Henry Baldwin and Andrew Jackson: A Political Relationship in Trust?

Writing to Editor Stephen Simpson in 1829, Henry Baldwin of Pittsburgh confided plaintively that it was his misfortune to have been a friend of President Andrew Jackson. He felt disheartened, prostrated, and betrayed. "There is no kind of communication between him and me," he complained. "I am regarded of as much consequence as a candle-snuffer at a court-house... a mere passing post, against which every puppy of the party raises his leg."

No one stood higher in the estimation of Jackson than Baldwin, according to Simpson. And, if Baldwin had an idol in the world of politics, it had to be Jackson. So what happened to make Baldwin speak out as he did? Why did a friendship that seemed so close suddenly hit bottom?

This essay attempts to describe one of the more interesting political relationships of the early Jackson era, a relationship between two ambitious men that has received scant attention by historians. It shows how each leaned upon the other for personal gain, with both success and failure as the result. Since Baldwin was a commanding figure in Pennsylvania politics and because his state was so important to Jackson's presidential hopes, the interaction between the two men had to be significant. The stress and strain in their relationship, caused by differences over issues, tells something about the severity of the continuing national debate over public policy. This essay focuses upon those issues that brought Baldwin and Jackson together, either as allies or adversaries: national bank, tariffs, cabinet appointments, the Seminole War, and constitutional interpretations. When they clashed, the same questions arose. Were there genuine bonds of trust and loyalty between them or was each devious in dealing with the other?

Baldwin's bitterness toward Jackson and the "blacklegs" who surrounded him had been festering for many months following his rejection for a cabinet post, an appointment he had expected to receive after Jackson's election in 1828 and which he insisted the general had wanted to give him. His disappointment and anger equaled his expectations. That he was presumptuous cannot be denied. For the years of support he had given to Jackson, Baldwin naturally believed he was in line for a position that would make him answerable to the president alone.

Until this point, Baldwin's legal and political careers had been nothing less than spectacular. A complicated person, he possessed a keen, analytical mind, but his nonconformity and unpredictability handicapped him in the public roles he was to play. A native of Connecticut, he graduated from Yale in 1797, clerked in the law offices of Philadelphia's Alexander Dallas, and, at the age of twenty, became deputy attorney general (the title was later changed to district attorney) in Meadville, Pennsylvania. Soon he moved to Pittsburgh, where he established a very successful law practice. He provided leadership for a Jeffersonian faction and began to speculate in land, turnpike companies, and factories. By 1816 he enjoyed wealth, prestige, and the accolade "the Pride of Pittsburgh."

Most Pittsburghers were not as fortunate as Baldwin. The prosperity that had existed in the city came to an end with the cessation of the War of 1812. Heavy losses affected those industries that had produced war goods; ironmasters and manufacturers of cottons and glass were especially hard hit. An English visitor observed that the "manufacturers are under great difficulties" and faced closings because of the sudden influx of depreciated fabrics from Europe.\(^2\) The general distress that also faced wool growers and farmers generated enough passion to demand redress from the federal government.

A favorite with the city's manufacturing class, Baldwin was asked in 1816 to run for Congress on the pledge to help further the protectionist cause. The previous year the *Pittsburgh Mercury* had excited the business community by agitating for increased protective measures.\(^3\) Baldwin hesitated before he agreed to become a candidate. He considered himself a businessman first and, secondly, a politician who viewed politics as a means to economic ends. He told his sister that he had been pressured in such a way "which could not

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\(^3\) *Pittsburgh Mercury*, Oct. 21, 1815.
be evaded and the best must be made of it." To his good friend, Henry Marie Brackenridge, he justified his decision to run: "Times were hard, business dull and money scarce."

Baldwin won the election on a platform aimed at promoting the interests of the manufacturers. He received support from both the Republican and Federalist parties. Thus his singular task of fighting for tariff revision during the next three Congresses made him the driving force in the House of Representatives for protectionism.

Nothing Baldwin did in his first term attracted as much attention back home as his spirited defense of Andrew Jackson's conduct in the Seminole War. Raiding parties had been pillaging American settlements in Georgia before fleeing back to their Florida strongholds. Their withdrawal did not stop Jackson from crossing the border, destroying property, punishing the perpetrators and executing two British subjects. Such actions created both an embarrassment for President James Monroe and an ominous international crisis. Some officials expressed outrage and demanded that Jackson be punished, perhaps even court-martialed and drummed out of the service.

Baldwin disagreed. Unlike his colleagues who were caught up in a wave of hysteria, thereby allowing emotion to skew their judgment of the general, Baldwin calmly confined his extended remarks to the legal aspects of the incident. By so doing, he shielded Jackson with formidable arguments that highlighted the simple and underlying question: Were any laws broken?

He assessed Jackson's heroics to be proper and not in violation of the Constitution, for that document was never intended to protect renegades. Jackson had neither a legal nor moral obligation to extend to those "savages, runaway slaves or white incendiaries" the humane rules of modern warfare. Their brutal crimes exceeded the bounds of civilized conduct. The fate of war had placed them in the general's hands; therefore, he had full control over their destinies. Finally, the "miscreants" he ordered hanged "were not our citizens, not bound by our laws, not entitled to our protection."

Jackson avoided a court-martial and the House declined to denounce his actions as unconstitutional. With his career on the line, it was a crucial time

4 Baldwin to Clara Bomford, Nov. 3, 1816, Baldwin Family Collection, Huntington Library, San Marino, Calif.
5 Baldwin to Brackenridge, Oct. 16, 1816, Brackenridge Papers, Darlington Library, University of Pittsburgh, Pittsburgh, Pa.
for the general, and he looked around Washington for friends. He found one in Baldwin, who had stood up for him while others were knotting the noose. One of the men who wanted to see Jackson chastised was Senator Abner Lacock of Pennsylvania, whose dislike for Baldwin went back to the days when Baldwin rode the circuit and Lacock sat on the bench in Beaver County. It was Lacock's special Senate committee that had arraigned Jackson for violating the Constitution and international laws.

The general's scorn for Lacock equaled his gratitude toward Baldwin. It was the beginning of a friendship that had its ups and downs, each man hoping to elicit something from the other, with expectations often falling short. From Baldwin, the general wanted support in his run for the White House and, once he had appointed him in 1830 associate justice of the United States Supreme Court, a sympathetic ear. In return, Baldwin sought high office and backing from Jackson on the tariff. Finally, each looked for help in combating his political enemies.

Baldwin had admired Jackson and believed him to be of presidential stature years before he defended him on the floor of the House. He liked the general as a fellow westerner who was vigorous, relentless, open, and straightforward—qualities that he saw in himself. Their families were the best of friends; it was said that Baldwin was Rachel Jackson's favorite among all her husband's associates. In 1828 when the politics in Pittsburgh had become uglier than usual, Baldwin did not hesitate to ask Jackson to look after his son, who hoped to find a friendlier setting in Tennessee.

Still, the conflicting ideologies and strong convictions of the two men gave little promise of a permanent political partnership. A basic difference in their social outlook prevailed. Baldwin measured the value of things in economic terms. He envisaged a nation developed, unified, and energized by an economic power coming from capital, factories and their workers, farms, transportation systems, and the marketplace. In contrast, Jackson saw both personal and national power in the political man and his organizations. Where the democratic masses looked to Jackson as their champion,

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7 William Carroll informed Jackson that he had a friend in Baldwin, "a lawyer of profound talent and great respectability," who had no doubt of the general's success should he decide to run for the presidency. Carroll to Jackson, Oct. 4, 1815, Sam B. Smith et al., eds., The Papers of Andrew Jackson (4 vols., Knoxville, Tenn., 1980-94), 3:386-87.
8 Baldwin to Jackson, April 1, 1828, Andrew Jackson Papers, Presidential Papers Microfilmed, Library of Congress (hereafter, JP).
businessmen, factory owners, speculators, and capitalists looked to people like Baldwin to protect their interests. Baldwin’s annoyance with Jackson’s political outlook was never subtle. Before a body of Allegheny College students, he praised the mechanic and inventor, whose contributions to society were greater in his opinion than those of the statesman or the government official.9

Baldwin and Jackson did share common ground on some national issues. Both questioned federal funding for local improvements, harbored biased feelings against Native Americans, upheld slavery where it presently existed, and, at first, agreed on the unconstitutionality of the national bank. They also feared the tendency of the Marshall Court to exceed the limits of its powers. Baldwin was a serious student of the English and American constitutional systems. A strong advocate of the doctrine of original intent, or “expressed intention” as he called it, he warned against federal encroachments on the rights of states.10 Jackson just did not like Chief Justice John Marshall and thought his jurisprudence had strengthened the roles of Congress and the federal judiciary at the expense of the states and the executive branch.

But Jackson never shared Baldwin’s enthusiasm for the tariff. Despite his vote for the Tariff Act of 1824, Jackson skirted the issue in his presidential campaigns. Although he favored a moderate and judicious approach to protection, he feared that by politicizing the issue, party and sectional bickering would ensue. Baldwin was never naive enough to believe that Jackson was a true protectionist, but he still tried to portray him as one.

Baldwin was the first among prominent Pennsylvanians to come out for a Jackson presidency. After his resignation from Congress in 1822 because of ill health, he went into political seclusion; the defeat of his tariff proposals had drained him emotionally. When a grassroots movement for Jackson surfaced and spread throughout western Pennsylvania, Baldwin reemerged as an activist, joining Thomas Atkinson of the Meadville Crawford Messenger,

9 Henry Baldwin, Address Delivered before the Literary Societies of Allegheny College, August 26, 1840 (Meadville, Pa., 1841), Allegheny College Papers, Crawford County Historical Society (hereafter, CCHS), Meadville, Pa.

10 Baldwin’s views of the Constitution were in part influenced by his older half brother, Abraham Baldwin, who had represented Georgia at the Constitutional Convention of 1787. For a description of Henry Baldwin’s constitutional views, see his General View of the Origin and Nature of the Constitution and Government of the United States (1837; reprint, New York, 1970).
John Snowden of the *Pittsburgh Mercury*, and others to bring Jackson's name to the forefront of presidential hopefuls. (Other contenders were John Q. Adams, Henry Clay, John C. Calhoun, and William Crawford.)

Following a Jackson rally in Pittsburgh and the endorsement of the general by anticaucus Republicans of nearby Westmoreland County, Baldwin wrote to Jackson and asked that he consider becoming president. If he agree, Baldwin promised his support. Expressing some reluctance to solicit public office, Jackson nonetheless agreed to a draft if the country so demanded. This was an affirmative answer for Baldwin, who had already begun to beat the drum for the general. Coming from a man of Baldwin's stature, this hearty endorsement could not be taken lightly. While it gave to the Jackson forces a toehold in Pennsylvania, it also added to the confusion among the state's Republicans, for many of them had already declared for other candidates. But this was about to change. As Jackson's star continued to rise, the hopes of two contenders began to fall. Crawford's deteriorating health became a factor and Calhoun's backers sensed a sudden decline in their candidate's popularity.

With Jackson in the race, the 1824 campaign promised to be an exciting one. The story of Pennsylvania politics from 1816 to 1823 is dull in comparison with earlier years, such as the period of the Whiskey Insurrection of the 1790s and the gubernatorial election of 1799. After 1816 the Federalist Party was no longer an effective organization. The national Republicans, faced with little or no opposition from the Federalists, were now free to fight among themselves over the distribution of state and local offices. Candidates were chosen for their personal rather than their political merits. Divisiveness followed. Campaigns became mudslinging affairs in which factions accused one another of the multiple sins of graft and corruption. A cynical Philadelphia editor commented that whoever became governor will be sure of $50,000, half of which will come from officeholders. He concluded: "Free and fair elections are as rare in this state as in the rotten boroughs of England."

Still, in a spirit of togetherness, the Pennsylvania Republicans generally preached an economic nationalism that included a national bank, internal improvements, and a protective tariff. Regional differences of opinion

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11 Baldwin to Jackson, Jan. 2, 1823, JP.
12 Jackson to Baldwin, Jan. 24, 1823, JP.
13 *Aurora for the Country* (Philadelphia), Sept. 11, 1816.
existed, of course, with the western counties antagonistic to the bank and eastern merchants growing intolerant of rabid western protectionists. But to reject in toto the "American System" of national development was to be out of the mainstream.

Along with others, Baldwin knew that Jackson's stance on the American System was questionable. Yet he also believed that the general's brand of nationalism could be made compatible with the economic agenda of those who expressed doubt in the wisdom of the general's candidacy. Baldwin asserted his confidence. He boasted that Jackson had been his choice for president ever since the general had been maligned and arraigned before Congress over the Florida episode. Because of this undivided commitment, he admitted to having incurred the eternal ill will of the other presidential candidates and their backers. Nevertheless some Jacksonites expressed skepticism of Baldwin's loyalty. They remembered the Federalist backing Baldwin had received when he ran for Congress, support he gladly accepted. Heading the list of doubters was Edward Patchell of Pittsburgh, a semiliterate preacher whose dislike of Baldwin was probably more personal than political. Writing to Jackson before the 1824 election, Patchell accused Baldwin of trying to convince Judge James Riddle, at a Jackson rally the previous August, that Crawford would be elected because he was the caucus candidate. From that point on, Patchell alleged, Baldwin's role in the Jackson campaign was neutral. The slap at Baldwin may have been nothing more than Patchell's effort to raise his own colors before Jackson and may have also led to Samuel Southard's analysis that Baldwin was a "Crawfordite under a Jackson mask." At best, it illustrates an early split among Jacksonites in western Pennsylvania.

A better example of that division was the transformation of the committee of correspondence that initially included Baldwin and Patchell. By the end of 1823, Baldwin, along with his good friends James Ross and Morgan Neville, were removed in an obvious power play by Patchell's group to "democratize" the committee and free it of pretensions and philosophies with roots planted in Federalist dogma. Patchell did not take kindly to

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14 Patchell to Jackson, Aug. 7, 1824, JP.
traditional Federalists embracing Jackson. Believing Jacksonianism to be an extension of pure Jeffersonianism, he saw no reason why anyone who had broken bread with the Federalists should help lead the new party.

The shakeup within the ranks for the moment must have soured Baldwin on the campaign. Thin-skinned, he was easily offended and susceptible to criticism. In February 1824, with a bruised ego, he went to Washington to discuss with the Monroe administration a possible mission to Mexico, an appointment that would have taken him out of the campaign and put his law practice on hold. He met with Jackson, then a senator, for the first time since 1819, perhaps to assist in his quest.

No doubt the meeting was important. Regrettably, there is no record of their discussion, but one may presume that Baldwin first apologized for wanting to bail out and then explained how difficult it would be for him to work with Patchell's cabal. With a diplomatic post he hoped to free himself from a political morass and allow the campaign to go on uninhibited by dissension. Baldwin's self-pity may have prompted Jackson to assure him that personal assaults must not keep him out of the campaign. He was needed. Jackson surely realized that Baldwin's influence with many Republicans and former Federalists, plus his connections outside Pennsylvania, made him a valuable supporter.

Whatever Jackson told Baldwin, the effect was immediate. Although rejected for the diplomatic position and spurned by the Patchell purists, Baldwin came back to the campaign. His renewed spirit and dogged determination led him to predict a Jackson victory. He was a man of so many political incarnations that friends and enemies alike wondered what configuration he would next assume. Over the years he was called many things: Jeffersonian, Independent Democratic Republican, Federalist, Amalgamator, Crawfordite, and Jacksonian. In a sense he was all of these, a political chameleon, so to speak, but labels did not mean nearly as much to him as did issues.

Much of his effort in the 1824 campaign was apart from that of the organized Jacksonites. He wrote letters to enlist support for the general. James Tallmadge, a former congressman from New York, shared Baldwin's optimism and promised to do what he could for Jackson. An unidentified

17 John McKee to Harm Huidekoper, Feb. 27, 1824, Huidekoper Collection, CCHS, Box 6:1; Baldwin to Abner Lacock, Feb. 25, 1832, JP.
18 Tallmadge to Baldwin, June 1, 1824, Henry Baldwin Papers (hereafter, BP), Allegheny College, Meadville, Pa.
correspondent saw success only through the unity of Jackson's supporters.\textsuperscript{19}

Despite the division at the onset of the campaign, most Pennsylvania Republicans supported Jackson as election time neared. By early 1824 his momentum steamrolled the opposition, forcing Clay to admit that the state would easily go to Jackson and causing the state's Calhoun faction to refocus on the vice presidency for their nominee. Finally, the zeal of Crawford's backers fizzled when the Georgian suffered an apparent stroke and felt, by his own admission, "deranged."\textsuperscript{20}

Because no candidate received a majority of the electoral votes, the election went to the House of Representatives. When Jackson lost to Adams, no one was more stunned than Baldwin. The only consolation was knowing that he and others had helped Jackson carry Pennsylvania by a landslide. Getting prepared for the next presidential campaign became the highest political priority. With the charge of a "bargain" having been made between the Adams and Clay people (Clay being appointed secretary of state for the help he had given to Adams), a catalytic issue was born. Baldwin used it just as, after the Civil War, the Republicans used the "bloody shirt" indictment against the Democrats. He simply saw it as a way to bolster Jackson's chances in 1828.

Still, Baldwin preferred the more positive appeal to the general's heroism and his ability to keep the country together in this time of increasing sectionalism. Of all the strategies, this one was the easiest to sell. Regardless of political stripe, few Americans dared question Jackson's gallantry and leadership qualities. He was more elusive on the issues.

Baldwin worried that the campaign would peak too soon. Jacksonites, still furious over the election that had been "stolen" from them, wanted to clear the field for their candidate before it again became overcrowded. Felix Grundy, another of the general's confidants, accepted the blame for having advised the Tennessee legislature to nominate Jackson, an action Baldwin regarded as premature.\textsuperscript{21} "I agree with you," Grundy wrote, "that the flame should be raised to its height just before the Election, but special care should be taken not to let the fire entirely go out."

The most serious challenge for Baldwin was presenting Jackson as a tariff man. As the high priest of protectionism, he had little choice but to try

\textsuperscript{19} Unidentified correspondent to Baldwin, March 29, 1824, BP.
\textsuperscript{21} Grundy to Baldwin, March 28, 1826, BP.
unless he wanted to play the buffoon. In the 1824 campaign, the caucus, Republican differences, and the candidacy of Jackson had overshadowed all other issues. Now, with the woolens bill before Congress, the tariff again emerged as a platform favorite, particularly in Pennsylvania and the South.

Baldwin recognized his problem from the start; the tariff was never a popular topic with Jackson. Because it had become such a tinderbox issue, with a sectional, divisive ring to it, Jackson hesitated to take a strong stand. Any brazen attempt on his part either to embrace or repudiate the tariff was considered impolitic. Ohio newspaperman Cyrus Beatty correctly observed how Jackson was steering with caution between Pennsylvania and Virginia on the issue in order to please both.22

Baldwin's problem turned out to be an advantage to Jackson's enemies. Wherever both the tariff and Jackson met with popular approval, the Adams and Clay people bluntly described the general as being antitax. Amos Kendall, a Jacksonite from Kentucky, wrote of a plot among the Adams people of his state to break Jackson's hold on Pennsylvania by sending a delegation to the Harrisburg national convention to convince those in attendance that Jackson opposed the tariff.23 "If they pretend to shew [sic] their faces in your state assuming to represent Kentucky," he wrote, "they will deserve to be treated with scorn and contempt."

The public debate over Jackson and the tariff persisted until election day. Baldwin's trump card was Jackson's vote in the Senate for the 1824 tariff. True, admitted the critics, the general did vote with the protectionists from the manufacturing states, but in the process he had also managed to have the duty on woolens reduced.24 They demanded to know why this fact was not mentioned by his supporters. They also added that Jackson and fellow senator from Tennessee, John Eaton, had labored to increase the duty on cotton, a basic product of their state. Jackson's unequal tax strategies simply

22 Quoted in Crawford Messenger (Meadville, Pa.), Sept. 3, 1827. Administration candidates in Pennsylvania were saying the South was willing to support Jackson on the condition that northerners agree to abandon their efforts on behalf of manufacturers. United States Telegraph (Washington, D.C.), Feb. 20, 1828.

23 Kendall to Baldwin, July 15, 1827, BP. Delegates from fourteen states met in late July for five days in Harrisburg and adopted resolutions recommending to Congress a duty of forty percent on woolen fabrics of foreign manufacture and additional protection to other items, including cotton fabrics, hemp, flax, iron, and steel. Because he believed the Adams-Clay men were behind the conference, Baldwin did not attend.

24 Democratic Press, quoted in Crawford Messenger, July 12, 1827.
meant the northern laborer paid more for his woolens than the cotton grower for his. Did this unevenness and primary concern for Tennessee planters over national interests qualify Jackson as a true tariff man? His opponents did not think so. If he planned to build an alliance between planters and northern workers, they argued, his manipulative handling of the tariff was not going to help.

Baldwin fought back. In a letter to the *Mercury*, he asked the readers to disregard the ridiculous charge that Jackson was not a true protectionist.\(^{25}\) He refused to remain silent while consumers and manufacturers were being duped by an artifice so pitiful. He noted how many of the present supporters of the woolens bill had voted in 1824 against high duties. Now, at election time and with the tariff so important, a litmus of fidelity to the American System, they profess to be friends of protection.

Charged with relegating protectionism to second place, behind electing a president, Baldwin responded with characteristic conviction and candor: “Much as I admire General Jackson . . . I would rather forego the enjoyment of any private or public feeling at his success than to impede the progress of the great American System on which, in my opinion, the prosperity of every portion of this Union depends. . . . It would indeed be strange in me to sacrifice my own [principles], and oppose his, in the act of advocating his election. He would neither respect me nor himself in being thus supported.”\(^{26}\)

Before 650 dinner guests in Cincinnati, Baldwin acclaimed Jackson a true defender of the American System, someone upon whom the protectionists can safely rely.\(^{27}\) The tariff had its enemies, but the general was not one of them. He faulted the southern states for having opposed the 1828 tariff, a measure he believed would help the nation. They are not friendly to the American System, he remarked, but hopefully they will come around. “The cotton gin has taught them one instructive lesson; the steam engine will teach them one of equal importance.”

\(^{25}\) *Pittsburgh Mercury*, July 17, 1827.

\(^{26}\) Ibid.

\(^{27}\) *Niles Weekly Register*, June 28, 1828. Baldwin described the American System as a protective one that embraces agriculture, manufacturing, and commerce, and facilitates the flow of goods from the producer to the marketplace. Good roads and canals are integral to the system, but foremost is the economy of the consumer. Any protective system must be in the consumer’s best interests.
Jackson's victory in 1828 brought joy to his followers in Pittsburgh. He had carried the crucial state of Pennsylvania by a two-to-one margin. One astute political analyst, Alexander K. McClure, later wrote that Jackson was "more reverenced and more blindly worshipped in Pennsylvania than in any other State of the Union" and that some Democrats continued to vote for him long after his death. At a festive celebration, Pittsburgh's Jacksonites appointed Baldwin to a committee responsible for inviting the successful candidate to the city on his way to Washington.

Jackson accepted and the subsequent reception was overwhelming. While in the city he met with Baldwin, who shortly followed him to Washington. The rumor spread that Baldwin was going to the nation's capital to accept a high-level position. The Pittsburgh Statesman went as far as calling his journey a big step toward laying the cornerstone of the new cabinet. The moment may have been Baldwin's finest in politics. Generally recognized as a major force in Jackson's sweep of Pennsylvania, Baldwin stood on the threshold of fulfilling his greatest political triumph: becoming a part of Jackson's administration.

The selection of Jackson's circle of advisers was subject to the rival interests and ambitions within the party. As office seekers descended on Washington, oddsmakers on Capitol Hill pointed to Martin Van Buren as the next secretary of state, but only conjecture surrounded the other cabinet posts. There was talk Jackson planned to name a Pennsylvanian to the cabinet and that Baldwin's name was high on the list. The Pittsburgh lawyer was not surprised. He had been a trustworthy ally of the general and assumed that he held an edge over all other Pennsylvanians seeking office.

Probably during his Pittsburgh visit, Jackson had asked Baldwin what position he preferred. Something at home or abroad? "Wherever I can best serve my friend and country," Baldwin later replied. Because a domestic assignment was more to his liking than a diplomatic post, he demurely added: "My choice is at home and by your side." Baldwin also assured the president-elect that he would not be offended should a position not be offered. "You have given me no pledge."

Baldwin hung about Washington like a commoner anxiously waiting to be knighted. It was no secret that he had narrowed his preference to the
treasury post—all-important to him because of the office's connection with the tariff. For the same reason, Calhoun and South Carolina pushed to have their own son named to treasury, the capable Langdon Cheves. But Jackson decided against anyone who represented an inflexible view on the tariff. Suddenly he wanted a compromise candidate, a decision that eliminated both Baldwin and Cheves.

A Pennsylvania delegation earlier had met with Jackson to recommend the appointment of Pennsylvania Congressman Samuel Ingham, a low-tariff methodical businessman favored by the Calhoun faction in the state—known as "The Family"—Baldwin's inveterate enemies. Calhoun considered Ingham an old friend but hardly one to promote a free-trade policy. Still, if a Pennsylvanian was to be chosen, Ingham was a far better choice than Baldwin.

In deference to his visitors, Jackson approved Ingham, a controversial choice, but one the president-elect had to think would cause his administration the least amount of grief. It was less impulse than political calculation that finally ended the speculation that had raged for weeks. The consequence of a Baldwin appointment, in the opinion of one contemporary, would have caused the administration an "irreconcilable difference of policy."

This decision was no compromise to Baldwin but a sellout to those disingenuous "reptiles" who were "eleventh-hour" Jacksonites, acting as though they had been lifelong disciples. They had switched to Jackson only after Calhoun, having no chance for the presidency, accepted the vice presidency. They convinced Jackson that their contributions to his victory surpassed those of Baldwin and, therefore, that one of their own should fill the cabinet vacancy. As a conciliatory gesture, Jackson offered Baldwin three foreign missions, all of which he refused. Baldwin explained to editor Simpson how the general had every intention of offering him the treasury job until the Pennsylvania delegation intervened.

Baldwin sulked and raved. Whenever he became angry, he grew vindictive and profane, inclined to hurl invectives without subsequent

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31 Powerful statewide, the Family party included a marriage-linked group of Republican leaders (William Wilkins was the brother-in-law of George M. Dallas, who was the brother-in-law of Richard Bache, who was the brother-in-law of Thomas Sergeant).


apologies. One observer reported seeing the disgruntled office seeker vent his anger in "very unmeasured language."35 Yet Baldwin soothed his hurt feelings long enough to attend the inauguration, and he also spent time with his sister and her family before returning to Pittsburgh. When a group of Harrisburg Jacksonites tried to honor him with a dinner, he declined, but not before praising the leadership qualities of their new president.36

Mystified as to why Baldwin had been rejected, many of his friends asked the obvious question: Did Jackson not invite him to Washington to accept an office? In an open letter to Duff Green of the Telegraph, Baldwin denied being so invited and insisted that the general had not made any pledge to him. "I think it my duty to further say," he added, "that all his conduct and deportment to me have evinced the utmost kindness and friendship."37 Although unable to suppress his disappointment to friends, Baldwin still tried in public to put the best face possible on a strained relationship.

He just wanted to forget. Later, baring his punctured pride to Simpson, Baldwin updated his feelings toward the president. "They have now become deliberately fixed."38 No longer would he defend Jackson. "I shall not be his accuser," he wrote, "or take any interest in the cause of his administration, unless it should be in opposition to the tariff." An embarrassed Baldwin confessed to having been spellbound by Jackson’s mystique, but the spell was now broken. The president was only the “Chief Magistrate of the Nation, with whom all my relations will be confined to those of a private citizen.”

With the election only a memory now, Baldwin wanted to close the books on Jackson “without friendship or enmity.” Since he eschewed confrontation, his only option was to withdraw from politics. For the balance of 1829, he avoided public office by refusing to become the state’s attorney general and turning down a request to run for Congress.

He did take time to promote his favorite subject, the tariff, through a series of articles for the Pittsburgh Mercury but regretted the lack of public interest in them. The apathy, he explained, was due to the hold the Family had on Jackson’s newspapers in the commonwealth. Just months into his administration, Jackson had, in fact, impressed Baldwin as being “hostile” to the tariff. He suspected the president had capitulated to southern and east-

35 Pennsylvania Reporter (Harrisburg) as quoted in the United States Telegraph, April 3, 1829.
36 Ibid.
37 Quoted in Niles Weekly Register, March 14, 1829.
38 Baldwin to Simpson, July 21, 1829, Hypocrisy Unmasked, 11-16.
ern interests and, consequently, duties would soon topple. "The General's great ambition is to pay off the national debt. . . . To do that he must reduce the duties on foreign manufactures, so as to encourage their importation."\textsuperscript{39}

Baldwin's enemies saw him as a frustrated and vengeful foe, determined to stir up enough dust over the tariff in order to drive a wedge deeper between Jackson and the Calhoun-Family alliance. Duff Green thought Baldwin could be neutralized. After all, in whose political camp was he welcomed? If Jackson rejected him, where could he go? Calhoun and Ingham, on the other hand, concluded that Baldwin and Clay, the tariff-mongers, were conspiring together, but there is no evidence of a conspiracy.\textsuperscript{40}

These were hard times for Baldwin. He remembered well what he had to go through—"the gibes, the taunts and sneers as well as the open triumphs of the Clay and Calhoun men metamorphosed into patent Jacksonites."\textsuperscript{41} Convinced that the president was being misled on key issues, like the tariff and Texas, by the "parasites" about him, Baldwin took up the pen several times to warn his old friend, but always decided not to. "He has never asked my advice on any subject, and it will never be volunteered to him."\textsuperscript{42}

With the death of Bushrod Washington, associate justice of the Supreme Court, on November 26, 1829, a fortuitous change was about to occur in Baldwin's life. A Harrisburg petition with approximately 160 signatures urging his appointment to the Court was sent to the president.\textsuperscript{43} Neither did he solicit the position nor did he want to refuse it. Endorsements from the bench and bar association of western Pennsylvania and a number of newspapers followed. Baldwin's competition in the state included Horace Binney, a favorite among Philadelphia lawyers, and Chief Justice John B. Gibson of the Pennsylvania State Supreme Court. Calhoun's choice, Gibson had been called the most unfit for the position by candidate Adams, but McClure later declared Gibson the "greatest of Pennsylvania jurists."\textsuperscript{44}

Jackson did not hesitate long before making his decision. On January 5, 1830, he appointed Baldwin, and the following day the Senate confirmed

\textsuperscript{39} Baldwin to Simpson, Oct. 7, 1829; ibid., 5-9.

\textsuperscript{40} Ingham to Calhoun, Aug. 28, 1829; Calhoun to Ingham, Sept. 1, 1829; Green to Calhoun, Sept. 7, 1829, Robert L. Meriwether et al., eds., \textit{The Papers of John C. Calhoun} (21 vols., Columbia, S.C., 1959-93), 11: 68-75.

\textsuperscript{41} Baldwin to Lacock, Feb. 25, 1832, JP.

\textsuperscript{42} Baldwin to Simpson, July 21, 1829, \textit{Hypocrisy Unmasked}, 11-16.

\textsuperscript{43} Samuel Pettigrew to Baldwin, Dec. 1, 1829, BP.

\textsuperscript{44} Adams, \textit{Memoirs}, 8:174; McClure, \textit{Old Time Notes}, 1:46.
with only two negative votes, Robert Hayne and William Smith of South Carolina. Some believed the president was not a man to overlook his old friends and would seize the first opportunity to requite Baldwin's fidelity. While many endorsed the appointment, others, like Green of the *Telegraph,* believed Baldwin's depraved character did not fit the office.\(^45\)

Jackson had sound political reasons for his selection. First, the appointment placated the Baldwinites who still bemoaned the injustice their man had suffered when rejected for the cabinet. Second, he may have believed the Calhounites, who accused Baldwin of working with Clay, and, if true, the potential loss of Jackson support in the state. Third, with Baldwin on the bench, the president hoped some of the agitation over the tariff, a subject with which he was never comfortable, would go away. (He was wrong; as a jurist, Baldwin continued to lobby for stronger protective measures, often meeting with legislators and department heads.)\(^46\) Finally, and most important, a Baldwin appointment gave promise of a friendly voice on the Court.

Enjoying power and prestige, the Marshall Court at this time had an aura of wonderment. The unanimity for which it was noted, however, came to an end with Baldwin's presence. His approach was often nihilistic, his manner defiant. His run-ins with the court reporter, Richard Peters, became legendary.\(^47\) When Justice Joseph Story spoke of a revolutionary spirit on the bench, no doubt he had Baldwin in mind. So unhappy was the newest member with what he regarded as the Court's wrongful course and usurpation of power that he considered folding his tent and going home, but Jackson talked him out of it. During the 1831 term he dissented so often and his behavior became so unconventional that there was talk of his mind becoming unhinged. Insanity was not ruled out.\(^48\)

\(^{45}\) *United States Telegraph,* Jan. 14, 1830.

\(^{46}\) Upon visiting the Supreme Court in 1832, George Bancroft wrote: "Judge Baldwin thinks more of the tariff than he does the law." Quoted in Charles Warren, *The Supreme Court in United States History* (3 vols., Boston, 1928), 2:253.


\(^{48}\) Whether he was or was not is debatable. The absence of medical records makes any prolonged discussion of the matter pointless. One eminent jurist was convinced Baldwin was insane because of his annoying habit of bringing coffee and donuts into the courtroom. Other peculiarities included sitting in a darkened room, passing out candy to children in the streets, and purposely avoiding proper rules of grammar, punctuation, and capitalization. More serious were charges of violent outbursts, insults, faulty reasoning, and jumping in his stocking feet. His friends defended him by saying that he always had a crazy sense of humor, played practical jokes, and detested both formality and pomposity. Whatever the
Jackson had expected Baldwin to be his point man in the attack against the legal nationalism of Marshall and Story. It was a time when "centrifugal forces" were strong and Marshall's use of judicial review was "to solidify the national power the Constitution had attempted to create." But Jackson's idea of national power, antithetical to Baldwin's, excluded the Supreme Court as the final arbiter in constitutional matters. He refused to accept that the Court's opinions were superior to those of the other two branches of government, especially the executive. He vetoed the rechartering of the Second Bank of the United States because he believed it to be unconstitutional; Marshall had used Hamiltonian logic in *McCulloch v. Maryland* (1819) to uphold the bank.

Years earlier Baldwin would have agreed on the bank's unconstitutionality. A consistent foe of implied powers, he believed Congress never should have established the bank and had been one of those westerners in 1816 to oppose its rechartering. Once he became a member of the Court, however, his attitude toward the bank, like his general behavior, began to change. As a jurist, he recognized his obligation to carry out the law; the bank had been enacted by Congress and declared constitutional by the Supreme Court. He believed he had no choice but to abide by these decisions.

Baldwin's reversed stand on the bank invoked the criticism of leading Democrats; for Jackson it was disheartening. While they grubbed for ways to kill the bank, Baldwin encouraged its supporters. Attorney General Roger B. Taney wrote that Baldwin "had held earnest and repeated conversations with me . . . endeavoring to persuade me to advise the President not to veto the [rechartering] bill." Baldwin's circuit opinion in *United States v. Shellmire* (1831) had honored the legality of drafts or orders issued by the bank's branches. The ruling thus implied the constitutionality of the bank, but it did not change the president's mind. He vetoed the rechartering bill and later decided to remove the federal deposits.

Baldwin did not have long to wait for the opportunity to react to Jack-

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50 Baldwin's attack against implied powers is in his House address on the admission of Missouri, the complete text of which is in the *Pittsburgh Mercury*, Aug. 23, 30; Sept. 6, 1820.
son’s veto. In *United States v. David Shive* (1832), in which the defendant pleaded for his acquittal of counterfeit charges because the bank had been declared unconstitutional by Jackson, Baldwin argued that the Court “cannot look to the construction given to the Constitution by the executive department as a guide.” The judges had no jurisdiction to question the “propriety of the course of the executive . . . [the president] acts on his responsibility.”

Another example of dissimilar views was *United States v. Arrendondo* (1832), in which Baldwin gave the Court’s opinion reaffirming earlier rulings that claims to land titles must be protected. A land grant that had been made in Florida by the king of Spain was thus valid under stipulations of the 1819 treaty between Spain and the United States unless proof to the contrary existed. The burden rested on the government to show that fraud had been committed. Baldwin then admonished the government to have greater respect for treaties. It was a decision that many praised, but Jackson was not among them. Afterwards, he informed Baldwin of his disappointment.

Jackson now realized how independent and unreliable Baldwin really was. There is no record of what may have been said between them before the appointment to the bench was made, assuming there was a meeting at all. If Jackson had given any indication of asserting federal and presidential powers greater than any of his predecessors, Baldwin should have warned him of inevitable clashes over principles. Maybe he did; maybe he didn’t. Any notion of inherent and implied executive powers was anathema to him, as it had been to those at the Constitutional Convention. Again, if the president had deliberately misled Baldwin into believing that he supported original intent when he did not, then Baldwin was either naive or too starry-eyed with his new position to fathom the president’s intentions. Having acquired job security, moreover, Baldwin may have cared little about Jackson’s motives. Perhaps it was his turn to betray an old friend, although this appears unlikely.

When it came to Native Americans and their treaty rights, the two men did close ranks. Jackson refused to take any action in defense of these rights.

54 Claiming to support original intent and then using it as a disguise for political objectives has characterized other administrations. For a discussion of Ronald Reagan’s position, for example, see Leonard W. Levy, *Original Intent and the Framers’ Constitution* (New York, 1988), 393-94. Baldwin decried the use of “necessity” to invoke implied powers against original intent: “No power is so dangerous as that which makes necessity its source; for necessity will always be assumed, when a pretext is wanted.” Baldwin, *General View*, 106.
in Georgia when the Cherokees sought an injunction in the U.S. Supreme Court to restrain the state from enforcing its sovereignty over them and seizing their lands. Neither Jackson nor Baldwin empathized with the Cherokees. Their position was unpopular, especially among religious groups and social reformers. Baldwin concurred with the majority in *Cherokee Nation v. Georgia* (1831), denying the plaintiff the right to bring suit in a federal court; in *Worcester v. Georgia* (1832) he was the lone dissenter.

In the first case, Marshall held that the Cherokees were a "domestic dependent nation" and in *Worcester* he accepted their sovereignty. He reasoned that the Cherokee nation represented a distinct political community within which the laws of Georgia can have no force. Baldwin rejected any such notion and argued that Native Americans were "tribes" as clearly stated in the commerce clause of the Constitution. Jackson had to be pleased with the verbal spanking Baldwin then administered to his colleagues. The words were almost inflammatory: "The judicial power cannot divest the states of rights of sovereignty, and transfer them to the Indians, by decreeing them to be a nation ... pre-existing and with rightful jurisdiction and sovereignty over the territory they occupy."

More irritating to Jackson than any Court decision or the bank issue was his recalcitrant vice president. The president's obsession with discrediting Calhoun prompted him to reopen the Seminole controversy. The two men had exchanged letters regarding Calhoun's exact role in the affair when he was secretary of war, but on the eve of the 1828 election the correspondence ended and a truce called to preserve party unity.

After the election Calhoun became expendable. Jackson resumed the letter writing and again demanded an explanation from his vice president, who challenged the president's right to question his earlier conduct as war secretary. Jackson insisted all along that he had acted in Florida under secret authorization from President Monroe and had requested confirmation in a

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Baldwin was strongly criticized for his dissent. The editor of the *Pennsylvania Wbig* believed Baldwin's opinion exhibited too much feeling, "too much of an air of arrogant superiority, and too much jacobinical [sic] liberalism for a sworn judge." Cited in the *Crawford Messenger*, April 14, 1832.
private letter of January 6, 1818. Jackson alleged that the president had complied by sending orders (which Jackson claimed he later destroyed upon Monroe's request) through John Rhea, a representative from Tennessee. Prior to his death, however, Monroe denied that any such orders had been issued. Apparently he had put Jackson's letter aside and did not get around to reading it until the investigation of Jackson's adventure many months later.  

Jackson appealed to Baldwin for help. He remembered a conversation he had had at the White House in which Baldwin was heard to say that Jackson's letter to Monroe "was in the possession of Mr. Lacock at that time," meaning, of course, at the time of the investigation. He asked Baldwin to corroborate that remark with proof. Lacock may have used the letter's contents as a basis for his committee's critical report on the general to the Senate, a report Jackson later brushed aside as a "complete tissue of falsehoods, misrepresentations and false colourings."  

In the Jackson-Baldwin correspondence during 1831-32, the central question was Lacock's knowledge of the letter in question. The president wanted to know how and when Lacock had learned of the letter and from whom. Did Monroe show him the letter or reveal its confidentiality, or was a member of the cabinet, maybe Calhoun or Crawford, responsible? At first Jackson and some of his friends had absolved Calhoun from any wrongdoing and pointed an accusing finger at Crawford and Monroe. Now the president's vendetta focused upon Calhoun alone.  

Baldwin was glad to oblige, perhaps out of gratitude for having been appointed to the Court, or maybe to make his old political opponents, Calhoun and Lacock, look bad. More than likely, however, he sought to prove Crawford's innocence. After all, the Georgian was a dear old friend of the family. Knowing that the president's anger was directed toward Calhoun, Baldwin accommodated him by telling him what he wanted to hear.  

Lacock admitted to Baldwin that he knew from the "highest authority" what the Jackson letter contained, though he claimed not to have seen it.  

57 In his Jan. 6 letter, Jackson urged not only that the United States should occupy Amelia Island but East Florida as well. He boasted that this could be done in sixty days without implicating the government. If Monroe believed that possession of the Floridas was in the nation's best interest, he was to let Jackson know through Rhea. For a discussion of the roles played by Jackson and Monroe, see Harry Ammon, James Monroe (New York, 1971), 415-31; Robert V. Remini, Andrew Jackson and the Course of American Freedom, 1822-1832 (New York, 1981), 347-50, 366-77.  
58 Jackson to Baldwin, Oct. 31, 1831, JP.  
59 Baldwin to Jackson, Oct. 18, 1831, JP.
At the time of the Senate investigation, Lacock had repeated talks with Calhoun, who briefed the senator on cabinet meetings. Lacock’s admission confirmed what Baldwin had suspected all along: that Calhoun and not Crawford was the culprit in giving Lacock privileged information. “If anyone had taken an unfriendly part towards you,” he wrote Jackson, “it was Mr. Calhoun.”

Jackson and Baldwin were pleased with their conclusions, but not Lacock, who wanted to know how this entire matter concerned a member of the Supreme Court. In his opinion, Jackson and Calhoun were the only men alive who should be interested in any present disclosures on the Seminole War. He wanted it understood that he did not wish to reveal anything that made him appear before the public as a friend of either man because their personal squabbles meant nothing to him.

After reading Lacock’s letter to Jackson, who seemed impressed with its candor, Baldwin answered it with a further request that Lacock provide the president with all the information he wanted. “Neither the president nor myself,” he wrote, “think we are asking anything you ought not to communicate.” He reminded Lacock of the way Crawford had been maligned by the Jackson people. Baldwin wanted to let Jackson know who his friends were before and after the 1828 election, to show him that, “while he was surrounding himself with friends he was sleeping with copperheads.”

Lacock agreed to answer a number of questions included in a letter from Jackson to Baldwin only if the questions were also sent to Calhoun. He promised to answer them “fairly, fully, and explicitly.” Baldwin found Lacock’s conditions acceptable and so advised the president, who, at first, seemed reluctant to comply. Baldwin cautioned Jackson that Lacock might be less prone to cooperate should his conditions be rejected; also, if Lacock suddenly died, his executors may refuse to release the papers. Baldwin assured the president of public support should Lacock’s revelations be disclosed. “You have been deceived, betrayed and publicly attacked by men who sought your confidence,” he wrote. “There is in my opinion no man in the country who can furnish as powerful testimony as Mr. Lacock . . . he is of all others the best possible witness you could expect to have.”

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60 Lacock to Baldwin, Feb. 18, 1832, JP.
61 Baldwin to Lacock, Feb. 25, 1832, JP.
62 Jackson to Baldwin, Feb. 27, 1832; Lacock to Baldwin, March 12, 1832, JP.
63 Baldwin to Jackson, April 13, May 13, 1832, JP.
Jackson accepted Baldwin's advice. On May 28, 1832, he prepared “interrogatories” to be sent to Lacock and Calhoun: a list of some dozen questions relating to all communication between Lacock and Calhoun regarding Jackson's 1818 letter. If the president believed he needed to ask these questions in order to back Calhoun into a corner, thus minimizing his influence in this election year, his concerns were unwarranted. The Carolinian posed no threat either to Jackson's leadership or his reelection. After being unanimously nominated by the Democratic national convention, Jackson went on to defeat Clay by a lopsided margin.

Calhoun remained the gadfly. If the president thought that each branch of government has the authority to interpret the Constitution, so Calhoun assumed that the individual states possess the same power. Whenever a state shall determine a federal statute to be unconstitutional, it can declare the law null and void. Calhoun became the champion of nullification, and South Carolina took steps in November 1832 to declare the tariffs of 1828 and 1832 “unauthorized by the Constitution” and therefore inoperative within the state. Jackson and the nation faced a crisis.

In this same month, presuming that Jackson wanted his views on nullification, Baldwin forwarded them in a lengthy and interesting document. He stressed the illegality and folly of the doctrine of nullification, defended the president's right to use the military to enforce the revenue laws, and pointed out the liabilities South Carolinians would incur should the nullifiers have their way. Baldwin urged caution and a peaceful approach to a situation whose volatility could spread to neighboring states if federal forces were deployed. Underscoring the leadership of a president who was no stranger to national crises, Baldwin expressed confidence that Jackson would act with “prudence and firmness.”

He also took painstaking effort to examine the politics of the crisis. Acknowledging Jackson's opponents both in and out of Congress, Baldwin chastised those who planned to exploit the situation to the detriment of South Carolina or the president, or both. With the stakes so high, he concluded that it was best for Jackson not to ignore Congress, even if it meant working with his enemies. Were he to act alone, the wrath of unfriendly public opinion would descend upon him.

64 JP.
65 Nov. 15, 1832, JP.
Just how much of the Baldwin document Jackson used in preparing his proclamation to the people of South Carolina weeks later is not known, although some similar ideas are contained in each document.\textsuperscript{66} One was the possible use of force. In early January the president requested Congress to provide him the authority to use the army to enforce collection of the customs duties. Congress responded with the Force Act of 1833; fortunately, force was not necessary.

Congress also enacted a compromise tariff, providing for a progressive reduction of duties. By now the president was willing to recommend reducing and limiting protection. South Carolina seemed appeased but Baldwin had mixed feelings.\textsuperscript{67} Preventing a civil war and further puncturing Calhoun's political armor brought gratification, but he lamented the fact that all this came at the cost of tariff protection.\textsuperscript{68}

Not long after he submitted his thoughts on nullification to Jackson, Baldwin suffered a breakdown in Philadelphia and missed a full term of Court. Upon his return, his strange behavior repeated itself and convinced his critics that all was not well. While they claimed his "affliction" was due to a mental debility, his friends blamed the pressure brought on by declining health, financial reverses, and an overindulgence in hard work and Spanish cigars. Contributing to some of the major court decisions of the day, Baldwin stayed on the bench until his death in 1844.

His relations with Jackson remained cordial. Whenever he visited his son and family in Nashville, Baldwin always tried to spend a little time with the former president. Undoubtedly, they recalled their past political differences and disappointments. While it had appeared that each twisted the other for

\textsuperscript{66} According to Taney, Jackson wrote the proclamation with the help of his secretary of state, Edward Livingstone. Samuel Tyler, ed., \textit{Memoir of Roger Brooks Taney, LL.D.} (Baltimore, 1872), 188-89. Daniel Webster believed that it was Nicholas Philip Twist, a clerk in the state department, who did the work. Webster to Joseph Story, Dec. 27, 1832, in Charles M. Wiltse et al., eds., \textit{The Papers of Daniel Webster} (7 vols., Hanover, N.H., 1974-86), 3:201-2.

\textsuperscript{67} In early 1832, Baldwin had offered to settle the tariff controversy with a plan that called for a twenty percent duty on all imported articles, shortened credits, and a considerable duty upon sales at auctions. He approached a number of people to advance his proposal, including Senator William Wilkins of Pittsburgh, John Q. Adams, and the president. Jackson promised to support it and Wilkins said he would present it. What finally emerged as law was not satisfactory to Baldwin. Adams, \textit{Memoirs}, 8:482, 500.

\textsuperscript{68} Baldwin never quit trying to make Jackson a strong supporter of the protective tariff. On one occasion he presented the president with a shirt made by his wife and a cravat made by his sister with linen made in Ohio. In an accompanying note, Baldwin expressed the hope that Jackson would wear these articles as "specimen[s] of American production." Baldwin to Jackson, Jan. 8, 1832, BP.
every conceivable gain, often fomenting dissension among party members, malice had played no part. Jackson's consistency in accepting Baldwin's assistance easily overshadowed any frustration he suffered because of the jurist's independence and unreliability. Meanwhile, Baldwin's unflinching loyalty and trust, interrupted by his rejection for a cabinet seat, quickly resumed, following a brief period of despair after his appointment to the Court. Only his responsibilities as a jurist and his commitment to original intent prevented him from becoming a puppet of the president.

While Jackson sought power, Baldwin instead wanted leverage through political office to advance protectionism and promote his brand of constitutionalism. Neither man was easy to work with nor understand. If any blatant deception existed, it occurred at the time of Baldwin's appointment. Did he inform the president that he intended to oppose him on some matters like the bank, an issue upon which there had been initial agreement, and did Jackson mislead the Pittsburgh attorney into believing that he opposed Marshall's jurisprudence because it violated original intent? Propelled by strong convictions, they permitted their political relationship to create crises both within the party, especially in Pennsylvania, and on the Supreme Court. Yet it never destroyed a friendship that lasted until death parted them.

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