THE POLITICAL AND CIVIC CAREER
OF HENRY BALDWIN, 1799-1830

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HENRY BALDWIN, the “Pride of Pittsburgh” and the “Idol of Pennsylvania” for the first forty-four years of the nineteenth century, came to Pittsburgh in 1799 at the age of nineteen to begin his career as a lawyer, and rose to prominence as a representative of Pittsburgh and its vicinity in local, state, and national affairs. His cosmopolitan interests in law, manufacturing, tariff, internal improvements, and education made him one of the most distinguished leaders of western Pennsylvania in the early nineteenth century.

Henry Baldwin was born in New Haven, Connecticut, on January 14, 1780. He was the son of Michael and Theodora Wolcot Baldwin, and had illustrious family connections in both the Old World and the New. Traditionally, he traced his ancestry back as far as the Norman Conquest. Mathilda Baldwin, daughter of Robert of France, married William the Conqueror. The name Baldwin signified “Bold Winner” and became prevalent at the time of the Crusades when the Baldwins of Flanders and England, like every prominent family, sent representatives to Jerusalem in the tenth and eleventh centuries. From 1101 to 1185 five members of the Baldwin family reigned in succession as Kings of Jerusalem.

There were two branches of the Baldwin family in early Connecticut, and it was as proud of its blacksmiths in colonial days as it was of its lawyers in later times. The blacksmith was an important man in the colonial town because he did all the iron work. Towns vied for the services of good blacksmiths and the smithy was the meeting place for

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1 Read at a meeting of the Historical Society of Western Pennsylvania on May 28, 1940. Miss Taylor is a teacher of history in the Hamilton Junior High School, McKees Rocks, and her article is based upon a more extended account produced by her as a graduate student at the University of Pittsburgh. Ed.
religious and political discussions. Henry Baldwin's great-grandfather was a blacksmith and was invited to move from Fairfield to Guilford in 1675, by a vote of that town, to try out for the position of blacksmith. His trial proved successful; he accumulated valuable property and became a prosperous citizen of Guilford. There in 1691 Henry Baldwin's grandfather, Timothy Baldwin, was born, and in 1719 his father, Michael Baldwin.²

Michael Baldwin eventually moved to New Haven because he wanted his children to have every advantage of a good education, and seldom has a man had such a family of prominent children. By his first wife, Lucy Dudley, he had five children: Ruth, Dudley, Abraham, Ruth, and Lucy. Ruth, the first-born, and Lucy died in infancy. By his second wife, Theodora Wolcot, he had seven children: Lucy, William, Michael, Theodora, Henry, Clarissa, and Sally. Of these, Lucy and Theodora were unmarried and died in early life. Henry's half-brother Dudley graduated from Yale and was a promising lawyer when he died. His brother William was collector at the port of New Haven for many years.

Just as Henry Baldwin later was prominent in the development of western Pennsylvania, a half-brother and a brother of his were leaders in the organization of the states of Georgia and Ohio. The former, Abraham, gained national fame. After his graduation from Yale, Abraham became a tutor at the college, later acted as chaplain in the Revolutionary War, and after the war settled in Georgia to practice law. He became a member of the state legislature, planned the University of Georgia, and was its president for a time. He was a delegate to the Continental Congress from 1785 to 1788, a member of the Constitutional Convention and one of the signers of the Constitution, and when the new government was organized he represented Georgia as a United States Senator in the First, Second, Third, Fourth, and Fifth Congresses. He was president, pro tempore, of the Senate in 1801 and 1802 and died in Washington in 1807.³

² Charles C. Baldwin, The Baldwin Genealogy, 1500–1881, 9, 10, 411 (Cleveland, O., 1881), The Baldwin Genealogy Supplement, 1001 (Cleveland, 1889).
Henry’s brother Michael settled in Chillicothe, Ohio, after graduating from Yale and became widely known for his ability in the profession of law. He was a member of the convention that formed the first constitution of Ohio and was speaker of the house of representatives in the first Ohio legislature. Henry’s half-sister Ruth married the famous Joel Barlow, class poet of Yale in 1778, who wrote *The Vision of Columbus*, a poem which visualized the future glories of the new republic set up at the close of the Revolutionary War. For many years this poem ranked as the greatest in American literature. In 1807 Barlow purchased a large estate on Rock Creek a mile or two north of the Potomac River. He remodeled the manor house on the estate and called his new home “Kalorama” meaning “Beautiful View.” Kalorama became one of the best known residences in Washington, D. C., a real cultural oasis in that city. It was Henry Baldwin’s residence when he lived in Washington as a legislator and later as a judge, and was the general headquarters of the Baldwin family. Henry’s sister Clarissa married Colonel George Bomford, chief of ordnance at Washington, whose experiments led to the introduction of the columbiad, the modern long-range cannon. Colonel Bomford was the second master of Kalorama. Sally Baldwin married Edmund French and her two sons gained national prominence: one built the Hudson River Railroad; the other was appointed by Jefferson Davis as chaplain at West Point and he died in that service.  

Henry Baldwin spent the early part of his life on a farm near New Haven. As a boy he drove the cart for James Hillhouse in planting the famous elms of that city. He graduated from Yale in 1797 and at college was distinguished for the sturdy energy with which he forged his way to the head of his class. After graduation he moved to Philadelphia to study law with Alexander J. Dallas, a distinguished lawyer of that city and undoubtedly a friend of Henry’s half-brother Abraham. When his legal apprenticeship was completed he was admitted to the bar in Philadelphia, but he presently left that city and set out for Ohio, prob-

ably to join his brother Michael. However, he never reached his destination. For reasons unknown he settled in western Pennsylvania, locating at Pittsburgh and entering upon the practice of law there and at Meadville. Perhaps he was influenced by the fact that two of Joel Barlow’s brothers lived near Pittsburgh. On the other hand his remarkable insight may have caused him to visualize the future importance of the little town of 1,565 people that he selected for his adopted home. When he arrived in Pittsburgh in 1799 it was already known as “Pittsburgh city, the Pennsylvania great western emporium”; a line of packet boats was plying between Pittsburgh and Cincinnati, and many flatboats were employed to float cargoes down the Ohio and Mississippi rivers. Baldwin arrived at a time when the very aspect of the city was changing. Many new homes were being built of frame and brick while log houses were fast disappearing; and windows of glass were becoming more numerous and larger, making the houses more cheerful in appearance. Everywhere the sounds of hammer and saw could be heard and the streets were blocked with piles of brick and beds of mortar. Market Street was the principal commercial thoroughfare. Along the sides of the street were the wells and pumps that supplied water for the residents. Many travelers stopped at Pittsburgh to buy their supplies at the many shops and stores in the town. All marvelled at the low cost of living in Pittsburgh and thought that the town could not be excelled as a trading place.5

Baldwin quickly made friends in his adopted town. His keen sparkling eyes and his pleasing countenance portrayed affability. He had a fascinating manner, carried his figure erect, his head elevated, and there was always a smile on his face. One of his first acquaintances in Pittsburgh was the very handsome Tarleton Bates, the “most perfect gentleman” in the town, who had migrated to Pittsburgh in 1793 from his home in

Virginia. Henry Baldwin and Tarleton Bates were inseparable compatriots in the political and social life of early Pittsburgh until Bates’s untimely death in 1806.

On the motion of Steele Semple, Baldwin was admitted to the Allegheny County Bar on April 30, 1801. His intellectuality and his popularity with the people due to his physical strength and vigor, so well suited to the times and the place, made him rise rapidly in his profession. Henry Marie Brackenridge remembered him as an excellent scholar, deeply read, and a rapid, warm, and cogent speaker, yet at the same time logical and subtle. Brackenridge said that Baldwin brought to his cases extensive learning and invariably exhausted his subject without “any ornament or unnecessary verbiage.” His associates reported that he would study late into the night, smoking incessantly small black Spanish cigars, and that in the morning there would be two or three piles of books around his chair, open face downward, the piles often mounting two feet high. His personal library was one of the finest in the West. It contained valuable editions of the well-known law books, the English Reports in law and equity, the Year Books imported from England, and the American Reports from the principal states. It was said that in preparation for a case he would study, note, and digest week after week without intermission and often without refreshment. His harmonious voice and imposing presence as well as his graceful and pleasing actions gave him impressiveness before a jury and he was employed on nearly all the important cases. One of his earliest law partners was Walter Forward who came to Pittsburgh in 1803 from the Connecticut Western Reserve. Forward associated himself with Baldwin and Bates and consequently became the third member of the “Great Triumvirate of Early Pittsburgh.”

6 George T. Fleming, History of Pittsburgh and Environs, 2:51 (New York, 1922); Dahlinger, Pittsburgh, 142.
Of all the pursuits in the new West, that of the lawyer offered one of the most attractive prospects, especially if the lawyer were intelligent and ambitious. New land laws, new legal codes, disputed land titles, internal improvements, and the new and imperfect laws made the lawyer’s position an important one. However, in the early nineteenth century the country was still thinly settled and lawyers were obliged to practice in several counties in order to make a comfortable living. Baldwin practiced law not only in Allegheny County, but also in Westmoreland, Fayette, Washington, Beaver, Venango, and Erie counties.

Among his early companions on the circuit were John Woods, Steele Semple, Thomas Collins, Alexander Foster, and James Mountain. These successful lawyers were away from their homes more than half of the time. They traveled from one county seat to another on horseback, with their legal papers and a few books in a sack thrown across the saddle. They stopped at country taverns and enjoyed their cards, their whiskey, and their cigars. Baldwin was especially remembered for his practical jokes on these excursions, but his associates were later kind enough not to repeat his jokes or expose his tricks. These frontier lawyers, like Baldwin, were nearly all college or university men. They were considered leaders in the West, and for this reason soon after they started their practice they appropriated to themselves the title, “Esquire.”

Concomitantly with the beginnings of his legal career Baldwin established his personal family life. On May 26, 1802, he married Mariana Norton, his third cousin. The following year Mariana gave birth to Henry Baldwin, Jr. and less than a month later, on August 21, 1803, she died. Two years later Baldwin married Sally Ellicott, daughter of Major Andrew Ellicott, the most famous surveying engineer of his time.

in the United States. Major Ellicott was noted especially for laying out the city of Washington, D. C., in 1790, and for laying out the town of Erie in 1795. Sally Ellicott was living with her brother-in-law at Meadville when she met Baldwin, who was there to organize the first court of Erie County. Henry Baldwin and his wife had a residence at Meadville as well as in Pittsburgh in the early part of the nineteenth century. In 1841, when Baldwin was a member of the Supreme Court, he built a spacious home in Meadville, which is still standing. The design is said to have been sketched by Baldwin and to have been copied from a home he saw in Tennessee while visiting his friend, Andrew Jackson. Henry Baldwin had no children by his second wife.9

The story of Henry Baldwin and his two close friends, Walter Forward and Tarleton Bates, is the story of politics in western Pennsylvania for the first years of the nineteenth century. These three formed one of the strongest triumvirates for party leadership that Pittsburgh had ever known. They conducted campaigns for the Democratic-Republican party in western Pennsylvania with such avidity that their zeal led both Baldwin and Bates into fighting duels over politics.

Political feeling was very high in Pittsburgh in the spring of 1800. For many years Hugh Henry Brackenridge had ruled over the borough and was accused of using unfair methods to win the governorship for Chief Justice McKean in the election of 1799. McKean made Brackenridge a justice of the state supreme court, and as part of the political spoils Bates became prothonotary of Allegheny County. When Brackenridge moved to Carlisle to take up his judicial duties Baldwin became the Democratic-Republican leader in western Pennsylvania. The Tree of Liberty was established as the organ of the party in Pittsburgh and Baldwin was soon recognized as inspirational editor of this paper. A breach of politics soon arose between two factions of the party, and the anti-McKean group sought to defeat McKean in the gubernatorial

9 Tree of Liberty (Pittsburgh), July 3, 1802; Pittsburgh Magazine Almanac, 1804, 23 (Pittsburgh, 1804); Warner, History of Erie County, 303, 890; John Miller, A Twentieth Century History of Erie County, Pennsylvania, 1:593 (Chicago, 1909); Florence G. Miller, Our Own Pioneers, 109 (Meadville, Pa., 1929); Russell J. Ferguson, "A Cultural Oasis in Northwestern Pennsylvania," ante, 19:275 (December, 1936).
election of 1805 and to revise the state constitution. To gain support in Pittsburgh this faction established its own paper, the *Commonwealth*, on July 24, 1805, and Ephraim Pentland, a twenty-year-old youth from Philadelphia, was made editor. A bitter editorial campaign ensued with Pentland on one side and Baldwin, Bates, and Forward on the other. Pentland took a personal dislike to Bates. His shafts were usually directed at the “Great Trio,” but he regarded Bates as the ringleader and his attacks on him were vile and vituperative. When McKean was re-elected Pentland could not forgive the trio. The attacks in his paper became so bitter that Bates gave him a public cowhiding and was challenged to a duel. Bates refused Pentland’s challenge, saying he was unworthy, but in the exchange of notes Bates was supposed to have insulted Thomas Stewart, a Pittsburgh merchant who had carried Pentland’s challenge to Bates. Stewart then challenged Bates and Bates accepted. In the duel Bates was killed on the second fire. His will named Baldwin executor. Baldwin arranged an impressive funeral for the Virginia gentleman, with burial in the Trinity Episcopal Churchyard.¹⁰

The death of Bates had a profound and sobering effect on Baldwin. The shock brought with it deeper thought and the realization that politics should be more than just an interesting pastime. Tarleton Bates’s legacy to Henry Baldwin was more than his gold watch; it included sobriety, a sense of refinement, and courage. Baldwin was now twenty-six years old and had just acquired the stability and determination that later made him an effective political leader and piloted him from one political position to another until he reached the United States Supreme Court.

Baldwin’s local political activities during the next few years were supplemented by civic activities that further developed his stature. He was a member of the Public Safety Council in Pittsburgh during the War of 1812, one of the directors of the Pittsburgh Permanent Library Company, a trustee of the Western University of Pennsylvania and of the

Harmony Seminary for Young Ladies, a grand master of the Masonic Lodge, and a member of Trinity Church. With all his social and political activities he was still the great lawyer and also one of the early ironmasters of the United States. He is known to have owned at least three large rolling mills in western Pennsylvania, one of which, the Union Rolling Mill on the southeastern border of the city of Pittsburgh, was the largest and most expensive establishment of its kind in the western country.\textsuperscript{11}

After seventeen years of public service in his community Baldwin was elected to Congress to represent the manufacturing interests of his state and particularly his district.\textsuperscript{12} An aftermath of the War of 1812 was the flooding of American markets with cheap European goods and the result was the ruination of the infant industries that had grown in the United States during the war. The industrialists of Pittsburgh immediately concentrated on sending a representative to Congress who would become a leader for a higher tariff to save the manufacturers. In their campaign to build up Pittsburgh manufactures they discovered a redoubtable ally in the popular political and civic leader, Henry Baldwin.

Baldwin took his seat in Congress in December, 1817, and for the following four and a half years he labored indefatigably for the interests and welfare of his constituents. His advocacy of a high protective tariff and his chairmanship from 1819 to 1822 of the newly created committee on manufactures procured for him the title, "Father of the American System." Up to this time no one had sponsored the protective system so diligently, earnestly, and sincerely as Baldwin. He appealed for high tariffs as a national principle — a means of aiding the southern planter, the western farmer, and the New England merchant. Henry Clay considered his speeches the best prepared and the best reported that had ever been given on the tariff in the House. His most important


\textsuperscript{12} \textit{Commonwealth}, August 20, 27, October 8, 15, 1816.
speeches in Congress were made in support of three bills drawn up by the committee of manufactures in response to numerous petitions: one, a bill raising the existing duties of the Tariff of 1816; another, a bill requiring the prompt payment of duties and thus abolishing the credit system that enabled foreign merchants to operate with money belonging to the United States Treasury; and the third, a bill placing a heavy tax on all sales of imported goods at auction, which would give the American shopkeeper a fairer chance to compete with the foreign merchant who sold his goods at auction and had no overhead expenses. These speeches were printed in all the important newspapers of the time and were published in Pittsburgh in the form of pamphlets, copies of which may still be found in our city libraries. His hard labors to secure the passage of these bills were always defeated: it was not until after he had left Congress that the Tariff Act of 1824 incorporated some of his ideas, and it was many years later, in 1842, that he saw his ideas actually put into effect. In Congress he was also active in the Missouri Compromise debate for he had been Clay’s chief coadjutor on the compromise. Monroe also credited him with satisfactorily settling the Florida purchase treaty. His greatest speech next to his speeches on the tariff was made in defense of Andrew Jackson during the congressional investigation of Jackson’s conduct in the Seminole War. Baldwin’s defense of the general led to a long friendship between the two men; Baldwin later campaigned for Jackson, and the latter rewarded him with an appointment to the Supreme Court.13

A severe illness caused Baldwin to resign from Congress in the spring of 1822. When he returned to Pittsburgh he was given a public welcome in which a large majority of the citizens took part. Later he was tendered a public dinner. By 1824 his health was greatly improved and

13 Pittsburgh Mercury, May 14, 21, 1819, May 2, August 30, September 6, 1820; Annals of Congress, 15 Congress, 2 session, 1:1038–1073, 1816–1846, 1969–1987, 2173, 16 Congress, 1 session, 2:1555; The Speeches of Henry Baldwin, Esq., in the House of Representatives on the Bills Reported by Him as Chairman of the Committee of Manufactures (Pittsburgh, 1820); Edward Stanwood, American Tariff Controversies in the Nineteenth Century, 1:182 (Boston, 1903); Thomas H. Benton, Thirty Years’ View; or, a History of the Working of the American Government for Thirty Years, from 1820 to 1850, 1:10 (New York, 1893).
he again became an active legal and civic leader. The manufacturing interests were still his chief concern and Pittsburgh was beginning to be called the "Iron City." Baldwin was a member of every committee organized in Pittsburgh in those days to draw up petitions for memorials to be presented to Congress recommending a revision of the tariff. When Lafayette visited the city in 1825 Baldwin spoke at the dinner in Lafayette's honor and was one of the promoters of the ball given for the great Frenchman.

In the civic interests of the city Baldwin was a member of the committee that secured the western terminal of the Pennsylvania Canal at the Monongahela River, and he proposed the idea to the people that the state legislature be petitioned to give the Baltimore and Ohio Railroad the privilege of extending its road to Pittsburgh.\(^{14}\)

The decade from 1820 to 1830 saw Pittsburgh coming into its own. Her plea for higher tariffs was heeded in 1824; her industries were growing due to her expansion in population and the use of her natural resources; her long rivalry with Wheeling was reaching its culmination with the construction of her canals and railroads; and her political grievances were assuaged by the election of Andrew Jackson to the presidency.

Early in 1820 there were indications in Pennsylvania that Jackson would be a suitable candidate at the coming presidential election, and within two years the sentiment for Jackson took a firm grip on the western counties.\(^{15}\) Baldwin immediately aligned himself with the Jackson promoters and undertook to keep Pennsylvania in line.\(^{16}\) He kept up an active correspondence with Jackson, Felix Grundy, and Amos Kendall, and organized the Jackson party in the state so well that Pennsylvania became "Jackson mad" and confident of his election in 1824. When the

\(^{14}\) *Pittsburgh Mercury*, August 21, 1822, November 4, 1823, January 6, June 15, 1824, July 12, August 2, 9, 1826, January 29, 1828; *Niles’ Weekly Register*, 27:245 (September 11, 1824); Charles W. Dahlinger, "General Lafayette's Visit to Pittsburgh in 1825," *ibid.*, 8:142, 143 (July, 1925); Baldwin, *Pittsburgh*, 280.

\(^{15}\) Ferguson, *Early Western Pennsylvania Politics*, 266.

\(^{16}\) James Tallmadge to Baldwin, June 27, 1832. This and other original letters, to be cited below without further explanation, are among papers of Henry Baldwin preserved by Mr. John E. Reynolds of Meadville.
election turned out to be a contested one and Adams was chosen by the House of Representatives, Baldwin and the other Jackson promoters could not accept the election as the real will of the people and at once began the campaign to elect Jackson in 1828.17 Articles praising and slandering Jackson filled the local newspapers, and Baldwin’s Fourth of July speech in 1827 did much to present Jackson as a friend of the tariff while Adams was presented as opposed to the tariff until this election. Baldwin and his associates worked too hard for any criticism, whether slander or murder charges, to nullify their efforts. Jackson won the election and carried Pennsylvania two to one.18

In the political scramble that followed, Pittsburgh expected Baldwin to be appointed secretary of the treasury, but Calhoun, the vice president, was greatly opposed to Baldwin because of the tariff question and persuaded Jackson against the latter’s wishes to appoint Samuel Ingham of Pennsylvania. Pittsburghers could find no answer to the question of how Jackson could allow himself to be overruled in the matter of Baldwin’s appointment, because Baldwin above all others had served him most. Public and private letters were addressed to Baldwin asking him to reveal what had taken place. He answered the letters in the newspapers and otherwise, insisting that Jackson had never promised him any cabinet position and that Jackson’s deportment toward him had evinced the utmost kindness and friendship. Baldwin was then rumored to have been appointed ambassador to France, but after a short stay in Washington following the inauguration he returned to Pittsburgh. Later he was appointed state attorney general and was suggested for the next governor. Amidst all this notoriety over political positions Baldwin was carrying on his legal practice as usual. Thirty years before as a young man of


18 Pittsburgh Mercury, January 15, April 1, 1828; Statesman (Pittsburgh), May 14, 1828; Committee of Arrangements, An Oration Delivered by Hon. Henry Baldwin at the Request of the Jackson Democratic Republicans of This City, July 4, 1827 (Pittsburgh, 1827).
nineteen years he had come to Pittsburgh to begin his practice. He was now forty-nine and the idol and pride of his city and state. He continued to be active on the tariff question and published many articles on the subject in the leading papers of the country.\textsuperscript{19}

On November 26, 1829, Bushrod Washington, an associate justice of the United States Supreme Court, died. Baldwin was immediately recommended for the vacancy by a petition of Congressmen and by the bench and bar of western Pennsylvania. Jackson appointed him to the vacancy on January 5, 1830, and the following day the Senate confirmed the appointment with only two dissenting votes, those of southern anti-tariff men.\textsuperscript{20} Pittsburgh was overjoyed at his appointment and held a public dinner in his honor before he again left the city to take up his residence at Kalorama.

In leaving Pittsburgh Baldwin could look behind with pride, for the rise of the city from a frontier borough to an industrial center of the United States was due in part to his assiduity; and Pittsburgh looked forward to his gaining additional laurels in his new field of public service both for himself and his city.

As he looked backward he could remember his years of association with Tarleton Bates and Walter Forward in those ebullient days when he had succeeded Brackenridge as the political leader of western Pennsylvania and had wrested the region from the control of the Federalists. He could recall Bates’s tragic death and the political fervidity that attended it. He could retrace his legal activities in the various counties of that frontier section of the country and his many successful appearances in the courthouse at Pittsburgh. He could think back over the industrial problems that had confronted the rising city and his efforts in Congress to relieve the new manufacturing interests in which he himself had made


\textsuperscript{20} Samuel Pettigrew to Baldwin, December 1, 1829; Charles Binney, The Life of Horace Binney, 94 (Philadelphia, 1903); National Gazette, January 9, 1830.
and lost a fortune. He could vision again the construction of the first turnpikes, bridges, canals, and railroads that the growing city had demanded to keep pace with its rapidly developing trade and commerce. He could look forward to his activities on the Supreme Court Bench with the same enthusiasm and prospection that he had in 1799 when he commenced his legal career.

In the fourteen years that he served as an associate justice of the Supreme Court he was as active and as positive as he had been in Congress and in the civic activities of his community. Many of the decisions that he rendered in his circuit (where he was at his best advantage) were widely published and served as precedents in later court proceedings.

Just as he was disappointed in Congress because of his failure to accomplish his tariff revisions, he encountered unpleasant situations in his Supreme Court associations because he dissented from interpretations of the Constitution made by Chief Justice John Marshall and Justice Joseph Story, the leading members of the court at that time.

But while serving on the Supreme Court he saw his tariff program consummated, and could he have attended his own impressive interment in the family vault at Kalorama on April 26, 1844, he would have found in the presence of the highest civil and military officers of the country, the diplomatic legations, and his numerous relatives and friends the vindication of his legal career and a tribute to his untiring efforts in forty-four years of public service to his county, his state, and his nation.