

Benjamin Silliman: The Gift Planner

Behind the First Modern Charitable Annuity

Part 2 of 3



John Trumbull, *The Surrender of Lord Cornwallis at Yorktown October 19, 1781*

Introduction

John Trumbull's hope for a fitting and permanent exhibition of his best paintings of the American Revolution, and Benjamin Silliman's acceptance of a duty to preserve and display these visual records at his beloved Yale College, are the focus of Part 1.

Their goals were realized through Silliman's determined fund raising and Trumbull's tough-minded negotiating. Part 2 tells the full story of Silliman's successful pursuit of a grant from the State of Connecticut to build the Trumbull Gallery. Part 3 will describe the creative financing of Yale's annuity obligations, ending with Peter Augustus Jay's invention of suitable legal documents for Trumbull's annuity bond and indenture, the first of their kind. Innovations

represented by these annuity documents, signed by Trumbull and Yale in December of 1831, had a profound influence on subsequent life income gifts in the United States.

1. Rivals with a Common Agenda: Yale and Washington College

Benjamin Silliman left much unsaid in *Reminiscences* (1857), his account of how he managed to bring Trumbull's paintings to Yale in 1832 in exchange for lifetime annuity payments. His description of providing a suitable gallery is workmanlike: "There was no apartment in Yale College adapted to the exhibition of the Paintings . . . a building must therefore be constructed and the means must be obtained."

Who could Silliman persuade to fund an art gallery on Yale's campus at a time when the study of art was not part of any college curriculum in America? Endowing a college with basic materials for teaching and research in the natural sciences was challenging enough, but that was a more likely undertaking than housing a collection of historical paintings.

There was also the challenge of financing cash payments to Trumbull. A full year after Trumbull's offer to give his paintings in exchange for "a competent annuity for life," Silliman was still seeking people to underwrite Yale's annual payment obligations, which he described as an "insuperable difficulty" and a "formidable" challenge for the cash-poor college. As will be discussed in Part 3, he was not entirely successful in doing so; nor was he able to secure a single capital gift from Yale donors.

It fell to the State of Connecticut to rescue the entire plan from failure.

When Benjamin Silliman began seeking financing for John Trumbull's art gallery, no one could have predicted that state elected officials would provide the capital. For 35 years, Yale's constant and fruitless pleading had not overcome resistance to using public revenues for the operation of a private college. Silliman succeeded where two previous generations had failed. Moreover, his lobbying resulted in a grant to Yale that was not earmarked for the new gallery, but was entirely unrestricted: "without any specification of the object which I had in view."

What went on in Hartford in May of 1831? Silliman wrote fewer than 400 words about the month he spent influencing members of the state legislature. This is disappointing, given the importance of the grant.

Silliman attributed his success to “Fortunate Coincidence.” That is true in a certain sense: it was purely an accident of timing that money appeared in 1831 in the form of windfall income to the state from issuing a corporate charter to a new bank:

We were afraid on all hands, that it would be impossible to extract any money from the treasury of the State, but that possibly the Legislature might give us a dividend of an expected bonus to be paid for the charter of a Bank at Bridgeport.

On the other hand, it was no accident that, among all the possible recipients, Connecticut approved a grant to Yale from the unforeseen bonus. Silliman lobbied energetically for the grant: “We were much engaged in canvassing and in every way preparing our respective cases – and happily with success.”

It is impossible to understand and appreciate the success of Silliman’s mission in Hartford without some historical perspective. Silliman delivered a winning argument for a grant to Yale as a politically-acceptable counterweight to a grant to Washington College. Money for Trumbull’s gallery was made possible by fundamental shifts in religious and political currents, which drove Yale, the Episcopal Church, Washington College, and elected officials towards a unique compromise.

It was inevitable that Benjamin Silliman would be cast in a leading role to seize the opportunity for Yale. Twenty years earlier, Professor Silliman had helped organize the Yale Medical Institution (now the Yale Medical School) as a joint venture between the Connecticut Medical Society and Yale College. The new professional school was chartered by the state in 1813. Within a year, in a totally unrelated development, a group of leading citizens, primarily representing the Episcopal Church, petitioned the legislature to issue a corporate charter to the Phoenix Bank of Hartford.

In negotiations with the founders of Phoenix Bank, the Connecticut legislature required the bank to follow a well-established practice of paying a percentage (5% in this case) of the bank's initial capitalization to the state. The bank "bonus" would be distributed by the legislature as grants to community organizations. This was quite acceptable to the bank founders, whose written petition to the General Assembly specifically included a grant of \$10,000 to the Bishop's Fund of the Episcopal Church, and a grant of \$20,000 to the Yale Medical Institution/Connecticut Medical Society.¹

The terms of the bank petition worked out as planned for Yale. Not so for the Episcopalians. To summarize briefly a long and complicated religious history: since Yale's founding in 1701 it had an unbroken string of Congregational ministers as its president. That church's power over public policy was waning by 1815, but Congregationalism (a branch of the Presbyterian Church) remained effectively the state religion of Connecticut.² For many years, friends of Yale in the legislature had refused to grant a charter to an Episcopal college in the state, partly because the Episcopal Church was the American arm of the Anglican Church of England, and partly because Yale's fans wanted no competition from another college.³

¹ The bank petition to the Connecticut General Assembly, dated February 14, 1814, is reprinted in Charles W. Burpee, *First Century of The Phoenix National Bank of Hartford* (Hartford: Phoenix National Bank, 1914), Appendix I, pages 135-138.

² According to a history of Trinity College (Hartford, CT), "Connecticut had been founded by tough-minded Puritans who were determined to build a new English Canaan from which Episcopacy was to be forever excluded." Glenn Weaver, *The History of Trinity College* (Hartford: Trinity College Press, 1967), page 3.

³ The Goodrich family of Connecticut, whose male members were Yale alumni, was instrumental in both the Phoenix Bank bonus controversy and the financing of John Trumbull's annuity payments. The Reverend Elizur Goodrich, Sr. (Yale Class of 1752) served as pastor of the Durham, Connecticut, Congregational Church from his ordination in 1756 until his death in 1797, and had been one of many colonial Patriots "vigorously opposing a British threat to send an Anglican [Episcopal] bishop to America" (see: http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=816&chapter=69311&layout=html&Itemid=27). His son Elizur Goodrich, member of the Yale Class of 1779, was serving in the Council or upper house of the legislature at the time of the Phoenix Bank charter in 1815, and published several letters during the Bishop's Bonus controversy. Elizur became one of five donors recruited by Benjamin Silliman in 1831 to underwrite Trumbull's annuity payments (discussed below), and signed the annuity documents as Secretary of Yale. His brother

Despite the presence of a growing number of Episcopalian representatives elected to the General Assembly, intolerance towards their church resulted in overturning the terms of the Phoenix Bank petition. Opponents successfully blocked the proposed grant of money destined for an Episcopal college – even though the source of the money was the Episcopalians’ own bank. In 1815 the legislature approved a grant for Yale’s medical school, but denied a grant to the Episcopal Church.

The bank’s founders were outraged by this betrayal.⁴ Members of the Episcopal Church, and other citizens sympathetic to their cause, carried out an energetic public battle in the newspapers over the “Bishop’s Bonus.” A bitter exchange of letters lasted for two years and produced several lengthy compilations devoted to the controversy.⁵ Largely as a result of these public arguments, and the effect they had on mobilizing people who challenged the religious establishment, in 1823 the Connecticut legislature reversed course, and approved a charter for Washington College, named for the iconic General and President in order to be non-controversial.⁶ The college’s name was changed to Trinity College in 1845.

Chauncey Goodrich, Yale Class of 1776, taught rhetoric and oratory at Yale from 1779-1781, became a lawyer, and served as a member of the U.S. House of Representatives from 1795-1801 and as U.S. Senator from 1807-1813. In 1813 the Connecticut Assembly appointed Chauncey Goodrich as Lieutenant Governor. He was serving in that office and as Mayor of Hartford during the Phoenix Bank controversy in 1815. Chauncey was also a leading delegate to the Hartford Convention of 1814-15.

⁴ “The course pursued by the Legislature was felt by Episcopalians to be a violation of good faith and a blow aimed at their order.” E. Edwards Beardsley, *The History of the Episcopal Church in Connecticut, from the Death of Bishop Seabury to the Present Time*, Vol. II (New York: Hurd and Houghton, 1868), page 121.

⁵ *Bishop's bonus, Seabury College, divine right of Presbyterianism, and divine right of Episcopacy, in a series of essays originally published in the Connecticut Herald, from November 21st, 1815, to January 9th, 1816, inclusive; together with a concluding number from the writer under the signature of Toleration, which has never before appeared in print* (New Haven: Printed by Oliver Steele, 1816). *The Bishop's Fund and Phoenix Bonus: A Collection of the Pieces on this Subject, from the Connecticut Herald: with an Explanatory Preface, Notes, &c., and an Additional Piece by Hamilton* (Hartford: Printed at the Journal office, 1816).

⁶ In its centennial history, Phoenix Bank proudly claimed that the battle for their charter as the Episcopal Bank “secured for Connecticut its present constitution and with it at last absolute separation of church and state.” Burpee, *First Century of The Phoenix National Bank*, page 8.



General George Washington at Trenton, by John Trumbull (1792)



Campus of Trinity College (formerly Washington College) in 1909

The Bishop's Bonus controversy was fresh in the minds of all concerned with the Bridgeport bank charter and grant requests in 1831. Few wanted to repeat the

traumatic experience of 1815. When the Bridgeport bank came along, Episcopalians and their sympathizers recognized the opportunity for a somewhat more enlightened legislature to redress their grievances.

Benjamin Silliman was thrust back onstage for the second act of a familiar religious drama. He humbly admitted that “Probably my application [to the Connecticut legislature] would have been unsuccessful had not the Episcopal Church been at the same time on the arena.”

A modern historian of the rapidly shifting balance of forces among private education, sectarian religion, and public policy in Connecticut makes a stronger assertion: that Yale’s grant was a side effect of actions taken by the Episcopal Church and Washington College: “Supporters of the Episcopal college maneuvered an educational bank bonus through the [Connecticut] assembly in 1831 which netted Yale \$7,000.”⁷

The leading man for the Episcopal side was Charles Sigourney, the founding Secretary of the Washington College board of trustees. Sigourney, it turns out, was very well known to Benjamin Silliman and the Connecticut legislature.

⁷ John S. Whitehead, *The Separation of College and State: Columbia, Dartmouth, Harvard, and Yale, 1776-1876* (New Haven and London: Yale University Press, 1973), page 111.



2. Representing the Episcopal Church: Charles Sigourney

Writing about his time lobbying in Hartford, Silliman credits three allies. Two were young Yale alumni serving in the state legislature who “cooperated heartily with me” and “we ought ever to remember with gratitude.” State Senator Truman Smith, Esq., Class of 1815, was serving his first term in 1831. State Representative Judge Romeo Lowrey, Class of 1818, was a very junior member. The third ally, and by far the most important, was Charles Sigourney.

Silliman recorded almost nothing in *Reminiscences* about Sigourney’s credentials, other than that he represented the Episcopal Church. Here is what Silliman wrote:

Charles Sigourney Esq. of Hartford and myself became thus coadjutors – he for the Episcopal Church and I for Yale College.

Mr. Sigourney was a shrewd sensible man and was very active in promoting his object. He had great influence with those who were in sympathy with him and his cause . . .

Mr. Sigourney and myself pulled indeed on different ropes attached to the same machine, but pulled in the same direction, so effectually, that with the aid of our friends both within and without the Legislative Halls, we succeeded in moving the carriage of State.

What Silliman does not say is that Charles Sigourney, the chief lobbyist for the Episcopal Church in 1831, was author in 1814 of the legislative petition to create the very Phoenix Bank that was the source of the Bishop's Bonus controversy.⁸ Moreover, Sigourney became President of Phoenix Bank, and served in that capacity from 1821-1837.

Thus it was that Silliman, a devout Congregationalist and member of the American Bible Society, and Sigourney, an official of Christ Episcopal Church and a leading volunteer for Washington College, became partners pleading before the legislature in 1831 for a share of the bank bonus.

Charles Sigourney, champion for the Episcopal cause, was one of Hartford's leading merchants, founder of a hardware store carrying his name.⁹ There could be no doubt of Sigourney's Episcopal bona fides: he served as a senior warden of Christ Church,¹⁰ and by 1831 he had served for ten years as president of Hartford's "Episcopal Bank." Sigourney was a founder and first Secretary of Washington College, and contributed \$1,000 in 1823 to support the new college.¹¹

⁸ The "elaborate bank petition to the Legislature [was] written by the Scotch-Huguenot American Charles Sigourney." *First Century of the Phoenix National Bank*, page 16. Theodore Sizer, editor of John Trumbull's autobiography and a scholarly art historian, wrote extensively about Benjamin Silliman's leadership in making the Trumbull Gallery a reality, but did not publish a discussion of Charles Sigourney's essential roles within the Phoenix Bank, Episcopal Church, and Washington College.

⁹ In 1819 Sigourney married Lydia Huntley Sigourney, a popular and important American poet commonly known as the "Sweet Singer of Hartford." Trumbull's nephew-in-law Daniel Wadsworth of Hartford was Lydia's principal patron, another fact not mentioned by Silliman or Sizer.

¹⁰ Weaver, *The History of Trinity College*, page 17.

¹¹ The founders of Washington College scrupulously avoided the appearance of creating an Episcopal seminary. In 1823, Sigourney wrote to Thomas Jefferson about the course of study at the President's nonsectarian University of Virginia. Jefferson responded in 1824 with details about his college's curriculum.

Providing no details of the sausage-making involved in a month of lobbying state legislators, Silliman aptly characterized his partnership with Sigourney, without reference to religious controversies and personal histories. We now understand what he meant in writing that he and Sigourney “pulled indeed on different ropes attached to the same machine, but pulled in the same direction.” A grant to Yale made a grant to the Episcopalians more palatable politically for some Congregational legislators,¹² while supporters of the Episcopal Church and disestablishment gladly accepted a deal that included Yale.

Political considerations shed light on the unusual unrestricted grant made to Yale. There were two reasons why Silliman could not campaign openly on behalf of what he wanted most. First, he chose not to awaken criticism in the legislature by disclosing that Yale would use the public’s money for such a suspicious purpose as constructing an art gallery. Better to roll with the tide of political compromise than endanger the grant through too much specificity.

The second reason for pursuing an unrestricted grant was timing. While the college had authorized Silliman in May of 1831 to petition the legislature for a grant, at that time he had no legal authorization from the Yale Corporation to come to terms with Trumbull on an annuity contract. The roster of subscribers to underwrite Trumbull’s annuity payments was probably not completed until August of 1831. The Yale Corporation approved the general terms of their commitment to Trumbull in September, and signed specific legal documents in December. As Silliman met with elected members of the legislature in May he could not present a case for a grant dedicated to constructing an art gallery in New Haven.

Fortunately, a specific case was not needed. Connecticut provided an unrestricted grant of \$7,000 to Yale College, and a grant of \$3,000 to the Bishop’s Fund. Quoting his letter to Trumbull dated June 4, 1831, Silliman wrote in *Reminiscences* that “I have succeeded in obtaining a grant for seven thousand dollars \$7,000” but he could not as yet put Trumbull’s fears to rest. Silliman still had work to do in convincing Yale to allocate part of the grant for construction: “out of this I shall

¹² Connecticut legislator J. Wood wrote to Silliman on June 3, 1831 that “by appropriating part [of the bank bonus] to Washington College, they probably picked up some Episcopal and Hartford votes for the appropriation.” Cited in *Yale: A History*, note 36, page 497.

make it my business to obtain from our corporation enough to erect the Building which I have no doubt can be ready by mid summer of next year 1832.”

In September of 1831, the Yale Corporation did allocate part of the state grant to build the Trumbull Gallery, eventually spending \$5,000. Discussing these decisions, Silliman recorded one of his very rare passages expressing frustration with the college bureaucracy:

The primary estimate [for construction costs] was for \$2500 – but it rose to \$3000 and by a movement of the Corporation themselves to \$3500. Our worthy and vigilant friend Mr. [Stephen] Twining [the Yale Treasurer and a donor towards Trumbull’s annuity payments], always laudably anxious for the most economical application of the funds of the college, was much annoyed that the charges ran up to \$5000 Five Thousand Dollars, but I felt differently.

My only regret on that subject is that the entire sum of \$7000 Seven Thousand Dollars which I earned by my own efforts aided by my friends in the Legislature, had not been expended upon the Building.

Silliman was justifiably proud of his accomplishments as a grant seeker. Yale’s grant in 1831 was the first the college had received from the legislature since 1796, and the last that Yale and private colleges such as Harvard, Dartmouth, and Columbia would receive from their state governments until Reconstruction following the Civil War, more than three decades later.¹³

Yale’s pockets still being empty, after his success in securing the first major piece of his plan, Silliman pivoted towards the next challenge: funding Trumbull’s annuity payments.

¹³ Whitehead, *Separation of College and State*, page 111.