

ferences forced the dissolution of the partnership and began the long and complex litigation which culminated in the landmark Supreme Court decision of *Gibbons v. Ogden* in 1824. The expense of the litigation and the loss of the steamboat franchise depleted the fortune Ogden had accumulated. In 1829 Congress created the post of collector of customs for Jersey City especially for Ogden. Though lucrative, the position did not pay enough to enable him to liquidate his obligations, and he was imprisoned for debt in New York. Fortunately, his boyhood friend and Princeton classmate, Aaron Burr, pushed a bill through the New York legislature prohibiting imprisonment of revolutionary war veterans for debt. Thus reprieved, Ogden comfortably lived out his life with his sinecure in Jersey City. He died there on April 19, 1839.

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WILLIAM SANDFORD PENNINGTON (1757-September 17, 1826), the state's sixth governor, was one of those who benefited

most dramatically from the social mobility stimulated by the revolutionary war. He was perhaps the first governor of either the colony or the state who did not derive from hereditary, propertied gentry; in large measure this fact affected his outlook and his place in history.

Pennington was born into a Newark family of limited means. He was orphaned at an early age, and his formal education ended with apprenticeship to a local hatmaker. He joined the Continental army as an enlisted man when the Revolution began. Though his service record is confused by unsubstantiated claims to heroism, it at least partly shows his value to the American cause: he was made sergeant in an artillery unit in 1777, commissioned second lieutenant in the field in 1780, and, having served through the entire war, mustered out as a brevet captain. He returned to Newark to work as a hatter. By the early 1790s he was in business for himself as a retail merchant in his native town.

He typified the new, self-made elitist attracted to the Jeffersonian-Republican cause in the 1790s. Following a pattern of political involvement not uncommon in other states in the formative years of America's first party system, Pennington and his brother Aaron helped found the Essex County Democratic Society; this was part of a Jeffersonian-Republican movement emerging from popular American support for the French Revolution and encouraged particularly by the organizational efforts of Edmond Genet, French minister to the United States in 1792 and 1793. The Pennington brothers rose to leadership of the society and in 1796 used the organization as a springboard to found the first Jeffersonian newspaper in the state, the *Newark Centinel of Freedom*. This political commitment left the now successful and outspoken Anti-Federalist revolutionary veteran only a short leap from entry into active politics.

Newark provided fertile ground for men and women with Jeffersonian leanings: it was the home of several families like the

Penningtons made prominent by the Revolution. A natural rivalry developed between that growing community and Elizabethtown, the seat of a more traditional, Federalist-oriented aristocracy that included the Ogden, Dayton, Williamson and Boudinot families. By the 1790s Newark had achieved political domination of Essex County, and this along with rapid increases in its population and its growing economic centrality gave its leaders an advantage in the quest for power. The county in turn formed the vital center of Jeffersonian strength in New Jersey, its political accomplishments enhanced by the remarkable fact that from 1796 through 1807 women were permitted to vote in Essex—and they did so in significant numbers. For two decades, from 1795 through 1815, William Pennington remained a political kingpin in Essex County.

He was elected to the assembly annually between 1797 and 1799, and to the council each year from 1800 to 1804. He became a major figure in the legislature and a powerful voice in the Jeffersonian cause. As a candidate on the "Farmer's [Jeffersonian-Republican] Ticket" at the end of 1796, he was accused by one Federalist of "shouting loudly of the necessity of changing men in order to change measures." In 1798 Pennington's visibility and political stock rose enormously as a result of his moderate and successful leadership in the legislative debate over New Jersey's response to the Alien and Sedition acts.

During this period of deep involvement in politics he continued to operate his store and also plugged away at the study of law. In 1802, at age forty-five, his admission to the bar testified to his perseverance and ability. A year later he was appointed county clerk of Essex; at the beginning of 1804 he resigned from the legislature to accept an appointment to the New Jersey Supreme Court. In 1806 he was named court reporter as well as justice, and he published a *Treatise on the Courts for the Trial of Small Causes* (1806), virtually a layman's guide to the complexities of New Jersey civil law. It

was good enough to warrant republication nearly a generation later.

Pennington's service on the bench clearly did not disqualify him from quietly carrying on his political leadership. The Republican mixed caucus of Jeffersonian legislators and other party managers came close to nominating him for governor in both 1810 and 1811, but eventually it renominated Joseph Bloomfield instead. In the meantime, however, Pennington strengthened his ties to Republicans outside Essex County. In 1811, for example, the Woodbridge Jeffersonian organization resolved that as Pennington "is worthy of, so may he soon be called to the highest office of this state."

That call finally came in 1813, when a Republican legislative majority named him to a one-year term. Entering office at the low point of the War of 1812, Pennington conceived it his duty to restore unity to the state by attempting to mute the rivalry and hostility that for a score of years had separated Jeffersonians and Federalists. At first he was relatively successful at this and he was reelected in 1814, but in order to succeed he had eroded his position in both Essex County and the state by opening himself to charges of "amalgamation"—a contemporary term similar to "appeasement."

When the governor endorsed the Essex County legislative candidacy of Jonathan Dayton, a former Federalist Speaker of the United States House of Representatives, in the autumn of 1814, he drew the fire of Shepard Kollock, a longtime Essex County Republican rival who was the editor of the influential Elizabethtown *New-Jersey Journal*. At the same time the governor strongly supported Mahlon Dickerson's losing bid for a seat in the United States Senate against James J. Wilson, a powerful Republican who edited another influential newspaper, the Trenton *True American*. Not only did Pennington incur Wilson's wrath, he also undermined his own support in the Republican caucus. Worst of all, he was widely quoted as having intemperately referred to Wilson's Republican sup-

porters as a bunch of "Clod Hoppers" who boasted "not a man of Talents or of understanding among them." This proved unforgivable in a self-made man who owed his political success to the support of New Jersey's farmers—who, after all, constituted the vast majority of voters in an agrarian state.

After the end of the war in 1815, ideological divisions in New Jersey, which had most recently been exacerbated by foreign policy issues, began to diminish. At the same time Governor Pennington, who had done much to close the rifts caused by party confrontations, found his popularity among rank-and-file Republicans decreasing, his hold on Essex County undermined, his support in the caucus threatened. In short, Pennington was almost certain to lose the next election. The party found a way out: President Madison nominated Pennington a judge in the United States District Court for the district of New Jersey and the governor accepted. By gracefully arranging this "elevation," New Jersey's Jeffersonian Republicans avoided a messy public struggle and allowed an old party wheelhorse to save face.

As for the retiring governor, he found himself in a berth that was "almost a sinecure." There were four court terms during the year but as the historian John Whitehead has noted, "they rarely lasted . . . more than a day. No grand jury was ever sworn in [Pennington's] court, nor were any indictments found." He held the office until his death in 1826. Perhaps there was some justice in his enjoying a tranquil position for the last decade of life after having paid so dearly for his successful efforts to bridge the enmities of a generation of party combat during the era of the first party system. A kind of vindication occurred posthumously when his son was elected governor in 1837.

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Carl E. Prince



MAHLON DICKERSON (April 17, 1770–October 5, 1853), was born in Hanover Neck, Morris County, the first child of Jonathan and Mary (Coe) Dickerson. During his life, he demonstrated a diversity and longevity in political leadership and achievement that no other native son appears to have equaled.

Dickerson received his only institutional education as one of the twenty members of the class of 1789 of the College of New Jersey (later Princeton University), where the Reverend John Witherspoon, a signer of the Declaration of Independence, was president. Before attending college he had been tutored by educated citizens in and around Morristown. His teachers included Caleb Russell, who in 1797 established the *Morris County Gazette* (Morristown). In 1776 another tutor, Dr. Jacob Green, had argued forcibly against slavery in America. Dr. Green served at one time as acting president of the College of New Jersey, and he was the father of the college's longtime president, Ashbel Green.

After being graduated from Princeton, Dickerson read law in Morristown with his former tutor Caleb Russell, and in 1793 he was admitted to the New Jersey bar. The following year, during the Whiskey Rebellion, he rode as a volunteer