

# Vice Presidents of the United States

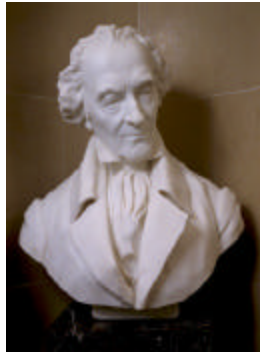
## Elbridge Gerry (1813-1814)

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Introduction by Mark O. Hatfield.

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It is the duty of every man, though he may have but one day to live, to devote that day to the good of his country.

—*Elbridge Gerry*<sup>1</sup>

The vice-presidency had been vacant for nearly a year by the time Elbridge Gerry took office as the nation's fifth vice president on March 4, 1813. His predecessor, George Clinton, an uncompromising "Old Republican" with frustrated presidential ambitions, had died in office on April 20, 1812. Clinton's constant carping about President James Madison's foreign policy had put him at odds with the administration. Gerry, who replaced Clinton as the Republican vice-presidential nominee in the 1812 election, was a vice president more to Madison's liking. An enthusiastic supporter of Jefferson's embargo and Madison's foreign policy, he offered a welcome contrast to the independent-minded and cantankerous New Yorker who had proved so troublesome during the president's first term. But, like Clinton, Gerry would die in office before the end of his term, leaving Madison—and the nation—once again without a vice president.

### Early Career

Elbridge Gerry was born in Marblehead, Massachusetts, on July 17, 1744, one of Thomas and Elizabeth Greenleaf Gerry's eleven children. A former ship's captain who emigrated from England in 1730, Thomas Gerry was a pillar of the Marblehead community, serving as a justice of the peace and selectman and as moderator of the town meeting. The family was prosperous, thanks to a thriving mercantile and shipping business and an inheritance from Elizabeth Gerry's side of the family. The Gerrys were also pious, faithfully

attending the First Congregational Church and avoiding ostentatious display. Young Elbridge was probably educated by a private tutor before his admission to Harvard College in 1758. Like many of his fellow scholars, he paid careful attention to the imperial crisis that would eventually precipitate the American Revolution, arguing in his master's thesis that the colonists were justified in their resistance to "the new Prohibitory Duties, which make it useless for the People to engage in Commerce."<sup>2</sup>

Gerry returned home after graduation to join the family business. A thriving port and commercial center, Marblehead was a hotbed of anti-British activity during the 1760s and 1770s. The future vice president played a limited role in the resistance movement until the spring of 1770, when he served on a local committee to enforce the ban on the sale and consumption of tea. He was elected to the Massachusetts legislature in 1772, and later to its successor body, the Provincial Congress, serving as chairman of the committee on supplies during the fall and winter of 1774-1775.<sup>3</sup> The historian Mercy Otis Warren--a contemporary--later recalled that Gerry coordinated the procurement and distribution of arms and provisions with "punctuality and indefatigable industry,"<sup>4</sup> an effort he would continue while serving in the Continental Congress. Following a practice that was neither unusual nor illegal at the time, Gerry awarded several supply contracts to his family's business. But, unlike many of his fellow merchants, he refused to take excessive profits from wartime commerce, explaining that he would "prefer any Loss to the least Misunderstanding with the public relative of Interest."<sup>5</sup>

Gerry was elected to the second Continental Congress in December 1775, serving until 1780 and again from 1783 to 1785. If he was, as his biographer George Athan Billias admits, a "second rank figure" in a body that included such luminaries as Thomas Jefferson and John and Samuel Adams, he was also a diligent legislator. His efforts to persuade wavering middle colony delegates to support independence during the summer of 1776 evoked paeans of praise from John Adams. "If every Man here was a Gerry," Adams claimed, "the Liberties of America would be safe against the Gates of Earth and Hell."<sup>6</sup>

But, like Adams, Gerry could also be trying and impractical—even Adams despaired of his friend's "obstinacy that will risk great things to secure small ones."<sup>7</sup> He was "of so peculiar a cast of mind," Continental Congress Secretary Charles Thomson marvelled, "that his pleasure seems proportioned to the absurdity of his schemes."<sup>8</sup> Modern scholars agree that "his work in Congress was remembered most for its capriciousness and contrariness," citing the "phobias against sword, purse, and centralized power" that "drove him to oppose any kind of peacetime army and any taxing scheme to raise revenue for the central government."<sup>9</sup> But Gerry's biographer discerns a fundamental logic in his seemingly erratic career. The Revolution was Gerry's defining moment, Billias emphasizes, and the future vice president considered "the signing of the Declaration of Independence . . . the greatest single act of his entire life."<sup>10</sup> All of his subsequent actions, inconsistent and idiosyncratic as they may have appeared to others, were driven by his single-minded goal of preserving the hard-won gains of the Revolution.

For all his commitment to Revolutionary principles, however, Gerry was no egalitarian. He believed that a "natural elite" of able and talented individuals should govern the new nation. As a member of that favored class, he considered public service a responsibility, not an opportunity for personal or financial gain. Like many of his contemporaries, he believed that the ideal form of government was a "mixed" constitution, incorporating in a delicately balanced equilibrium the best features of a monarchy, an aristocracy, and a democracy. A constitution that inclined too much toward any of the three would, Gerry feared, threaten the stability of the government or jeopardize the liberties of the people. This stance accounts for his seemingly inconsistent behavior during the Constitutional Convention and the ensuing ratification debate.<sup>11</sup>

### **Constitutional Convention**

One of four delegates chosen by the Massachusetts legislature to attend the 1787 Constitutional Convention, Gerry was, in his biographer's words, "one of the most active participants in the entire Convention."<sup>12</sup> A member of the moderate bloc—he was neither an extreme nationalist nor a committed states' rights advocate—he acted as a conciliator during the first phases of the convention. As chair of the committee that resolved the impasse between the large and small states over representation in the national legislature, Gerry made several impassioned speeches in support of the "Great Compromise," which provided for equal representation of the states in the Senate and proportional representation in the House of Representatives.<sup>13</sup>

Soon after the convention adopted the compromise, Gerry began to worry that the constitution that was slowly emerging during those hot and tense days in Philadelphia, would create a powerful national legislature capable of jeopardizing the people's liberties and overshadowing the states. Although the convention adopted several of his proposals to limit congressional power, including the prohibition against bills of attainder and ex post facto laws, these provisions failed to satisfy his apprehensions. Struggling to save a document that he now considered seriously flawed, Gerry offered a motion to include a bill of rights and several specific proposals to safeguard popular liberties. The convention's majority disagreed with this approach and defeated each of these initiatives. On September 15, 1787, a dispirited Gerry stated "the objections which determined him to withhold his name from the Constitution," concluding that "the best that could be done . . . was to provide for a second general Convention." Two days later, as his more optimistic colleagues prepared to sign the new Constitution, Gerry explained his change of heart. James Madison, whose notes of the convention provide the only authoritative account of its proceedings, recorded the awkward scene:

Mr. Gerry described the painful feelings of his situation, and the embarrassment under which he rose to offer any further observations on the subject which had finally been decided. Whilst the plan was depending, he had treated it with all the freedom he thought it deserved. He now felt himself bound as he was disposed to treat it with the respect due to the Act of the Convention. He hoped he should not violate

that respect in declaring on this occasion his fears that a Civil war may result from the present crisis of the U.S.<sup>14</sup>

Gerry objected to several provisions in the new Constitution, including the language in Article I, section 3, specifying that "The Vice President of the United States shall be President of the Senate." During the September 7 debate over the "mode of constituting the Executive," he had voiced his reservations about assigning legislative responsibilities to the vice president. "We might as well put the President himself at the head of the Legislature," he had argued. "The close intimacy that must subsist between the President & vice-president makes it absolutely improper." But, he now admitted, he could have accepted this provision and others that he found troubling had the Constitution not granted Congress such sweeping powers.<sup>15</sup>

Fearful as he was about the new Constitution, Gerry was equally worried that "anarchy may ensue" if the states failed to ratify it. He did not, therefore, reject it outright during the ratification struggle. Abandoning his earlier call for a second convention, he worked to build support for amendments "adapted to the `exigencies of Government' & the preservation of Liberty." Reviled as a traitor to his class by elites who strongly favored ratification, Gerry suffered an overwhelming defeat in the 1788 Massachusetts gubernatorial election. Still, he noted with some satisfaction that his state and four others ratified the Constitution with recommendations for amendments.<sup>16</sup>

## **The New Nation**

Gerry served in the United States House of Representatives during the First and Second congresses (1789-1793). A conciliatory and moderate legislator, he supported Treasury Secretary Alexander Hamilton's proposals to fund the Revolutionary War debt and to establish a national bank. Disillusioned by the increasingly partisan nature of the debate that Hamilton's proposals generated, Gerry retired at the end of his second term, returning to Elmwood, his Cambridge, Massachusetts, estate, to attend to his business affairs and to care for his large and growing family. He had remained a bachelor until the age of forty-one, marrying Ann Thompson, the European-educated daughter of a wealthy New York merchant, in 1786. Ann Gerry's frequent pregnancies—ten children arrived between 1787 and 1801—placed a severe strain on her health, and Elbridge was needed at home.<sup>17</sup> Gerry's brief retirement ended in 1796, when he served as a presidential elector, supporting his friend and former colleague, John Adams. In 1797, with relations between the United States and France steadily worsening after the adoption of the Jay Treaty, President Adams appointed Gerry an envoy to France. The mission failed after representatives of the French government demanded a bribe before they would begin negotiations. Gerry's fellow commissioners left Paris, but Gerry, who had been meeting privately with the French in an effort to facilitate negotiations, remained behind, believing that accommodation was possible. Eventually, he left France empty-handed but convinced that his efforts had averted war. Attacks on American shipping continued, however, and Gerry was widely criticized for the failure of the mission.<sup>18</sup>

Maligned by Federalists who believed him partial to France, and courted by Republicans for the same reason, Gerry tried to remain aloof from the partisan warfare of the late 1790s. Then, in 1800, energized by President John Adams' warning that Hamilton would use the army to gain control of the government, he aligned himself with the moderate wing of the Jeffersonian coalition, eventually emerging as the leader of the Massachusetts Republicans. After a brief second retirement from politics between 1804 and 1809, Gerry was elected governor of Massachusetts in 1810. The success of his efforts to reconcile Federalists and Republicans, who were bitterly divided over foreign policy issues, led to his reelection the following year. During his second term, however, Governor Gerry adopted a more "hard-line" approach, as Massachusetts Federalists became increasingly outspoken in their opposition to Madison's foreign policy. He prosecuted Federalist editors for libel, appointed family members to state office, and approved a controversial redistricting plan crafted to give Republicans an advantage in the state senatorial elections. The Federalist press responded to this plan with cartoon figures of a salamander-shaped election district—the "Gerrymander"—adding to the American political lexicon a term that is still used to connote an irregularly shaped district created by legislative fiat to benefit a particular party, politician, or other group. Governor Gerry's highly partisan agenda led to his defeat in the April 1812 gubernatorial election. Heavily in debt after cosigning a note for a brother who defaulted on his obligation, and saddled with the expenses of a large family, Gerry asked President James Madison to appoint him collector of customs at Boston.<sup>19</sup>

### **Vice-Presidential Career**

Madison had other plans for Gerry. With the 1812 presidential election fast approaching and the vice-presidency vacant since George Clinton's death in April, Madison was more anxious to find a suitable running mate than to fill a customs post. He preferred a candidate who would attract votes in the New England states yet would not threaten the succession of the "Virginia dynasty" in the 1816 election. Former Senator John Langdon of New Hampshire, the party's first choice, was too old and too ill to accept the nomination. After he declined, the Republican caucus turned to the sixty-seven-year-old Gerry, a choice that Madison approved despite Albert Gallatin's prediction that the Massachusetts patriot "would give us as much trouble as our late Vice-President."<sup>20</sup> Gerry had supported Jefferson's embargo and Madison's foreign policy, remaining steadfast after the United States declared war against Great Britain in June 1812. Like Madison, he believed that the war was necessary to protect the liberties that both men had labored so hard to secure during the Revolution.<sup>21</sup>

Although Gerry was certainly no liability, he turned out not to be as valuable an asset as the Republicans had hoped. Of Massachusetts' 22 electors, only 2 voted for Gerry and none voted for Madison. In an election that was, as one scholar has observed, "a virtual referendum" on the War of 1812, editors and electioneers paid relatively little attention to the vice-presidential candidates. By a margin of 39 electoral votes, Madison defeated

opposition candidate De Witt Clinton, and Gerry triumphed over Jared Ingersoll of Pennsylvania.<sup>22</sup>

Gerry remained at home in Massachusetts on inauguration day, March 4, 1813, taking his oath of office there from U.S. District Judge John Davis.<sup>23</sup> When the Senate convened at the beginning of the Thirteenth Congress on May 24, 1813, he appeared in the chamber with a certificate attesting to the fact that he had taken the oath of office. Gerry's inaugural address, an extended oration condemning the British and praising Madison, was unusual in content and length. He explained that "to have concealed" his "political principles and opinions" during "a crisis like this might have savored too much of a deficiency of candor."<sup>24</sup> He was now on record as a supporter of the war effort and a loyal ally of the president.

Gerry's early hopes that "unanimity should prevail" in the Senate<sup>25</sup> soon faded, as the war deepened the divisions between the parties and threatened to split the Republican coalition. Republicans far outnumbered Federalists in the Senate, but mounting opposition to the war effort among disaffected Republicans steadily eroded the administration's 28-to-8 majority. The president was such an inept commander in chief that even his loyal ally, House Speaker Henry Clay of Kentucky, considered him "wholly unfit for the storms of War."<sup>26</sup> As anti-administration sentiment reached a fever pitch after American forces suffered humiliating defeats in Canada and at sea,<sup>27</sup> several members of the president's party balked at the nomination of Treasury Secretary Albert Gallatin as envoy to Great Britain and Russia. Instead, they supported a resolution ordering Madison to inform the Senate whether Gallatin would retain his cabinet post (and, if so, who would serve in his absence). Ultimately, these Republicans joined with Federalists to defeat the nomination by a vote of 18 to 17.<sup>28</sup>

Elbridge Gerry found it increasingly difficult to remain impartial in such a highly charged atmosphere, especially after Madison became seriously ill in mid-June 1813. Gerry, himself, was in poor health. He had recently suffered a "stroke," and old age had so withered his slight physique that one observer likened his appearance to that of a "scant-patterned old skeleton of a French Barber." The March 1, 1792, act which at that time governed the presidential succession provided that if the president and the vice president died in office—a development that many considered possible, if not imminent, during the summer of 1813—the president pro tempore of the Senate would serve as president. And if Gerry left the Senate before Congress adjourned, as all of his predecessors had done to allow election of a president pro tempore, anti-administration forces might combine to elect an individual hostile to Madison's agenda. One Federalist editor had already suggested New York Federalist Senator Rufus King as a possible successor, while Secretary of State James Monroe warned that disaffected Senate Republicans had "begun to make calculations, and plans, founded on the presumed death of the President and Vice-President, and it has been suggested to me that [Virginia Senator William Branch] Giles is thought of to take the place of the President of the Senate."<sup>29</sup>

But if Gerry remained in the chair, and if he survived until the end of the session, the person next in the line of succession would be Speaker of the House Henry Clay, an outspoken "warhawk." Breaking with the precedent established by John Adams, Gerry therefore refused to vacate the chair, presiding over the Senate until the first session of the Thirteenth Congress adjourned on August 2, 1813. "[S]everal gentlemen of the Senate had intimated a wish that he would retire from the Chair two or three weeks before the time of adjournment, and would thus give to the Senate an opportunity for choosing a President pro tempore," he later explained, but "other gentlemen expressed a contrary desire, and thought that the President should remain in the Chair, and adjourn the Senate." Gerry ultimately decided that, as "a war existed and had produced a special session of Congress," he was "differently circumstanced from any of his predecessors, and was under an obligation to remain in the Chair until the important business of the session was finished."<sup>30</sup> (Decades later, in March 1890, the Senate established the current practice of having presidents pro tempore hold office continuously until the election of another president pro tempore, rather than serving only during the absence of a vice president.)

With the presidential succession safe and Madison's physical condition much improved by the time the Senate adjourned, Gerry was free to return home. He was absent when the second session of the Thirteenth Congress convened in December and did not return to Washington until early February 1814.<sup>31</sup> Partisan sentiments remained strong in the Senate, he soon discovered. By one observer's count, the administration's opponents outnumbered its supporters by a margin of 20 to 16. The vice president suspected that a Senate stenographer was the source of recent anti-administration articles in the local press, but with opposition forces now in the majority he was reluctant to "meddle with serpents," and he let the matter drop.<sup>32</sup>

Unpleasant as his Senate duties had become, Gerry still enjoyed the endless round of dinners, receptions, and entertainments that crowded his calendar. With his elegant manners and personal charm, the vice president was a favorite guest of Washington's Republican hostesses, including first lady Dolley Madison. He maintained an active social schedule that belied his advanced years and failing health, visiting friends from his earlier days, who were now serving as members of Congress or administration appointees, and paying special attention to Betsy Patterson Bonaparte, the American-born sister-in-law of Napoleon, whose revealing attire caused a stir wherever she went.<sup>33</sup> Gerry remained in Washington until the second session of the Thirteenth Congress adjourned on April 18, 1814, leaving the Senate chamber only a few moments before adjournment to permit the election of South Carolina Republican John Gaillard as president pro tempore. Mindful that the war had "increased his responsibility," and apprehensive of "the tendency of contrary conduct to prostrate the laws and Government," however, he had refused to relinquish the chair "whilst any important bill or measure was pending, and was to be finished at that session."<sup>34</sup>

Gerry spent the summer of 1814 in Massachusetts, awaiting news of the war effort from Madison.<sup>35</sup> He found the capital much changed when he returned in the fall; British troops had burned most of the city's public buildings, including the Capitol, and the Senate would meet in temporary quarters for the remainder of his term. He was outraged to learn that Massachusetts Federalists had called for a convention of the New England states to consider defensive measures and to propose constitutional amendments. In the fall of 1814, the Hartford Convention, which would not issue its recommendations until after Gerry's death, was widely rumored to be a secessionist initiative. The vice president therefore urged Madison to counter with a "spirited manifesto" against the proceedings.<sup>36</sup> Gerry was still an energetic defender of the administration and of the war, but, by that autumn, his public responsibilities, coupled with and his relentless socializing, had sapped his strength. He became seriously ill in late November 1814, retiring early on the evening of November 22 and complaining of chest pains the next morning. Determined to perform his public responsibilities, he arrived at the temporary capitol in the Patent Office Building later that morning. Then, realizing that he was in no condition to preside over the Senate, he returned to his boardinghouse. Members of the Senate, assembling in the chamber at their customary hour and hearing reports of Gerry's death, sent Massachusetts Senators Joseph Varnum and Christopher Gore to the vice president's lodgings "to ascertain the fact." When they returned with confirmation that the reports were true, the Senate appointed five senators to a joint committee "to consider and report measures most proper to manifest the public respect for the memory of the deceased." The body then adjourned as a mark of respect to its departed president. On the following day, the Senate ordered that the president's chair "be shrouded with black during the present session; and as a further testimony of respect for the deceased, the members of the Senate will go into mourning, and wear black crape round the left arm for thirty days."<sup>37</sup> Although the Senate passed legislation providing for payment of Gerry's vice-presidential salary to his financially strapped widow for the remainder of his term, the House rejected the plan.

Not long after Gerry's interment at Congressional Cemetery, the United States claimed victory over Great Britain. The young nation received few tangible concessions from the British under the Treaty of Ghent,<sup>38</sup> but a new generation of leaders viewed America's "victory" in the War of 1812 as a reaffirmation of the ideals that had animated and sustained Elbridge Gerry since the summer of 1776.

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Notes:

1. Inscription on the Elbridge Gerry monument, Congressional Cemetery, Washington, D.C., reproduced in James T. Austin, *The Life of Elbridge Gerry*, vol. 2 (New York, 1970; reprint of 1829 edition), p. 403.
2. George Athan Billias, *Elbridge Gerry, Founding Father and Republican Statesman* (New York, 1976), pp. 1-7
3. *Ibid.*, pp. 7-54.
4. Quoted in *ibid.*, p.53.
5. *Ibid.*, pp. 73-75.
6. Quoted in *ibid.*, p 70.



7. Quoted in Samuel Eliot Morison, "Elbridge Gerry, Gentleman-Democrat," *New England Quarterly* 2 (1929), reprinted in *By Land and By Sea: Essays and Addresses* (New York, 1953), p. 190.
8. Quoted in Stanley Elkins and Eric McKittrick, *The Age of Federalism: The Early American Republic, 1788-1800* (New York, 1993), p. 557.
9. Elkins and McKittrick, p. 557.
10. Billias, p. 70.
11. *Ibid.*, pp. xiii-xvii and *passim*; Jackson Turner Main, *The Antifederalists: Critics of the Constitution, 1781-1788* (Chapel Hill, NC, 1961), p. 171.
12. Billias, p. 158; Ralph Ketcham, *James Madison: A Biography* (Charlottesville, VA, 1992; reprint of 1971 edition), p. 194.
13. Billias, pp. 153-84.
14. *Ibid.*, pp. 185-205; *Notes of Debates in the Federal Convention of 1787 Reported By James Madison* (New York, 1987; reprint of 1966 edition), pp. 652-58.
15. *Notes of Debates in the Federal Convention*, pp. 594-97, 652.
16. Billias, pp. 206-17.
17. *Ibid.*, pp. 147, 218-35.
18. *Ibid.*, pp. 245-86.
19. *Ibid.*, pp. 287-325.
20. Ketcham, p. 523; Norman K. Risjord, "Election of 1812," in *History of American Presidential Elections, 1789-1968*, edited by Arthur M. Schlesinger, Jr. and Fred L. Israel, vol. 1 (New York, 1971), p. 252.
21. According to Madison scholar Robert Allen Rutland, the president believed that "war with Britain would reaffirm the commitment of 1776." Robert Allen Rutland, *The Presidency of James Madison* (Lawrence, KS, 1990), p. 97. Gerry elaborated his sentiments in his May 24, 1813, inaugural address. U.S., Congress, Senate, *Annals of Congress*, 13th Cong., 2d sess., pp. 10-13.
22. Risjord, "Election of 1812," pp. 249-72; Norman K. Risjord, "1812," in *Running for President: The Candidates and Their Images*, ed. Arthur M. Schlesinger, Jr., vol. 1, 1789-1896 (New York, 1994), pp. 67-72.
23. Stephen W. Stathis and Ronald C. Moe, "America's Other Inauguration," *Presidential Studies Quarterly* 10 (Fall 1980), p. 561. Gerry's legislative duties would not commence until the Thirteenth Congress convened two months later, which may account for his decision to remain in the Cambridge until that time. Samuel Eliot Morison speculates that Ann Gerry's illness may have prevented her from accompanying her husband to Washington in 1813; her condition might also have delayed her husband's departure. Morison, "Elbridge Gerry," pp. 197-98.
24. *Annals of Congress*, 13th Cong., 1st sess., pp. 9-13.
25. *Ibid.*,
26. Robert V. Remini, *Henry Clay: Statesman for the Union* (New York, 1991), p. 97.
27. *Ibid.*, pp. 94-97.
28. Ketcham, p. 560; Robert Ernst, *Rufus King: American Federalist* (Chapel Hill, NC, 1968), pp. 324-25; *Annals of Congress*, 13th Cong., 1st sess., pp. 84-90.
29. The vice president's social life is chronicled in the diary of his son, Elbridge Gerry, Jr., who visited his father in Washington during the summer of 1813. Elbridge, Jr.'s diary makes no mention of his father's health, but the vice president's most recent biographer notes that the elder Gerry suffered a "stroke" while Madison was ill. Claude Bowers, ed., *The Diary of Elbridge Gerry, Jr.* (New York, 1927), *passim*; Ketcham, pp. 560-62; Billias, pp. 326-29.
30. *Annals of Congress*, 13th Cong., 2d sess., pp. 776-78.
31. Ketcham, p. 562; *Annals of Congress* 13th Cong., 2d sess., pp. 537-622.
32. Billias, p. 327.
33. *Ibid.*, pp. 327-28.
34. *Annals of Congress*, 13th Cong., 2d sess., pp. 622-778.
35. Rutland, p. 151
36. Billias, p. 326; Marshall Smelser, *The Democratic Republic, 1801-1815* (New York, 1968), pp. 296-99.

37. Billias, pp. 328-29; *Annals of Congress*, 13th Cong., 3d sess., pp. 109-110.
38. Smelser, pp. 308-11.