought to be entitled to vote."³⁴ His motion to the effect that the suffrage be limited to taxpayers as it had been in the Constitution of 1790 became part of the Constitution of 1838. However, one other change was made; Negro suffrage was curtailed by the new constitution. Porter claimed that, as a member of the Pennsylvania Abolition Society, he opposed slavery and "had shown himself

³²*Ibid.*, IV, 26.

³³*Ibid.*, III, 196-98. See also *ibid.*, III, 525, 552, 553, 554, X, 315-16. Porter believed that there were already too many local offices and too many unimportant offices were elective to allow the voter to vote rationally.

³⁴*Ibid.*, III, 33-34, 38-40, 47-52, 124-125, 133, 149, 160. The quotation is from 125, and the final vote is on 171-72.

the colored man's friend." He had allowed Negroes to vote when he was a judge of elections. But he did not believe that Negroes were citizens under the provision of the old constitution, and he voted with his fellow Democrats to limit suffrage to white freemen.³⁵

Undoubtedly Porter was most vocal on the bank issue. Hard money sentiment was growing among Democrats in the mid-1830s although it had played a minor role in the republicanism of the postwar years³⁶ and seemed to Porter to endanger the prospects for prosperity. On this issue he took a moderate stance which clearly revealed an appreciation of the usefulness of bank credit, a dislike of monopoly, and a dedication to a common calculus which equated virtue with hard work and vice with speculation.³⁷ However, he based his defense of the banking system upon the idea that bank charters were contracts unviolable once made. Neither the legislature nor the convention could extinguish these rights. In support of this position he not only referred to many legal precedents such as the Dartmouth College case but also emphasized the adverse effects of such enactments on that touchstone of traditional republicanism, the separation of powers. If the legislature could refute its own enactments, it had the power to usurp the role of the courts—which exercised the only proper authority over corporations once established—and would draw all power to itself.³⁸

In relation to internal improvements Porter maintained an older position in contrast to the emerging democratic orthodoxy.³⁹ He had never doubted the necessity of government aid in this area nor showed a fear of reasonable state debt. Thus he refused to panic in the wake of the economic troubles of the late 1830s and resisted any

³⁵*Ibid.*, III, 694-95, VIII, 162. Porter voted with the majority of his party in June, 1837, but was absent in January, 1838, when the final vote was taken (*ibid.*, III, 91, X, 106). This issue is the subject of Joseph H. Reynolds, "Freemen Without Rights: The Question of Negro Suffrage in Pennsylvania, 1835-1838" (M. A. Thesis, Lehigh University, 1972).

³⁶Cf. Kim T. Phillips, "Democrats of the Old School in the Era of Good Feelings," *The Pennsylvania Magazine of History and Biography*, XCV (July, 1971), 363-82, and *idem*, "Political Discontent and the Pennsylvania Origins of the Jackson Movement," *Political Science Quarterly* (forthcoming), for an interpretation that emphasizes the importance of hard money views.

³⁷*Proceedings and Debates*, VII, 184-208; Porter, "An Address to the Mechanics of Easton [1835]," EPL.

³⁸*Proceedings and Debates*, V, 534-69. Also "Speech of J. M. Porter in the Convention . . . on the Right to Annul Charters [1837]," Porter Pamphlets, I, #37, EPL.

³⁹Snyder, *Jacksonian Heritage*, 151-70, treats the fragmentation of the Democrats and the votes on improvement issues. Herbert Erskowitz and William G. Shade, "Consensus or Conflict? Political Behavior in the State Legislatures During the Jacksonian Era," *Journal of American History*, LVIII (December, 1971), 605, reveal the trend.

constitutional limitation on the public debt. He noted that in 1825 he had been skeptical about the cost of the system, but now he believed the present debt of twenty-eight million dollars was worth the money. The system extended communication from Philadelphia to Pittsburgh and provided a vital commercial link between the Lehigh and Susquehanna rivers. He hoped that it would be improved and expanded to serve more fairly all parts of the state. Imposing a ceiling upon the public debt would be both impractical and insufficiently flexible to deal with future generations.⁴⁰ In this area he succeeded, and the convention made no change in the fiscal powers of the legislature.

The final sphere of Porter's interest in the convention was education. He had been instrumental in establishing Lafayette College in 1826 and was an influential trustee for most of his life. However, he was also interested in common schools. He had sympathized with workingmen's demands for better schools during the 1820s and 1830s and in 1850 attended the Pennsylvania State Convention to Promote Common School Education.⁴¹ In the convention of 1837 he unsuccessfully attempted to guarantee every child in the Commonwealth an education. He avoided casting his lot with any particular system but emphasized the importance of education in overcoming the disadvantages of poverty. Porter even defended the German school system in the face of heated opposition. The retention of the German tongue in the schools, he believed, would help overcome German prejudice against education and help them to appreciate their own language. He implored the assembly that for the benefit of future generations, "Get your men educated If you give a boy the rudaments of an education in English, French, German or any other language; if you inspire him with proper notions, he will go on improving; and you may finally lead him to great ends."⁴²

When the convention adjourned, Porter may well have been satisfied with his efforts to sweep back the tide eroding traditional republican principles. He had asserted his independence from party dictation and reaffirmed long held beliefs. In the end he was one of only two Democrats who refused to sign the address recommending the proposed changes to the Pennsylvania voters.⁴³ After two

⁴⁰*Proceedings and Debates*, XII, 112-15.

⁴¹Porter, "An Address to the Mechanics of Easton [1835]"; "Proceedings of the Pennsylvania State Convention to Promote Common School Education [1850]," Porter Pamphlets, XXV, #18, EPL.

⁴²*Proceedings and Debates*, V, 205-09. The quotation is from 207.

⁴³Snyder, *Jacksonian Heritage*, 107.

grueling years as a delegate, he was anxious to devote full-time to his law practice. His breather from public life, however, lasted only a few brief months. Once again partisanship—the “narrow spirit of faction” as he knew it—dominated the scene to Porter’s disadvantage and distress.

In 1838 David Porter was elected governor of Pennsylvania; and, not unexpectedly, he appointed his brother president judge of the Twelfth Judicial District. This seemingly innocuous bit of nepotism rendered James Porter a casualty of one of the bitterest partisan battles of the day. Eventually he was forced from a position which superbly suited his talents by a storm of charges that he was the very sort of partisan he so detested. Increasingly the ways of the new politics must have seemed mysterious and incomprehensible.

Although David Porter’s election was never in doubt, the make-up of the legislature remained clouded with uncertainty concerning disputed, and possibly fraudulent, votes from Philadelphia. When two sets of legislators from that district appeared in Harrisburg, two separate bodies—one Democratic, the other made up of a coalition of Whigs and Anti-Masons—claimed to be the legal assembly. With mob violence being condoned by both sides, Governor Ritner was forced to call out the militia to restore order in the capital.⁴⁴

The main result of this incident, which is generally called the Buckshot War, was the seating of the Philadelphia Democrats and Democratic control of the assembly. But the coalition, which retained power in the Senate, initiated an investigation of the entire matter. During these highly partisan proceedings two witnesses charged that Judge Porter advocated armed resistance to seating the Philadelphia Whigs and that he urged a Northampton County mob to arm themselves and march on Harrisburg to “defend the rights of the democracy against Ritner’s soldiers.”⁴⁵ Little might have come of these rather vague and dubious charges had not Porter proved so lenient with the Democratic dissidents in the litigation resulting from the Buckshot War. Presiding over their cases in 1839, he dismissed the lot on legal technicalities. The outcry from his brother’s political opponents was deafening; and although his nomination narrowly survived confirmation, Porter chose to resign.⁴⁶ The vilification heaped upon him in this incident did not, however, foreclose Porter’s stormy political career. The highest point of that career lay

⁴⁴*Ibid.*, 131-35.

⁴⁵Pennsylvania, *Senate Journal*, 1839, II, 902, 906-08, 912.

⁴⁶*Ibid.*, II, 913.

before him, but here too he would be engulfed by the spreading flames of partisanship.

In his attempt to construct a solid political foundation for his presidency, John Tyler, whom fellow Whigs derided as "his accident," attempted to construct a nonpartisan republican coalition. Among the Pennsylvanians he wooed the Porter faction of the Democrats that was somewhat at odds with the more radical element of the party over the bank issue. As a consequence, Tyler nominated James Porter as secretary of war in 1843, but the Senate refused to confirm him. Such political independency suited neither the Whigs nor the Democrats in that highly partisan period; and Porter's defense of Tyler's stance—and his own—as truly Republican failed to impress either party.⁴⁷

After returning home to Easton, Porter lived out the remaining two decades of his life in characteristic fashion. His legal practice, as was so often the case, led him into business enterprises as well as politics. During these years he helped establish two banks and became president of three corporations: the Easton-Delaware Bridge, the Belvidere-Delaware Railroad Company, and the Lehigh Valley Railroad. He also could not avoid politics. In 1849 he won a term in the state legislature as a Democrat, and in 1853 he was elected president judge of the Twenty-second Judicial District. Ill health forced him to retire from the latter position in 1855, but he remained active in Easton until he died in 1862 at the age of 69.⁴⁸

One is tempted simply to classify James Porter as a "Conservative," the term historians have traditionally used to describe those Democrats representing business and banking interests who balked at the radical Independent Treasury proposal and vigorously resisted the retreat from internal improvements and the growing anti-bank sentiment in the party.⁴⁹ In many ways he fits this pattern quite well. He favored banks, corporations, and internal improvements; he opposed extension of the suffrage and popular election of judges. As the traditional view would have it, he was also a successful businessman of high status in a community whose economic expansion demanded credit facilities and improved transportation with the hinterland.

Yet, such a simple economic interpretation is unsatisfactory. Regardless of their economic needs, Northampton County voters remained staunchly Democratic during these years and seem to have

⁴⁷*Washington, D.C., Daily Madisonian*, April 6, May 8, 14, 15, 1843.

⁴⁸Stout, "Biographical Sketch," 8-9.

⁴⁹Robert Seager II, *And Tyler Too* (New York, 1963), 589.

elected Porter in spite of his economic views which conflicted with those of most county Democrats. Similarly, Porter's wealth and high status do not distinguish him from other county Democratic leaders who were far more orthodox. In fact, during the 1830s Porter was a good deal less wealthy than such leading Jacksonians as three-time governor George Wolf, whom Van Buren rewarded with the post of collector of the port of Philadelphia, and the popular merchant Congressman David D. Wagener who supported the Independent Treasury.⁵⁰

Also Porter's own career fails to conform to the expected pattern in several significant ways. Like all "Conservatives," he began as an avid Republican; but in the 1820s, in great measure because of local conditions, he supported Adams and the National Republican faction. In an almost perverse fashion, given traditional historical opinion, he shifted to the Democrats in the wake of the bank war. This decision had little to do with his economic views. Rather it was rooted in his emotional hostility, as a high ranking Mason, to Anti-Masonic zeal; and his general uneasiness as a child of the Enlightenment with moralism in politics. He always refused to accept the collar of party; and in time, he rejected the extreme solutions of the hard money Democrats which gradually became the test of party orthodoxy. Like many "Conservatives," he did not become a Whig but gravitated toward Tyler as a true Republican.⁵¹ Certainly Tyler's rustic economic philosophy proved out of line with his own, and his support of Tyler hardly strengthens an economic interpretation of his behavior.

The inconsistencies in Porter's behavior are clarified by viewing him as a representative of a traditional political order in a period of rapid transition in both the political structure and the political cul-

⁵⁰This is based on an unpublished examination of 142 Northampton County Democrats and is in line with the findings of studies of party leaders in Alabama, Illinois, New York, Michigan, Maryland, and elsewhere in Pennsylvania. See Grady McWhiney, "Were the Whigs a Class Party in Alabama?" *Journal of Southern History*, XXIII (November, 1957), 510-22; Rodney O. Davis, "The Influence of Party on Leadership in Illinois in the Jacksonian Era," unpublished paper presented at meeting of Organization of American Historians, 1973; Lee Benson, *The Concept of Jacksonian Democracy* (Princeton, 1961), 64-85; Lawrence H. Sabbeth, "An Analysis of the Political Leadership of Wayne County Michigan, 1844" (unpublished M.A. Thesis, Wayne State University, 1965); W. Wayne Smith, "Jacksonian Democracy on the Chesapeake: Class, Kinship, and Politics," *Maryland Magazine of History*, LXIII (March, 1968); and William A. Gudelunas, Jr., "Before the Molly Maguires: The Emergence of the Ethno-Religious Factor in the Politics of the Lower Anthracite Region" (unpublished Ph.D. Dissertation, Lehigh University, 1973), 106-119.

⁵¹Jean E. Friedman, "The Political Style of the 'Conservative' Democrats" (dissertation in progress) develops many of the points made here and is the basis for statements about the "Conservatives."

ture of the nation. He was a republican who had come to accept the necessity of banks and internal improvements but could not stomach Anti-Masonic and Loco-foco populism, Whig moralism, and Democratic partyism. In politics he had carefully played by the old rules. He compiled the traditional educational, economic, and social resources for a successful political career. He married well and had the right connections in the web of communal organizations. Porter possessed an analytical mind and a highly retentive memory. As a trial lawyer, he cultivated a sense of drama, and he used it effectively in the cross-examination of witnesses and before the jury. An edge of arrogance in his personality made him an imposing figure to his friends and an object of contempt to his enemies; but he simply refused to sacrifice his traditional views for the sake of success in a political world increasingly dominated by mass parties. He was always more successful in traditional callings, such as a judgeship or the guiding force of a legislative committee, than on the hustings. Porter's career exhibits the tenacity with which elements of a traditional political culture often resist the dominant pressures for change and the degree to which the dialogue between emerging and receding political cultures can clarify understanding of the Jacksonian period.

