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TO VIND  
ABROU LAD

THE  
Jeffersonian Cyclopedia

*Brown*

A COMPREHENSIVE COLLECTION OF THE  
VIEWS OF

THOMAS JEFFERSON

Classified and Arranged in Alphabetical Order  
Under Nine Thousand Titles :: :: ::

RELATING TO GOVERNMENT, POLITICS, LAW,  
EDUCATION, POLITICAL ECONOMY, FINANCE,  
SCIENCE, ART, LITERATURE, RELIGIOUS FREE-  
DOM, MORALS, ETC. :: :: :: :: :: :: :: :: :: ::

EDITED BY  
JOHN P. FOLEY



"I have sworn upon the altar of God eternal hostility against  
every form of tyranny over the mind of man."—*Thomas Jefferson*

FUNK & WAGNALLS COMPANY  
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## PREFACE

THE JEFFERSONIAN CYCLOPEDIA is designed to be a complete classified arrangement of the Writings of Thomas Jefferson on Government, Politics, Law, Education, Commerce, Agriculture, Manufactures, Navigation, Finance, Morals, Religious Freedom, and many other topics of permanent human interest. It contains everything of importance that Jefferson wrote on these subjects.

Why and wherefore the publication of this volume now? The answer is this: More than three-quarters of a century ago, one of the earlier biographers of Jefferson wrote: "It would be a happy circumstance for America and for the mass of mankind if the works of Jefferson could obtain a circulation which would place them in the hands of every individual. Unfortunately, the form in which they have appeared is not the most advantageous to the accomplishment of this desirable purpose. The publication is too voluminous, and consequently too expensive, to admit of a general introduction among all classes, *nor is the mode of arrangement the best adapted to its reception into ordinary use as a work of reference.*"

From that distant day to the present time, no attempt has been made to arrange and classify the theories and principles of Jefferson, so as to make them available in ready reference form.

THE JEFFERSONIAN CYCLOPEDIA aims to do this—to be a Manual of Jeffersonian Doctrine, accurate, complete, impartial, giving Jefferson's views, theories, and ideas in his own words. No edition of Jefferson's Writings, printed at either public or private expense, contains so comprehensive a collection of Jefferson's opinions as this volume. This fact will be clearly seen by all who consult it.

Not alone to the American people, but to all peoples, are Jefferson's opinions on Government of deep and abiding interest. Among the Statesmen of all time, he is the foremost Expounder of the Rights of Man, of the unalienable right of every human being to life, liberty, and the pursuit of happiness. That is the object of all just Government, to preserve which Jeffersonian principles must be sacredly cherished.

J. P. F.

Brooklyn, July 31st, 1900.

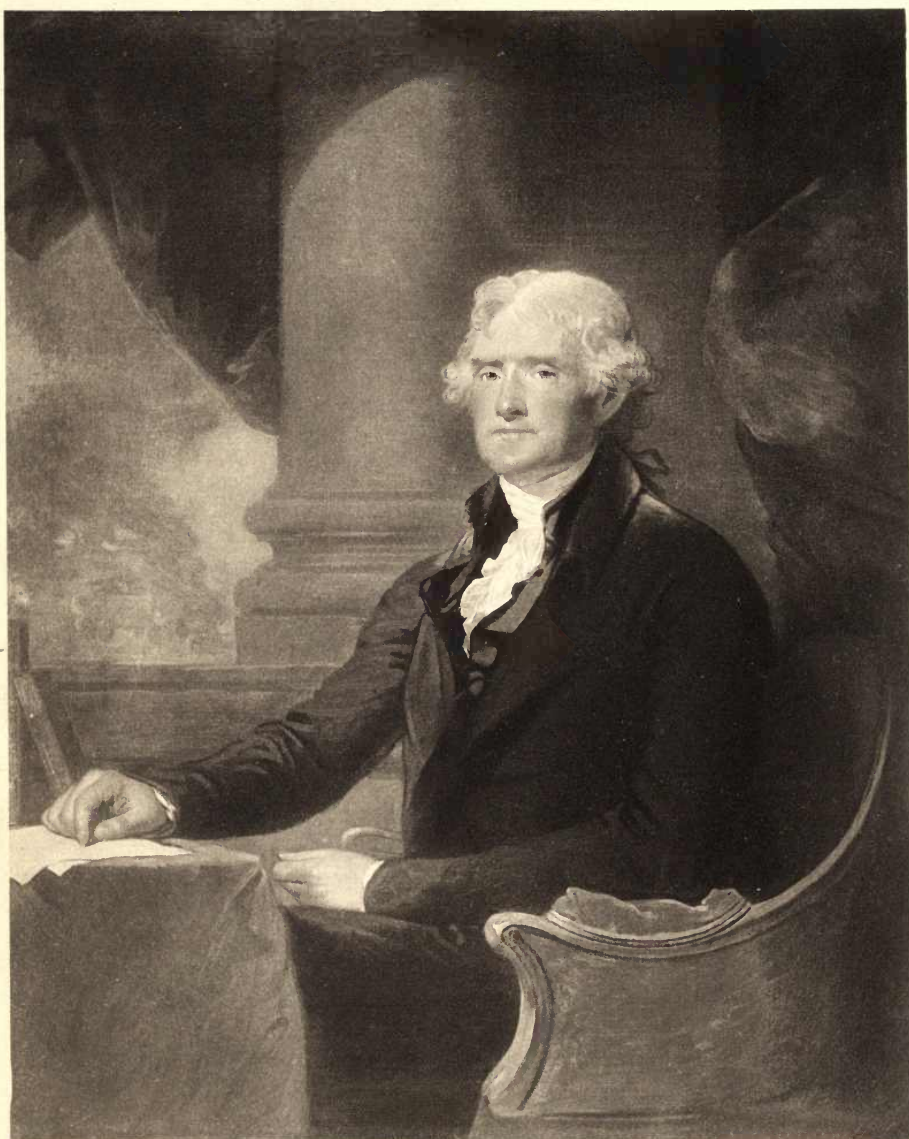




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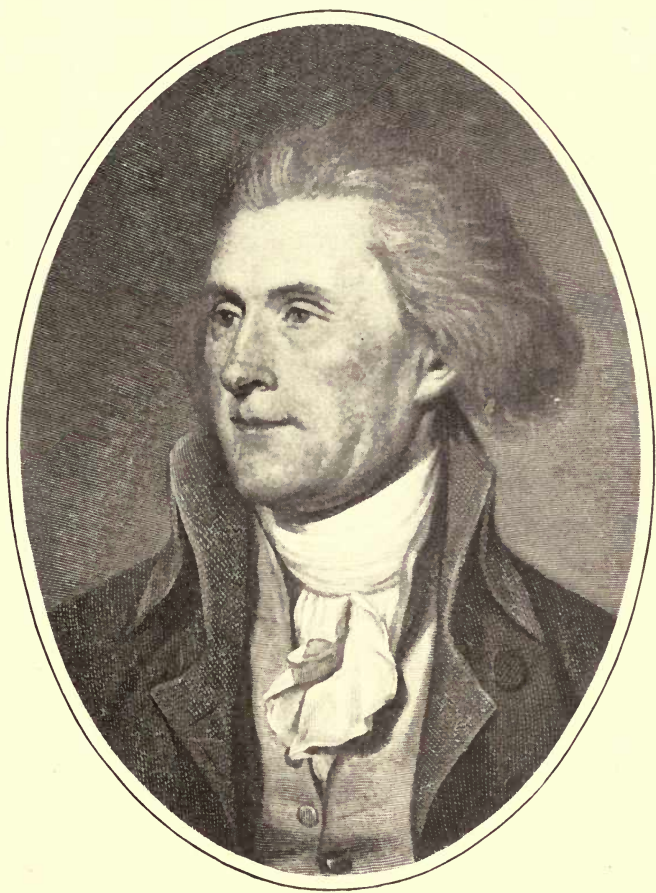
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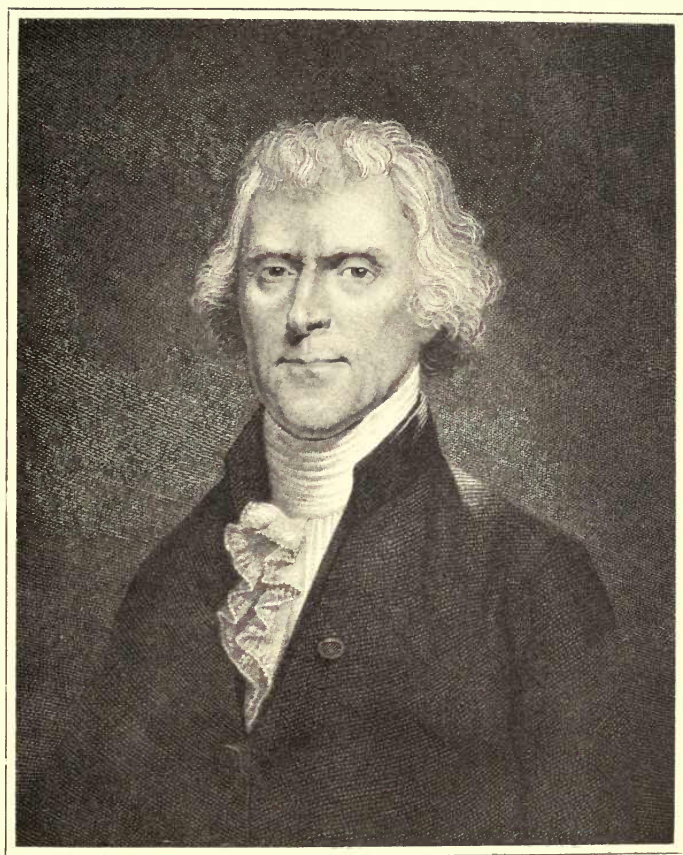
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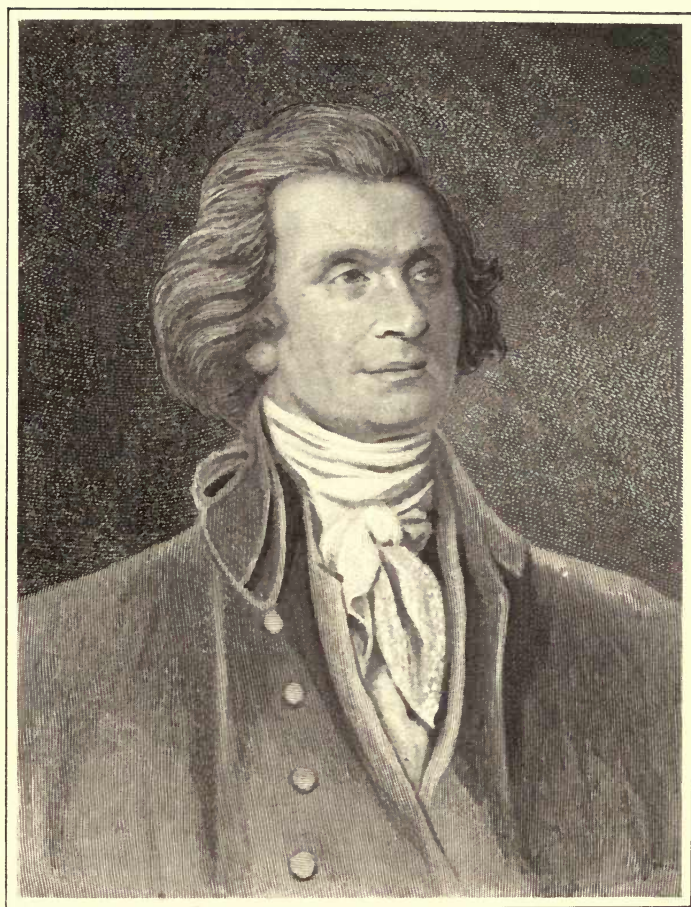
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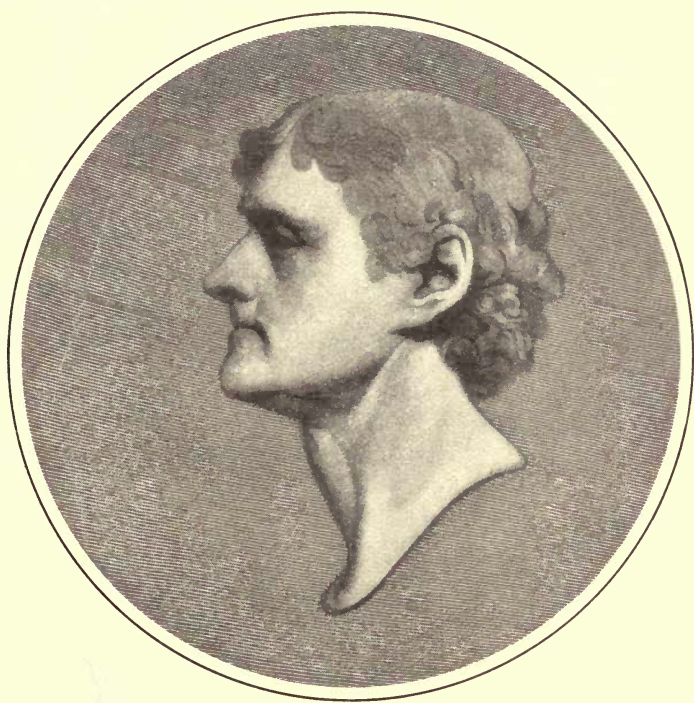


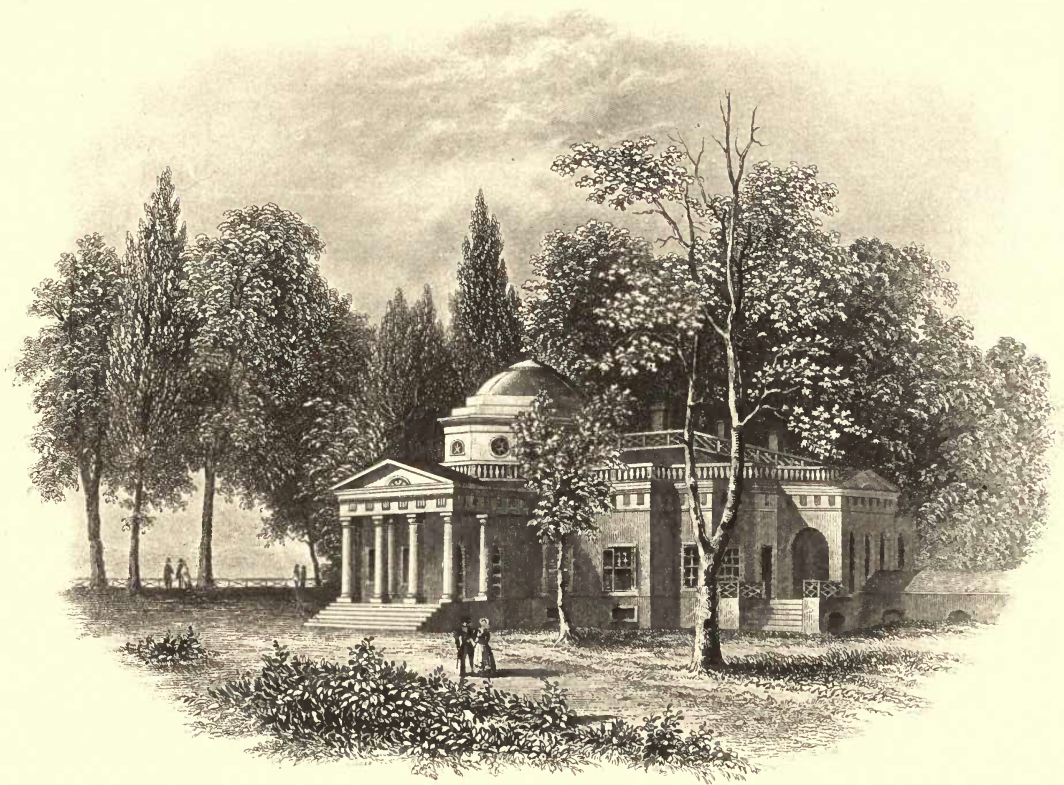




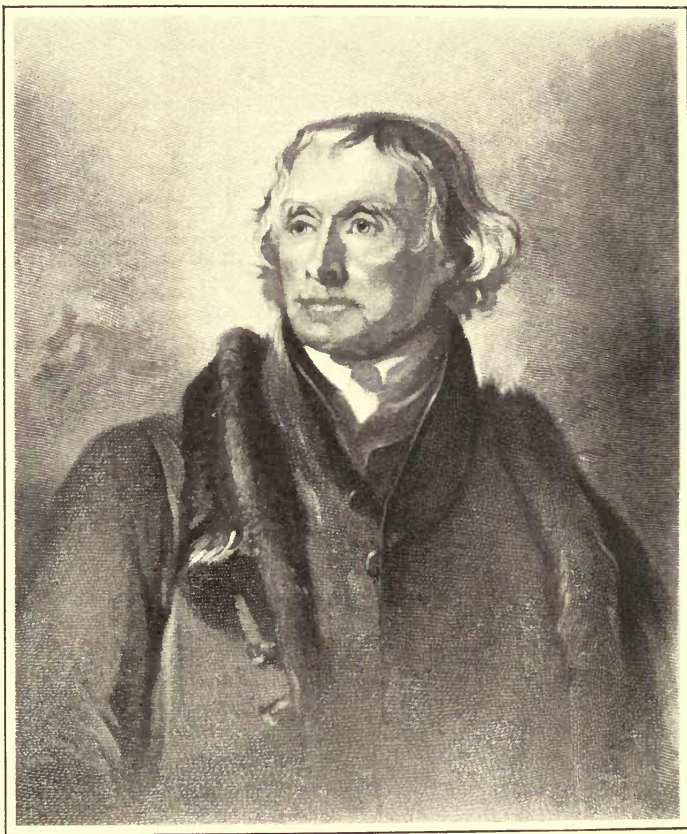




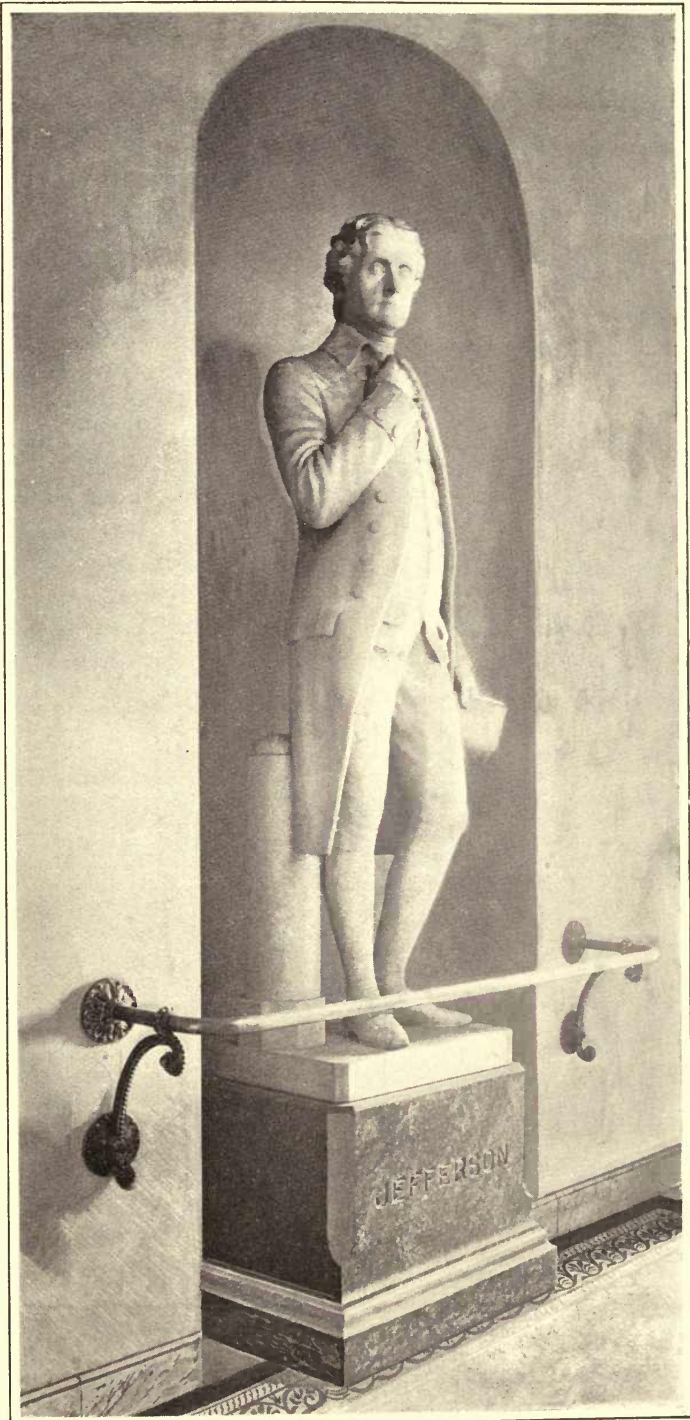


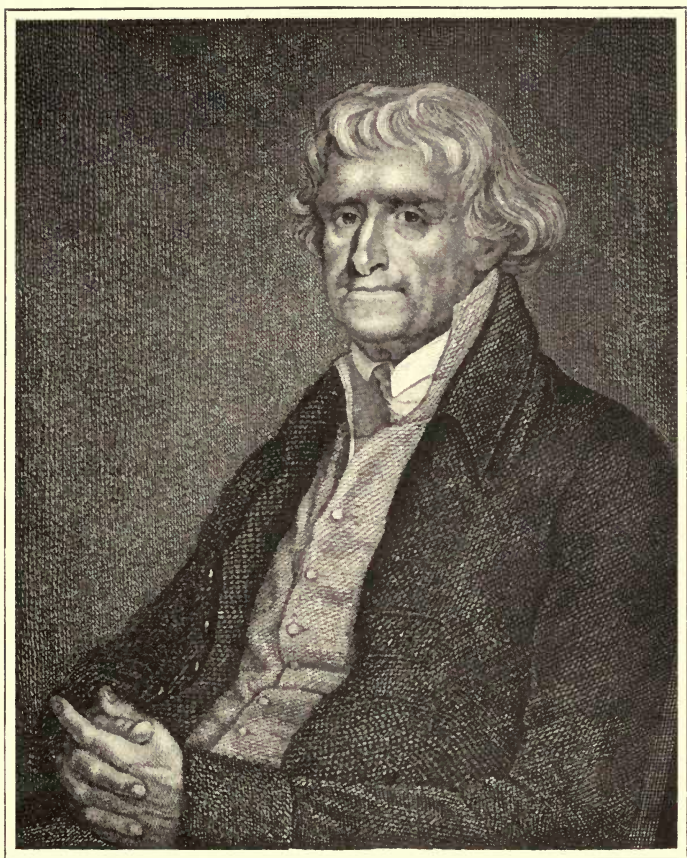














# CHRONOLOGY OF THOMAS JEFFERSON

Born at Shadwell, Albemarle Co., Va. . . . .	April 2 (O. S.), 13 (N. S.), 1743	
Death of his Father, Peter Jefferson . . . . .	August 17, 1757	
Entered William and Mary College . . . . .	March, 1760	17
Graduation . . . . .	April 25, 1762	19
Entered Law Office of George Wythe . . . . .	April, 1762	5
Admitted to Bar . . . . .	1767	24
Elected to Virginia House of Burgesses . . . . .	March, 1769	
Marriage to Martha Wayles Skelton <i>name</i> . . . . .	January, 1772	
Birth of his First Daughter, Martha . . . . .	September 27, 1772	
Appointed Surveyor of Albemarle County . . . . .	October, 1773	
Birth of Second Daughter, Jane Randolph . . . . .	April 3, 1774	
Elected Deputy to Continental Congress — . . . . .	March, 1775	
Attends Continental Congress — . . . . .	June 21, 1775	
Death of his Mother . . . . .	March 31, 1776	
Appointed on Committee to prepare Declaration of Independence — . . . . .	June 11, 1776	
Draft of Declaration Reported . . . . .	June 28, 1776	
Elected Commissioner to France . . . . .	September 26, 1776	
Attends Virginia Assembly . . . . .	October, 1776	
Appointed on Committee to Revise Virginia Laws . . . . .	November 6, 1776	
Birth of Son . . . . .	May 28, 1777	
Death of Son . . . . .	June 14, 1777	
Birth of Third Daughter, Mary . . . . .	August 1, 1778	
Elected Governor of Virginia . . . . .	June 1, 1779	
Reelected Governor of Virginia . . . . .	June 1, 1780	
Fourth Daughter Born . . . . .	November 3, 1780	
Resigns Governorship . . . . .	June 1, 1781	
Assembly Orders Investigation of his Administration . . . . .	June 5, 1781	
Appointed Peace Commissioner by Continental Congress . . . . .	June 14, 1781	
Appointment Declined . . . . .	June 30, 1781	
Attends Virginia Assembly . . . . .	November 5, 1781	
Committee Appointed to State Charges Against Him . . . . .	November 26, 1781	
Elected Delegate to Congress . . . . .	November 30, 1781	
Voted Thanks of Assembly . . . . .	December 12, 1781	
Daughter Lucy Elizabeth Born . . . . .	May 8, 1782	
Death of Mrs. Jefferson . . . . .	September 6, 1782	
Appointed Peace Commissioner to Europe . . . . .	November 12, 1782	
Appointment Withdrawn . . . . .	April 1, 1783	
Elected Delegate to Congress . . . . .	June 6, 1783	
Elected Chairman of Congress . . . . .	March 12, 1784	
Elected Minister to France . . . . .	May 7, 1784	
Arrived in Paris . . . . .	August 6, 1784	
Elected French Minister by Congress . . . . .	March 10, 1785	
Audience at French Court . . . . .	May 17, 1785	
Death of Youngest Daughter, Lucy . . . . .	November, 1785	
Presented to George III. at Windsor . . . . .	March 22, 1786	
Made an LL.D. by Yale . . . . .	October, 1786	
Made an LL.D. by Harvard . . . . .	June, 1788	
Prepares Charter for France . . . . .	June 3, 1789	



# THE JEFFERSONIAN CYCLOPEDIA

Nominated to be Secretary of State . . . . .	September 25, 1789
Confirmed by Senate . . . . .	September 26, 1789
Leaves France . . . . .	October, 1789
At Monticello . . . . .	December 24, 1789
Accepts Secretaryship of State . . . . .	February 14, 1790
Marriage of Daughter Martha to Thomas Mann Randolph . . . . .	February 28, 1790
Writes to Washington of Intention to Resign from Cabinet . . . . .	May 23, 1792
Reconsiders Resignation . . . . .	January, 1793
Offered French Mission . . . . .	February, 1793
Resigns Secretaryship of State . . . . .	December 31, 1793
Offered Foreign Mission . . . . .	September, 1794
Elected Vice-President . . . . .	November 4, 1796
Elected President of Philosophical Society . . . . .	January, 1797
Takes Oath of Office as Vice-President . . . . .	March 4, 1797
Marriage of Mary Jefferson to John Wayles Eppes . . . . .	October 13, 1797
Writes Essay on Study of Anglo-Saxon . . . . .	October, 1798
Drafts Kentucky Resolutions . . . . .	October, 1798
Revises Madison's Virginia Resolutions . . . . .	November, 1798
Plans University of Virginia . . . . .	January 18, 1800
Prepares Parliamentary Manual . . . . .	February, 1800
Republican Caucus Nominates Jefferson and Burr . . . . .	May, 1800
Congress Begins to Ballot for President . . . . .	February 11, 1801
Elected President . . . . .	February 17, 1801
Farewell Address to Senate . . . . .	February 28, 1801
Inauguration as President . . . . .	March 4, 1801
Louisiana Treaty Signed at Paris . . . . .	May 2, 1803
Louisiana Treaty Ratified . . . . .	October 20, 1803
Message on Taking Possession of Louisiana . . . . .	January 18, 1804
Reelected President of United States . . . . .	November, 1804
Elected President of American Philosophical Society . . . . .	January, 1807
Signs Bill to End Slave Trade . . . . .	March 2, 1807
Proposes to Seize the Floridas . . . . .	September 1, 1807
Embargo Act Signed . . . . .	December 22, 1807
Repeal of Embargo Signed . . . . .	March 1, 1809
Retires from Presidency . . . . .	March 4, 1809
Arrives at Monticello . . . . .	March 17, 1809
Resigns Presidency of American Philosophical Society . . . . .	November, 1814
Congress Passes Bill to Buy Library . . . . .	January, 1815
Drafts Virginia Protest . . . . .	December, 1825
Executes Will . . . . .	March 16, 1826
Declines Invitation to Fourth of July Celebration in Washington . . . . .	June 24, 1826
Writes Last Letter . . . . .	June 25, 1826
Death . . . . .	July 4, 1826



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# APPENDIX

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## REPLY TO LORD NORTH'S CONCILIATORY PROPOSITION

The Congress proceeding to take into their consideration a resolution of the House of Commons of Great Britain, referred to them by the several Assemblies of New Jersey, Pennsylvania, and Virginia, which resolution is in these words: "That it is the opinion, &c., are of opinion:

That the Colonies of America possess the exclusive privilege of giving and granting their own money; that this involves the right of deliberating whether they will make any gift, for what purposes it shall be made, and what shall be the amount of the gift; and that it is a high breach of this privilege for any body of men, extraneous to their constitutions, to prescribe the purposes for which money shall be levied on them; to take to themselves the authority of judging of their conditions, circumstances, and situation, of determining the amount of the contribution to be levied:

That, as they possess a right of appropriating their gifts, so are they entitled at all times to inquire into their application, to see that they be not wasted among the venal 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 their 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 its intercession for redress of grievances, and reestablishment of rights, and how improvident would be the surrender of 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. It is insidious, because individual colonies, having bid and bidden again, till they find the avidity of the seller unattainable by all their powers, 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 continuing 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 dispositions. On the contrary, the Parliament itself, wisely attentive to this observation, are in the established practice of granting their own money from year to year only.

Though desirous and determined to consider, in the most dispassionate view every advance towards reconciliation, made by the British Parliament, let our brethren of Britain reflect what could have been the sacrifice to men of free spirits, had even fair terms been proffered by free-men when attended as these were, with circumstances of insult and defiance. A proposition to give our money, when accompanied with large fleets and armies, seems addressed to our fears, rather than to our freedom. With what patience, would they have received articles of treaty, from any power on earth, when borne on the point of the bayonet, by military plenipotentiaries?

We think the attempt unnecessary and unwarrantable 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 to contribute, in the character of free-men.

We are of 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 does of itself lay them under heavy contribution. To demand, therefore, an additional contribution in the form of a tax, is to demand the double of their equal proportion. If we are to contribute equally with the 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 burthens, 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; that the provisions we have made are such as please ourselves. 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 burthened with oppressive taxes to provide sinecures for the idle or wicked, under color of providing for a civil list. While Parliament pursue their plan of civil government within their own jurisdiction, we hope, also, to pursue ours without molestation.

We are of opinion the proposition is altogether unsatisfactory because it imports only a suspension, not a renunciation of the 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 the Eastern Colonies; extending the boundaries, and changing the government and religion of Quebec; enlarging the jurisdiction of the Courts of Admiralty and Vice-admiralty; taking from us the rights of trial by jury of the vicinage in cases affecting both life and prosperity; transporting us into other countries to be tried for criminal offences; exempting, by mock trial, the murderers of Colonists from punishment; and for quartering soldiers upon us, in times of profound peace. Nor do they renounce the power of suspending our own legislatures, and of 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 Province of New England; and for interdicting the trade of the other Colonies, with all foreign nations. This proves unequivocally, 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 is no matter in dispute between us but the single circumstance of the mode of levying taxes, which mode they are so good as to give up to us, of course that the Colonies are unreasonable if they are not, thereby, perfectly satisfied; whereas, in truth, our adversaries not only still claim a right of demanding *ad libitum*, and of taxing us themselves to the full amount of their demands if we do not fulfil their pleasure, which leaves us without anything we can call property, but, what is of more importance, and what they keep in this proposal out of sight, as if no such point was in contest, they claim a right of altering our charters, and established laws which leave us without the least security for our lives or liberties.

The proposition seems, also, calculated more particularly to lull into fatal security our well-affected fellow subjects on that 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 the vaunted terms, when it attends to the rapid and bold succession of injuries, which, during a course of eleven years, have been aimed at these Colonies, when it reviews the pacific and respectful expostulations, which, during that whole time, have been made the sole arms we oppose 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 declared on an early occasion, "that he would never treat with America, till he had brought her to his feet"; and that an avowed partisan of ministry has, more lately, denounced against America the dreadful sentence "*Delenda est Carthago*"; and that this was done in the presence of a British senate, and being unreprieved by them, must be taken to be their own sentiments, 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 submission? \*—FORD ED., i, 476. (July 25, 1775.)

\* This is Jefferson's draft. Congress made several verbal alterations.—EDITOR.

## COMMITTEES OF CORRESPONDENCE

A court of inquiry held in Rhode Island in 1762, with a power to send persons to England to be tried for offences committed here,\* was considered at our session [Virginia House of Burgesses] of the spring of 1773, as demanding attention. Not thinking our old and leading members up to the point of forwardness and zeal which the times required, Mr. [Patrick] Henry, Richard Henry Lee, Francis L. Lee, Mr. [Dabney] Carr and myself agreed to meet in the evening, in a private room of the Raleigh [tavern], to consult on the state of things. \* \* \* We were all sensible that the most urgent of all measures was that of coming to an understanding with all the other Colonies to consider the British claims as a common cause to all, and to produce a unity of action; and, for this purpose, that a Committee of Correspondence in each Colony would be the best instrument for intercommunication; and that their first measure would probably be, to propose a meeting of deputies from every Colony, at some central place, who should be charged with the direction of the measures which should be taken by all. \* \* \* The consulting members proposed to me to move \* \* \* [the resolutions agreed upon], but I urged that it should be done by Mr. [Dabney] Carr, my friend and brother-in-law, then a new member, to whom I wished an opportunity should be given of making known to the house his great worth and talents. It was so agreed; he moved them, they were agreed to *nem. con.*, and a Committee of Correspondence appointed, of whom Peyton Randolph, the Speaker, was chairman. The Governor (then Lord Dunmore) dissolved us, but the Committee met the next day, prepared a circular letter to the Speakers of the other Colonies, enclosing to each a copy of the resolutions, and left it in charge with their chairman to forward them by expresses.—*AUTOBIOGRAPHY*. i. 5. FORD ED., 7. (1821.)

The next event which excited our sympathies for Massachusetts, was the Boston port bill, by which that port was to be shut up on the 1st of June, 1774. This arrived while we [Virginia House of Burgesses] were in session in the spring of that year. The lead in the House, on these subjects, being no longer left to the old members, Mr. Henry, R. H. Lee, Francis L. Lee, three or four other members, whom I do not recollect, and myself, agreeing that we must boldly take an unequivocal stand in the line with Massachusetts, determined to meet and consult on the proper measures in the council chamber, for the benefit of the library in that room. We were under conviction of the necessity of arousing our people from the lethargy into which they had fallen, as to passing events; and thought that the appointment of a day of general fasting and prayer would be most likely to call up and alarm their attention. No example of such a solemnity had existed since the days of our distresses in the war of '55, since which a new generation had grown up. With the help, therefore, of Rushworth, whom we rummaged over for the revolutionary precedents and forms of the Puritans of that day, preserved by him, we cooked up a resolution, somewhat modernizing their phrases, for appointing the 1st day of June, on which the port bill was to commence, for a day of fasting, humiliation, and prayer, to implore Heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of the King and Parliament to moderation and justice. To give greater emphasis to our proposition, we agreed to wait the next morning on Mr. [Robert Carter] Nicholas, whose grave and religious character was more in unison with the tone of our resolution, and to solicit him to move it. We accordingly went to him in the morning. He moved it the same day; the 1st of June was proposed; and it passed without opposition. The Governor dissolved us as usual. \* \* \* We returned home, and in our several counties invited the clergy to meet assemblies of the people on the 1st of June,† to perform the ceremonies of the day, and to address to them discourses suited to the occasion. The people met generally, with anxiety and alarm in their countenances, and the effect of the day, through the whole colony, was like a shock of electricity, arousing every man, and placing him erect and solidly on his centre.—*AUTOBIOGRAPHY*. i. 6. FORD ED., i. 9. (1821.)

The Governor dissolved us as usual. We retired to the Apollo, agreed to an association, and instructed the Committee of Correspondence to propose to the corresponding committees of the other Colonies, to appoint deputies to meet in Congress at such place, *annually*, as should be convenient, to direct, from time to time, the measures required by the general interest: and we declared that an attack on any one Colony, should be considered as an attack on the whole. This was in May [27, 1774]. We further recommended to the several counties to elect deputies to meet at Williamsburg, the 1st of August, ensuing, to consider the state of the Colony, and particularly to appoint delegates to a general Congress, should that measure be acceded to by the committees of correspondence generally. It was acceded to; Philadelphia was appointed for the place, and the 5th of September for the time of meeting.—*AUTOBIOGRAPHY*. i. 7. FORD ED., i. 11. (1821.)

Respecting the question, whether Committees of Correspondence originated in Virginia or Massachusetts? \* \* \* You suppose me to have claimed it for Virginia; but certainly I have never made such a claim. The idea, I suppose, has been taken up from what is said in WIRT'S *Life of Patrick Henry*, page 87, and from an inexact attention to its precise terms. It is there said, "this House (of Burgesses, of Virginia) had the merit of originating that powerful engine of resistance, Corresponding Committees between the Legislatures and the different Colonies". That the fact, as here expressed is true, your letter bears witness, when it says, that the resolutions of Virginia, for this purpose, were transmitted to the speakers of the different assemblies, and by that of Massachusetts, was laid, at the next session, before that body, who appointed a committee for the specified object; adding, "thus, in Massachusetts, there were two Committees of Correspondence, one chosen by the people, the other appointed by the House of Assembly; in the former, Massachusetts preceded Virginia; in the latter, Virginia preceded Massachusetts". To the origination of committees for the interior correspondence between the counties and towns of a State, I know of no claim on the part of Virginia; and

\* This was the famous "Gaspee" inquiry, the date being a slip for 1772.—NOTE IN FORD EDITION.

† The invitation read June 23d.

‡ The name of a public room in the Raleigh tavern.

certainly none was ever made by myself. I perceive, however, one error, into which memory had led me. Our Committee for national correspondence, was appointed in March, '73, and I well remember, that going to Williamsburg, in the month of June following, Peyton Randolph, our chairman, told me that messengers bearing dispatches between the two States, had crossed each other by the way, that of Virginia carrying our propositions for a committee of national correspondence, and that of Massachusetts, bringing, as my memory suggested, a similar proposition. But here I must have misremembered; and the resolutions brought us from Massachusetts, were probably those you mention of the town-meeting of Boston, on the motion of Mr. Samuel Adams, appointing a committee "to state the rights of the colonists, and of that province in particular, and the infringements of them; to communicate them to the several towns, as the sense of the town of Boston, and to request, of each town, a free communication of its sentiments on the subject." I suppose, therefore, that these resolutions were not received, as you think, while the House of Burgesses was in session in March, 1773, but a few days after we rose, and were probably what was sent by the messenger, who crossed ours by the way. They may, however, have been still different. I must, therefore, have been mistaken in supposing, and stating to Mr. Wirt, that the proposition of a committee for national correspondence was nearly simultaneous in Virginia and Massachusetts.—To SAMUEL A. WELLS. i, 115. FORD ED., x, 127. (M., 1819.)



## A SUMMARY VIEW OF THE RIGHTS OF BRITISH AMERICA\*

*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 its 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 derived 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 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 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 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 of 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, 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

\*The SUMMARY VIEW was not written for publication. It was a draft I had prepared for a petition to the King, which I meant to propose in my place as a member of the convention of 1774. Being stopped on the road by sickness, I sent it on to the Speaker, who laid it on the table for the perusal of the members. It was thought too strong for the times, and to become the act of the convention, but was printed by subscription of the members, with a short preface written by one of them. If it had any merit, it was that of first taking our true ground, and that which was afterwards assumed and maintained.—TO JOHN W. CAMP. BELL. v. 465. FORD ED., ix, 258. (M., Aug. 1809.)

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 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 12th 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 affectively 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 purpose 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 necessity extort; have raised their commodities called for in America, to the double and treble of what they 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, given 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 re-shipped 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 out 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 British convenience, except that of accommodating his Majesty's ministers and favourites with the sale of a lucrative and easy office.

That thus have we 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 story. 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 oppressions, begun at a distinguished period, and pursued unalterably through every change of ministers, too plainly prove a deliberate, systematic plan of reducing us to slavery.

\* 12 C. 2 c. 18. 15 C. 2 c. 11. 25 C. 2 c. 7. 7. 8 W. M. c. 22. 11 W. 34 Anne 6 C. 2 c. 13.—NOTE BY JEFFERSON.



Act for granting certain duties.  
Stamp act.  
Act declaring right of Parliament over the Colonies.  
Act for granting duties on paper, tea, &c.  
Act suspending legislature of New York.

That the act passed in the fourth year of his Majesty's reign, entitled "An Act One other act passed in the fifth year of his reign entitled "An Act One other act passed in the sixth year of his reign, entitled "An Act And one other act, passed in the seventh year of his reign, entitled "An Act From that connected chain of Parliamentary usurpation, which has already been the subject of frequent application to his Majesty, and the Houses of Lords and Commons of Great Britain; and, no answers having yet been descended 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

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 in 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 [14 G. 3.] 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 interposition. 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 the 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 had 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, without 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 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 [14 G. 3.], 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 recognizance 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 happen 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 may 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 resume 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 practice on the laws of the American Legislature. 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 importations from Africa. Yet our repeated attempts to effect this, by prohibitions, and by imposing duties which might amount to a prohibition, having 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.

While 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 an 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 that 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 the 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 Richard 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 cause 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 provided by the laws, has been out of existence. From the nature of things, every society must, at all times, possess within itself the sovereign powers 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 of 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 introduction 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 termed 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 insurrections 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 persuasions 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 the other feudal burthens. 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 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 purposes 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 wheresoever 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 hither, 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 party 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

\* On further inquiry, I find two instances of dissolutions before the Parliament would, of itself, have been at an end, viz.: the Parliament called to meet August 24, 1693, was dissolved by King William, December 19, 1700, and a new one was called to meet February 6, 1701, which was also dissolved, November 11, 1701, and a new one met December 30, 1701.—NOTE BY JEFFERSON.

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 expedient 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 restrictions 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 it would ill beseeem 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 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 fraternal 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.—i, 124. FORD ED., i, 426. (1774.)



## DECLARATION OF INDEPENDENCE \*

A Declaration by the Representatives of the United States of America, in  
General Congress assembled.

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*] inalienable 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 to 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 sufferable, 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

\* The parts struck out by Congress are printed in italics and enclosed in brackets those inserted by Congress are placed in the margin. In paragraph 2, line 2, the edition of JEFFERSON'S WRITINGS, printed by Congress, and also the FORD EDITION give "*inalienable rights*" as the text in the engrossed copy of the Declaration. In the first draft of the instrument Jefferson wrote "*unalienable*", which he changed to "*inalienable*" in the draft reported to Congress. In the United States *Statutes At Large* the word is "*unalienable*". The Hon. John Hay, Secretary of State, gives a certification of the text in the following letter:

JOHN P. FOLEY, ESQ.,  
Brooklyn, N. Y.

DEPARTMENT OF STATE,  
WASHINGTON, May 4, 1900. }

SIR—In response to your letter, \* \* \* I have to advise you that the text of the Declaration of Independence (the original MS.) as signed by the delegates, reads, at the point of your inquiry—"unalienable rights", while the text of Jefferson's MS. draft, as amended in committee by Franklin and Adams, reads "inalienable rights". The latter is the paper printed in Ford's edition of Jefferson's Writings, in *fac simile*. \* \* \*

JOHN HAY.



others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

obstructed  
by

He has [*suffered*] the administration of justice [*totally to cease in some of these states*] 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 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.

in many cases

He has combined with others to subject us to a jurisdiction foreign to our constitutions 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.

colonies

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

by declaring  
us out of his  
protection,  
and waging  
war against us

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

scarcely paral-  
leled in the  
most barbar-  
ous ages,  
and totally

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.

excited do-  
mestic insur-  
rection among  
us, and has

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 waged 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 dye, 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 upon 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.

free

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 undisguised for tyranny over a people fostered and fixed in principles of freedom.*]

an unwarrant-  
able  
us

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 emigration 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 com-*]

men 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 [ ] appealed 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 of 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 [ ]!

have  
and we have  
conjured them  
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we must  
therefore  
and hold them  
as we hold the  
rest of mankind,  
enemies  
in war, in  
peace friends.

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

We, therefore, the representatives of the United States of America in General Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do in the name, and by the authority of the good people of these colonies, solemnly publish and 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; 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, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.—i, 19. FORD ED., ii, 42.

## PREAMBLE TO THE VIRGINIA CONSTITUTION

Whereas, the delegates and representatives of the good people of Virginia, in convention assembled, on the twenty-ninth day of June, in the year of our Lord one thousand seven hundred and seventy-six, reciting and declaring, that whereas George the Third, King of Great Britain and Ireland, and Elector of Hanover, before that time intrusted with the exercise of the kingly office in the government of Virginia, had endeavored to pervert the same into a detestable and insupportable tyranny, by putting his negative on laws the most wholesome and necessary for the public good; by denying his governors permission to pass laws of immediate and pressing importance, unless suspended in their operation for his assent, and when so suspended, neglecting to attend to them for many years; by refusing to pass certain other laws unless the persons to be benefited by them would relinquish the inalienable right of representation in the legislature; by dissolving legislative assemblies, repeatedly and continually, for opposing with manly firmness his invasions of the rights of the people; when dissolved by refusing to call others for a long space of time, thereby leaving the political system without any legislative head; by endeavoring to prevent the population of our country, and for that purpose obstructing the laws for naturalization of foreigners; by keeping among us, in time of peace, standing armies and ships of war; by affecting to render the military independent of and superior to the civil power; by combining with others to subject us to a foreign jurisdiction, giving his assent to their pretended acts of legislation for quartering large bodies of armed troops among us; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us of the benefit of trial by jury; for transporting us beyond the seas for trial for pretended offences; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever; by plundering our seas, ravaging our coasts, burning our towns, and destroying the lives of our people; by inciting insurrection of our fellow-subjects with the allurements of forfeiture and confiscation; by prompting our negroes to rise in arms among us—those very negroes whom, by an inhuman use of his negative, he had refused us permission to exclude by law; by endeavoring 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; by transporting hither a large army of foreign mercenaries to complete the work of death, desolation and tyranny, then already begun, with circumstances of cruelty and perfidy unworthy the head of a civilized nation; by answering our repeated petitions for redress with a repetition of our injuries; and finally, by abandoning the helm of government and declaring us out of his allegiance and protection—by which several acts of misrule, the government of this country, as before exercised under the crown of Great Britain, was totally dissolved—did, therefore, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy country would be reduced unless some regular, adequate mode of civil policy should be speedily adopted, and in compliance with the recommendation of the general Congress, ordain and declare a form of government of Virginia.—POORE'S FEDERAL AND STATE CONSTITUTIONS.



## DEBATES ON THE ARTICLES OF CONFEDERATION

On Friday, July 12 [1776], the committee appointed to draw the Articles of Confederation reported them, and, on the 22d, the House resolved themselves into a committee to take them into consideration. On the 30th and 31st of that month, and 1st of the ensuing, those articles were debated which determined the proportion, or quota, of money which each state should furnish to the common treasury, and the manner of voting in Congress. The first of these articles was expressed in the original draught in these words. "Art. XI. All charges of war and all other expenses that shall be incurred for the common defence, or general welfare, and allowed by the United States assembled, shall be defrayed out of a common treasury, which shall be supplied by the several colonies in proportion to the number of inhabitants of every age, sex, and quality, except Indians not paying taxes, in each colony, a true account of which, distinguishing the white inhabitants, shall be triennially taken and transmitted to the Assembly of the United States."

Mr. Chase moved that the quotas should be fixed, not by the number of inhabitants of every condition, but by that of the "white inhabitants." He admitted that taxation should be always in proportion to property, that this was, in theory, the true rule; but that, from a variety of difficulties, it was a rule which could never be adopted in practice. The value of the property in every State, could never be estimated justly and equally. Some other measure for the wealth of the State must therefore be devised, some standard referred to, which would be more simple. He considered the number of inhabitants as a tolerably good criterion of property, and that this might always be obtained. He therefore thought it the best mode which we could adopt, with one exception only: he observed that negroes are property, and as such, cannot be distinguished from the lands or personalities held in those States where there are few slaves; that the surplus of profit which a Northern farmer is able to lay by, he invests in cattle, horses, &c., whereas a Southern farmer lays out the same surplus in slaves. There is no more reason, therefore, for taxing the Southern States on the farmer's head, and on his slave's head, than the Northern ones on their farmer's heads and the heads of their cattle; that the method proposed would, therefore, tax the Southern States according to their numbers and their wealth conjunctly, while the Northern would be taxed on numbers only; that negroes, in fact, should not be considered as members of the State, more than cattle, and that they have no more interest in it.

Mr. John Adams observed, that the numbers of people were taken by this article, as an index of the wealth of the State, and not as subjects of taxation; that, as to this matter, it was of no consequence by what name you called your people, whether by that of freemen or of slaves; that in some countries the laboring poor were called freemen, in others they were called slaves; but that the difference as to the state was imaginary only. What matters it whether a landlord, employing ten laborers on his farm, gives them annually as much money as will buy them the necessities of life, or gives them those necessities at short hand? The ten laborers add as much wealth annually to the State, increase its exports as much in the one case as the other. Certainly five hundred freemen produce no more profits, no greater surplus for the payment of taxes, than five hundred slaves. Therefore, the State in which are the laborers called freemen, should be taxed no more than that in which are those called slaves. Suppose by an extraordinary operation of nature or of law, one-half the laborers of a State could in the course of one night be transformed into slaves; would the State be made the poorer or the less able to pay taxes? That the condition of the laboring poor in most countries, that of the fishermen particularly of the Northern States, is as abject as that of slaves. It is the number of laborers which produces the surplus for taxation, and numbers, therefore, indiscriminately, are the fair index of wealth; that it is the use of the word "property" here, and its application to some of the people of the State, which produces the fallacy. How does the Southern farmer procure slaves? Either by importation or by purchase from his neighbor. If he imports a slave, he adds one to the number of laborers in his country, and proportionably to its profits and abilities to pay taxes; if he buys from his neighbor, it is only a transfer of a laborer from one farm to another, which does not change the annual produce of the State, and therefore, should not change its tax: that if a Northern farmer works ten laborers on his farm, he can, it is true, invest the surplus of ten men's labor in cattle; but so may the Southern farmer, working ten slaves; that a State of one hundred thousand freemen can maintain no more cattle, than one of one hundred thousand slaves. Therefore, they have no more of that kind of property; that a slave may indeed, from the custom of speech, be more properly called the wealth of his master, than the free laborer might be called the wealth of his employer; but as to the State, both were equally its wealth, and should, therefore, equally add to the quota of its tax.

Mr. Harrison proposed, as a compromise, that two slaves should be counted as one freeman. He affirmed that slaves did not do as much work as freemen, and doubted if two effected more than one; that this was proved by the price of labor; the hire of a laborer in the Southern colonies being from 8 to £12, while in the Northern it was generally £24.

Mr. Wilson said, that if this amendment should take place, the Southern colonies would have all the benefit of slaves, whilst the Northern ones would bear the burthen: that slaves increase the profits of a State, which the Southern States mean to take to themselves; that they also increase the burthen of defence, which would of course fall so much the heavier on the Northern: that slaves occupy the places of freemen, and eat their food. Dismiss your slaves, and freemen will take their places. It is our duty to lay every discouragement on the importation of slaves; but this amendment would give the *jus trium liberorum* to him who would import slaves; that other kinds of property were pretty equally distributed through all the colonies: there were as many cattle, horses and sheep, in the North as the South, and South as the North; but not so as to slaves: that experience has shown that those colonies have been always able to pay most, which have the most inhabitants, whether they be black or white; and the practice of the Southern colonies has always been to make every farmer pay poll taxes upon all his laborers, whether they be black or white. He acknowledges, indeed, that freemen work the most; but they consume the most also. They do not produce a greater surplus for taxation. The slave is neither fed nor clothed so expensively as a freeman. Again, white

women are exempted from labor generally, but negro women are not. In this, then, the Southern States have an advantage as the article now stands. It has sometimes been said, that slavery is necessary, because the commodities they raise would be too dear for market if cultivated by freemen; but now it is said that the labor of the slave is the dearest.

Mr. Payne urged the original resolution of Congress, to proportion the quotas of the States to the number of souls.

Dr. Witherspoon was of opinion, that the value of lands and houses was the best estimate of the wealth of a nation, and that it was practicable to obtain such a valuation. This is the true barometer of wealth. The one now proposed is imperfect in itself, and unequal between the States. It has been objected that negroes eat the food of freemen, and, therefore, should be taxed; horses also eat the food of freemen; therefore they also should be taxed. It has been said too, that in carrying slaves into the estimate of the taxes the State is to pay, we do no more than those States themselves do, who always take slaves into the estimate of the taxes the individual is to pay. But the cases are not parallel. In the Southern colonies slaves pervade the whole colony; but they do not pervade the whole continent. That as to the original resolution of Congress, to proportion the quotas according to the souls, it was temporary only, and related to the moneys heretofore emitted: whereas we are now entering into a new compact, and therefore stand on original ground.

August 1. The question being put, the amendment proposed was rejected by the votes of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania, against those of Delaware, Maryland, Virginia, North and South Carolina. Georgia was divided.

The other article was in these words. "Art. XVII. In determining questions, each colony shall have one vote."

July 30, 31, August 1. Present forty-one members. Mr. Chase observed this article was the most likely to divide us, of any one proposed in the draught then under consideration: that the larger colonies had threatened they would not confederate at all, if their weight in Congress should not be equal to the numbers of people they added to the confederacy; while the smaller ones declared against a union, if they did not retain an equal vote for the protection of their rights. That it was of the utmost consequence to bring the parties together, as, should we sever from each other, either no foreign power will ally with us at all, or the different States will form different alliances, and thus increase the horrors of those scenes of civil war and bloodshed, which in such a state of separation and independence, would render us a miserable people. That our importance, our interests, our peace required that we should confederate, and that mutual sacrifices should be made to effect a compromise of this difficult question. He was of opinion, the smaller colonies would lose their rights, if they were not in some instances allowed an equal vote; and, therefore, that a discrimination should take place among the questions which would come before Congress. That the smaller States should be secured in all questions concerning life or liberty, and the greater ones, in all respecting property. He therefore, proposed, that in votes relating to money, the voice of each colony should be proportioned to the number of its inhabitants.

Dr. Franklin thought, that the votes should be so proportioned in all cases. He took notice that the Delaware counties had bound up their delegates to disagree to this article. He thought it a very extraordinary language to be held by any State, that they would not confederate with us, unless we would let them dispose of our money. Certainly, if we vote equally, we ought to pay equally; but the smaller States will hardly purchase the privilege at this price. That had he lived in a State where the representation, originally equal, had become unequal by time and accident, he might have submitted rather than disturb government; but that we should be very wrong to set out in this practice, when it is in our power to establish what is right. That at the time of the Union between England and Scotland, the latter had made the objection which the smaller States now do; but experience had proved that no unfairness had ever been shown them: that their advocates had prognosticated that it would again happen, as in times of old, that the whale would swallow Jonas, but he thought the prediction reversed in event, and that Jonas had swallowed the whale; for the Scotch had in fact got possession of the government, and gave laws to the English. He reprobated the original agreement of Congress to vote by colonies, and, therefore, was for their voting, in all cases, according to the number of taxables.

Dr. Witherspoon opposed every alteration of the article. All men admit that a confederacy is necessary. Should the idea get abroad that there is likely to be no union among us, it will damp the minds of the people, diminish the glory of our struggle, and lessen its importance; because it will open to our view future prospects of war and dissension among ourselves. If an equal vote be refused, the smaller States will become vassals to the larger; and all experience has shown that the vassals and subjects of free States are the most enslaved. He instanced the Helots of Sparta, and the provinces of Rome. He observed that foreign powers, discovering this blemish, would make it a handle for disengaging the smaller States from so unequal a confederacy. That the colonies should in fact be considered as individuals; and that, as such, in all disputes, they should have an equal vote; that they are now collected as individuals making a bargain with each other, and, of course, had a right to vote as individuals. That in the East India Company they voted by persons, and not by their proportion of stock. That the Belgic confederacy voted by provinces. That in questions of war the smaller States were as much interested as the larger, and therefore, should vote equally; and indeed, that the larger States were more likely to bring war on the confederacy, in proportion as their frontier was more extensive. He admitted that equality of representation was an excellent principle, but then it must be of things which are co-ordinate; that is, of things similar, and of the same nature: that nothing relating to individuals could ever come before Congress; nothing but what would respect colonies. He distinguished between an incorporating and a federal union. The union of England was an incorporating one; yet Scotland had suffered by that union; for that its inhabitants were drawn from it by the hopes of places and employments: nor was it an instance of equality of representation; because, while Scotland was allowed nearly a thirteenth of representation, they were to pay only one-fortieth of the land tax. He expressed his hopes, that in the present enlightened state of men's minds, we might expect a lasting confederacy, if it was founded on fair principles.



John Adams advocated the voting in proportion to numbers. He said that we stand here as the representatives of the people: that in some States the people are many, in others they are few; that therefore, their vote here should be proportioned to the numbers from whom it comes. Reason, justice and equity never had weight enough on the face of the earth, to govern the councils of men. It is interest alone which does it, and it is interest alone which can be trusted: that therefore the interests within doors, should be the mathematical representatives of the interests without doors: that the individuality of the colonies is a mere sound. Does the individuality of a colony increase its wealth or numbers? If it does, pay equally. If it does not add weight in the scale of the confederacy, it cannot add to their rights, nor weigh in argument. A. has £50, B. £500, C. £1000 in partnership. Is it just they should equally dispose of the moneys of the partnership? It has been said, we are independent individuals making a bargain together. The question is not what we are now, but what we ought to be when our bargain shall be made. The confederacy is to make us one individual only; it is to form us like separate parcels of metal, into one common mass. We shall no longer retain our separate individuality, but become a single individual as to all questions submitted to the confederacy. Therefore, all those reasons, which prove the justice and expediency of equal representation in other assemblies, hold good here. It has been objected that a proportional vote will endanger the smaller States. We answer that an equal vote will endanger the larger. Virginia, Pennsylvania, and Massachusetts, are the three greater colonies. Consider their distance, their difference of produce, of interests, and of manners, and it is apparent they can never have an interest or inclination to combine for the oppression of the smaller: that the smaller will naturally divide on all questions with the larger. Rhode Island, from its relation, similarity and intercourse, will generally pursue the same objects with Massachusetts; Jersey, Delaware, and Maryland, with Pennsylvania.

Dr. Rush took notice, that the decay of the liberties of the Dutch republic proceeded from three causes. 1. The perfect unanimity requisite on all occasions. 2. Their obligation to consult their constituents. 3. Their voting by provinces. This last destroyed the equality of representation, and the liberties of Great Britain also are sinking from the same defect. That a part of our rights is deposited in the hands of our legislatures. There, it was admitted, there should be an equality of representation. Another part of our rights is deposited in the hands of Congress: why is it not equally necessary there should be an equal representation there? Were it possible to collect the whole body of the people together, they would determine the questions submitted to them by their majority. Why should not the same majority decide when voting here, by their representatives? The larger colonies are so providentially divided in situation, as to render every fear of their combining visionary. Their interests are different, and their circumstances dissimilar. It is more probable they will become rivals, and leave it in the power of the smaller States to give preponderance to any scale they please. The voting by the number of free inhabitants, will have one excellent effect, that of inducing the colonies to discourage slavery, and to encourage the increase of their free inhabitants.

Mr. Hopkins observed, there were four larger, four smaller, and four middle-sized colonies. That the four largest would contain more than half the inhabitants of the confederated States, and therefore, would govern the others as they should please. That history affords no instance of such a thing as equal representation. The Germanic body votes by States. The Helvetic body does the same; and so does the Belgic confederacy. That too little is known of the ancient confederations, to say what was their practice.

Mr. Wilson thought, that taxation should be in proportion to wealth, but that representation should accord with the number of freemen. That government is a collection or result of the wills of all: that if any government could speak the will of all, it would be perfect; and that, so far as it departs from this, it becomes imperfect. It has been said that Congress is a representation of States, not of individuals. I say, that the objects of its care are all the individuals of the States. It is strange that annexing the name of "State" to ten thousand men, should give them an equal right with forty thousand. This must be the effect of magic, not of reason. As to those matters which are referred to Congress, we are not so many States; we are one large State. We lay aside our individuality, whenever we come here. The Germanic body is a burlesque on government; and their practice, on any point, is a sufficient authority and proof that it is wrong. The greatest imperfection in the constitution of the Belgic confederacy is their voting by provinces. The interest of the whole is constantly sacrificed to that of the small States. The history of the war in the reign of Queen Anne sufficiently proves this. It is asked, shall nine colonies put it into the power of four to govern them as they please? I invert the question, and ask, shall two millions of people put it in the power of one million to govern them as they please? It is pretended, too, that the smaller colonies will be in danger from the greater. Speak in honest language and say, the minority will be in danger from the majority. And is there an assembly on earth, where this danger may not be equally pretended? The truth is, that our proceedings will then be consentaneous with the interests of the majority, and so they ought to be. The probability is much greater, that the larger States will disagree, than that they will combine. I defy the wit of man to invent a possible case, or to suggest any one thing on earth, which shall be for the interests of Virginia, Pennsylvania and Massachusetts, and which will not also be for the interest of the other States.

These articles, reported July 12, '76, were debated from day to day, and time to time, for two years, were ratified July 9, '78, by ten States, by New Jersey on the 26th of November of the same year, and by Delaware on the 23d of February following. Maryland alone held off two years more, acceding to them March 1, '81, and thus closing the obligation.—1, 26. FORD ED., 1, 38.

## A BILL FOR ESTABLISHING RELIGIOUS FREEDOM

SECTION I. Well aware that the opinions and belief of men depend not on their own will, but follow involuntarily the evidence proposed to their minds; that Almighty God hath created the mind free, and manifested His supreme will that free it shall remain by making it altogether insusceptible of restraint: that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his Almighty power to do, but to exalt it by its influence on reason alone: that the impious presumption of legislature and ruler, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time: That to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness; and is withdrawing from the ministry those temporary rewards, which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind, that our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; and therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to office of trust or emolument, unless he profess or renounce this or that religious opinion, is depriving him injudiciously of those privileges and advantages to which, in common with his fellow citizens, he has a natural right; that it tends also to corrupt the principles of that very religion it is meant to encourage, by bribing with a monopoly of worldly honors and emoluments, those who will externally profess and conform to it; that though indeed these are criminals who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; that the opinions of men are not the object of civil government, nor under its jurisdiction; that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all religious liberty, because, he being of course judge of that tendency, will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own; that it is time enough for the rightful purposes of civil government for its officers to interfere when principles break out into overt acts against peace and good order; and finally, that truth is great and will prevail if left to herself; that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict unless, by human interposition, disarmed of her natural weapons, free argument and debate; errors ceasing to be dangerous when it is permitted freely to contradict them:

SECT. II. We, the General Assembly of Virginia, do enact that no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, or shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

SECT. III. And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding Assemblies, constituted with powers equal to our own, and that, therefore, to declare this act to be irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present or to narrow its operations, such act will be an infringement of natural right.—viii, 454. FORD ED., ii, 237. (1786.)



## KENTUCKY RESOLUTIONS

1. *Resolved*, That the several States composing the United States of America, are not united on the principle of unlimited submission to their General Government; but that, by a compact under the style and title of a Constitution for the United States, and of Amendments thereto, they constituted a General Government for special purposes,—delegated to that government certain definite powers, reserving, each State to itself, the residuary mass of right to their own self-government; and that whensoever the General Government assumes undelegated powers, its acts are unauthorized, void, and of no force: that to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party: that the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers: but that, as in all other cases of compact among powers having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

2. *Resolved*, That the Constitution of the United States, having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies, and felonies committed on the high seas, and offences against the law of nations, and no other crimes whatsoever; and it being true as a general principle, and one of the amendments to the Constitution having also declared, that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people”, therefore the act of Congress, passed on the 14th day of July, 1798, and intitled “An Act in addition to the act intitled ‘An Act for the punishment of certain crimes against the United States’”, as also the act passed by them on the — day of June, 1789, intitled “An Act to punish frauds committed on the Bank of the United States” (and all their other acts which assume to create, define, or punish crimes, other than those so enumerated in the Constitution), are altogether void, and of no force: and that the power to create, define, and punish such other crimes is reserved, and, of right, appertains solely and exclusively to the respective States, each within its own territory.

3. *Resolved*, That it is true as a general principle, and is also expressly declared by one of the amendments to the Constitution, that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people”; and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the States, all lawful powers respecting the same did of right remain, and were reserved to the States or the people; that thus was manifested their determination to retain to themselves the right of judging how far the licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use should be tolerated, rather than the use be destroyed. And thus also they guarded against all abridgment by the United States of the freedom of religious opinions and exercises, and retained to themselves the right of protecting the same, as this State, by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference. And that in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution, which expressly declares, that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press”; thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: inasmuch, that whatever violated either, throws down the sanctuary which covers the others, and that libels, falsehoods, and defamation, equally with heresy and false religion, are withheld from the cognizance of Federal tribunals. That, therefore, the act of Congress of the United States, passed on the 14th day of July, 1798, intitled “An Act in addition to the act intitled ‘An Act for the punishment of certain crimes against the United States’” which does abridge the freedom of the press, is not law, but is altogether void, and of no force.

4. *Resolved*, That alien friends are under the jurisdiction and protection of the laws of the State wherein they are; that no power over them has been delegated to the United States, nor prohibited to the individual States, distinct from their power over citizens. And it being true as a general principle, and one of the amendments to the Constitution having also declared, that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people”, the act of the Congress of the United States, passed on the — day of July, 1798, intitled “An Act concerning aliens”, which assumes powers over alien friends, not delegated by the Constitution, is not law, but is altogether void, and of no force.

5. *Resolved*, That in addition to the general principle, as well as the express declaration, that powers not delegated are reserved, another and more special provision, inserted in the Constitution from abundant caution, has declared that “the migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808”: that this Commonwealth does admit the migration of alien friends, described as the subject of the said act concerning aliens: that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory: that to remove them when migrated, is equivalent to a prohibition of their migration, and is, therefore, contrary to the said provision of the Constitution, and void.

6. *Resolved*, That the imprisonment of a person under the laws of this Commonwealth, on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by said act intitled “An Act concerning aliens” is contrary to the Constitution, one amendment to which has provided that “no person shall be deprived of liberty without due process of law”; and that another having provided that “in all criminal prosecutions the accused shall enjoy the right to public trial by an impartial jury, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his

defence", the same act, undertaking to authorize the President to remove a person out of the United States, who is under the protection of the law, on his own suspicion, without accusation, without jury, without public trial, without confrontation of the witnesses against him, without hearing witnesses in his favor, without defence, without counsel, is contrary to the provision also of the Constitution, is therefore not law, but utterly void, and of no force: that transferring the power of judging any person, who is under the protection of the laws, from the courts to the President of the United States, as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides that "the judicial power of the United States shall be vested in courts, the judges of which shall hold their offices during good behavior"; and that the said act is void for that reason also. And it is further to be noted, that this transfer of judiciary power is to that magistrate of the General Government who already possesses all the Executive and a negative on all Legislative powers.

7. *Resolved*, That the construction applied by the General Government (as is evidenced by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress a power "to lay and collect taxes, duties, imposts and excises, to pay the debts, and provide for the common defence and general welfare of the United States", and "to make all laws which shall be necessary and proper for carrying into execution the powers vested by the Constitution in the government of the United States, or in any department or officer thereof", goes to the destruction of all limits prescribed to their power by the Constitution: that words meant by the instrument to be subsidiary only to the execution of limited powers, ought not to be so construed as themselves to give unlimited powers, nor a part to be so taken as to destroy the whole residue of that instrument: that the proceedings of the General Government under color of these articles, will be a fit and necessary subject of revision and correction, at a time of greater tranquillity, while those specified in the preceding resolution call for immediate redress.

8. *Resolved*, That a committee of conference and correspondence be appointed, who shall have in charge to communicate the preceding resolutions to the Legislatures of the several States: to assure them that this Commonwealth continues in the same esteem of their friendship and union which it has manifested from that moment at which a common danger first suggested a common union: that it considers union, for specified national purposes, and particularly to those specified in their late Federal compact, to be friendly to the peace, happiness and prosperity of all the States: that faithful to that compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation: that it does also believe, that to take from the States all the powers of self-government and transfer them to a general and consolidated government, without regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness or prosperity of these States; and that, therefore, this Commonwealth is determined, as it doubts not its co-States are, to submit to undelegated, and consequently unlimited powers in no man, or body of men on earth: that in cases of an abuse of the delegated powers, the members of the General Government, being chosen by the people, a change by the people would be the constitutional remedy; but, where powers are assumed which have not been delegated, a nullification of the act is the rightful remedy; that every State has a natural right in cases not within the compact (*casus non fœderis*), to nullify of their own authority all assumptions of power by others within their limits: that without this right, they would be under the dominion, absolute and unlimited, of whosoever might exercise this right of judgment for them: that nevertheless, this Commonwealth, from motives of regard and respect for its co-States, has wished to communicate with them on the subject: that with them alone it is proper to communicate, they alone being parties to the compact, and solely authorized to judge in the last resort of the powers exercised under it, Congress being not a party, but merely the creature of the compact, and subject as to its assumptions of power to the final judgment of those by whom, and for whose use itself and its powers were all created and modified: that if the acts before specified should stand, these conclusions would flow from them; that the General Government may place any act they think proper on the list of crimes, and punish it themselves whether enumerated or not enumerated by the Constitution as cognizable by them; that they may transfer its cognizance to the President, or any other person, who may himself be the accuser, counsel, judge, and jury, whose *suspicious* may be the evidence, his *order* the sentence, his *officer* the executioner, and his breast the sole record of the transaction: that a very numerous and valuable description of the inhabitants of these States being, by this precedent, reduced, as outlaws, to the absolute dominion of one man, and the barrier of the Constitution thus swept away from us all, no rampart now remains against the passions and the powers of a majority in Congress to protect from a like exportation, or other more grievous punishment, the minority of the same body, the legislatures, judges, governors, and councillors of the States, nor their other peaceable inhabitants, who may venture to reclaim the constitutional rights and liberties of the States and people, or who for other causes, good or bad, may be obnoxious to the views, or marked by the suspicions of the President, or be thought dangerous to his or their election, or other interests, public or personal: that the friendless alien has indeed been selected as the safest subject of a first experiment; but the citizen will soon follow, or rather, has already followed, for already has a Sedition Act marked him as its prey; that these and successive acts of the same character, unless arrested at the threshold, necessarily drive these States into revolution and blood, and will furnish new calumnies against republican government, and new pretexts for those who wish it to be believed that man cannot be governed but by a rod of iron; that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights: that confidence is everywhere the parent of despotism—free government is founded in jealousy, and not in confidence: it is jealousy and not confidence which prescribes limited constitutions, to bind down those whom we are obliged to trust with power: that our Constitution has accordingly fixed the limits to which, and no further, our confidence may go; and let the honest advocate of confidence read the Alien and Sedition Acts, and say if the Constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits. Let him say what the government is, if it be not a tyranny, which the men of our choice have conferred on our President, and the President of our choice has assented to, and accepted over the friendly strangers to whom the

mild spirit of our country and its laws have pledged hospitality and protection: that the men of our choice have more respected the bare *suspensions* of the President, than the solid right of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice. In questions of power, then, let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution. That this Commonwealth does, therefore, call on its co-States for an expression of their sentiments on the acts concerning aliens, and for the punishment of certain crimes herein before specified, plainly declaring whether these acts are or are not authorized by the Federal compact. And it doubts not that their sense will be so announced as to prove their attachment unaltered to limited government, whether general or particular. And that the rights and liberties of their co-States will be exposed to no dangers by remaining embarked in a common bottom with their own. That they will concur with this Commonwealth in considering the said acts as so palpably against the Constitution as to amount to an undisguised declaration that that compact is not meant to be the measure of the powers of the General Government, but that it will proceed in the exercise over these States, of all powers whatsoever: that they will view this as seizing the rights of the States, and consolidating them in the hands of the General Government, with a power assumed to bind the States (not merely in the cases made Federal (*casus fœderis*) but) in all cases whatsoever, by laws made, not with their consent, but by others against their consent; that this would be to surrender the form of government we have chosen, and live under one deriving its powers from its own will, and not from our authority; and that the co-States, recurring to their natural right in cases not made Federal, will concur in declaring these acts void, and of no force, and will each take measures of its own for providing that neither these acts, nor any others of the General Government not plainly and intentionally authorized by the Constitution, shall be exercised within their respective territories.

9. *Resolved*, That the said committee be authorized to communicate by writing or personal conferences, at any times or places whatever, with any person or persons who may be appointed by any one or more co-States to correspond or confer with them; and that they lay their proceeding before the next session of Assembly.—ix, 464. FORD ED., vii, 289. (1798.)



## FIRST INAUGURAL ADDRESS

March 4, 1801

*Friends and fellow-citizens:*

Called upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled, to express my grateful thanks for the favor with which they have been pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire. A rising nation, spread over a wide and fruitful land; traversing all the seas with the rich productions of their industry; engaged in commerce with nations who feel power and forget right; advancing rapidly to destinies beyond the reach of mortal eye,—when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country committed to the issue and the auspices of this day, I shrink from the contemplation, and humble myself before the magnitude of the undertaking. Utterly, indeed, should I despair, did not the presence of many whom I here see remind me that in the other high authorities provided by our Constitution I shall find resources of wisdom, of virtue, and of zeal, on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked, amid the conflicting elements of a troubled world.

During the contest of opinion through which we have passed, the animation of discussion and of exertions has sometimes worn an aspect which might impose on strangers, unused to think freely, and to speak and to write what they think; but, this being now decided by the voice of the nation, announced according to the rules of the Constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle, that, though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate which would be oppression. Let us, then, fellow-citizens, unite with one heart and one mind; let us restore to social intercourse that harmony and affection without which liberty and even life itself are but dreary things. And let us reflect that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions. During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter his long-lost liberty, it was not wonderful that the agitation of the billows should reach even this distant and peaceful shore; that this should be more felt and feared by some and less by others; that this should divide opinions as to measures of safety. But every difference of opinion is not a difference of principle. We have called by different names brethren of the same principle. We are all republicans; we are all federalists. If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand, undisturbed, as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it. I know, indeed, that some honest men fear that a republican government cannot be strong; that this Government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a Government which has so far kept us free and firm, on the theoretic and visionary fear that this Government, the world's best hope, may, by possibility, want energy to preserve itself? I trust not. I believe this, on the contrary, the strongest Government on earth. I believe it is the only one where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order as his own personal concern. Sometimes it is said that man cannot be trusted with the government of himself. Can he, then, be trusted with the government of others? Or have we found angels in the form of kings to govern him? Let history answer this question.

Let us, then, with a courage and confidence, pursue our own federal and republican principles, our attachment to our Union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendants to the hundredth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our industry, to honor and confidence from our fellow-citizens, resulting not from birth but from our actions, and their sense of them; enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here, and his greater happiness hereafter; with all these blessings, what more is necessary to make us a happy and prosperous people? Still one thing more, fellow-citizens,—a wise and frugal Government, which shall restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicity.

About to enter, fellow-citizens, on the exercise of duties which comprehend every thing dear and valuable to you, it is proper that you should understand what I deem the essential principles of our Government, and, consequently, those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations, entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad; a jealous care of the right of election by the people,—

a mild and safe corrective of abuses which are lopped by the sword of revolution, where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority,— the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia,—our best reliance in peace and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and arraignment of all abuses at the bar of public reason; freedom of religion; freedom of the press; freedom of person under the protection of the *habeas corpus*; and trial by juries impartially selected. These principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith, the text of civic instruction, the touch-stone by which to try the services of those we trust; and should we wander from them in moments of error or of alarm, let us hasten to retrace our steps, and to regain the road which alone leads to peace, liberty, and safety.

I repair, then, fellow-citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulties of this, the greatest of all, I have learned to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and the favor which bring him into it. Without pretensions to that high confidence reposed in our first and greatest revolutionary character, whose pre-eminent services had entitled him to the first place in his country's love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. I shall often go wrong, through defect of judgment. When right, I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional; and your support against the errors of others, who may condemn what they would not if seen in all its parts. The approbation implied by your suffrage is a consolation to me for the past; and my future solicitude will be to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choice it is in your power to make. And may that Infinite Power which rules the destinies of the universe, lead our councils to what is best, and give them a favorable issue for your peace and prosperity.—

viii, 1. FORD ED., viii, 1. (March 4, 1801.)

## SECOND INAUGURAL ADDRESS

March 4, 1805

Proceeding, fellow-citizens, to that qualification which the Constitution requires before my entrance on the charge again conferred upon me, it is my duty to express the deep sense I entertain of this new proof of confidence from my fellow-citizens at large, and the zeal with which it inspires me so to conduct myself as may best satisfy their just expectations.

On taking this station, on a former occasion, I declared the principles on which I believed it my duty to administer the affairs of our commonwealth. My conscience tells me that I have, on every occasion, acted up to that declaration, according to its obvious import, and to the understanding of every candid mind.

In the transaction of your foreign affairs, we have endeavored to cultivate the friendship of all nations, and especially of those with which we have the most important relations. We have done them justice on all occasions, favor where favor was lawful, and cherished mutual interests and intercourse on fair and equal terms. We are firmly convinced, and we act on that conviction, that with nations, as with individuals, our interests soundly calculated, will ever be found inseparable from our moral duties; and history bears witness to the fact, that a just nation is taken on its word, when recourse is had to armaments and wars to bridle others.

At home, fellow-citizens, you best know whether we have done well or ill. The suppression of unnecessary offices, of useless establishments and expenses, enabled us to discontinue our internal taxes. These, covering our land with officers, and opening our doors to their intrusions, had already begun that process of domiciliary vexation, which, once entered, is scarcely to be restrained from reaching, successively, every article of produce and property. If, among these taxes some minor ones fell which had not been inconvenient, it was because their amount would not have paid the officers who collected them, and because, if they had any merit, the State authorities might adopt them instead of others less approved.

The remaining revenue, on the consumption of foreign articles, is paid cheerfully by those who can afford to add foreign luxuries to domestic comforts. Being collected on our seaboard and frontiers only, and incorporated with the transactions of our mercantile citizens, it may be the pleasure and pride of an American to ask, what farmer, what mechanic, what laborer, ever sees a tax-gatherer of the United States? These contributions enable us to support the current expenses of the Government; to fulfil contracts with foreign nations; to extinguish the native right of soil within our limits; to extend those limits; and to apply such a surplus to our public debts as places at a short day their final redemption; and, that redemption once effected, the revenue thereby liberated may, by a just repartition among the States, and a corresponding amendment of the Constitution, be applied, *in time of peace*, to rivers, canals, roads, arts, manufactures, education, and other great objects, within each State. *In time of war*, if injustice by ourselves or others must sometimes produce war, increased, as the same revenue will be increased by population and consumption, and aided by other resources reserved for that crisis, it may meet, within the year all the expenses of the year, without encroaching on the rights of future generations, by burdening them with the debts of the past. War will then be but a suspension of useful works; and a return to a state of peace, a return to the progress of improvement.

I have said, fellow-citizens, that the income reserved had enabled us to extend our limits; but that extension may possibly pay for itself before we are called on, and, in the mean time, may keep down the accruing interest; in all events, it will repay the advances we have made. I know that the acquisition of Louisiana has been disapproved by some, from a candid apprehension that the enlargement of our territory would endanger its union. But who can limit the extent to which the federative principle may operate effectively? The larger our association, the less will it be shaken by local passions; and, in any view, is it not better that the opposite bank of the Mississippi should be settled by our own brethren and children, than by strangers of another family? With which shall we be most likely to live in harmony and friendly intercourse?

In matters of religion, I have considered that its free exercise is placed by the Constitution independent of the powers of the General Government. I have therefore undertaken, on no occasion, to prescribe the religious exercises suited to it, but have left them as the Constitution found them, under the direction and discipline of State and Church authorities acknowledged by the several religious societies.

The aboriginal inhabitants of these countries I have regarded with the commiseration their history inspires. Endowed with the faculties and the rights of men, breathing an ardent love of liberty and independence, and occupying a country which left them no desire but to be undisturbed, the stream of overflowing population from other regions directed itself on these shores. Without power to divert, or habits to contend against, they have been overwhelmed by the current, or driven before it. Now reduced within limits too narrow for the hunter state, humanity enjoins us to teach them agriculture and the domestic arts, to encourage them to that industry which alone can enable them to maintain their place in existence, and to prepare them, in time, for that state of society which to bodily comforts adds the improvement of the mind and morals. We have, therefore, liberally furnished them with the implements of husbandry and household use; we have placed among them instructors in the arts of first necessity; and they are covered with the ægis of the law against aggressors from among ourselves.

But the endeavors to enlighten them on the fate which awaits their present course of life, to induce them to exercise their reason, follow its dictates, and change their pursuits with the change of circumstances, have powerful obstacles to encounter. They are combated by the habits of their bodies, prejudice of their minds, ignorance, pride, and the influence of interested and crafty individuals among them, who feel themselves something in the present order of things, and fear to become nothing in any other. These persons inculcate a sanctionious reverence for the customs of their ancestors; that whatsoever they did must be done



through all time; that reason is a false guide, and to advance under its counsel in their physical, moral, or political conditions, is perilous innovation; that their duty is to remain as their Creator made them—ignorance being safety, and knowledge full of danger. In short, my friends, among them is seen the action and counteraction of good sense and bigotry. They, too, have their anti-philosophers, who find an interest in keeping things in their present state, who dread reformation, and exert all their faculties to maintain the ascendancy of habit over the duty of improving our reason and obeying its mandates.

In giving these outlines, I do not mean, fellow-citizens, to arrogate to myself the merit of the measures; that is due, in the first place, to the reflecting character of our citizens at large, who, by the weight of public opinion, influence and strengthen the public measures. It is due to the sound discretion with which they select from among themselves those to whom they confide the legislative duties. It is due to the zeal and wisdom of the characters thus selected, who lay the foundations of public happiness in wholesome laws, the execution of which alone remains for others. And it is due to the able and faithful auxiliaries whose patriotism has associated with me in the executive functions.

During this course of administration, and in order to disturb it, the artillery of the press has been levelled against us, charged with whatsoever its licentiousness could devise or dare. These abuses of an institution so important to freedom and science are deeply to be regretted, inasmuch as they tend to lessen its usefulness and to sap its safety. They might, indeed, have been corrected by the wholesome punishments reserved and provided by the laws of the several States against falsehood and defamation; but public duties more urgent press on the time of public servants, and the offenders have therefore been left to find their punishment in the public indignation.

Nor was it uninteresting to the world, that an experiment should be fairly and fully made, whether freedom of discussion, unaided by power, is not sufficient for the propagation and protection of truth? Whether a government, conducting itself in the true spirit of its constitution, with zeal and purity, and doing no act which it would be unwilling the whole world should witness, can be written down by falsehood and defamation? The experiment has been tried. You have witnessed the scene. Our fellow-citizens have looked on cool and collected. They saw the latent source from which these outrages proceeded. They gathered around their public functionaries; and, when the Constitution called them to the decision by suffrage, they pronounced their verdict, honorable to those who had served them, and consolatory to the friend of man, who believes he may be intrusted with his own affairs.

No inference is here intended that the laws provided by the State against false and defamatory publications should not be enforced. He who has time, renders a service to public morals and public tranquillity in reforming these abuses by the salutary coercions of the law. But the experiment is noted to prove that, since truth and reason have maintained their ground against false opinions, in league with false facts, the press, confined to truth, needs no other legal restraint. The public judgment will correct false reasonings and opinions, on a full hearing of all parties; and no other definite line can be drawn between the inestimable liberty of the press and its demoralizing licentiousness. If there be still improprieties which this rule would not restrain, its supplement must be sought in the censorship of public opinion.

Contemplating the union of sentiment now manifested so generally, as auguring harmony and happiness to our future course, I offer to our country sincere congratulations. With those, too, not yet rallied to the same point, the disposition to do so is gaining strength. Facts are piercing through the veil drawn over them; and our doubting brethren will at length see that the mass of their fellow-citizens, with whom they cannot yet resolve to act, as to principles and measures, think as they think, and desire what they desire; that our wish, as well as theirs, is, that the public efforts may be directed honestly to the public good, that peace be cultivated, civil and religious liberty unassailed, law and order preserved, equality of rights maintained, and that state of property, equal or unequal, which results to every man from his own industry, or that of his father's. When satisfied of these views, it is not in human nature that they should not approve and support them. In the meantime, let us cherish them with patient affection; let us do them justice, and more than justice, in all competitions of interest,—and we need not doubt that truth, reason, and their own interests, will at length prevail—will gather them into the fold of their country, and will complete their entire union of opinion which gives to a nation the blessing of harmony, and the benefit of all its strength.

I shall now enter on the duties to which my fellow-citizens have again called me, and shall proceed in the spirit of those principles which they have approved. I fear not that any motives of interest may lead me astray. I am sensible of no passion which could seduce me, knowingly, from the path of justice; but the weaknesses of human nature, and the limits of my own understanding, will produce errors of judgment sometimes injurious to your interests. I shall need, therefore, all the indulgence I have heretofore experienced, the want of it will certainly not lessen with increasing years. I shall need, too, the favor of that Being in whose hands we are: who led our forefathers, as Israel of old, from their native land, and planted them in a country flowing with all the necessities and comforts of life; who has covered our infancy with His providence, and our riper years with His wisdom and power; and to whose goodness I ask you to join with me in supplications, that He will so enlighten the minds of your servants, guide their councils, and prosper their measures, that whatsoever they do shall result in your good, and shall secure to you the peace, friendship, and approbation of all nations.—viii, 40. FORD ED., viii, 341. (March 4, 1805.)

## ADDRESS OF THE GENERAL ASSEMBLY OF VIRGINIA

The "Valedictory Address of the General Assembly of Virginia", which was agreed to on the 7th of February, 1809, gives a good idea of the high estimation in which Jefferson was held by his party, and the great majority of his countrymen, when he retired from the Presidency. It is as follows:—

"Sir.—The General Assembly of your native State cannot close their session, without acknowledging your services in the office which you are just about to lay down, and bidding you a respectful and affectionate farewell.

"We have to thank you for the model of an administration conducted on the purest principles of republicanism; for pomp and state laid aside; patronage discarded; internal taxes abolished; a host of superfluous officers disbanded; the monarchic maxim that 'a national debt is a national blessing', renounced, and more than thirty-three millions of our debt discharged; the native right to nearly one hundred millions of acres of our national domain extinguished; and, without the guilt or calamities of conquest, a vast and fertile region added to our country, far more extensive than her original possessions, bringing along with it the Mississippi and the port of Orleans, the trade of the West to the Pacific ocean, and in the intrinsic value of the land itself, a source of permanent and almost inexhaustible revenue. These are points in your administration which the historian will not fail to seize, to expand, and teach posterity to dwell upon with delight. Nor will he forget our peace with the civilized world, preserved through a season of uncommon difficulty and trial; the good will cultivated with the unfortunate aborigines of our country, and the civilization humanely extended among them; the lesson taught the inhabitants of the coast of Barbary, that we have the means of chastising their piratical encroachments, and awing them into justice; and that theme, on which, above all others, the historic genius will hang with rapture, the liberty of speech and of the press, preserved inviolate, without which genius and science are given to man in vain.

"In the principles on which you have administered the government, we see only the continuation and maturity of the same virtues and abilities, which drew upon you in your youth the resentment of Dunmore. From the first brilliant and happy moment of your resistance to foreign tyranny, until the present day, we mark with pleasure and with gratitude the same uniform, consistent character, the same warm and devoted attachment to liberty and the Republic, the same Roman love of your country, her rights, her peace, her honor, her prosperity.

"How blessed will be the retirement into which you are about to go! How deservedly blessed will it be! For you carry with you the richest of all rewards, the recollection of a life well spent in the service of your country, and proofs the most decisive, of the love, the gratitude, the veneration of your countrymen.

"That your retirement may be as happy as your life has been virtuous and useful; that our youth may see, in the blissful close of your days, an additional inducement to form themselves on your model, is the devout and earnest prayer of your fellow-citizens who compose the General Assembly of Virginia."—RAYNER'S *Life of Jefferson*, p. 494.

## ADDRESS TO THE INHABITANTS OF ALBEMARLE CO., IN VIRGINIA

Returning to the scenes of my birth and early life, to the society of those with whom I was raised, and who have been ever dear to me, I receive, fellow-citizens and neighbors, with inexpressible pleasure, the cordial welcome you were so good as to give me. Long absent on duties which the history of a wonderful era made incumbent on those called to them, the pomp, the turmoil, the bustle and splendor of office; have drawn but deeper sighs for the tranquil and irresponsible occupations of private life, for the enjoyment of an affectionate intercourse with you, my neighbors and friends, and the endearments of family love, which nature has given us all, as the sweetener of every hour. For these I gladly lay down the distressing burthen of power, and seek, with my fellow-citizens, repose and safety under the watchful cares, the labors and perplexities of younger and abler minds. The anxieties you express to administer to my happiness, do, of themselves, confer that happiness; and the measure will be complete, if any endeavors to fulfil my duties in the several public stations to which I have been called, have obtained for me the approbation of my country. The part which I have acted on the theatre of public life, has been before them; and to their sentence I submit it; but the testimony of my native county, of the individuals who have known me in private life, to my conduct in its various duties and relations, is the more grateful, as proceeding from eye-witnesses and observers, from triers of the vicinage. Of you, then, my neighbors, I may ask, in the face of the world, "whose ox have I taken, or whom have I defrauded? Whom have I oppressed, or of whose hand have I received a bribe to blind mine eyes therewith"? On your verdict I rest with conscious security. Your wishes for my happiness are received with just sensibility, and I offer sincere prayers for your own welfare and prosperity.—TO THE INHABITANTS OF ALBEMARLE COUNTY, VA. v, 439. FORD ED., ix, 250. (M., April 3, 1809.)



## DECLARATION AND PROTEST OF THE COMMONWEALTH OF VIRGINIA\*

We, the General Assembly of Virginia, on behalf, and in the name of the people thereof, do declare as follows:

The States of North America which confederated to establish their independence of the government of Great Britain, of which Virginia was one, became, on that acquisition free and independent States, and as such, authorized to constitute governments, each for itself, in such form as it thought best.

They entered into a compact (which is called the Constitution of the United States of America), by which they agreed to unite in a single government as to their relations with each other, and with foreign nations, and as to certain other articles particularly specified. They retained at the same time, each to itself, the other rights of independent government, comprehending mainly their domestic interests.

For the administration of their Federal branch, they agreed to appoint, in conjunction, a distinct set of functionaries, legislative, executive and judiciary, in the manner settled in that compact; while to each, severally, and of course remained its original right of appointing, each for itself, a separate set of functionaries, legislative, executive and judiciary, also, for administering the domestic branch of their respective governments.

These two sets of officers, each independent of the other, constitute thus a *whole* of government, for each State separately; the powers ascribed to the one, as specifically made federal, exercised over the whole, the residuary powers, retained to the other, exercisable exclusively over its particular State, foreign herein, each to the others, as they were before the original compact.

To this construction of government and distribution of its powers, the Commonwealth of Virginia does religiously and affectionately adhere, opposing, with equal fidelity and firmness, the usurpation of either set of functionaries of the rightful powers of the other.

But the Federal branch has assumed in some cases, and claimed in others, a right of enlarging its own powers by constructions, inferences, and indefinite deductions from those directly given, which this Assembly does declare to be usurpations of the powers retained to the independent branches, mere interpolations into the compact, and direct infractions of it.

They claim, for example, and have commenced the exercise of a right to construct roads, open canals, and effect other internal improvements within the territories and jurisdictions exclusively belonging to the several States, which this Assembly does declare has not been given to that branch by the constitutional compact, but remains to each State among its domestic and unalienated powers, exercisable within itself and by its domestic authorities alone.

This Assembly does further disavow and declare to be most false and unfounded, the doctrine that the compact, in authorizing its Federal branch to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States, has given them thereby a power to do whatever *they* may think, or pretend, would promote the general welfare, which construction would make that, of itself, a complete government, without limitation of powers; but that the plain sense and obvious meaning were, that they might levy the taxes necessary to provide for the general welfare, by the various acts of power therein specified and delegated to them, and by no others.

Nor is it admitted, as has been said, that the people of these States, by not investing their Federal branch with all the means of bettering their condition, have denied to themselves any which may effect that purpose; since, in the distribution of these means they have given to that branch those which belong to its department, and to the States have reserved separately the residue which belong to them separately. And thus by the organization of the two branches taken together, have completely secured the first object of human association, the full improvement of their condition, and reserved to themselves all the faculties of multiplying their own blessings.

Whilst the General Assembly thus declares the rights retained by the States, rights which they have never yielded, and which this State will never voluntarily yield, they do not mean to raise the banner of dissatisfaction, or of separation from their sister States, co-parties with themselves to this compact. They know and value too highly the blessings of their Union as to foreign nations and questions arising among themselves, to consider every infraction as to be met by actual resistance. They respect too affectionately the opinions of those possessing the same rights under the same instrument, to make every difference of construction a ground of immediate rupture. They would, indeed, consider such a rupture as among the greatest calamities which could befall them; but not the greatest. There is yet one greater, submission to a government of unlimited powers. It is only when the hope of avoiding this shall have become absolutely desperate, that further forbearance could not be indulged. Should a majority of the co-parties, therefore, contrary to the expectation and hope of this Assembly, prefer, at this time, acquiescence in these assumptions of power by the Federal member of the government, we will be patient and suffer much, under the confidence that time, ere it be too late, will prove to them also the bitter consequences in which that usurpation will involve us all. In the meanwhile, we will breast with them, rather than separate from them, every misfortune, save that only of living under a government of unlimited powers. We owe every other sacrifice to ourselves, to our federal brethren, and to the world at large, to pursue with temper and with perseverance the great experiment which shall prove that man is capable of living in society, governing itself by laws self-imposed, and securing to its members the enjoyment of life, liberty, property, and peace; and further to show, that even when the govern-

\* This paper was entitled by Jefferson, "The Solemn Declaration and Protest of the Commonwealth of Virginia, on the Principles of the Constitution of the United States of America, and on the violations of them". Jefferson sent it to Madison in December, 1825, with an explanatory letter (vii. 422. *FORD ED.*, x. 348) in which he said: "It may intimidate the wavering. It may break the western coalition, by offering the same thing in a different form. It will be viewed with favor in contrast with the Georgia opposition, and fear of strengthening that. It will be an example of a temperate mode of opposition in future and similar cases."—EDITOR.

ment of its choice shall manifest a tendency to degeneracy, we are not at once to despair but that the will and the watchfulness of its sounder parts will reform its aberrations, recall it to original and legitimate principles, and restrain it within the rightful limits of self-government. And these are the objects of this Declaration and Protest.

Supposing, then, that it might be for the good of the whole, as some of its co-States seem to think, that the power of making roads and canals should be added to those directly given to the Federal branch, as more likely to be systematically and beneficially directed, than by the independent action of the several States, this Commonwealth, from respect to these opinions, and a desire of conciliation with its co-States, will consent, in concurrence with them, to make this addition, provided it be done regularly by an amendment of the compact, in the way established by that instrument, and provided also, it be sufficiently guarded against abuses, compromises, and corrupt practices, not only of possible, but of probable occurrence.

And as a further pledge of the sincere and cordial attachment of this Commonwealth to the Union of the whole, so far as has been consented to by the compact called "The Constitution of the United States of America" (constructed according to the plain and ordinary meaning of its language, to the common intentment of the time, and of those who framed it); to give also to all parties and authorities, time for reflection and consideration, whether, under a temperate view of the possible consequences, and especially of the constant obstructions which an equivocal majority must ever expect to meet, they will still prefer the assumption of this power rather than its acceptance from the free will of their constituents; and to preserve peace in the meanwhile, we proceed to make it the duty of our citizens, until the Legislature shall otherwise and ultimately decide, to acquiesce under those acts of the Federal branch of our government which we have declared to be usurpations, and against which, in point of right, we do protest as null and void, and never to be quoted as precedents of right.

We, therefore, do enact, and Be It Enacted by the General Assembly of Virginia, That all citizens of this Commonwealth, and persons and authorities within the same, shall pay full obedience at all times to the acts which may be passed by the Congress of the United States, the object of which shall be the construction of post roads, making canals of navigation, and maintaining the same in any part of the United States, in like manner as if said acts were *totidem verbis*, passed by the Legislature of this Commonwealth.—ix, 496. FORD ED., x, 349. (Dec. 24, 1825.)

## ESTRANGEMENT AND RECONCILIATION OF JEFFERSON AND ADAMS

[To Mrs. John Adams.]

Dear Madam,—The affectionate sentiments which you have had the goodness to express in your letter of May 20, towards my dear departed daughter, have awakened in me sensibilities natural to the occasion, and recalled your kindness to her, which I shall ever remember with gratitude and friendship. I can assure you with truth, they had made an indelible impression on her mind, and that to the last, on our meetings after long separations, whether I had heard lately of you, and how you did, were among the earliest of her enquiries. In giving you this assurance I perform a sacred duty for her, and, at the same time, am thankful for the occasion furnished me, of expressing my regret that circumstances should have arisen, which have seemed to draw a line of separation between us. The friendship with which you honored me has ever been valued, and fully reciprocated; and although events have been passing which might be trying to some minds, I never believed yours to be of that kind, nor felt that my own was. Neither my estimate of your character, nor the esteem founded in that, has ever been lessened for a single moment, although doubts whether it would be acceptable may have forbidden manifestations of it.

Mr. Adams's friendship and mine began at an earlier date. It accompanied us through long and important scenes. The different conclusions we had drawn from our political reading and reflections, were not permitted to lessen personal esteem; each party being conscious they were the result of an honest conviction in the other. Like differences of opinion existing among our fellow citizens, attached them to one or the other of us, and produced a rivalry in their minds which did not exist in ours. We never stood in one another's way; for if either had been withdrawn at any time, his favorers would not have gone over to the other, but would have sought for some one of homogeneous opinions. This consideration was sufficient to keep down all jealousy between us, and to guard our friendship from any disturbance by sentiments of rivalry; and I can say with truth, that one act of Mr. Adams's life, and one only, ever gave me a moment's personal displeasure. I did consider his last appointments to office as personally unkind. They were from among my most ardent political enemies, from whom no faithful cooperation could ever be expected; and laid me under the embarrassment of acting through men whose views were to defeat mine, or to encounter the odium of putting others in their places. It seemed but common justice to leave a successor free to act by instruments of his own choice. If my respect for him did not permit me to ascribe the whole blame to the influence of others, it left something for friendship to forgive, and after brooding over it for some little time, and not always resisting the expressing of it, I forgave it cordially, and returned to the same state of esteem and respect for him which had so long subsisted. Having come into life a little later than Mr. Adams, his career has preceded mine, as mine is followed by some other; and it will probably be closed at the same distance after him which time originally placed between us. I maintain for him, and shall carry into private life, an uniform and high measure of respect and good will, and for yourself a sincere attachment. \* \* \*—To MRS. JOHN ADAMS. iv, 545. FORD ED., viii, 306. (W., June 1804.)

[To Mrs. John Adams.]

Dear Madam,—Your favor of the 1st inst. was duly received, and I would not have again intruded on you, but to rectify certain facts which seem not to have been presented to you under their true aspects.\* My charities to Callender are considered as rewards for his calumnies. As early, I think, as 1796, I was told in Philadelphia that Callender, the author of the "Political Progress of Britain", was in that city, a fugitive from persecution for having written that book, and in distress. I had read and approved the book; I considered him as a man of genius, unjustly persecuted. I knew nothing of his private character, and immediately expressed my readiness to contribute to his relief, and to serve him. It was a considerable time after, that, on application from a person who thought of him as I did, I contributed to his relief, and afterwards repeated the contribution. Himself I did not see till long after, nor ever more than two or three times. When he first began to write, he told some useful truths in his coarse way; but nobody sooner disapproved of his writing than I did, or wished more that he would be silent. My charities to him were no more meant as encouragements to his scurrilities, than those I give to the beggar at my door are meant as rewards for the vices of his life, and to make them chargeable to myself. In truth, they would have been greater to him, had he never written a word after the work for which he fled from Britain. \* \* \*

But another fact is, that "I liberated a wretch who was suffering for a libel against Mr. Adams". I do not know who was the particular wretch alluded to; but I discharged every person under punishment or prosecution under the Sedition law, because I considered, and now consider, that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall down and worship a golden image; and that it was as much my duty to arrest its execution in every stage, as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship the image. It was accordingly done in every instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended Sedition law. It was certainly possible that my motives for contributing to the relief of Callender, and liberating sufferers under the Sedition law, might have been to protect, encourage, and reward slander; but they may also have been those which inspire ordinary charities to objects of distress, meritorious or not, or the obligation of an oath to protect the Constitution, violated by an unauthorized act of Congress. Which of these were my motives, must be decided by a

\* Mrs. Adams, in replying to the preceding letter, put forward Jefferson's patronage of Editor Callender as an offset to the midnight appointments. See CALLENDER.—EDITOR.

† Quotation 59 gives the part of the letter omitted at this point.—EDITOR.



regard to the general tenor of my life. On this I am not afraid to appeal to the nation at large, to posterity, and still less to that Being who sees Himself our motives, who will judge us from His own knowledge of them, and not on the testimony of "*Porcupine*" or Fenno:

You observe, there has been one other act of my administration personally unkind, and suppose it will readily suggest itself to me. I declare on my honor, Madam, I have not the least conception what act is alluded to. I never did a single one with an unkind intention.  
\* \* \*—To MRS. JOHN ADAMS. iv, 555. FORD ED., viii, 308. (July 1804.)

[To Mrs. John Adams.]

Your letter, Madam, of the 18th of August, has been some days received, but a press of business has prevented the acknowledgment of it; perhaps, indeed, I may have already trespassed too far on your attention. With those who wish to think amiss of me, I have learned to be perfectly indifferent; but where I know a mind to be ingenuous, and to need only truth to set it to rights, I cannot be as passive. The act of personal unkindness alluded to in your former letter, is said in your last to have been the removal of your eldest son from some office to which the judges had appointed him. I conclude, then, he must have been a commissioner of bankruptcy. But I declare to you, on my honor, that this is the first knowledge I have ever had that he was so. It may be thought, perhaps, that I ought to have enquired who were such, before I appointed others. But it is to be observed, that the former law permitted the judges to name commissioners occasionally only, for every case as it arose, and not to make them permanent officers. Nobody, therefore, being in office, there could be no removal. The judges, you well know, have been considered as highly federal; and it was noted that they confined their nominations exclusively to federalists. The Legislature, dissatisfied with this, transferred the nomination to the President, and made the offices permanent. The very object in passing the law was, that he should correct, not confirm, what was deemed the partiality of the judges. I thought it, therefore, proper to inquire, not whom they had employed, but whom I ought to appoint to fulfil the intentions of the law. In making these appointments, I put in a proportion of federalists, equal, I believe, to the proportion they bear in numbers through the Union generally. Had I known that your son had acted, it would have been a real pleasure to me to have preferred him to some who were named in Boston, in what was deemed the same line of politics. To this I should have been led by my knowledge of his integrity, as well as my sincere dispositions towards yourself and Mr. Adams\*. \* \* \* The candor manifested in your letter, and which I ever believed you to possess, has alone inspired the desire of calling your attention, once more, to those circumstances of fact and motive by which I claim to be judged. I hope you will see these intrusions on your time to be, what they really are, proofs of my great respect for you. I tolerate with the utmost latitude the right of others to differ from me in opinion without imputing to them criminality. I know too well the weakness and uncertainty of human reason to wonder at its different results. Both of our political parties, at least the honest part of them, agree conscientiously in the same object—the public good; but they differ essentially in what they deem the means of promoting that good. One side believes it best done by one composition of the governing powers; the other, by a different one. One fears most the ignorance of the people; the other, the selfishness of rulers independent of them. Which is right, time and experience will prove. We think that one side of this experiment has been long enough tried, and proved not to promote the good of the many; and that the other has not been fairly and sufficiently tried. Our opponents think the reverse. With whichever opinion the body of the nation concurs, that must prevail. My anxieties on this subject will never carry me beyond the use of fair and honorable means, of truth and reason; nor have they ever lessened my esteem for moral worth, nor alienated my affections from a single friend, who did not first withdraw himself. Whenever this has happened, I confess I have not been insensible to it; yet have ever kept myself open to a return of their justice. I conclude with sincere prayers for your health and happiness, that yourself and Mr. Adams may long enjoy the tranquillity you desire and merit, and see in the prosperity of your family what is the consummation of the last and warmest of human wishes.—To MRS. JOHN ADAMS. iv, 560. FORD ED., viii, 310. (M., Sep. 11, 1804.)

[To Dr. Benjamin Rush.]

I receive with sensibility your observations on the discontinuance of friendly correspondence between Mr. Adams and myself, and the concern you take in its restoration. This discontinuance has not proceeded from me, nor from the want of sincere desire and of effort on my part, to renew our intercourse. You know the perfect coincidence of principle and of action, in the early part of the Revolution, which produced a high degree of mutual respect and esteem between Mr. Adams and myself. Certainly no man was ever truer than he was, in that day, to those principles of rational republicanism which, after the necessity of throwing off our monarchy, dictated all our efforts in the establishment of a new government. And although he swerved, afterwards, towards the principles of the English constitution, our friendship did not abate on that account†. \* \* \*

You remember the machinery which the federalists played off, about that time, to beat down the friends to the real principles of our Constitution, to silence by terror every expression in their favor, to bring us into war with France and alliance with England, and finally to homologize our Constitution with that of England. Mr. Adams, you know, was overwhelmed with feverish addresses, dictated by the fear, and often by the pen, of the bloody buoy, and was seduced by them into some open indications of his new principles of

\* The part of the letter omitted here is printed in this volume under the title, SEDITION LAW. EXECUTIVE VS. JUDICIARY.—EDITOR.

† For omitted clause, see quotation 89.—EDITOR.

government, and in fact, was so elated as to mix with his kindness a little superciliousness towards me. Even Mrs. Adams, with all her good sense and prudence, was sensibly flushed. And you recollect the short suspension of our intercourse, and the circumstance which gave rise to it which you were so good as to bring to an early explanation, and have set to rights, to the cordial satisfaction of us all\*. \* \* \*

Two or three years after, having had the misfortune to lose a daughter, between whom and Mrs. Adams there had been a considerable attachment, she made it the occasion of writing me a letter, in which, with the tenderest expression of concern at this event, she carefully avoided a single one of friendship towards myself, and even concluded it with the wishes "of her who *once* took pleasure in subscribing herself your friend, Abigail Adams". Unpromising as was the complexion of this letter, I determined to make an effort towards removing the cloud from between us. This brought on a correspondence which I now enclose for your perusal, after which be so good as to return it to me, as I have never communicated it to any mortal breathing, before. I send it to you, to convince you I have not been wanting either in the desire, or the endeavor to remove this misunderstanding. Indeed, I thought it highly disgraceful to us both, as indicating minds not sufficiently elevated to prevent a public competition from affecting our personal friendship. I soon found from the correspondence that conciliation was desperate, and yielding to an intimation in her last letter, I ceased from further explanation†. \* \* \*

I have gone into these details, that you might know everything which had passed between us, might be fully possessed of the state of facts and dispositions, and judge for yourself whether they admit a revival of that friendly intercourse for which you are so kindly solicitous. I shall certainly not be wanting in anything on my part which may second your efforts, which will be the easier with me, inasmuch as I do not entertain a sentiment of Mr. Adams, the expression of which could give him reasonable offence.—To DR. BENJAMIN RUSH. v, 558. FORD ED., ix, 299. (M., Jan. 1811.)

[To Dr. Benjamin Rush.]

I communicated to you the correspondence which had parted Mrs. Adams and myself, in proof that I could not give friendship in exchange for such sentiments as she had recently taken up towards myself, and avowed and maintained in her letters to me. Nothing but a total renunciation of these could admit a reconciliation, and that could be cordial only in proportion as the return to ancient opinions was believed sincere. In these jaundiced sentiments of hers I had associated Mr. Adams, knowing the weight which her opinions had with him, and notwithstanding she declared in her letters that they were not communicated to him. A late incident has satisfied me that I wronged him as well as her, in not yielding entire confidence to this assurance on her part. Two of the Mr. —, my neighbors and friends, took a tour to the northward during the last summer. In Boston they fell into company with Mr. Adams, and \* \* \* passed a day with him at Braintree. He spoke out to them everything which came uppermost, \* \* \* and seemed most disposed to dwell on those things which happened during his own administration. He spoke of his *masters*, as he called his Heads of departments, as acting above his control, and often against his opinions. Among many other topics, he adverted to the unprincipled licentiousness of the press against myself, adding, "I always loved Jefferson, and still love him".

This is enough for me. I only needed this knowledge to revive towards him all the affections of the most cordial moments of our lives. Changing a single word only in Dr. Franklin's character of him, I knew him to be always an honest man, often a great one, but sometimes incorrect and precipitate in his judgments; and it is known to those who have ever heard me speak of Mr. Adams, that I have ever done him justice myself, and defended him when, assailed by others, with the single exception as to political opinions. But with a man possessing so many other estimable qualities, why should we be dissocialized by mere differences of opinion in politics, in religion, in philosophy, or anything else? His opinions are as honestly formed as my own. Our different views of the same subject are the result of a difference in our organization and experience. I never withdrew from the society of any man on this account, although many have done it from me; much less should I do it from one with whom I had gone through, with hand and heart, so many trying scenes. I wish, therefore, but for an apposite occasion to express to Mr. Adams my unchanged affections for him. There is an awkwardness which hangs over the resuming a correspondence so long discontinued, unless something could arise which should call for a letter. Time and chance may perhaps generate such an occasion, of which I shall not be wanting in promptitude to avail myself. From this fusion of mutual affections, Mrs. Adams is, of course, separated. It will only be necessary that I never name her. In your letters to Mr. Adams, you can, perhaps suggest my continued cordiality towards him, and knowing this, should an occasion of writing first present itself to him, he will, perhaps, avail himself of it, as I certainly will, should it first occur to me. No ground for jealousy now existing, he will certainly give fair play to the natural warmth of his heart.—To DR. BENJAMIN RUSH. vi, 30. FORD ED., ix, 299. (P.F., Dec. 1811.)

\* Quotations 77, 78, 83 and 88 give the continuation of the text.—EDITOR.

† Quotations 72 and 60, read consecutively, supply the omission in the text.—EDITOR.

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