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THE REV. THOMAS J. DAVIS  
Rector of the Church of the Resurrection  
1850—1872  
Rector Emeritus 1872—1886



A SKETCH  
OF THE  
LIFE, CHARACTER,  
AND  
PUBLIC SERVICES  
THOMAS JEFFERSON,

WITH SOME ACCOUNT OF THE AID HE  
RENDERED IN ESTABLISHING OUR  
INDEPENDENCE AND  
GOVERNMENT.

BY

THOMAS J. DAVIS,

MINISTER OF THE CHURCH OF THE RESURRECTION,  
PHILADELPHIA.

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TO

*THE GREAT AMERICAN PEOPLE,*

*In commemoration of the part taken by Thomas  
Jefferson in establishing their Independence  
and a Republican form of  
Government,*

THIS VOLUME

*Is Respectfully Dedicated*

BY

THE AUTHOR.



## PREFACE.

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IT has frequently occurred to the mind of the writer of this biographical sketch, that the very important part enacted by Thomas Jefferson in devising, supporting, and securing the independence of these United States, was not so generally known and understood by a great portion of our countrymen as it should be, or as they would desire; much of the patriotism, tact, persistence, and devotion evinced by Jefferson having been lost sight of in the general admiration of military and other heroes more conspicuously connected with the great contest for liberty.

Being in possession, therefore, of some facts and incidents relating to that epoch hitherto unpublished, the writer has compiled this small volume for the purpose of extending information upon the subject, and with the earnest hope that, through it, the character of this great man may be presented in its true light, and that appreciation of his eminent services be obtained which they so justly merit.

PHILADELPHIA, June 1, 1876.



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# LIFE OF THOMAS JEFFERSON.

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## CHAPTER I.

### JEFFERSON'S BIRTH AND BOYHOOD.

**T**HOMAS JEFFERSON was born in Albemarle County, Virginia, on the farm called Shadwell, adjoining Monticello, on the second day of April, A. D. 1743. His ancestors, as far back as they can be traced, were respectable, and among the early settlers in Virginia, having emigrated from Wales. Peter Jefferson, the grandfather of Thomas, was the first of whom we have any information worthy of notice. He had three sons, viz., Thomas, Field, and Peter.

This third son, Peter Jefferson, had much of the sturdy qualities of his father, viz., indifference to the hereditary honors and distinctions which had hitherto decided rank

and influence in society; whence democracy arose in Virginia in conflict with aristocracy. He was a self-educated man, endowed by nature with strong intellectual powers, with a thirst for knowledge. He rose steadily by his own exertions, and acquired considerable distinction in the colony of Virginia.

He was commissioned, jointly with Joshua Fry, to define the boundary line between Virginia and North Carolina, and subsequently to construct a map of Virginia.

He intermarried in 1739 with Jane Randolph, who could trace her pedigree back in England and Scotland many generations. He died in August, 1757, leaving his widow with six daughters and two sons, of whom Thomas was the elder.

To both sons he left large estates. To Thomas, the Shadwell lands, where he was born, including Monticello. But the mother of Thomas Jefferson survived the year 1776 and the Declaration of Independence, written by her son and adopted by Congress on the 4th of July, which he always

called his birthday, and kept the day of his natural birth concealed as long as he lived. And here we begin with Jefferson's biography. When he had attained the age of five years, he was sent by his father to the English school for four years, and then he was transferred to the Latin, where he continued for five years under the tuition of the Rev. Mr. Douglass, from Scotland, and with him he acquired a thorough knowledge of the rudiments of the Greek, Latin, and French languages.

About this time his father died, leaving him an orphan, fourteen years of age, without a relative or friend competent to advise or direct him as his father had done. But, unlike that of most young men or boys of his age, his character was too well moulded and formed to turn aside from the path in which he had been trained. Whence his course was to continue onward and upward.

This we learn from his advice which he subsequently gave to his own grandson, left under similar circumstances, to whom

he wrote thus: "Safety must rest on yourself. A determination never to do what is wrong, prudence, and good-humor will go far towards securing to you the estimation of the world. When I recollect that at fourteen years of age the whole care and direction of myself was thrown on myself entirely, without a relative or friend qualified to advise or guide me, and recollect the various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, and become as worthless to society as they were.

"I had the good fortune to become acquainted, very early, with characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations and difficulties I would ask myself, what would Dr. Small, Mr. Wythe, or Peyton Randolph do in this situation?

"I am certain that this mode of deciding on my conduct tended more to its correctness than any reasoning powers I pos-

sessed. Knowing the even and dignified line they pursued, I could never doubt for a moment which of these two courses would be in character for them ; whereas, seeking the same object through a process of moral reasoning, and with the judicial eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the company of horse-racers, card-players, fox-hunters, scientific and professional men, and of dignified men ; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favorite horse, the issue of a question elegantly argued at the bar or the great council of the nation, which of these kinds of reputation should I prefer — that of a horse-jockey, a fox-hunter, an orator, or the honest advocate of my country's rights ?

“Be assured, my dear Jefferson, that these little returns unto ourselves, this self-searching habit, is not trifling nor useless, but leads to the prudent selection and steady pursuit of what is right.”

Now from these instructions, written by Mr. Jefferson to his grandson, we may readily judge of the foundation principles planted by the Rev. Mr. Douglass during the five years he was under his tuition, and by his father before his death. And how well they accord with the Divine precept: "Train up a child in the way he should go, and when he is old he will not depart from it."

## CHAPTER II.

### JEFFERSON'S ACCOMPLISHMENTS.

**A**FTER the death of his father, Thomas Jefferson was placed under the instruction of the Rev. Mr. Maury, with a view to complete his classical preparation for college. And now he began to feel the charms of ancient learning, and was animated, as well as deeply interested, in the study of the classics.

The studies and advantages of ancient learning were remarkably congenial to his spirit. They seemed to touch the finest susceptibilities of his nature, and from them he acquired that classical elegance which afterwards flowed from his pen, and the oriental imagery with which his writings abound.

He continued with Mr. Maury two years, and then (1760), at the age of seventeen,

he entered the college of William and Mary. While in college he was remarkable for his solidity and sprightliness, and his faculties were even and well balanced. His course was not marked by any eccentricities, but by a remarkable constancy of pursuit with inflexibility of purpose.

Mathematics were his favorite studies. In that science he was unsurpassed, and also distinguished himself in all the branches of education in the established course of his *alma mater*, graduating two years after his admission, at the age of nineteen. But his studies and diligent pursuit of knowledge did not stop there. To his devotion to philosophy and science, he united an exquisite taste for the fine arts.

He made himself so well acquainted with architecture, painting, and sculpture, that he was accounted one of the best critics of the age. And he had an uncommon passion for music. His hours of relaxation were passed in exercising himself in his skill upon the violin, for which he had an early and extravagant fondness. And,

what was most remarkable, his taste for the ancient classics strengthened continually, so that it was said of him that he scarcely passed a day, in after-life, without reading a portion of them.

He could read and speak French fluently, and the Italian and Spanish languages quite familiarly. He made himself master of the Anglo-Saxon language, as root of the English, and likewise an element of legal philology.

But, in the formation of his character, "it was," says he, "my great good fortune, and what probably fixed the destinies of my life, that Dr. William Small, of Scotland, was then professor of mathematics. A man profound in most of the useful branches of science, with a happy talent of communication, correct and gentlemanly manners, and a large and liberal mind. And he, most happily for me, became soon attached to me, and made me his daily companion when not engaged in the school. And from his conversation I got my first views of the expansion of science, and of

the system of things in which we are placed.

“Fortunately, the philosophical chair became vacant soon after my arrival at college, and he was appointed to fill it *per interim*. And he was the first who ever gave in that college regular lectures in Ethics, Rhetoric, and Belles-Lettres.”

Mr. Jefferson acknowledged himself also indebted to Gov. Fauquier, by whom he was favored with particular attention and intimacy while in college, and whom he regarded, with the exception of an extravagant fondness for gambling, as being everything that could have been wished for by Virginia under the royal Government.

But, among all Jefferson's acquaintances, none were held by him in so high estimation as George Wythe, who was, as it were, a second father to him. And, therefore, this gentleman deserves a passing notice.

George Wythe was born about the year 1727, of respectable parentage, on the shores of the Chesapeake. But, unlike that of Jefferson, his education was neg-

lected by his parents, and he also had led an idle and voluptuous life until the age of thirty. But, by a remarkable effort, he became the best Latin and Greek scholar in the State, and also of the highest legal attainments. He was elected to the House of Delegates, called the House of Burgesses, and was subsequently sent to Congress in 1775; was one of the signers of the Declaration of Independence, and also Chancellor of the State until his death in 1806. And it was with this famous George Wythe that Jefferson studied law. "And there were giants in those days." Wherefore Jefferson, with his finished education and manly discipline, entering the pursuit of legal knowledge, would not neglect, nor fail to improve this opportunity to make the highest attainments in the science and knowledge of law, and so commend himself to the affections and liveliest interest of his great preceptor.

And *he* also would not, and *did* not, fail to be proud of such a pupil.

Whence their friendship and ambition

were mutual; both were stimulated with the highest ambition to excel in the attainment of knowledge and skill in the legal profession. And Jefferson is said to have acquired such a universal facility of neatness and order in business, that he was able to fill every office with the hundred hands of the fabulous Briareus.

But whilst thus enthusiastically engaged in the pursuit of legal knowledge, and his mind filled with the highest ambition of intellectual greatness, a very remarkable incident occurred in the House of Burgesses, viz., the celebrated speech of Patrick Henry on the memorable *Stamp Act Bill* in 1765. This incident produced such a remarkable effect on Jefferson's mind, and formed such an epoch in his life and character, that it will be proper to give a brief sketch of Patrick Henry, and this incident, in the history of Jefferson.

Patrick Henry was some seven years the senior of Jefferson. Of the early life and history of Patrick Henry but little is known. He had but little education, was unsuccess-

ful in all that he undertook, perhaps for the want of early training or lacking in stability and perseverance, and so he finally drifted into the determination to engage in the legal profession. And for this it would seem Nature had formed him, at least it proved so in the sequel; for it was said of him that he neither read nor studied the science of law, but being naturally endowed with an uncommon power of speech, with an indomitable will and an undaunted courage, without being able to pass an examination, he so importuned his examiners that they, moved with compassion, admitted him to the *bar*; nevertheless he proved to be the right man in the right time and place.

The oppressive Stamp Act had become notorious and very grievous, producing great dissatisfaction among the people in both Church and State. And Henry, with his good common sense, espoused the cause of the people, and so became their spokesman and advocate, saying, "We the people," and delivered them from the church oppression; and they in turn, with

grateful hearts, now elected him their representative to the House of Burgesses, which convened in Williamsburg, 1765.

Hitherto we have known nothing in regard to Jefferson's civil or political views. He was bred and educated a gentleman, having received a finished education. Associated with and highly esteemed by the most learned and distinguished gentlemen of Virginia, he was now engaged in the study of law under the direction of Mr. George Wythe. And no man in Virginia left a character more venerated than George Wythe; and he held no man in higher estimation than Mr. Jefferson. So now we resume his biography, and begin with his civil and political character.

While the discussion of the Stamp Act was proceeding, it engaged the attention of Mr. Jefferson, and he was induced to leave his studies to hear the debates. Standing in the lobby-door of the hall, he was captivated by the overwhelming eloquence of the orator of Nature, as Patrick Henry was afterwards called. It engaged

all the faculties of his mind in union with the warmest affections of his heart. To him it mattered not what others thought, for he always thought and acted for himself, and according to the understanding and convictions of his own mind. And so exquisite was his delight, that the emotions created at that time remained forever fresh in his recollection. Wherefore, in after-life, he was always wont to say, "Patrick Henry appeared to me to speak as Homer wrote."

In the midst of his speech, Henry exclaimed, with a voice of thunder and the look of a god, "*Cæsar had his Brutus, Charles the First his Cromwell, and George the Third —*" "Treason!" cried the Speaker; and "treason" echoed from every part of the house.

Henry finished his speech with the firmest emphasis, "*may profit by their example.* If this be treason, make the most of it." Such was Jefferson's notion of an honest advocate of his country's rights. And this feeling and sentiment accorded so well with his own that they forever remained with

him, and they animated him with all their freshness during life.

And by reason of his great knowledge as a scholar, high attainments in the legal profession, also in the management of state affairs, and the rights of man ; and especially in his civil and political relations, his history must now partake mainly of that character.

## CHAPTER III.

### JEFFERSON AS A REPRESENTATIVE.

I N 1766, at the age of twenty-three, Jefferson was admitted to the bar, and inducted into the practice of law under the auspices of his learned preceptor and friend, Mr. George Wythe, bringing with him the highest legal attainments, well systematized in his mind, and ready for use at a moment's warning. But his professional character was brief. It is impossible to say what would have been his standing as a lawyer, if his practice at the bar had been pursued in time of peace. He was not a public speaker, and perhaps he never could have become a popular orator. Why it was so, has always been a matter of surprise to those who have seen his eloquence on paper, or have heard him in conversation, wherein he always evinced eloquence of the highest order. But as a public speaker he lacked

volume and copiousness of voice; yet in all probability this defect would have been overcome in a measure by culture, and practice at the bar.

In 1768, at the age of twenty-five, Mr. Jefferson was chosen a representative in the House of Burgesses, and took his seat in that body, composed of the best and ablest men of Virginia. And although a new member, and the youngest in the house, he introduced a bill for the permission of the emancipation of slaves.

This bill was, at the time, the most unpopular act that he could have done, and showed beyond doubt that he was philanthropic, but strictly honest and sincere. For he was himself a slave-holder, and probably the largest in the house. Whence no improper nor popular motives can be ascribed to him for this act. It was purely philanthropic, and accorded with the principles which he subsequently expressed in the Declaration of Independence. Whence it was the key-note of his high moral sense and religious duty to do unto all others as

he would be done by. And it likewise plainly manifested his views of the civil and political rights and the duties of those chosen or appointed to make good and wholesome laws for the good government of the people; as also for the rulers and governors in the just administration of the laws.

Mr. Jefferson, as his father had been, was a model of true and genuine democracy. And so being chosen to represent the people, it was to do that which was just and right for the good of all, whatever might be their state and condition.

African slavery had been introduced into Virginia, not by the will of the people, but by the British Government, with the royal sanction, to promote that kind of commerce for its own interest. And the owners of the slaves, for the same reason, were prohibited from setting them free, because it served to increase the revenue for the Crown.

It was plainly Jefferson's object, therefore, to strike at the root of so much evil.

This he did from a high sense of duty, as the representative of the people; not as a partisan, or because the people had so instructed him, but rather because, by his knowledge and capacity, he was bound in principle to legislate as an honest man for that which he knew and believed was just and right. And all subsequent history shows the depth, wisdom, and foresight, as well as the soundness, of his principles in this first act of his public life, and from which he never swerved. Whence, from this view, we are to trace the whole course of his public life; for he was *sui generis*.

The Stamp Act was repealed by the force of Patrick Henry's resolution in the Virginia Legislature. But it was followed by others still more grievous and oppressive, and all equally unconstitutional. But that upon which all others were based was the Declaratory Act of a right in the British Parliament to tax the colonies in all cases whatsoever. Whence others followed, such as the quartering of large bodies of British troops in the principal towns of the colo-

nies at the expense of, and to the incessant annoyance of, the inhabitants; the dissolution in rapid succession of the Colonial Assemblies; the total suspension of the legislative power in New York; the imposition of duties on all teas, glass, paper, and all other articles of the most necessary use; and finally, of commissioners armed with unlimited powers of exacting arbitrary customs.

Whence these despotic measures were met by all the colonies with a sort of retaliation, as it was found to be oppressive; and thence arose a feeling of sympathy among the colonies, and this increased more and more, so that finally they united in the Declaration of Independence on the 4th of July, 1776.

And from the part which Thomas Jefferson performed in Virginia, and his sympathies therein with and for the other colonies, makes this *union* of the colonies a very important part of his political biography.

These resolutions of the Lords and Com-

mons arrived in America May, 1769. And the House of Burgesses of Virginia was then in session, of which Mr. Jefferson was still a member. And, notwithstanding that these resolutions were mainly directed against Massachusetts, it was nevertheless regarded by all the colonies, and especially by Virginia, as being too flagrant to pass without rebuke and resistance.

Whence they were no sooner made known to the House of Burgesses, than Mr. Jefferson proposed the adoption of counter-resolutions, making common cause with Massachusetts and all the American colonies as a whole, and thereby to form, if possible, a union of all British America; declaring that they, and they alone, had the right to tax themselves in all cases whatsoever. Wherefore, these resolutions were no sooner adopted, and entered upon the journals of the house, than the members were summoned to the presence of the Governor, Lord Botetourt, to receive the sentence of dissolution.

He said, "Mr. Speaker, and gentlemen

of the House of Representatives, I have heard of your resolves, and augur ill of their effects. You have made it my duty to dissolve you, and you are accordingly dissolved."

Thereupon, Jefferson, Henry, and the two Lees, with others, retired to a room in the Raleigh Tavern, the principal hotel in Williamsburg; formed themselves into a voluntary convention, and drew up articles of association against the use of any merchandise imported from Great Britain; and this they signed, recommending it to the people. Whence this may be considered the first step approaching dissolution and independence.

So popular was this movement, that at the call by the Governor for another meeting of the Legislature, all those who had signed these articles of agreement were re-elected without a single exception. Wherefore the force thus given to this heroic sympathy with Massachusetts carried it home to the hearts of all the patriots of every colony, and the importation agree-

ment became general, and even popular. All the luxuries and many of the comforts were cheerfully dispensed with for colonial liberty, among all ages and ranks of both sexes.

There was in Virginia, and also in Maryland, an *anti-revenue Committee of Vigilance* established in every county to see that it was not violated; and there was at that time a perfect union of sympathy not only in Virginia, but in all the colonies both north and south.

Beyond this no further measures were taken, but all stood firm in the stand thus far made; for the time had arrived for patient endurance, vigilance, and a well-directed plan for future operations, which may be more easily imagined than described. It was a fearful state of suspense, which came upon the colonies like an incubus.

## CHAPTER IV.

### FIRST STEPS TOWARDS INDEPENDENCE.

**D**URING this time, Jefferson and his associates were not idle ; they neither slumbered nor slept, but they were wide awake with the “wisdom of the serpent and the harmlessness of the dove.” The people elected annually the same members to the Legislature, and beyond endurance and patient watchfulness nothing occurred of special notice until the 11th of March, 1773, when we learn, by a private manuscript left by Mr. Jefferson, that this patient endurance was somewhat changed by an adroit movement of his own among his confidential friends and reliable patriots.

The whole scheme having been already conceived, digested, and matured in his own mind, Mr. Jefferson invited his four confidential friends, viz., Patrick Henry, Richard

Henry Lee, Francis Lightfoot Lee, and Dabney Carr, to meet him in a private room at the Raleigh Tavern, to deliberate upon the momentous concerns of all British America; and so this little conclave had the distinguished merit of originating the most fundamental engine of colonial strength and resistance that had ever been devised, to wit, the *committees of the different colonies*, whereby a Colonial Congress was brought about.

When Jefferson and his four confidential friends were convened, he made known to them his plan, which was heartily approved; and he was requested to put it in the form of resolutions, which he did, thus: "Be it resolved that a standing *Committee of Correspondence and Inquiry* be appointed, to consist of eleven persons, to wit, the Honorable Peyton Randolph, Robert C. Nicholas, Richard Bland, Richard H. Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Cary, and Thomas Jefferson, Esqs.; any six of whom to be a committee, whose busi-

ness it shall be to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament, or proceedings of administration, as may relate to or affect the British colonies in America; and to keep up and maintain a correspondence and communication with our sister colonies, respecting these important considerations; and the result of such of their proceedings from time to time, to lay before this house.

*Resolved*, That it be an instruction to the said committee that they do, without delay, inform themselves particularly of the principles and authority on which was constituted a Court of Inquiry, said to have been lately held in Rhode Island, with powers to transport persons accused of offences committed in America, to places beyond the sea, to be tried."

These resolutions meeting the approbation of the other four, Mr. Jefferson was urged to present them before the House of Burgesses the next morning; but he modestly declined, and suggested that they

should be presented by his friend and brother-in-law, Dabney Carr, who was a member of the house, and it would afford him an opportunity of making his *début*. It was accordingly agreed that Mr. Carr should move them, after which they retired to their lodgings.

This movement Mr. Jefferson always regarded as the first step towards the union of the colonies, and their ultimate independence. As late as 1816, at the age of seventy-three, he alludes to it thus in a letter to a son of Dabney Carr: "I remember that Mr. Carr and myself, returning home together, and conversing on the subject by the way, concurred in the conclusion that that measure [Committees of Correspondence] must inevitably beget the meeting of a Congress of Deputies from all the colonies, for the purpose of uniting all in the same principles and measures, for the maintenance of our rights."

The resolutions were accordingly brought forward in the House of Burgesses the next morning by the young Mr. Carr, who failed

not to exhibit on that occasion his great worth and talent, whom Jefferson thus graphically describes :

“ Mr. Carr was a handsome and dignified person, engaging in manners, rich in imagination, and cogent in reasoning ; firm and undaunted in the cause of liberty. And, having presented the resolutions to the house, he advocated their adoption with a speech that was overwhelming and irresistible. So ably and forcibly did he speak, that he electrified the whole assembly. And, for once, it was said that the genius of Patrick Henry stood rebuked before him.

“ The members flocked around him, greeted him with praises, and congratulated themselves on the accession of such a champion to their cause of liberty. And the resolutions having been read a second time, were agreed to by the house, *unmine contradicente.*”

And it was “ Resolved, that the Speaker of this House do transmit to the Speakers of the different Assemblies of the British

colonies on the continent copies of the said resolutions, and desire that they will lay them before their respective assemblies, and request them to appoint some person or persons of their respective bodies to communicate, from time to time, with the said committee." And no sooner had the House of Burgesses passed these resolutions, than they were dissolved by the Governor, Lord Dunmore. But this dissolution of the house had the effect to give a popular impulse in favor of the resolutions.

Wherefore, this committee assembled the next morning and proceeded to business. A circular letter, prepared by Mr. Jefferson, was adopted and forwarded to the Speakers of the other colonies, with the resolutions adopted by Virginia, and they were transmitted by express. By this opportune movement a Colonial Congress was brought about, and thence also arose the form of government adopted by the United States.

## CHAPTER V.

### THE BOSTON PORT BILL.

**B**UT a melancholy event occurred about two months after the passage of these resolutions, viz., Dabney Carr was called to pay the debt of nature, which was not only a heavy infliction upon Mr. Jefferson, but also a grievous loss to him and his friends, and to the cause of liberty, and for this Mr. Carr was deeply lamented.

Concerning him, Mr. Jefferson thus wrote in a letter to a grandson of Mr. Carr: "I well remember the pleasure expressed in the countenance and conversation of the members generally on this *début* of Mr. Carr, and the hopes they conceived, as well from the talents as the patriotism manifested. His character was of a high order: a spotless integrity, sound judgment, hand-

some imagination, enriched by education and reading; quick and clear in his conceptions, of correct and ready elocution impressing every hearer with the sincerity of the heart from which it flowed. His firmness was inflexible in whatever he thought was right. But when no moral principle stood in the way, never had man more of the milk of human kindness, of indulgence, of softness, of pleasantry in conversation and conduct. The number of his friends, and warmth of their affection, were proofs of his worth, and of their estimate of it."

And now, as has been anticipated, the recommendations of the Virginia Legislature were responded to by all the other colonies, and Committees of Correspondence were appointed. By these means a direct and vigorous communication was established. Wherefore, from the reciprocal interchange of opinions, they became united in what constituted their common rights, and also a determination to resist oppression; wherefore a union was thus being

formed of all the colonies. For they all saw plainly and inevitably that the crisis had arrived to decide the great constitutional question — whether or not taxation could be imposed without representation, which was the great principle for which Mr. Jefferson contended, and whence it was finally established for all time to come.

But the intelligence of this spirited and united determination of all the colonies for popular rights so exasperated the British Government, that they determined to quash it at once. And so they had recourse to the measure known as the *Boston Port Bill*, which was to take effect from and after the first day of June, 1774, whereby was fixed the irrevocable sentence of dismemberment from the British empire, and hastened also the combination of all the colonies to form a union and communion with each other. And now, what was worthy of all praise, Massachusetts stood firm with Spartan fortitude, singing psalms and hymns, and spiritual songs, with an appointed day of fasting and prayer.

Numerous copies of this act of the British Parliament were issued, and to make a deep impression, they were printed on mourning paper.

In May, 1774, while the Virginia Legislature was in session, this news of Massachusetts was received; and Mr. Jefferson being still a member of the House of Burgesses, he again rallied those with whom he had previously conferred, that they might consult and determine what should be done. And strange as it may seem to some, but wise, prudent, and judicious to others, they agreed to take the same course with Massachusetts, viz., that Virginia, also, unite in the appointment of a day of general fasting and prayer throughout the colony. And the day fixed upon was the first day of June, on which the *Port Bill* was to take effect.

The form of proclamation was drawn up by Thomas Jefferson, much after that of the New England proclamations, with great solemnity, calling upon the people and their rulers to assemble on the appointed day, devoutly to implore the Divine interposi-

tion; and, that it might be well received by the house, the next morning, May 24th, Mr. Jefferson and his associates went to Robert C. Nicholas, a very grave and religious man, who, being pleased with it, moved it with so much solemnity, that it was carried without opposition.

This order of the house for a general fast had no sooner fallen under the jealous eye of Lord Dunmore, than he made his appearance before the House of Burgesses, and said: "Mr. Speaker and gentlemen of the House of Burgesses: I have in my hand a paper published by order of your house, conceived in such terms as reflect highly upon His Majesty and the Parliament of Great Britain, which makes it necessary to dissolve you, and you are dissolved accordingly;" and with this dissolution of the House of Burgesses, the authority of the British Government virtually ceased in the colony of Virginia.

On the first day of June, 1774, as set apart by the proclamation, all classes, with great solemnity, kept the fast. All kinds of busi-

ness were suspended, the bells were tolled with the funeral knell, the ministers were arrayed in their long, black gowns, heading the procession of the people, and addressed them from their pulpits, with appropriate discourses, thereby endeavoring to fortify them, and exhorted them to do their duty in that state of life in which it had pleased God to place them.

The House of Burgesses, also composed of the best men of Virginia, having been dissolved by the British Governor, the highest indignation was openly expressed, and the representatives repaired to the "Apollo," and there organized themselves into an independent convention, unanimously denouncing the revenue system of Great Britain, and declaring that an attack on any colony to compel submission should be regarded as an attack on all British America. They also now instructed the Committee of Correspondence to urge upon all the other colonies the expediency of appointing deputies to meet in Congress annually, at such place as should be con-

venient, to devise and direct, from time to time, the measures required for the general interest.

To this end, the following declaration was drawn up by Mr. Jefferson, and unanimously approved, viz., "An association signed by eighty-nine members of the late House of Burgesses.

"We, His Majesty's most dutiful and loyal subjects, the late representatives of the good people of this country, having been deprived, by the sudden interposition of the executive part of this government, from giving our countrymen the advice we wished to convey to them in a legislative capacity, find ourselves under the hard necessity of adopting this, the only method we have left, of pointing out to our countrymen such measures as, in our opinion, are best fitted to secure our dear rights and liberty from destruction by the heavy hand of power now lifted against North America.

"With much grief we find that our dutiful applications to Great Britain for the security of our just, ancient, and constitu-

tional rights, have been not only disregarded, but that a determined system is formed, and pressed, for reducing the inhabitants of British America to slavery, by subjecting them to the payment of taxes imposed without the consent of the people or their representatives. And that, in pursuit of this system, we find an act of the British Parliament, lately passed, for stopping the harbor and commerce of the town of Boston, in our sister colony of Massachusetts Bay, until they the people submit to the payment of such unconstitutional taxes; and which act most violently and arbitrarily deprives them of their property in wharves erected by private persons, at their own great and proper expense; which act is, in our opinion, a most dangerous attempt to destroy the constitutional liberty and rights of all North America.

“It is further our opinion, that as tea, on its importation into America, is charged with a duty imposed by Parliament, for the purpose of raising a revenue without the consent of the people, it ought not to be

used by any person who wishes well to the constitutional rights and liberties of British America. And whereas the India Company have ungenerously attempted the ruin of America, by sending many ships loaded with teas into the colonies, thereby intending to fix a precedent in favor of arbitrary taxation, we deem it highly proper, and do accordingly recommend it strongly to our countrymen, not to purchase or use any kind of East India commodity whatsoever, except saltpetre and spices, until the grievances of America are redressed.

“We are further clearly of opinion, that an attack made on one of our sister colonies, to compel submission to arbitrary taxes, is an attack made on all British America, and threatens ruin to the rights of all, unless the united wisdom of the whole be applied. And for this purpose, it is recommended to the Committee of Correspondence, that they communicate with their several corresponding committees, on the expediency of appointing deputies from the several colonies of

British America, to meet in general Congress, at such place, annually, as shall be thought most convenient; there to deliberate on those general measures which the united interests of America may from time to time require.

“A tender regard for the interests of our fellow-subjects, the merchants and manufacturers of Great Britain, prevents us from going further at this time; most earnestly hoping that the unconstitutional principle of taxing the colonies without their consent, will not be persisted in, thereby to compel us, against our will, to avoid all commercial intercourse with Britain.

“Wishing them and our people free and happy, we are their affectionate friends, the late representatives of Virginia.”

And this meeting of the representatives did not leave their seats in the “Apollo,” till they had arranged for the preliminary meeting for the choice of their deputies to the proposed Congress of all the colonies.

They passed resolutions to meet at

Williamsburg on the first day of August ensuing, to take further considerations for the state of the colony of Virginia; and then, having adjourned, they returned to their homes, and were universally greeted with applause, and commended for the course they had pursued, and for what they had done. Whence the resistance to the British Government was now popular.

The Committee of Correspondence to form a general Congress, met the day after this adjournment, Mr. Jefferson in the chair, and they prepared letters according to their instructions, and despatched them by messengers, first to Massachusetts, whose Legislature was then in session, and in like manner to all the colonies as their Legislatures met; and accordingly, by all the colonies, delegates were chosen, none sending less than two nor more than seven. Philadelphia, being a convenient central point, was designated the place to meet on the 5th of September ensuing.

And according to the resolutions by the representatives of Virginia, the people of

the several counties elected delegates to meet on the first day of August, in the "Apollo," at Williamsburg, to make choice of their delegates to the Colonial Congress, and to pass resolutions also as a basis on which to form a union of the colonies. This was the first Legislature in Virginia chosen by the people without the call of the Governor. And it was composed of the best men in the colony; such as Washington, Randolph, Pendleton, Wythe, Henry, the Lees, Nicholas, Bland, Harrison, Jefferson, etc.

Mr. Jefferson, before leaving home to meet in this convention of the Virginia Legislature, prepared a code of instructions for the delegates who should be chosen to meet in general Congress at Philadelphia on the 5th of September, 1774. They were drawn up in haste, leaving blanks to be filled as occasion should require, etc. But on his way thither he was taken suddenly ill, and was unable to attend. Wherefore, he caused two copies to be forwarded, one to Patrick Henry, and an-

other to Peyton Randolph, whom he presumed would be chairman of the convention. But, for reasons not known, Henry failed to present his copy, wherein Jefferson was disappointed. The other copy was laid on the table of the convention by Peyton Randolph, as the proposition of a member who was prevented from attendance by sickness on the road.

The paper was read, nevertheless, with great avidity by the members; and although they considered it too strong for the present state of things, yet they were so deeply impressed with its profound and luminous exposition of the rights and wrongs of the colonies, that they caused it to be published in pamphlet form, under the title of "A Summary View of the Rights of British America." A copy of it having found its way to England, it was taken up by the Whigs in Parliament, and, being somewhat interpolated by Mr. Burke to suit the purposes of opposition there, it passed rapidly through several editions.

Whence this drew upon Mr. Jefferson

the hottest displeasure of the British Government. It is impossible to conjecture what would have been his fate if he had fallen into their hands, or American independence had failed.

For this act he was particularly marked in a bill of attainder that had been commenced in the British Parliament against Hancock, Adams, Patrick Henry, Peyton Randolph, "and Thomas Jefferson, as author of a proposition to the convention of Virginia, for the address to the king, in which was maintained that there was in right no link of union between England and the colonies, but that of the same king; and that neither the Parliament, nor any other functionary of that government, had any more right to exercise authority over the colonies than over the electorate of Hanover; yet expressing, in conclusion, an acquiescence in reasonable restrictions of commerce, for the benefit of Great Britain, a conviction of the mutual advantages of union, and a disavowal of the wish for separation."

Hence the plain inference is, that at this time, viz., the 1st of August, 1774, Mr. Jefferson, at the age of thirty-one, was far in advance of all others, either in England or America, in respect to the legitimate and constitutional rights of the American colonies.

In England, Messrs. Burke, Chatham, Wilkes, Fox, and others of the opposition, Whig members of the House of Commons, who advocated the constitutional rights of the American colonies, nevertheless conceded the authority of Parliament over the colonies for the purpose of commercial regulations, and denied only the right for raising revenue.

As yet no man in America denied this right of Parliament in all cases whatsoever, except Mr. Jefferson and his friend George Wythe, who agreed with him that Parliament had no right to tax the colonies in any case whatsoever, without the right of representation.

This view originated with Mr. Jefferson himself, which he always maintained; and it

was finally so settled in the Declaration of Independence, 1776.

And what is also worthy of notice in these instructions, Mr. Jefferson substituted the word "state" for "colony." And this will not be thought a small circumstance, seeing that in the Declaration of Independence the word "states" was made a subject of much cavil. And with these remarks I will now let the communication speak for itself.

## CHAPTER VI.

### INSTRUCTIONS TO DELEGATES.

**I**NSTRUCTIONS by Jefferson for the Virginia delegates to the Continental Congress, August 1st, 1774.—“*Resolved*, That it be an instruction to the said deputies, when assembled in General Congress, with the deputies from the other states of British America, to propose to the said Congress that an humble and dutiful address be presented to His Majesty, begging leave to lay before him, as Chief Magistrate of the British empire, the united complaints of His Majesty’s subjects in America ; complaints which are excited by many unwarrantable encroachments and usurpations, attempted to be made by the Legislature of one part of the empire upon the rights which God and the laws have given equally and independently to all.

“To represent to His Majesty that these, his states, have often individually made humble application to his Imperial throne, to obtain, through his intervention, some redress of their injured rights; to none of which was ever even an answer condescended. Humbly to hope that this, their joint address, penned in the language of truth, and divested of those expressions of servility which would persuade His Majesty that we are asking favors and not rights, shall obtain from His Majesty a more respectful acceptance; and this His Majesty will think we have reason to expect, when he reflects that he is no more than the chief officer of the people, appointed by the laws, and circumscribed with definite powers, to assist in working the great machine of government, erected for their use, and consequently subject to their superintendence; and in order that these, our rights, as well as the invasions of them, may be laid more fully before His Majesty, to take a view of them from the origin and first settlement of these countries.

“To remind him that our ancestors, before their emigration to America, were the free inhabitants of the British dominions in Europe, and possessed a right, which nature has given to all men, of departing from the country in which chance, not choice, has placed them, of going in quest of new habitations, and of there establishing new societies, under such laws and regulations as to them shall seem most likely to promote public happiness. That their Saxon ancestors had, under this universal law, in like manner left their native wilds and woods in the north of Europe, had possessed themselves of the island of Britain, then less charged with inhabitants, and had established there that system of laws which has so long been the glory and protection of that country. Nor was ever any claim of superiority or dependence asserted over them by that mother country from which they had migrated; and were such a claim made, it is believed His Majesty’s subjects in Great Britain have too firm a feeling of the rights devised to them from

their ancestors, to bow down the sovereignty of their state before such visionary pretensions. And it is thought that no circumstance has occurred to distinguish, materially, the British from the Saxon emigration.

“America was conquered, and her settlements made and firmly established, at the expense of individuals, and not of the British public. Their own blood was spilt in acquiring lands for their settlement, their own fortunes expended in making that settlement effectual. For themselves they fought, for themselves they conquered, and for themselves alone they have the right to hold. No shilling was ever issued from the public treasures of His Majesty, or his ancestors, for their assistance, till of very late times, after the colonies had become established on a firm and permanent footing. That then, indeed, having become valuable to Great Britain for her commercial purposes, his Parliament was pleased to lend them assistance against an enemy who would fain have

drawn to herself the benefits of their commerce, to the great aggrandizement of herself, and the danger of Great Britain. Such assistance, and in such circumstances, they had often before given to Portugal and other allied states, with whom they carry on a commercial intercourse. Yet these states never supposed, that by calling in her aid, they thereby submitted themselves to her sovereignty. Had such terms been proposed, they would have rejected them with disdain, and trusted for better to the moderation of their enemies, or to a vigorous exertion of their own force. We do not, however, mean to underrate those aids, which to us were doubtless valuable on whatever principles granted; but we would show that they cannot give a title to that authority which the British Parliament would arrogate over us; and that they may amply be repaid, by our giving to the inhabitants of Great Britain such exclusive privileges in trade as may be advantageous to them, and at the same time not too restrictive to ourselves. That settlement having been

thus effected in the wilds of America, the emigrants thought proper to adopt that system of laws under which they had hitherto lived in the mother country, and to continue their union with her, by submitting themselves to the same common sovereign, who was thereby made the central link, connecting the several parts of the empire thus newly multiplied.

“But that not long were they permitted, however far they thought themselves removed from the hand of oppression, to hold undisturbed the rights thus acquired at the hazard of their lives and loss of their fortunes. A family of Princes was then on the British throne, whose treasonable crimes against their people brought on them, afterwards, the exertion of those sacred and sovereign rights of punishment, reserved in the hands of the people for cases of extreme necessity, and judged by the constitution unsafe to be delegated to any other judicature. While every day brought forth some new and unjustifiable exertion of power over their subjects on that side the

water, it was not to be expected that those here, much less able at that time to oppose the designs of despotism, should be exempted from injury.

“Accordingly, this country, which had been acquired by the lives, the labors, and fortunes of individual adventurers, was by these Princes, at several times, parted out and distributed among the favorites and followers of their fortunes; and by an assumed right of the Crown alone, were erected into distinct and independent governments; a measure which, it is believed, His Majesty’s prudence and understanding would prevent him from imitating at this day; as no exercise of such power, of dividing and dismembering a country, has ever occurred in His Majesty’s realm of England, though now of very ancient standing; nor could it be justified or acquiesced under there, or in any other part of His Majesty’s empire.

“That the exercise of a free trade with all parts of the world, possessed by the American colonists as of natural right, and

which no law of their own had taken away or abridged, was next the object of unjust encroachment. Some of the colonies having thought proper to continue the administration of their government in the name and under the authority of His Majesty, King Charles the First, whom, notwithstanding his late deposition, by the commonwealth of England, they continued in the sovereignty of their state, the Parliament, for the commonwealth, took the same in high offence and assumed upon themselves the power of prohibiting their trade with all other parts of the world, except the island of Great Britain.

“This arbitrary act, however, they soon recalled, and by solemn treaty entered into on the twelfth day of March, 1651, between the said commonwealth by their commissioners, and the colony of Virginia by their House of Burgesses, it was expressly stipulated by the eighth article of the said treaty, that they should have ‘free trade, as the people of England do enjoy, to all places and with all nations, according to the laws of that commonwealth.’ But that, upon

the restoration of His Majesty, King Charles the Second, their rights of free commerce fell once more a victim to arbitrary power ; and by several acts of his reign, as well as of some of his successors, the trade of the colonies was laid under such restrictions as show what hopes they might form from the justice of a British Parliament, were its uncontrolled power admitted over these states. History has informed us that bodies of men, as well as individuals, are susceptible of the spirit of tyranny. A view of these acts of Parliament for regulation, as it has been affectedly called, of the American trade, if all other evidences were removed out of the case, would undeniably evince the truth of this observation. Besides the duties they impose on our articles of export and import, they prohibit our going to any markets northward of Cape Finisterre, in the kingdom of Spain, for the sale of commodities which Great Britain will not take from us, and for the purchase of others with which she cannot supply us ; and that for no other than the arbitrary pur-

pose of purchasing for themselves, by a sacrifice of our rights and interests, certain privileges in their commerce with an allied state, who, in confidence, that their exclusive trade with America will be continued, while the principles and power of the British Parliament be the same, have indulged themselves in every exorbitance which their avarice could dictate, or our necessities extort: have raised their commodities called for in America, to the double and treble of what they were sold for; before such exclusive privileges were given them, and of what better commodities, of the same kind, would cost us elsewhere; and, at the same time, give us much less for what we carry thither, than might be had at more convenient ports. That these acts prohibit us from carrying, in quest of other purchasers, the surplus of our tobaccos, remaining after the consumption of Great Britain is supplied; so that we must leave them with the British merchant, for whatever he will please to allow us, to be by him reshipped to foreign markets, where

he will reap the benefits of making sale of them for full value.

“That to heighten still the idea of Parliamentary justice, and to show with what moderation they are like to exercise power, where themselves are to feel no part of its weight, we take leave to mention to His Majesty certain other acts of the British Parliament, by which they would prohibit us from manufacturing, for our own use, the articles we raise on our own lands, with our own labor. By an act passed in the fifth year of the reign of his late Majesty, King George the Second, an American subject is forbidden to make a hat for himself, of the fur which he has taken, perhaps on his own soil; an instance of despotism, to which no parallel can be produced in the most arbitrary ages of British history. By one other act, passed in the twenty-third year of the same reign, the iron which we make, we are forbidden to manufacture; and heavy as that article is, and necessary in every branch of husbandry, besides commission and insurance, we are to pay freight

for it to Great Britain, and freight for it back again, for the purpose of supporting, not men, but machines in the island of Great Britain.

“ In the same spirit of equal and impartial legislation, is to be viewed the act of Parliament, passed in the fifth year of the same reign, by which American lands are made subject to the demands of British creditors, while their own lands were still continued unanswerable for their debts; from which one of these conclusions must necessarily follow,— either that justice is not the same thing in America as in Britain, or else that the British Parliament pay less regard to it here than there. But that we do not point to His Majesty the injustice of these acts, with intent to rest on that principle,— the cause of their nullity,— but to show that experience confirms the propriety of those political principles which exempt us from the jurisdiction of the British Parliament. The true ground on which we declare these acts void is, that the British Parliament has no right to exercise authority over us: that

these exercises of usurped power have not been confined to instances alone in which themselves were interested, but they have also intermeddled with the regulation of the internal affairs of the colonies. The act of the 9th of Anne, for establishing a post-office in America, seems to have had little connection with the British convenience, except that of accommodating his Majesty's ministers and favorites with the sale of a lucrative and easy office. That thus we have hastened through the reigns which preceded His Majesty's, during which the violations of our rights were less alarming, because repeated at more distant intervals, than that rapid and bold succession of injuries, which is likely to distinguish the present from all other periods of American history. Scarcely have our minds been able to emerge from the astonishment into which one stroke of parliamentary thunder has involved us, before another more heavy and more alarming is fallen on us. Single acts of tyranny may be ascribed to the accidental opinion of a day; but a series of oppres-

sions, begun at a distinguished period, and pursued unalterably through every change of ministers, too plainly prove a deliberate, systematical plan of reducing us to slavery.

“That the act passed in the fourth year of His Majesty’s reign, entitled ‘An act (Act for granting certain duties.)’ One other act passed in the fifth year of his reign, entitled ‘An act (Stamp Act.)’ One other act passed in the sixth year of his reign, entitled ‘An act (Act declaring the right of Parliament over the colonies.)’ And one other act passed in the seventh year of his reign, entitled ‘An act (Act for granting duties on paper, etc.),’ form that connected chain of parliamentary usurpations which has already been the subject of frequent applications to His Majesty, and the Houses of Lords and Commons of Great Britain; and no answers having yet been condescended to any of these, we shall not trouble His Majesty with a repetition of the matters they contained. But that one other act, passed in the same seventh year of his reign, having been a peculiar attempt, must ever require peculiar

mention. It is entitled 'An act (Act suspending Legislature of New York).

"One free and independent Legislature hereby takes upon itself to suspend the powers of another, free and independent as itself; thus exhibiting a phenomenon unknown in nature, the creator and creature of its own power. Not only the principles of common sense, but the common feelings of human nature must be surrendered up, before His Majesty's subjects here can be persuaded to believe that they hold their political existence at the will of a British Parliament. Shall these governments be dissolved, their property annihilated, and their people reduced to a state of nature at the imperious breath of a body of men whom they never saw, in whom they never confided, and over whom they have no powers of punishment or removal, let their crimes against the American public be ever so great? Can any one reason be assigned why one hundred and sixty thousand electors in the island of Great Britain should give law to four millions in the states of

America, every individual of whom is equal to every individual of them in virtue, in understanding, and bodily strength? Were this to be admitted, instead of being a free people, as we have hitherto supposed, and mean to continue ourselves, we should suddenly be found the slaves, not of one, but of one hundred and sixty thousand tyrants; distinguished, too, from all others, by this singular circumstance, that they are removed from the reach of fear, the only restraining motive which may hold the hand of a tyrant.

“That by an act to discontinue in such manner, and for such time, as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and merchandise, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America, which was passed at the last session of the British Parliament, a large and populous town, whose trade was their sole subsistence, was deprived of that trade, and involved in utter ruin. Let us, for a while, suppose the

question of right suspended, in order to examine this act on principles of justice. An act of Parliament had been passed, imposing duties on teas, to be paid in America, against which act the Americans had protested as inauthoritative. The East India Company, who, till that time, had never sent a pound of tea to America on their own account, step forth on that occasion, the asserters of parliamentary right, and send hither many shiploads of that obnoxious commodity. The masters of their several vessels, however, on their arrival in America, wisely attended to admonition, and returned with their cargoes. In the province of New England alone, the remonstrances of the people were disregarded, and a compliance, after being many days waited for, was flatly refused.

“ Whether in this the master of the vessel was governed by his obstinacy or his instructions, let those who know say. There are extraordinary situations which require extraordinary interpositions. An exasperated people, who feel that they possess

power, are not easily restrained within limits strictly regular. A number of them assembled in the town of Boston, threw the tea into the ocean, and dispersed without doing any other act of violence. If in this they did wrong, they were known, and were amenable to the laws of the land; against which, it could not be objected that they had ever, in any instance, been obstructed, or diverted from their regular course, in favor of popular offenders. They should, therefore, not have been distrusted on this occasion.

“But that ill-fated colony had formerly been bold in their enmities against the house of Stuart, and were now devoted to ruin, by that unseen hand which governs the momentous affairs of this great empire. On the partial representations of a few worthless ministerial dependants, whose constant office it has been to keep that government embroiled; and who, by their treacheries, hope to obtain the dignity of British knighthood, without calling for a party accused, without asking a proof, with-

out attempting a distinction between the guilty and the innocent, the whole of that ancient and wealthy town is in a moment reduced from opulence to beggary. Men who had spent their lives in extending the British commerce, who had invested in that place the wealth their honest endeavors had merited, found themselves, and their families, thrown at once on the world for subsistence by its charities. Not the hundredth part of the inhabitants of that town had been concerned in the act complained of; many of them were in Great Britain, and in other parts beyond sea, yet all were involved in one indiscriminate ruin by a new executive power unheard of till then, that of a British Parliament. A property of the value of many millions of money was sacrificed to revenge, not to repay, the loss of a few thousands. This is administering justice with a heavy hand indeed!

“And when is this tempest to be arrested in its course? Two wharves are to be opened again when His Majesty shall think

proper; the residue which lined the extensive shores of the bay of Boston, are forever interdicted the exercise of commerce. This little exception seems to have been thrown in for no other purpose, than that of setting a precedent for investing His Majesty with legislative powers. If the pulse of his people shall beat calmly under this experiment, another and another will be tried, till the measure of despotism be filled up. It would be an insult on common sense, to pretend that this exception was made in order to restore its commerce to that great town. The trade which cannot be received at two wharves alone, must, of necessity, be transferred to some other place; to which it will soon be followed by that of the two wharves. Considered in this light, it would be an insolent and cruel mockery at the annihilation of the town of Boston. By the act for the suppression of riots and tumults in the town of Boston, passed also in the last session of Parliament, a murder committed there, is, if the Governor pleases, to be tried in the Court

of King's Bench, in the island of Great Britain, by a jury of Middlesex. The witnesses, too, on receipt of such a sum as the Governor shall think it reasonable for them to expend, are to enter into cognizance to appear at the trial. This is, in other words, taxing them to the amount of their recognizance; and that amount may be whatever a Governor pleases. For who does His Majesty think can be prevailed on to cross the Atlantic, for the sole purpose of bearing evidence to a fact? His expenses are to be borne, indeed, as they shall be estimated by a Governor; but who are to feed the wife and children whom he leaves behind, and who have had no other subsistence but his daily labor? Those epidemical disorders too, so terrible in a foreign climate, is the cure of them to be estimated among the articles of expense, and their danger to be warded off, by the almighty power of a Parliament? And the wretched criminal, if he happened to have offended on the American side, stripped of his privilege of trial by peers of his vicinage,

removed from the place where alone full evidence could be obtained, without money, without counsel, without friends, without exculpatory proof, is tried before judges predetermined to condemn. The cowards who would suffer a countryman to be torn from the bowels of their society, in order to be thus offered a sacrifice to parliamentary tyranny, would merit that everlasting infamy now fixed on the authors of the act! A clause, for a similar purpose, had been introduced into an act passed in the twelfth year of His Majesty's reign, entitled, 'An act for the better securing and preserving His Majesty's dockyards, magazines, ships, ammunition, and stores;' against which, as meriting the same censures, the several colonies have already protested.

“That these are the acts of power assumed by a body of men foreign to our constitutions, and unacknowledged by our laws; against which we do, on behalf of the inhabitants of British America, enter this our solemn and determined protest.

And we do earnestly entreat His Majesty, as yet the only mediatory power between the several states of the British empire, to recommend to his Parliament of Great Britain, the total revocation of these acts, which, however nugatory they be, may yet prove the cause of further discontents and jealousies among us.

“That we next proceed to consider the conduct of His Majesty as holding the executive powers of the laws of these states, and mark out his deviations from the line of duty. By the constitution of Great Britain, as well as of the several American states, His Majesty possesses the power of refusing to pass into a law any bill which has already passed the other two branches of the Legislature. His Majesty, however, and his ancestors, conscious of the impropriety of opposing their single opinion to the united wisdom of two Houses of Parliament, while their proceedings were unbiased by interested principles, for several ages past have modestly declined the exercise of this power in that

part of his empire called Great Britain ; but, by change of circumstances, other principles than those of justice simply, have obtained an influence on their determinations. The addition of new states to the British empire has produced an addition of new, and sometimes opposite, interests. It is now, therefore, the great office of His Majesty to assume the exercise of his negative power, and to prevent the passage of laws, by any one Legislature of the empire, which might bear injuriously on the rights and interests of another. Yet this will not excuse the wanton exercise of this power, which we have seen His Majesty practise on the laws of the American Legislatures. For the most trifling reasons, and sometimes for no conceivable reason at all, His Majesty has rejected laws of the most salutary tendency. The abolition of domestic slavery is the great object of desire in those colonies where it was, unhappily, introduced in their infant state. But previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importa-

tions from Africa. Yet our repeated attempts to effect this, by prohibitions, and by imposing duties which might amount to a prohibition, have been hitherto defeated by His Majesty's negative; thus preferring the immediate advantages of a few British corsairs to the lasting interests of the American states, and to the rights of human nature, deeply wounded by this infamous practice. Nay, the single interposition of an interested individual against a law, was scarcely ever known to fail of success, though in the opposite scale were placed the interests of a whole country. That this is so shameful an abuse of a power, trusted with His Majesty for other purposes, as, if not reformed, would call for some legal restrictions.

“With equal inattention to the necessities of his people here, has His Majesty permitted our laws to lie neglected in England for years, neither confirming them by his assent, nor annulling them by his negative; so that such of them as have no suspending clause, we hold on the most precarious of

all tenures — His Majesty's will ; and such of them as suspend themselves till His Majesty's assent be obtained, we have feared might be called into existence at some future and distant period, when time and change of circumstances shall have rendered them destructive to his people here ; and to render this grievance still more oppressive, His Majesty, by his instructions, has laid his governors under such restrictions, that they can pass no law of any moment, unless it have such suspending clause ; so that, however immediate may be the call for legislative interposition, the law cannot be executed till it has twice crossed the Atlantic, by which time the evil may have spent its whole force.

“ But in what terms reconcilable to majesty, and at the same time to truth, shall we speak of a late instruction to His Majesty's Governor of the colony of Virginia, by which he is forbidden to assent to any law for the division of a county, unless the new county will consent to have no representative in assembly ? That colony has as

yet affixed no boundary to the westward; their western counties, therefore, are of indefinite extent. Some of them are actually seated many hundred miles from their eastern limits.

“Is it possible, then, that His Majesty can have bestowed a single thought on the situation of those people, who, in order to obtain justice for injuries, however great or small, must, by the laws of the colony, attend their county court at such a distance, with all their witnesses, monthly, till their litigation be determined? Or does His Majesty seriously wish, and publish it to the world, that his subjects should give up the glorious right of representation, with all the benefits derived from that, and submit themselves to be absolute slaves of his sovereign will? Or is it rather meant to confine the legislative body to their present numbers, that they may be the cheaper bargain, whenever they shall become worth a purchase?”

“One of the articles of impeachment against Tresilian, and the other judges of Westminster Hall, in the reign of Rich-

ard the Second, for which they suffered death, as traitors to their country, was that they had advised the King that he might dissolve his Parliament at any time; and succeeding kings have adopted the opinion of these unjust judges. Since the establishment, however, of the British constitution, at the glorious revolution, on its free and ancient principles, neither His Majesty nor his ancestors have exercised such a power of dissolution in the island of Great Britain. And when His Majesty was petitioned by the united voice of his people, there to dissolve the present Parliament, who had become obnoxious to them, his ministers were heard to declare, in open Parliament, that His Majesty possessed no such power by the constitution. But how different their language, and his practice here! To declare, as their duty required, the known rights of their country; to oppose the usurpation of every foreign judicature; to disregard the imperious mandates of a minister or governor, have been the avowed causes of dissolving Houses of Representatives in America. But

if such powers be really vested in His Majesty, can he suppose they are there placed to awe the members from such purposes as these? When the representative body have lost the confidence of their constituents; when they have notoriously made sale of their most valuable rights; when they have assumed to themselves powers which the people never put into their hands, then, indeed, their continuing in office becomes dangerous to the state, and calls for an exercise of the power of dissolution. Such being the causes for which the representative body should and should not be dissolved, will it not appear strange to an unbiased observer, that that of Great Britain was not dissolved, while those of the colonies have repeatedly incurred that sentence?

“But your Majesty, or your governors, have carried this power beyond every limit known or provided for by the laws. After dissolving one House of Representatives, they have refused to call another; so that, for a great length of time, the Legislature pro-

vided by the laws has been out of existence. From the nature of things, every society must, at all times, possess within itself the sovereign power of legislation. The feelings of human nature revolt against the supposition of a state so situated as that it may not, in any emergency, provide against dangers which perhaps threaten immediate ruin. While those bodies are in existence, to whom the people have delegated the powers of legislation, they alone possess and may exercise those powers; but when they are dissolved by the lopping off one or more of their branches, the power reverts to the people, who may use it to unlimited extent, either assembling together in person, sending deputies, or in any other way they may think proper. We forbear to trace consequences further; the dangers are conspicuous with which this practice is replete.

“That we shall, at this time, also, take notice of an error in the nature of our land-holdings, which crept in at a very early period of our settlement. The in-

roduction of the feudal tenures into the kingdom of England, though ancient, is well enough understood to set this matter in a proper light. In the earlier ages of the Saxon settlement, feudal holdings were certainly altogether unknown, and very few, if any, had been introduced at the time of the Norman conquest. Our Saxon ancestors held their lands, as they did their personal property, in absolute dominion, disencumbered with any superior, answering nearly to the nature of those possessions which the feudalists term allodial. William the Norman first introduced that system generally. The lands which had belonged to those who fell in the battle of Hastings, and in the subsequent insurrection of his reign, formed a considerable proportion of the lands of the whole kingdom. These he granted out, subject to feudal duties, as did he also those of a great number of his new subjects, who, by persuasion or threats, were induced to surrender them for that purpose. But still, much was left in the hands of his

Saxon subjects, held of no superior, and not subject to feudal conditions. These, therefore, by express laws, enacted to render uniform the system of military defence, were made liable to the same military duties as if they had been feuds; and the Norman lawyers soon found means to saddle them, also, with all the other feudal burdens; but still they had not been surrendered to the King; they were not derived from his grant, and, therefore, they were not holden of him. A general principle, indeed, was introduced, that 'all lands in England were held either mediately or immediately of the Crown;' but this was borrowed from those holdings which were truly feudal, and only applied to others for the purpose of illustration. Feudal holdings were, therefore, but exceptions out of the Saxon laws of possession, under which all lands were held in absolute right. These, therefore, still form the basis or groundwork of the common law, to prevail where-soever the exceptions have not taken place.

“ America was not conquered by William

the Norman, nor its lands surrendered to him, or any of his successors. Possessions there are, undoubtedly, of the allodial nature. Our ancestors, however, who migrated thither, were laborers, not lawyers. The fictitious principle, that all lands belong originally to the King, they were early persuaded to believe real, and accordingly took grants of their own lands from the Crown. And while the Crown continued to grant for small sums, and on reasonable rents, there was no inducement to arrest the error, and lay it open to public view. But His Majesty has lately taken on him to advance the terms of purchase, and of holding to the double of what they were; by which means, the acquisition of lands being rendered difficult, the population of our country is likely to be checked. It is time, therefore, for us to lay this matter before His Majesty, and to declare that he has no right to grant lands of himself. From the nature and purpose of civil institutions, all the lands within the limits which any particular society has circumscribed

around itself, are assumed by that society, and subject to their allotment ; this may be done by themselves assembled collectively, or by their Legislature, to whom they may have delegated sovereign authority. And if they are allotted in neither of these ways, each individual of the society may appropriate to himself such lands as he finds vacant, and occupancy will give him title.

“That, in order to enforce the arbitrary measures before complained of, His Majesty has, from time to time, sent among us large bodies of armed forces, not made up of the people here, nor raised by the authority of our laws. Did His Majesty possess such a right as this, it might swallow up all our other rights, whenever he should think proper. But His Majesty has no right to land a single armed man on our shores. And those whom he sends here are liable to our laws, for the suppression and punishment of riots, routs, and unlawful assemblies ; or are hostile bodies invading us in defiance of law. When, in the course of the late war, it became ex-

pedient that a body of Hanoverian troops should be brought over for the defence of Great Britain, His Majesty's grandfather, our late sovereign, did not pretend to introduce them under any authority he possessed. Such a measure would have given just alarm to his subjects of Great Britain, whose liberties would not be safe, if armed men of another country and of another spirit might be brought into the realm at any time, without the consent of their Legislature. He, therefore, applied to Parliament, who passed an act for that purpose, limiting the number to be brought in, and the time they were to continue. In like manner is His Majesty restrained in every part of the empire. He possesses, indeed, the executive power of the laws in every state; but they are the laws of the particular state, which he is to administer within that state, and not those of any one within the limits of another. Every state must judge for itself the number of armed men which they may safely trust among them, of whom they are to consist, and under what restric-

tions they are to be laid. To render these proceedings still more criminal against our laws, instead of subjecting the military to the civil power, His Majesty has expressly made the civil subordinate to the military. But can His Majesty thus put down all law under his feet? Can he erect a power superior to that which erected himself? He has done it, indeed, by force; but let him remember that force cannot give right.

“That these are our grievances which we have thus laid before His Majesty, with that freedom of language and sentiment which becomes a free people, claiming their rights, as derived from the laws of nature, and not as the gift of their Chief Magistrate. Let those flatter who fear; it is not an American art. To give praise where it is not due, might be well from the venal, but would ill beseem those who are asserting the rights of human nature. They know, and will therefore say, that kings are the servants, not the proprietors, of the people. Open your breast, sire, to liberal and expanded thought. Let not the name of George the

Third be a blot on the page of history. You are surrounded by British counsellors, but remember that they are parties. You have no ministers for American affairs, because you have none taken from among us, nor amenable to the laws on which they are to give you advice. It behooves you, therefore, to think and to act for yourself and your people. The great principles of right and wrong are legible to every reader; to pursue them requires not the aid of many counsellors. The whole art of government consists in the art of being honest. Only aim to do your duty, and mankind will give you credit where you fail. No longer persevere in sacrificing the rights of one part of the empire to the inordinate desires of another; but deal out to all equal and impartial right. Let no act be passed by any one Legislature, which may infringe on the rights and liberties of another. This is the important post in which fortune has placed you, holding the balance of a great, if a well poised empire. This, sire, is the advice of your great American

council, on the observance of which may, perhaps, depend your felicity and future fame, and the preservation of that harmony which alone can continue, both to Great Britain and America, the reciprocal advantages of their connection. It is neither our wish nor our interest to separate from her. We are willing, on our part, to sacrifice everything which reason can ask, to the restoration of that tranquillity for which all must wish. On their part let them be ready to establish union on a generous plan. Let them name their terms, but let them be just. Accept of every commercial preference it is in our power to give, for such things as we can raise for their use, or they make for ours. But let them not think to exclude us from going to other markets to dispose of those commodities which they cannot use, nor to supply those wants which they cannot supply. Still less, let it be proposed, that our properties, within our own territories, shall be taxed or regulated by any power on earth but our own. The God who gave us life, gave us liberty at the same time. The

hand of force may destroy, but cannot disjoin them. This, sire, is our last, our determined resolution. And that you will be pleased to interpose with that efficacy which your earnest endeavors may insure to procure redress of these our great grievances, to quiet the minds of your subjects in British America against any apprehensions of future encroachment, to establish paternal love and harmony through the whole empire, and that that may continue to the latest ages of time, is the fervent prayer of all British America.”

## CHAPTER VII.

### THE VIRGINIA CONVENTION.

THE Convention of Virginia, meeting at Williamsburg, August 1st, 1774, from which Mr. Jefferson was absent by sickness on his way thither, besides publishing Mr. Jefferson's communication in pamphlet form for distribution, elected the Congressional delegates to the number of seven, viz., Peyton Randolph, Richard H. Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, and Edmund Pendleton; and transacted such other business as was necessary, and pledged themselves to make common cause with the people of Boston, breaking off all commercial communications with the mother country until the grievances complained of should be redressed. Having elected Peyton Randolph the chairman, or, in case of his death, Robert C. Nicholas,

he was empowered on any future occasion, that might in his opinion require it, to reconvene the several delegates of the colony at such time and place as he might judge proper; this action of the colony showed conclusively that they were determined that Virginia should continue independent of the British Government.

The first General Congress of the colonies assembled the 5th of September, 1774, at Carpenters' Hall, in Philadelphia. They organized for business by choosing Peyton Randolph, of Virginia, president, and Charles Thompson, of Pennsylvania, secretary. Delegates were in attendance from every province except Georgia, and numbered fifty-five. Jefferson was not chosen among the delegates from Virginia. Why it was so does not appear; and it will be useless to inquire, seeing that he makes no allusion to it, and history is likewise silent. It was doubtless by reason of his sickness, which would prevent his attendance. As the proceedings of that body belong to general history, no reference will be made

to it, in connection with Mr. Jefferson, until he shall become a member of it. Its first session terminated on the 2d of October, 1774, to meet again, at the same place, on the 10th of May ensuing.

It was a time of sorrow. Hitherto, Great Britain had been honored, revered, and dignified, by all the American colonies, with the time-honored appellation of the *mother country*. Not only because that there was traced the long line of their ancestors, but also, in many instances, their parents, relatives, and highly esteemed friends. Wherefore, there were many ties and strong feelings of love and sympathy too dear not to be deeply and keenly felt. And it was only where and when reason, with a sound judgment, animated and fortified by those sterling virtues which always characterize the noble and the brave, that these feelings gave way; and happily it was for America, and the cause of freedom to mankind, that our fathers possessed these noble virtues in a high degree.

In the interim, by the adjournment of the

General Congress of the colonies, the popular Convention of Virginia re-assembled, upon invitation of Peyton Randolph, on the 20th of March (1775), to deliberate further on the condition of public affairs in regard to matters about to be presented by the British Government. And, fortunately, Mr. Jefferson was still a member thereof; for never was his presence more needed. A great crisis was now pending, which was to try the wisdom and fortitude of all the colonies, and, happily, Virginia was the first to assemble; and on her devolved the first action to defeat and render abortive one of the deepest and most subtle schemes that could be devised.

The British Government, perceiving her dilemma by the union of the colonies, sought to evade and defeat it by a trick in diplomacy. Frederick North, better known as Lord North, in 1767 was appointed Chancellor of the English Exchequer; and by reason of his great ability, and profound art and subtlety in the management of the affairs in England at that time, he was in

1770 made first Lord of the Treasury, and he now, in this critical emergency, united all his art, skill, and ability to frustrate, prevent, or defeat this union and combination of the American colonies. To do this, he, with great subtlety, acted out the old maxim, "Divide and conquer." Artfully concealing all knowledge and conviction of the union formed and established by the American colonies, and of the meeting of the Congress in Philadelphia on the 5th of September, 1774; likewise, with most profound dissimulation, he proposed, as an act of great clemency, to each of the colonies separately, a proposition whereby each colony might be restored to favor, and resume its former relations with the Crown and Parliament of Great Britain.

Fortunately for this, the popular Convention of Virginia had assembled the second time, on the 20th of March (1775), agreeably to its provisions, by the call of Peyton Randolph, its chairman. And although he was also chairman of the general

Convention in Philadelphia, he felt that it was his bounden duty to remain chairman of the Virginia Convention until this question should be fully settled there. And therefore Thomas Jefferson was chosen to fill his place in the General Congress, to meet on the 10th of May ensuing, in Philadelphia. But Mr. Jefferson was also prevailed on to retain his seat in the Virginia Convention till this proposition of Lord North should have been settled, which he consented to do. Much indignation was felt by some of the Virginia members, at this subtle attempt of Lord North, and fears were entertained lest some faint-hearted ones, or those strongly attached to the mother country, should suffer themselves to be *mised*. And whilst it was most wise and judicious that the proposition should be received, it was also exceedingly important that it should be wisely and judiciously considered, and its real design fully and ably exposed. And it was for this reason that Mr. Jefferson was urged by Peyton Randolph to retain his

seat in the Virginia Assembly, and to afford this opportunity of receiving this communication, notwithstanding that Virginia had on the 24th of May, 1774, renounced all allegiance to the Crown of Great Britain, and was now holding its second popular Assembly; and likewise, in this second session, had passed a resolution that the colony of Virginia be immediately put into a state of defence; that a committee be appointed to prepare a plan for embodying and disciplining such a number of men as would be sufficient for the purpose. Yet to meet and defeat this subtle overture of the Crown, by Lord North, the General Assembly summoned by Governor Dunmore on the first day of June, 1775, was obeyed. And when the Assembly met, Lord Dunmore, with a mighty flourish of his graces, informed the house that His Majesty, in the plenitude of his royal condescension, had extended the olive branch to his discontented subjects in America; and had opened the door of reconciliation upon such terms as demanded their

grateful consideration and prompt acceptance.

This olive branch, however, proved to be the measures contrived by Lord North to prevent the union of the colonies, and bring them back to their allegiance to the British Government under this provision, viz., That should any colony propose to contribute its proportion towards providing for the common defence, which proportion was to be disposable by Parliament; and also to defray the amount of its own civil list,—such colony accepting this proposition should be approved by the general Government, and exempted from all taxes except those for the regulation of commerce. And to meet this proposition, a committee of twelve of the strongest members of the Virginia Legislature was appointed, including Mr. Jefferson, who, as usual, was requested to prepare an answer; which he did as follows: “These, my lord, are our sentiments on this important subject, which we offer only as an individual part of the whole empire. Final

determination we leave to the General Congress now sitting, before whom we shall lay the papers your lordship has communicated to us. For ourselves, we have exhausted every mode of application which our invention could suggest as proper and promising. We have decently remonstrated with Parliament; they have added new injuries to the old; we have wearied our King with supplications; he has not deigned to answer; we have appealed to the native honor and justice of the British nation—their efforts in our favor have hitherto been ineffectual. What then remains to be done? That we commit our injuries to the even-handed justice of that Being who doeth no wrong, earnestly beseeching Him to illuminate the councils, and prosper the endeavors of those to whom America hath confided her hopes; that through their wise directions, we may again see reunited the blessings of liberty, prosperity, and harmony with Great Britain.”

And this was reported to the house,

though with some reluctance, by some members of the committee, and severely criticised in the house. But by the aid of Randolph, Mr. Jefferson carried it through the house. And it was thus fortunate that the Virginia Legislature was in session, and the first to answer this overture by His Majesty, through his subtle and artful minister, Lord North. And equally fortunate, that it preceded Mr. Jefferson's going to the Continental Congress. Thus ended the regal assembly in Virginia. It adjourned on the 24th of June, 1774. Wherefore, now began the fulfilment of John Wilkes' prediction, made in the House of Parliament in the preceding February, in his condemnation of the British Government. "If you persist," said he, "in your resolution, all hope of reconciliation is extinct. The Americans will triumph. The whole continent of North America will be dismembered from Great Britain, and the wide arch of the raised empire fall. But I hope the just vengeance of the people will overtake the authors of these pernicious counsels."

## CHAPTER VIII.

JEFFERSON IN THE CONTINENTAL CONGRESS.

**T**HOMAS JEFFERSON, having now just passed his thirty-second year, leaves the deliberations of the Virginia Legislature for the first time, to supply the place of Peyton Randolph, who (though chairman of the Continental Congress) was unwilling to be absent from Virginia at this time. And Lord Dunmore was so much alarmed at the decision of the Virginia Legislature, that he fled for refuge on board one of the British ships of war, and declared he would never return, unless they closed in with the conciliatory proposition of Lord North. Nevertheless, he did return; but they would never afterwards receive him nor respect his authority.

It will now be proper to remark, that as early as 1773, at the meeting of the House

of Burgesses in Virginia, Mr. Jefferson conceived the idea, and matured the plan, with four of his associates, to form a General Congress of delegates from all the colonies, as not only best, but, indeed, the only plan for resisting British oppression, and to establish and secure the constitutional rights of the American colonies. And now, after a long course of events, Mr. Jefferson took his seat in that honorable body, the Colonial Congress, to supply the vacancy of Peyton Randolph, its chairman, on the 21st of June, 1775. His fame had preceded him; he brought with him a high reputation for literature, science, and talent for composition. "Writings of his," says John Adams, "were handed about, remarkable for their peculiar felicity of expression." And again he said, "he seized upon my heart." And from all that we can learn, these feelings of Mr. Adams were duly appreciated and fully reciprocated by Mr. Jefferson. John Adams was seven years the senior of Jefferson, and John Hancock, who was the president of the Continental

Congress after Randolph, was six years his senior, and Samuel Adams three, all of whom were then representatives of Massachusetts, from Boston. They were all genial spirits, of one heart and mind in the spirit of freedom and American independence.

Six weeks had now elapsed since the Continental Congress met the second time, during which Mr. Jefferson felt it his duty to continue his seat in Virginia, as has been already stated, to meet, baffle, and defeat the design of Lord North, and, if possible, to effect a permanent union of all the colonies. And now, on the 24th of June, three days after he had taken his seat in General Congress, the committee which had been appointed to prepare a declaration of the causes of taking up arms brought in their report. And this report being disapproved by a majority of the house, it was recommitted; and, singular to say, Mr. Jefferson and Mr. Dickinson were added to the committee.

But what is likewise remarkable, this

committee requested Mr. Jefferson, who had been only three days a member of that body, to execute the draft. He modestly declined, but, on being pressed by strong solicitations, he consented.

And so, having brought his draft from his study, he presented it to the committee, and, as was expected, it proved too strong for Mr. Dickinson, who was a celebrated Philadelphia lawyer, and a great politician; also distinguished both as a writer and a speaker. And he not only wished, but did also his uttermost to effect, a reconciliation with the mother country under the proposition made by Lord North. Whence it was doubtless the expectation, if not the intention, that, by adding Messrs. Jefferson and Dickinson to the committee, the whole matter would be fully and ably discussed. But in this respect Mr. Dickinson had greatly the advantage, seeing Mr. Jefferson was not a public speaker; and at that time, also, the public sympathy was, except in Virginia, strongly in Mr. Dickinson's favor. Whence, with his enthusiastic efforts and

great ability as a speaker, he checked all progress for the time being. For Congress, believing Mr. Dickinson to be an honest man, and having this great tide of influence in his favor, showed him great indulgence, as they requested him to take the paper and remodel it according to his own views. This was *vox populi vox Dei*. Wherefore he did so; preparing a new statement, and retained only the last four paragraphs, and the last half of the preceding one of Mr. Jefferson's draft.

This statement of his, however, met with but little favor by a large minority of the house; yet, for the sake of harmony, till they could do better, they were reconciled, and let it pass unanimously. And the vote having passed, and all further observation on it out of order; yet Mr. Dickinson was so delighted, that he could not refrain from expressing his satisfaction; and concluded, saying, "There is but one word, Mr. President, in the paper which I disapprove, and that is the word *Congress*;" on which Ben Harrison rose, and said, "There is but one

word in the paper, Mr. President, of which I approve, and that is the word *Congress*." It was, nevertheless, a great attainment. A unity was now formed, and thereby a solid foundation was laid, on which to build that superstructure of the union of all the colonies, not only to refuse, but likewise to resist, the delusive scheme of Lord North, and ultimately to bring about the same stand which had already been taken by Virginia. Wherefore, it is justly proper here to record, that the portion of Mr. Jefferson's draft which Mr. Dickinson retained in his draft, written by permission of Congress to suit himself, and in which the word Congress was all that he disapproved, must now receive attention. The following is a copy left by Mr. Jefferson of that return of his draft. "We are reduced to the alternative of choosing an unconditional submission to the tyranny of irritated ministers, or resistance by force. The latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery. Honor, jus-

tice, and humanity forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them, if we basely entail hereditary bondage upon them. Our cause is just. Our union is perfect. Our internal resources are great; and, if necessary, foreign assistance is undoubtedly attainable. We gratefully acknowledge, as signal instances of the Divine favor towards us, that His providence would not permit us to be called into this severe controversy until we were grown up to our present strength, had been previously exercised in warlike operations, and possessed of the means of defending ourselves. With hearts fortified with these animating reflections, we most solemnly, before God and the world, *declare*, that, exerting the utmost energy of those powers which our beneficent Creator hath graciously bestowed on us, the arms we have been com-

pelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance, employ for the preservation of our liberties; being with one mind resolved to die freemen, rather than to live slaves.

“Lest this declaration should disquiet the minds of our friends and fellow-subjects in any part of the empire, we assure them, that we mean not to dissolve that union which has so long and so happily subsisted between us, and which we sincerely wish to see restored; necessity has not yet driven us into that desperate measure, or induced us to excite any other nation to war against them. We have not raised armies with ambitious designs of separating from Great Britain, and establishing independent states. We fight not for glory or for conquest. We exhibit to mankind the remarkable spectacle of a people attacked by unprovoked enemies, without any imputation, or even suspicion of offence. *They* boast of their privileges and civilization, and yet proffer no milder conditions to us than servitude or death.

“In our own native land, in defence of the freedom that is our birthright, and which we ever enjoyed until the late violation of it — for the protection of our property, acquired solely by the honest industry of our forefathers and ourselves, against violence actually offered, we have taken up arms. We shall lay them down when hostilities shall cease on the part of the aggressors, and all danger of their being renewed shall be removed, and not before.

“With an humble confidence on the mercies of the Supreme and impartial Judge and Ruler of the universe, we most devoutly implore His divine goodness to protect us happily through this great conflict; to dispose our adversaries to reconciliation on reasonable terms, and thereby to relieve the empire from the calamities of civil war.”

This declaration was published to the army by General Washington, and proclaimed from the pulpit, with great solemnity, by the ministers of religion.

## CHAPTER IX.

### REPLY TO LORD NORTH'S PROPOSITION.

ON the 22d of July, (1775,) Congress took into consideration the celebrated *proposed conciliatory proposition of Lord North*. It was a grave as well as a difficult question to settle, and now sufficient time had elapsed for it to have been thoroughly weighed, examined, and its true import seen. In a word, it was now not only proper, but absolutely necessary, that it should be met firmly, specifically, and absolutely. And to this end, Congress decided to make choice of a committee elected by ballot; the number of votes which each received should decide his situation on the committee; which resulted in the following order: Dr. Franklin, Mr. Jefferson, John Adams, and Richard H. Lee. This settled the question of the fit-

test persons to perform this most arduous and difficult task. And it has ever been admitted that a stronger and more wise and judicious selection could not have been made. The answer which Mr. Jefferson had given to this proposition made by Lord North, when presented to the Virginia Legislature by the British Governor, Dunmore, was doubtless well known; and therefore, by his election as second on this committee, plainly manifested the feeling of Congress. But as a still further proof and confirmation of this, the committee chosen requested Mr. Jefferson to prepare the present report; and he accordingly consented, and also, as was his practice, retained a copy thereof for his own use, as he did of all his reports, and the amendments or corrections, and therefore they form the principal part of this biographical sketch. The report written by Mr. Jefferson, and approved by the committee, was also adopted by Congress as follows:

“That the colonies of America are entitled to the sole and exclusive privilege of giving

and granting their own money; that this involves a right of deliberating whether they will make any gift, for what purpose it shall be made, and what shall be its amount; that it is a high breach of this privilege, for any body of men, extraneous of their constitutions, to prescribe the purpose for which money shall be levied on them; to take to themselves the authority of judging of their conditions, circumstances, and situations; and of determining the amount of the contributions to be levied; and that, as the colonies possess a right of appropriating their gifts, so are they entitled, at all times, to inquire into their application, to see that they are not wasted among the venial and corrupt, for the purpose of undermining the civil rights of the givers, nor yet be diverted to the support of standing armies, inconsistent with freedom, and subversive of their quiet.

“To propose therefore, as this resolution does, that the moneys given by the colonies shall be subject to the disposal of Parliament alone, is to propose that they shall

relinquish this right of inquiry, and put it in the power of others to render their gifts ruinous, in proportion as they are liberal.

“That this privilege of giving or withholding our moneys is an important barrier against the undue exertion of prerogative, which, if left altogether without control, may be exercised to our great oppression; and all history shows how efficacious is its intercession for redress of grievances and re-establishment of rights, and how improvident it would be to part with so powerful a mediator.

“We are of opinion, that the proposition contained in this resolution is unreasonable and insidious. Unreasonable; because, if we declare we accede to it, we declare, without reservation, we will purchase the favor of Parliament, not knowing, at the same time, at what price they will please to estimate their favor. Insidious; because individual colonies having bid and bidden again, till they find the avidity of the seller too great for all their powers to satisfy, are then to return into

opposition divided from their sister colonies, whom the minister will have previously detached, by a grant of easier terms, or by an artful procrastination of a definitive answer.

“That the suspension of the exercise of their pretended power of taxation, being expressly made commensurate with the continuance of our gifts, these must be perpetual to make that so. Whereas no experience has shown that a gift of perpetual revenue secures a perpetual return of duty, or of kind disposition. On the contrary, the Parliament itself, wisely attentive to the observation, is in the established practice of granting its supplies from year to year only.

“Desirous and determined as we are, to consider, in the most dispassionate view, every seeming advance towards a reconciliation made by the British Parliament, let our brethren of Britain reflect what would have been the sacrifice to men of free spirits, had even fair terms been proffered, as these insidious proposals were, with

circumstances of insult or defiance. A proposition to give our money, accompanied with large fleets and armies, seems addressed to our fears rather than to our freedom. With what patience could Britons have received articles of a treaty from any power on earth, when borne on the point of a bayonet by military plenipotentiaries? We think the attempt unnecessary to raise upon us, by force or by threats, our proportional contributions to the common defence, when all know, and themselves acknowledge, we have fully contributed, whenever called upon to do so, in the character of freemen.

“We are of the opinion it is not just that the colonies should be required to oblige themselves to other contributions, while Great Britain possesses a monopoly of their trade. This of itself lays them under heavy contribution. To demand, therefore, additional aids, in the form of a tax, is to demand the double of their equal proportion. If we contribute equally with other parts of the empire, let us equally

with them enjoy free commerce with the whole world; but while the restrictions on our trade shut to us the resources of wealth, is it just we should bear all other burdens equally with those to whom every resource is open?

“We conceive that the British Parliament has no right to intermeddle with our provisions for the support of civil government or administration of justice. The provisions we have made are such as please ourselves, and are agreeable to our own circumstances. They answer the substantial purposes of government and of justice; and other purposes than these should not be answered. We do not mean that our people shall be burdened with oppressive taxes, to provide sinecures for the idle or the wicked, under color of providing for a civil list. While Parliament pursue their plan of civil government within their own jurisdiction, we also hope to pursue ours without molestation.

“We are of opinion the proposition is altogether unsatisfactory; because it im-

ports only a suspension of the mode, not a renunciation of the pretended right to tax us; because, too, it does not propose to repeal the several acts of Parliament, passed for the purposes of restraining the trade, and altering the form of government of one of our colonies; extending the boundaries and changing the government of Quebec; enlarging the jurisdiction of the courts of admiralty and vice-admiralty; taking from us the right of a trial by jury of the vicinage, in cases affecting both life and property; transporting us into other countries, to be tried for criminal offences; exempting, by mock trial, the murderers of colonists from punishment; and quartering soldiers on us in times of profound peace. Nor do they renounce the power of suspending our own Legislatures, and legislating for us themselves, in all cases whatsoever. On the contrary, to show they mean no discontinuance of injury, they pass acts, at the very time of holding out this proposition, for restraining the commerce and fisheries of the Provinces of New England;

and for interdicting the trade of other colonies with all foreign nations, and with each other. This proves unequivóally they mean not to relinquish the exercise of indiscriminate legislation over us.

“Upon the whole, this proposition seems to have been held up to the whole world to deceive it into a belief that there was nothing in dispute between us but the mode of levying taxes; and that the Parliament having been now so good as to give up this, the colonies are unreasonable, if not perfectly satisfied. Whereas, in truth, our adversaries still claim a right of demanding, *ad libitum*, and of taxing us themselves, to the full amount of their demand, if we do comply with it. This leaves us without any thing we can call property; but, what is of more importance, and what, in this proposal, they keep out of sight, as if no such point was now in contest between us, they claim a right to alter our charters, and establish laws, and leave us without any security for our lives or liberties.

“The proposition seems also to have been calculated, more particularly, to lull into fatal security our well-affected fellow-subjects on the other side of the water, till time should be given for the operation of those arms which a British minister pronounced would, instantaneously, reduce the cowardly sons of America to unreserved submission. But when the world reflects how inadequate to justice are these vaunted terms; when it attends to the rapid and bold succession of injuries which during a course of eleven years have been aimed at the colonies; when it reviews the pacific and respectful expostulations which during that whole time were the sole arms we opposed to them; when it observes that our complaints were either not heard at all, or were answered with new and accumulated injuries; when it recollects that the minister himself, on an early occasion, declared ‘that he would never treat with America till he had brought her to his feet;’ that an avowed partisan of ministry has, more lately, denounced against us the

dreadful sentence, '*delenda est Carthago*;' and that this was done in presence of a British Senate, and being unreprieved by them, must be taken to be their own sentiments, especially as the purpose has already, in part, been carried into execution, by their treatment of Boston and burning of Charlestown; when it considers the great armaments with which they have invaded us, and the circumstances of cruelty with which these have commenced and prosecuted hostilities; when these things, we say, are laid together, and attentively considered, can the world be deceived into an opinion that we are unreasonable? or can it hesitate to believe, with us, that nothing but our own exertions may defeat the ministerial sentence of death or abject submission?"

Mr. Jefferson having put to silence the ignorance of foolish men, and thoroughly unmasked the subtlety of the British Government, in the scheme devised by Lord North, and thereby showed that an "honest man was the noblest work of God," all the American colonies were now brought to

see more clearly their real state and condition, and to bring all further considerations of adjustment to a close, as it had been already done in Virginia; and to establish that adjustment permanently by a declaration of independence, and establish a form of government commensurate with the true spirit of independence.

On the 1st of August, (1775,) Congress adjourned to meet again on the 5th of September. For what specific object is not mentioned. The time for which Mr. Jefferson was elected to serve now closed; he had been in Congress but little over a month, and, although the youngest member thereof, having just passed his thirty-second year, was chosen next to the sage philosopher and statesman, Dr. Franklin, in the election of the committee to consider the proposals of Lord North, and by that committee chosen to do that for which it had been constituted; while Franklin was twenty-three years his senior, and the first chosen on the committee, which exhibits an instance of superiority in Mr. Jefferson's ability not to be found in the pages of history.

## CHAPTER X.

### LETTERS TO A FRIEND.

**A**FTER Mr. Jefferson's arduous and incessant labors, first in the Virginia Legislature, and then in Congress, his return to his quiet and pleasant home, Monticello, was to him a most delightful change, — a rest to both body and mind, and, we may also add, rest to his soul, for having discharged so ably and faithfully his duty towards God and his duty towards his neighbor. And now, being freed from those weighty responsibilities and cares, his calm reflections would naturally turn to the past, the present, and the future, to unfold itself in its true character. This is manifest from a letter which he penned on the 25th of August, 1775, just four weeks from the adjournment of Congress, to his old friend from whom, in his youth, he had

received so much valuable instruction, and who, by reason of the troubles in Virginia, had thought it safe for him to return to England.

“DEAR SIR:—I am sorry the situation of our country should render it not eligible to you to remain longer in it. I hope the returning wisdom of Great Britain will, ere long, put an end to this unnatural contest. There may be people to whose tempers and dispositions contention is pleasing, and who, therefore, wish a continuance of confusion; but to me it is, of all states but one, the most horrid. My first wish is a restoration of our just rights; my second, a return of the happy period when, consistently with duty, I may withdraw myself totally from the public stage, and pass the rest of my days in domestic ease and tranquillity, banishing every desire of ever hearing what passes in the world. Perhaps (for the latter adds considerably to the warmth of the former wish), looking with fondness towards a reconciliation with Great Britain, I cannot help hoping you may be able to

contribute towards expediting this good work. I think it must be evident to yourself, that the ministry have been deceived by their officers on this side of the water, who (for what purpose, I cannot tell) have constantly represented the American opposition as that of a small faction, in which the body of the people took little part. This, you can inform them, of your own knowledge, is untrue. They have taken it into their heads, too, that we are cowards, and shall surrender at discretion to an armed force. The past and future operations of the war must confirm or undeceive them on that head. I wish they were thoroughly and minutely acquainted with every circumstance relative to America, as it exists in truth. I am persuaded this would go far towards disposing them to reconciliation. Even those in Parliament who are called friends to America, seem to know nothing of our real determinations. I observe they pronounced in the last Parliament that the Congress of 1774 did not mean to insist rigorously on the terms

they held out, but kept something in reserve to give up; and in fact, that they would give up everything but the article of taxation. Now the truth is far from this, as I can affirm, and put my honor to the assertion. Their continuance in this error may, perhaps, produce very ill consequences. The Congress stated the lowest terms they thought possible to be accepted, in order to convince the world they were not unreasonable. They gave up the monopoly and regulation of trade, and all acts of Parliament prior to 1764, leaving to British generosity to render these, at some future time, as easy to America as the interest of Britain would admit. But this was before blood was spilt. I cannot affirm, but have reason to think, these terms would not now be accepted. I wish no false sense of honor, no ignorance of our real intentions, no vain hope that partial concessions of right will be accepted, may induce the ministry to trifle with accommodation, till it shall be out of their power ever to accommodate. If, indeed, Great Britain, disjoined from her

colonies, be a match for the most potent nations of Europe, with the colonies thrown into their scale, they may go security. But if they are not assured of this, it would be certainly unwise, by trying the event of another campaign, to risk our accepting a foreign aid, which, perhaps, may not be obtainable, but on condition of everlasting avulsion from Great Britain. This would be thought a hard condition to those who still wish for reunion with their parent country. I am sincerely one of those, and would rather be in dependence on Great Britain, properly limited, than on any nation upon earth, or than on no nation. But I am one of those, too, who, rather than submit to the rights of legislating for us, assumed by the British Parliament, and which late experience has shown they will so cruelly exercise, would lend my hand to sink the whole island in the ocean.

“If undeceiving the minister, as to matters of fact, may change his disposition, it will perhaps be in your power, by assisting to do this, to render service to the

whole empire at the most critical time certainly that it has ever seen. Whether Britain shall continue the head of the greatest empire on earth, or shall return to her original station in the political scale of Europe, depends, perhaps, on the resolutions of the succeeding winter. God send they may be wise, and salutary for us all. I shall be glad to hear from you as often as you may be disposed to think of things here. You may be at liberty, I expect, to communicate some things, consistently with your honor and the duties you will owe to a protecting nation. Such communication among individuals may be mutually beneficial to the contending parties. On this or any future occasion, if I affirm to you any facts, your knowledge of me will enable you to decide on their credibility; if I hazard opinions on the dispositions of men, or other speculative points, you can only know they are my opinions. My best wishes for your felicity attend you wherever you go; and believe me to be, assuredly, your friend and servant."

Mr. Jefferson was again elected by the Virginia Legislature, in August, 1775, to the Continental Congress, to meet in Philadelphia on the 5th of September. But as nothing occurred or was done to call forth the productions of his pen, we have no history of their proceedings at that session. But whilst there, he again addressed, on November the 29th, the following letter to his much revered English friend :

“ DEAR SIR. . . . It is an immense misfortune to the whole empire, to have a king of such a disposition at such a time. We are told, and everything proves it true, that he is the bitterest enemy we have. His minister is able, and that satisfies me that ignorance or wickedness somewhere controls him. In an earlier part of this contest, our petitions told him that from our king there was but one appeal. The admonition was despised, and that appeal forced on us. To undo his empire, he has but one truth more to learn — that after colonies have drawn the sword, there is but one step more they can take. That step is now pressed upon us by the measures

adopted, as if they were afraid we would not take it. Believe me, dear sir, there is not in the British empire a man who more cordially loves a union with Great Britain than I do. But, by the God that made me, I will cease to exist, before I yield to a connection on such terms as the British Parliament propose; and in this I think I speak the sentiments of America. We want neither inducement nor power to declare and assert a separation. It is will alone which is wanting; and that is growing apace under the fostering hand of our king. One bloody campaign will probably decide everlastingly our future course. I am sorry to find a bloody campaign is decided on. If our winds and waters should not combine to rescue their shores from slavery, and General Howe's reinforcement should arrive in safety, we have hopes he will be inspired to come out of Boston and take another drubbing; and we must drub him soundly, before the sceptered tyrant will know we are not mere brutes to crouch under his hand, and kiss the rod with which he deigns to scourge us. Yours, etc."

The spirit and character of this communication shows most clearly and conclusively that a mighty change had taken place in the state of affairs and the conditions of our relation with the mother country, from the 25th of August and 29th of November, 1775. In which time Jefferson's reply to Lord North's proposition, and adopted by Congress on the 1st of August, had excited the British ministry, and Parliament of Great Britain, to their highest indignation and spirit of revenge; and which was being met by the American colonies with a stern resolution to resist. Hence there is a corresponding marked difference in the first and the last letter of Mr. Jefferson's in that brief space of time, as evinced in the spirit and character of his first and second letters; but of which we have no history given concerning it.

Although the popular Convention of Virginia, in June, 1775, rejected the proposition of Lord North, declaring itself independent of Great Britain, and likewise providing an armed force for the defence

of the colony; yet they took no measures for its government beyond that of its legislature. And this being assembled in Williamsburg, on the 6th of May, 1776, after electing their delegates to Congress, among whom was Thomas Jefferson, they likewise took action to establish an independent form of government. This subject was brought forward by Col. Archibald Cary, a man of herculean stature and force of character, on the 15th of May. Whereupon a committee of thirty-four was appointed, including Col. George Mason, who was requested to draw up a declaration of rights, with a preamble and constitution for Virginia.

Now, although Mr. Jefferson had taken his seat, with the other delegates, in the Colonial Congress; yet looking upon Virginia as the stronghold of American *Independence*, and not knowing exactly how the Legislature was progressing, he drew up a declaration of rights and constitution for Virginia, which he transmitted to his friend George Wythe. But it did not

arrive before the constitution prepared by Col. George Mason had passed, and was adopted by the committee of the whole, it being then too late for further action. Nevertheless, Jefferson's preamble and some of his modifications were adopted; which accounts for the resemblance found therein to the Declaration of Independence. The constitution and declaration of American rights in Virginia were adopted unanimously on the 29th of June, 1776, and was thus the first establishment of self-government, by a written compact, in the western continent, and perhaps in the whole world. And it likewise formed a model for all the other states, as they successively recovered themselves from the present monarchy.

This was a capital success, and did much towards securing the independence of all the colonies, and the formation of state governments. It was so regarded by Mr. Jefferson at the time; as we may justly infer from a letter which he wrote in 1824, about two years before his death, to Major John Cartwright, an English friend, who had left the English service previous to

1774, and become a warm advocate for the American colonies. "Virginia, of which I am myself a native and resident, was not only the first of the states, but, I believe I may say, the first of the nations of the earth which assembled its wise men peaceably together, to form a fundamental constitution, to commit it to writing and place it among their archives, where every one should be free to appeal to its text. But this act was very imperfect. The other states as they proceeded successfully to the same work, made successive improvements, and several of them, still further corrected by experience, have, by conventions, still further amended their first forms. My own state has gone so far with its *premiere esbauche*; but it is now proposing to call a convention for amendment. Among the other improvements, I hope they will adopt the subdivision of our counties into wards. The former may be estimated at an average of twenty-four miles square; the latter should be about six miles square each, and would answer to the hundreds of your Saxon Alfred. In each of these might be :

1. An elementary school. 2. A company of militia with its officers. 3. A justice of the peace and constable. 4. Each ward should take care of their own poor. 5. Their own roads. 6. Their own police. 7. Elect within themselves one or more jurors to attend the courts of justice. And 8. Give in at their Folk-house, their votes for all functionaries reserved to their election. Each ward would thus be a small republic within itself, and every man in the state would thus become an acting member of the common government, transacting in person a great portion of its rights and duties, subordinate indeed, yet important and entirely within his competence. The wit of man cannot devise a more solid basis for a free, durable, and well administered republic."

In this connection it is proper to state also, that the colony of Virginia, while declaring itself an independent state, and having appointed a committee to form a constitution for its own government, likewise adopted the following resolution of instructions to her delegates in Congress:

“*Resolved, unanimously*, that the delegates appointed to represent this colony in General Congress, be instructed to propose to that respectable body to declare the united colonies free and independent states, absolved from all allegiance to or dependence upon the Crown or Parliament of Great Britain; and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress, for forming foreign alliances, and a confederation of the colonies, at such time, place, or manner as to them shall seem best. Provided, that the power of forming government for, and the regulation of, the internal concerns of each colony, be left to the respective colonial Legislatures.” This was highly commended, and superinduced other colonies to take the same step.

During this time, May, 1776, the Virginia delegates in Congress were not idle, nor slow to advance the same views, and in the same spirit, as were expressed in the Virginia resolutions. And the intelligence of this auspicious document was received

with a feeling of approbation throughout the colonies by a large majority, and became the signal for like manifestations by other legislatures; wherefore, a majority of the representatives was soon instructed to do likewise. Nevertheless, a large minority still clung to the supposed *ties* which bound them in conscience and honor to the parent government. But most opportunely for removing this, the parent government, by an act of Parliament, declared the colonies in a state of rebellion, and out of the protection of the British Crown. Whence they now plainly perceived that Great Britain had herself declared them independent, and no longer under her protection. Wherefore, the colonies were all brought to see, and think, and feel that their only safety was by a union and combination among themselves.

Now, by a remarkable coincidence, Congress, on the 15th of May (the same day on which the Virginia Legislature adopted her instructions to her delegates), recommended the several colonies to establish independent governments of their own.

## CHAPTER XI.

### THE DECLARATION OF INDEPENDENCE.

ON the 28th of May, upon motion of Mr. Jefferson, Congress resolved "that an *animated* address be published, to impress the minds of the people with the necessity of now stepping forward to save their country, their freedom, and their property." Being appointed chairman of the committee upon this resolution, he prepared the address, which was conceived and expressed in a manner that carried conviction and courage to the breast of every man who had a just conception of the sad state of affairs. The delegates from Virginia were the first to receive instructions, which arrived early in June; and they immediately held a conference to arrange the preliminaries for acting upon them. Richard H. Lee, being the oldest in

the delegation, and happily endowed with extraordinary powers of eloquence, was designated to make the introductory motion, and the 7th of June was ordered as the day. Accordingly, on that day, he rose from his seat and moved that Congress should declare, "That these united colonies are and of right ought to be free and independent states; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is and ought to be totally dissolved; that measures should be immediately taken for procuring the assistance of foreign powers, and a confederation formed to bind the colonies more closely together."

The proposition was deferred to the next day, when the members were ordered to attend punctually at ten o'clock.

And so, on Saturday, June 8th, Congress proceeded to take the subject into consideration, and it was referred to the committee of the whole, into which they resolved themselves during that day, and

Monday the 10th was spent in warm and vehement debates.

Messrs. Dickinson and Wilson, of Pennsylvania, Robert Livingston, of New York, and Edward Rutledge, of South Carolina, and others opposed it. Mr. Jefferson, John and Samuel Adams, Lee, Wythe, and others, supported it; and it was very fully and ably discussed pro and con; and the heads of the arguments were preserved by Mr. Jefferson, which, though interesting at that time, can be of little interest at the present. But from the strength of opposition, it was deemed impolitic to press it at that time. Nevertheless, that this might occasion as little delay as possible, a committee was appointed to prepare a Declaration of Independence, on the same plan as was adopted to meet the proposition of Lord North, viz., those receiving the highest number of votes; and of these, the one having the highest to be the head of the committee. Mr. Jefferson having the highest, was the head, and the others in order were John Adams, Dr. Franklin, Roger

Sherman, and Robert Livingston. The committee unanimously solicited Mr. Jefferson to prepare the draft of the Declaration.

Jefferson drew it accordingly, but before submitting it to the committee, he communicated it separately to Dr. Franklin and Mr. Adams, with a view to avail himself of the benefit of their criticisms. And they approved it, but suggested two or three verbal alterations, that might soften somewhat the original phraseology. The committee unanimously approved it, and it was reported to Congress on Friday, the 28th of June, when it was read and ordered to lie on the table.

On Monday, the 1st of July, the house resolved itself into a committee of the whole, and resumed the consideration of the preliminary motion, viz., To declare the united colonies free and independent states, etc. It was debated again through the day, and finally carried in the affirmative by the votes of New Hampshire, Connecticut, Massachusetts, Rhode Island,

New Jersey, Maryland, Virginia, North Carolina, and Georgia; South Carolina and Pennsylvania voted against it. Delaware had but two members present, and they were divided. The delegates from New York declared they were for it themselves, and were assured their constituents were for it, but that their instructions having been drawn near a twelvemonth before, when reconciliation was still the general object, they were enjoined by them to do nothing which should impede that object. They, therefore, thought themselves not justifiable in voting on either side, and asked leave to withdraw from the question; which was granted them. Then the committee rose and reported their resolution to the house.

Mr. Rutledge, of South Carolina, then requested the determination might be put off to the next day, as he believed his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity. The ultimate decision by the house was accordingly postponed

to the next day, July 2d, when it was again moved, and South Carolina concurred in voting for it; and, in the meantime, a third member from Delaware in favor of it arrived, and turned the vote of Delaware for it; and members of a different sentiment from Pennsylvania also attending that morning, changed her vote. So, finally, the members from New York, though for it, were allowed to withdraw, for the want of instructions to do so. The Convention of New York on the 9th of July approved of it.

Congress proceeded on the 2d of July to consider the Declaration of Independence, which had been reported on the 28th of June and ordered to lie on the table. The debates were again renewed with great violence, even greater than before; but in these Mr. Jefferson took no part. Among the advocates for the declaration, Mr. Jefferson himself considered John Adams the ablest and the best; and thirty years after he called him "our Colossus on the floor. Not graceful nor elegant, not

always fluent in his public address, he yet came out with a power, both of thought and expression, which moved us from our seats." And he assigned to John Adams the pre-eminent station, *primus inter pares*. There were a few slight alterations made and some parts stricken out, principally those having reference to African slavery; reflecting upon the British Government for introducing it; and those interested with them in the slave-trade, as also those wishing that traffic to be perpetuated. And while these changes were being made, the good-humored Dr. Franklin, sitting near Mr. Jefferson, and seeing him agonized under the strictures, comforted him with the following anecdote.

"I have made it a rule, whenever it is in my power, to avoid becoming the draughtsman of papers to be reviewed by a public body. I took my lesson from an incident which I will relate to you. When I was a journeyman printer, one of my companions, an apprentice hatter, having served out his time, was about to open a shop for himself.

His first concern was to have a handsome *sign-board*, with a proper inscription. He composed it in these words, 'John Thompson, *hatter, makes and sells hats for ready money,*' with the figure of the hat subjoined. But he thought he would submit it to his friends for their amendments.

"The first he showed it to, thought the word *hatter* tautologous, because followed by the words *makes hats*, which shows he was a hatter; it was struck out. The next observed that the word *makes* might as well be omitted, because his customers would not care who made the hats; if good, and to their minds, they would buy, by whomsoever made. He struck it out. A third said he thought the words *for ready money* were useless, as it was not the custom of the place to sell on credit; every one who purchased expected to pay. They were parted with, and the inscription now stood, 'John Thompson sells hats.' '*Sells hats!*' says his next friend; 'Why, nobody will expect you to give them away. What then is the use of the word?' It was

stricken out, and *hats* followed, the rather, as there was one painted on the board; so his inscription was reduced ultimately to 'John Thompson,' with the figure of the hat subjoined."

Mr. Jefferson kept a copy of the original draft, as also of all the changes and amendments, July 4th, 1776. Yet it is useless to give any of them. I think it proper to give the original draft, as written by Mr. Jefferson, also approved by all the committee, and reported to the house. The following is as it came from their hands.

The Declaration of Independence as it was written by Thomas Jefferson, and unanimously approved by the committee. Whereupon it was reported to Congress on Friday, the 28th of June, and ordered to be laid on the table.

"When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of

nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

“We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with inherent and unalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are suf-

ferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, begun at a distinguished period, and pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.

“Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to expunge their former systems of government. The history of the present King of Great Britain is a history of unremitting injuries and usurpations, among which appears no solitary fact to contradict the uniform tenor of the rest, but all have in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world, for the truth of which we pledge a faith yet unsullied by falsehood.

“He has refused his assent to laws the

most wholesome and necessary for the public good.

“ He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

“ He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature — a right inestimable to them, and formidable to tyrants only.

“ He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

“ He has dissolved representative houses repeatedly and continually, for opposing, with manly firmness, his invasions on the rights of the people.

“ He has refused, for a long time after such dissolutions, to cause others to be

elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise; the state remaining, in the meantime, exposed to all the dangers of invasion from without, and convulsions within.

“He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

“He has suffered the administration of justice totally to cease in some of these states, by refusing his assent to laws for establishing judiciary powers.

“He has made our judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.

“He has erected a multitude of new offices, by a self-assumed power, and sent hither swarms of new officers to harass our people, and eat out their substance.

“He has kept among us, in times of peace, standing armies and ships of war without the consent of our legislatures.

“He has affected to render the military independent of, and superior to, the civil power.

“He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation for quartering large bodies of armed troops among us: for protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us of the benefits of trial by jury; for transporting us beyond seas, to be tried for pretended offences; for abolishing the free system of English laws in a neighboring province; establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and

fit instrument for introducing the same absolute rule into these states; for taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

“He has abdicated government here, withdrawing his governors, and declaring us out of his allegiance and protection.

“He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

“He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, unworthy the head of a civilized nation.

“He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

“He has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of existence.

“He has incited treasonable insurrections of our fellow-citizens, with the allurements of forfeiture and confiscation of our property.

“He has urged cruel war against human nature itself, violating its most sacred rights of life and liberty, in the persons of a distant people who never offended him; captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of *Infidel* powers, is the warfare of the *Christian* king of Great Britain. Determined to keep open a market where men should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce.

“And that this assemblage of horrors

might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and to purchase that liberty, of which he has deprived them, by murdering the people on whom he also obtruded them — thus paying off former crimes committed against the liberties of one people, with crimes which he urges them to commit against the *lives* of another.

“In every stage of these oppressions, we have petitioned for redress in the most humble terms. Our repeated petitions have been answered only by repeated injuries.

“A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a people who mean to be free. Future ages will scarcely believe that the hardiness of one man adventured, within the short compass of twelve years only, to lay a foundation so broad and so undisguised for tyranny over a people fostered and fixed in principles of freedom.

“Nor have we been wanting in attentions

to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend a jurisdiction over these our states. We have reminded them of the circumstances of our migration and settlement here; no one of which could warrant so strange a pretension; that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain; that in constituting, indeed, our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them; but that submission to their Parliament was no part of our constitution; nor ever in idea, if history may be credited. And we appeal to their native justice and magnanimity, as well as to the ties of our common kindred, to disavow these usurpations, which were likely to interrupt our connection and correspondence.

“They, too, have been deaf to the voice of justice and consanguinity, and when occasions have been given them, by the regular

course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time, too, they are permitting their chief magistrate to send over not only soldiers of our common blood, but Scotch and foreign mercenaries to invade and destroy us.

“These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce forever these unfeeling brethren. We must endeavor to forget our former love for them, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

“We might have been a free and a great people together; but a communication of grandeur, and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too. We will tread it apart from them, and acquiesce in the necessity which denounces our eternal separation.

“We, therefore, the representatives of

the United States of America, in General Congress assembled, do, in the name and by the authority of the good people of these states, reject and renounce all allegiance and subjection to the kings of Great Britain, and all others who may, hereafter, claim by, through, or under them. We utterly dissolve all political connection which may heretofore have subsisted between us and the people or Parliament of Great Britain: and finally, we do assert and declare these colonies to be free and independent states, and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do. And for the support of this declaration, we mutually pledge to each other our lives, our fortunes, and our sacred honor."

This is a copy of the original draft of Jefferson's declaration, and unanimously approved by the committee; and most ably defended by John Adams, to whom

Jefferson, in 1823, wrote thus: "The generation which commences a revolution rarely completes it. Habituated from their infancy to passive submission of body and mind to their kings and priests, they are not qualified, when called on, to think and provide for themselves; and their inexperience, their ignorance, and bigotry, make them instruments often, in the hands of the Bonapartes and Iturbides, to defeat their own rights and purposes. This is the present situation of Europe and Spanish America.

"But it is not desperate. The light which has been shed on mankind by the art of printing, has eminently changed the condition of the world. As yet, that light has dawned on the middling classes only of the men in Europe; the kings and the rabble, of equal ignorance, have not yet received its rays; but it continues to spread, and while printing is preserved, it can no more recede than the sun return on his course. A first attempt to recover the right of self-government may fail, so may a second, a

third, etc. But as a younger and more instructed race comes on, the sentiment becomes more and more intuitive, and a fourth, a fifth, or some subsequent one of the ever-renewed attempts, will ultimately succeed. In France, the first effort was defeated by Robespierre, the second by Bonaparte, the third by Louis XVIII. and his holy allies; another is yet to come, and all Europe, Russia excepted, has caught the spirit; and all will attain representative government, more or less perfect."

## CHAPTER XII.

### JEFFERSON EFFECTS FURTHER REFORMS.

WITH the Declaration of Independence was accomplished the great object for which Mr. Jefferson was induced to leave the Legislature of Virginia, and become a member of the Continental Congress. And it is always pleasant to return home when the object for which home was left shall have been accomplished. And so now he signified to the Virginia Legislature his determination to return. Nevertheless, they re-elected him for another term. But on the receipt of this intelligence, though gratifying as it was to be thus honored, he immediately addressed another letter to the Legislature, adhering to his original resolution, as follows: "I am sorry the situation of my domestic affairs renders it indispensably necessary

that I should solicit the substitution of some other person here in my room," etc. This was a good and sufficient reason. But in his private memoranda he adds, "I knew that our Legislature, under the regal government, had many very vicious points which urgently required reformation; and I thought I could be of more use in forwarding that work. I therefore returned from my seat in Congress," etc.

Whence in this private memoranda we have a powerful historical reason for resigning his seat in Congress, and his returning to Virginia. It evinces most clearly his distinctiveness and true patriotic character as a statesman and politician. As the seeds of liberty and independence were first sown in Virginia, and the first-fruits matured and gathered there, it was there also that it should be preserved and cultivated with the greatest care. Whence it was for this reason, doubtless, that Mr. Jefferson thought, or *saw*, as he expressed it in his memoranda, "that the laboring *Oar* was really at home."

This view of Jefferson's character was also corroborated by the following incident, viz., the singular mark of distinction conferred on him by Congress. He had been absent from Philadelphia but a few days, when he received the appointment of Congress to France, in conjunction with Dr. Franklin, to negotiate treaties of alliance and commerce with that government.

Silas Deane, then in France acting as agent for procuring military supplies, and for sounding the disposition of that government towards America, was joined with them in this commission. This appointment was made on the last day of September, 1776, and more importance was attached to the successful issue of this transaction than to any other yet meditated. But this he also declined for the reasons before stated. Jefferson had not yet attained the middle of his thirty-fourth year, when he retired from Congress to his seat in the Virginia Legislature, from which he had been absent about nine months. And

although the youngest in Congress except one, he had achieved a very high and honorable character as a scholar, a gentleman, and a patriot, scarcely equalled and certainly never surpassed.

No member in that honorable body served on more committees, executed more business, or gave greater satisfaction. Whence this will account for the honor and distinction conferred on him as joint commissioner with Dr. Franklin, to negotiate an alliance with France, thus associating him, a young man of thirty-three, with the venerable philosopher of seventy, who was the most distinguished civil character in America. But sensible as he was of this high honor, his determination was not changed. Jefferson's just and high appreciation of the honor conferred on him by Congress, in the appointing of him coadjutor with Franklin, will be best expressed in his reply.

WILLIAMSBURG, October 11, 1776.

“HONORABLE SIR:—Your favor of the 30th, together with the resolutions of Con-

gress, of the 26th ultimo, came safe to hand. It would argue great insensibility in me, could I receive with indifference so confidential an appointment from your body. My thanks are a poor return for the partiality they have been pleased to entertain for me. No cares for my own person, nor yet for my private affairs, would have induced one moment's hesitation to accept the charge. But circumstances very peculiar in the situation of my family, such as neither permit me to leave, nor to carry it, compel me to ask leave to decline a service so honorable, and, at the same time, so important to the American cause. The necessity under which I labor, and the conflict I have undergone for three days, during which I could not determine to dismiss your messenger, will, I hope, plead my pardon with Congress; and I am sure there are too many of that body to whom they may, with better hopes, confide this charge, to leave them under a moment's difficulty in making a new choice. I am, sir, with the most sincere attachment to

your honorable body, and the great cause they support, their and your most obedient, humble servant."

This answer to Congress is similar to the one he sent to the Virginia Legislature, whence his reasons, in his private memoranda, for remaining in the Virginia Legislature remain unchanged, and to his labors there we will now turn our attention.

Each of the American colonies was more or less distinctive in its organization and form of government. But Virginia may, without an invidious distinction, be called queen of the American colonies. It was settled by a grant from Queen Elizabeth, in the latter part of her reign, to Sir Walter Raleigh, and thence received its name in honor of the queen. Sir Walter was born in 1552, in Devonshire, educated at Oxford, and served with great merit and distinction in the army of the French Protestants, and accompanied his half-brother, Sir Humphrey Gilbert, in a voyage to America; and in 1582 he attracted the atten-

tion of Queen Elizabeth by an act of gallantry worthy of notice. Seeing the queen had to pass over a wet spot, he threw his cloak on the muddy ground for her to walk upon, and thenceforth he stood in high favor with the queen.

He made his settlement in Virginia by a grant from Queen Elizabeth. But after her death, he was for a mere pretext brought to trial for treason; and though condemned to die, he was not executed, but confined in the tower for twelve years, during which he wrote his history of the world. But subsequently he was brought to the block in 1618. The colony of Virginia was settled by Englishmen of high standing in favor of the government, in both church and state, and also with strict fidelity to the Crown; among whom were the ancestors of George Washington. These settlers, having purchased large tracts of land, were called planters, from whom was derived a large revenue to the Crown and the government, in both church and state, the same as in England; except

they were not allowed the right of representation. But in all other respects the oath of allegiance and law of entails established and preserved the same distinctions in society as that of England. The first born son, whatever might be his talents or capacity, was heir and successor to his father; and this class constituted what was known as the aristocracy; whilst all the rest of the family formed the second class, called plebeians, or the plebeian ranks, and independent yeomanry; and finally the lowest class was that of the overseers of the slaves. Although these distinctions were firmly established, and patiently endured, until the *revolution*, yet the grievous oppressions of the government having fallen upon all without distinction, the aristocracy united with the democracy in resistance even unto the *rebellion*; in most instances taking but little thought of the change which independence would bring about. Whence, while the united struggle against oppression was progressing, that state of things finally

prevailed to bring about the revolution in all its fulness—not only a new nation, but likewise a new form of government, viz., that of the people, without distinction except personal worth or merit.

This change Mr. Jefferson had foreseen, and with remarkable sagacity had given shape to the affairs in Virginia to bring about this government of the people. Even whilst he was in Congress, he had aided in many ways the formation of a state constitution, and a settled form of government in its legislative and administrative power; but, as yet, the judiciary remained unchanged; wherefore to this he now directed his whole and entire attention.

By birth and fortune Mr. Jefferson belonged to the aristocracy; but his habits and intellectual tastes revolted from the indulgent and voluptuous habits and lives of many of that class; and his political principles and sympathies also drew him strongly to the independent yeomanry, with whom his father and grandfather preferred to associate. He had, therefore, all along

determined, at a proper time, to overthrow the English law of entails, which he regarded as the keystone of this pernicious oligarchy of the ancient dominion, whereby not talents or virtue, but rather a hereditary wealth and fortune, regardless of virtue or talents, prevailed. And with this determination, Jefferson took his seat in the Virginia Legislature on the 7th of October, 1776. On the opening day of the session, and on the 11th, he obtained leave to bring in a bill for the establishment of the courts of justice. The proposition was referred to a committee, of which he was chairman. He drafted the ordinance, and submitted it to the committee, by whom it was approved, and reported to the house, and in the ordinary course unanimously adopted. This divided the state into counties, with the three distinct grades of courts, viz., county, superior, and supreme, similar to that subsequently adopted by the United States, imperatively requiring reference to a jury as required in all courts of law. And on the 12th of October, he brought in

the bill for abolishing the law of entails. This was a cardinal measure, and prepared the way for laying the foundation of a sound government. It met with strong opposition, headed by Edmund Pendleton, the speaker of the house, whose personal influence was great, and whose ability in debate was of a high order.

But after a severe contest, the bill finally passed, and thus was broken up the hereditary aristocracy, and the distinct orders of nobles and plebeians, forming one republic, wherein the civil, political, and religious rights and institutions should be distinct from, and yet act in harmony with, each other. And for this history had as yet formed no model. Whence that which we Americans have since enjoyed resulted from the judicious attention and persevering labors of Mr. Jefferson on the dissolution of monarchy, and the formation of our Republican Government; in securing and preserving all these relations in peace and harmony, beyond any thing of which history can boast.

In his own writings he thus expressed himself. "When I left Congress in 1776, it was in the persuasion that our whole code must be reviewed, adapted to our republican form of government; and now that we had no negatives of councils, governors, and kings, to restrain us from doing right, that it should be corrected in all its parts, with a single eye to reason, and the good of those for whose government it was formed."

On the 5th of November, 1776, by a resolution of Mr. Jefferson, a committee of five persons was appointed, viz., Jefferson, Edmund Pendleton, George Wythe, George Mason, and Thomas L. Lee, to revise, alter, amend, repeal, or introduce all or any of the said laws, to form the same into bills, and report them to the next meeting of the General Assembly. The committee having settled the general principles on which to execute the labor, Messrs. Mason and Lee, not being lawyers, excused themselves; and it was therefore divided thus—the whole common law, and the statutes to the

fourth of James I., were assigned to Mr. Jefferson. The British statutes from that time were assigned to Mr. Wythe; and the Virginia laws to Mr. Pendleton. And this committee of revisors, amidst all the cares, perplexities, and labors of the revolution, completed within two years their herculean labors, in the month of February, 1779. And this code, the major part of which was prepared by Mr. Jefferson himself, was brought within the compass of one hundred and twenty-six bills, providing for the civil, political, and religious rights and enjoyments as proclaimed in the Declaration of Independence.

The autumn of 1776, in which Mr. Jefferson returned to Virginia, was the darkest and most dismal period of the revolution. When he arrived in Virginia, he found it in a state of distraction. The courage of the people had fallen into a temporary panic and despondency; and in this confusion there were some who proposed to make Patrick Henry, the Governor, a dictator. Whether he desired it, or would have

accepted it, does not fully appear. But there is reason to suspect that he would have accepted it. Colonel Archibald Cary, meeting the step-brother of Henry in the lobby of the house, said to him, "I am told your brother wishes to be dictator. Tell him from me, that the day of his appointment shall be the day of his death — for he shall feel my dagger in his heart before the sunset of that day." And from this we may judge concerning Jefferson's motives for returning to Virginia, and likewise award to him the merit, so justly due, for the establishment in Virginia, in the short space of three years, of the principles of freedom, good government, and the enjoyment of life, liberty, and the pursuits of happiness. As he could always furnish fuel for the fire when necessary, so also could he apply the wet blanket when the flames were to be extinguished.









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