

LIVES

OF

THE SIGNERS

TO THE

DECLARATION OF INDEPENDENCE.

BY THE

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THE

VIRGINIA DELEGATION.

GEORGE WYTHE,
RICHARD HENRY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, JUN.
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

GEORGE WYTHE.

GEORGE WYTHE was a native of the county of Elizabeth city, Virginia, where he was born in the year 1726. His father was a respectable farmer, in easy circumstances, and bestowed upon his son a competent patrimony. At a proper age he was placed at school; but the knowledge which he here obtained was extremely limited and superficial, being confined to the English language, and the elementary rules of arithmetic. Fortunately for young Wythe, his mother was a woman of extensive knowledge for those times, and undertook to supply the defect of his scholastic education. By her assistance, the powers of his mind, which were originally strong and active, rapidly unfolded. He became accurately versed in the Latin and Greek languages, and made honourable attainments in several of the solid sciences, and in polite literature.

Before he became of age, he had the misfortune to lose his excellent mother, whose death was, not long after, followed by that of his father. Being deprived, at this unguarded period of life, of the counsel and example of these natural guardians, he became devoted, for several years, to amusement and dissipation, to which he was strongly enticed by the fortune that had been left him. During this period, his literary pursuits were almost entirely neglected; and there was the greatest reason to fear he would not escape that vortex into which so many young men remedilessly sink. At the age of thirty, the principles which had been instilled into his mind by his virtuous parents, asserted their proper influence over him. He abandoned his youthful follies, applied himself with indefatigable industry to study, and from this date, during a life which was protracted to the uncommon age of eighty years, he maintained a rigid and inflexible integrity of character.

Devoting himself to the profession of law, he pursued his preparatory studies under the direction of Mr. John Lewis. The courts in Virginia, where he was called to practice, were filled by gentlemen of distinguished ability in their profession. With these he soon held an equal rank, and eventually, by his superior learning, greater industry, and more powerful eloquence, occupied the chief place at the bar.

The estimation in which he was held by his fellow-citizens, was early manifested in an appointment from his native county to a seat in the house of burgesses. This station he held for several years, even to the dawn of the revolution. In this assembly were found, from time to time, men of distinguished genius and of great attainments. Among these, George Wythe was conspicuous. In 1764, he assisted in preparing a petition to the king, a memorial to the house of lords, and a remonstrance to the house of commons, on the subject of the stamp act, which was then occupying the deliberations of parliament. The remonstrance to the house of commons was the production of his pen. The tone and language of this paper were both in spirit and style of too independent a character for the times, especially in the estimation of the

more timid in the house of burgesses, who required, before it received their sanction, that its asperities should be softened.

We have had frequent occasion, in the course of these biographical sketches, to allude to the friendly feelings of the Americans, at this time, to the parent country. Few, if any, were to be found whose views or wishes extended to a separation from Great Britain. Hence, the language which was used by the colonies, in setting forth their rights, was generally supplicatory in its style. Their remonstrances were mild and conciliatory. These, however, it was at length found, were in vain, and a loftier tone was adopted.

The passage of the celebrated stamp act, in January, 1765, diffused a spirit of discontent and opposition throughout all the American colonies, and was the signal for the commencement of those stronger measures which led on to the great revolutionary struggle.

In measures of this kind, it is well known that Virginia took the lead. About this time, Patrick Henry, a young man, became a member of the house of burgesses. Although a young man, he was possessed of a most powerful eloquence, and of an intrepidity of character which eminently fitted him to take the lead in the work of opposition.

Towards the close of the session, in May, 1765, Mr. Henry presented to the house the following resolutions :

“Resolved, That the first adventurers and settlers of this, his majesty’s colony and dominion, brought with them, and transmitted to their posterity, and all other his majesty’s subjects, since inhabiting in this, his majesty’s said colony, all the privileges, franchises, and immunities, that have at any time been held, enjoyed, and possessed by the people of Great Britain.

“That by two royal charters granted by King James the First, the colonists aforesaid are declared entitled to all the privileges and immunities of denizens and natural born subjects, to all intents and purposes, as if they had been abiding and born within the realm of England.

“That the taxation of the people by themselves, or by per-

sons chosen by themselves to represent them, who can only know what taxes the people are able to bear, and the easiest mode of raising them, is the distinguishing characteristic of British freedom, and without which the ancient constitution cannot subsist.

“That his majesty’s liege people of this most ancient colony have, uninterruptedly, enjoyed the right of being thus governed by their own assembly in the article of their taxes and internal police; and that the same hath never been forfeited, or any other way given up, but hath been constantly recognized by the king and people of Great Britain.

“Resolved, therefore, that the general assembly of this colony have the sole right and power to lay taxes and impositions upon the inhabitants of this colony: and that any attempt to vest such power in any person or persons whatsoever, other than the general assembly aforesaid, has a manifest tendency to destroy British as well as American freedom.”

The language of these resolutions, so much stronger than the house had been accustomed to hear, at once caused no inconsiderable alarm among many of its members. A powerful opposition arose to their passage, and in this opposition were to be found some of the warmest friends of American independence. Among these was Mr. Wythe; not that he, and many others, did not admit the justice of the sentiments contained in the resolutions; but they remonstrated on the ground of their tending to involve the colony, at a time when it was unprepared, in open hostility with Great Britain. The eloquence of Henry, however, silenced, if it did not convince the opposition, and produced the adoption of the resolutions without any material alteration. As the fifth resolution was carried by a majority of only a single vote, the house, on the following day, in the absence of Henry, rescinded that resolution, and directed it to be erased from the journals.

The above resolutions spread rapidly through the American colonies, and in every quarter of the country found men, who were ready to justify both their spirit and language. They served to rouse the energies of the American people,

and were among the measures which powerfully urged on the revolutionary contest. The bold and decided measure thus adopted in the colony of Virginia, loudly called upon the patriots of other states to follow her in measures of a similar character. This they were not backward in doing. After the temporary revival of the affection of the colonies, consequent upon the repeal of the stamp act, had ceased, their opposition became a principle, and in its operation was strong and lasting. In the history of the opposition of America to Great Britain, the colony of Virginia did themselves immortal honour. In this honour, as an individual, Mr. Wythe largely participates. For many years, during the approach of the great conflict, he held a seat in the house of burgesses; and by his learning, his boldness, his patriotic firmness, powerfully contributed to the ultimate liberty and independence of his country.

In 1775, he was appointed a delegate from his native state to the continental congress in Philadelphia; and in the following year, assisted in bringing forward and publishing to the world the immortal declaration of independence. During this latter year, Mr. Wythe was appointed, in connexion with Thomas Jefferson, Edward Pendleton, and several others, to revise the laws of the state of Virginia, and to accommodate them to the great change which had been effected in her transition from a colony to an independent state. In this important work, only the three gentlemen mentioned were actually engaged. The original commission included also the names of George Mason and Thomas Ludwell Lee; the former of whom deceased before the committee entered upon the duties assigned them; and the latter tendered his resignation, leaving the arduous task to be accomplished by the gentlemen already named.

“The report of this committee was at length made, and showed such an intimate knowledge of the great principles of legislation, as reflected the highest honour upon those who formed it. The people of Virginia are indebted to it for the best parts of their present code of laws. Among the changes then made in the monarchical system of jurisprudence, which

had been previously in force, the most important were effected by the act abolishing the right of primogeniture, and directing the real estate of persons dying intestate, to be equally divided among their children, or other nearest relations; by the act for regulating conveyances, which converted all estates in tail into fees simple, thus destroying one of the supports of the proud and overbearing distinctions of particular families; and finally by the act for the establishment of religious freedom. Had all the proposed bills been adopted by the legislature, other changes of great importance would have taken place. A wise and universal system of education would have been established, giving to the children of the poorest citizen the opportunity of attaining science, and thus of rising to honour and extensive usefulness. The proportion between crimes and punishments would have been better adjusted, and malefactors would have been made to promote the interests of the commonwealth by their labour. But the public spirit of the assembly could not keep pace with the liberal views of Wythe."

In the year 1777, Mr. Wythe was elected speaker of the house of delegates, and during the same year was appointed judge of the high court of chancery of Virginia. On the new organization of the court of equity, in a subsequent year, he was appointed sole chancellor, a station which he filled, with great ability, for more than twenty years.

During the revolution, Mr. Wythe suffered greatly in respect to his property. His devotion to public services left him little opportunity to attend to his private affairs. The greater part of his slaves he lost by the dishonesty of his superintendant, who placed them in the hands of the British. By economy and judicious management, however, Mr. Wythe was enabled, with the residue of his estate, and with his salary as chancellor, to discharge his debts, and to preserve his independence.

Of the convention of 1787, appointed to revise the federal constitution, Mr. Wythe was a delegate from Virginia, having for his colleagues Washington, Henry, Randolph, Blair, Madison, and Mason. "During the debates, he acted for the most part as chairman. Being convinced that the confede-

ration was defective in the energy necessary to preserve the union and liberty of America, this venerable patriot, then beginning to bow under the weight of years, rose in the convention, and exerted his voice, almost too feeble to be heard, in contending for a system, on the acceptance of which he conceived the happiness of his country to depend. He was ever attached to the constitution, on account of the principles of freedom and justice which it contained; and in every change of affairs he was steady in supporting the rights of man. His political opinions were always firmly republican. Though in 1798 and 1799, he was opposed to the measures which were adopted in the administration of President Adams, and reprobated the alien and sedition laws, and the raising of the army, yet he never yielded a moment to the rancour of party spirit, nor permitted the difference of opinion to interfere with his private friendships. He presided twice successively in the college of electors in Virginia, and twice voted for a president whose political principles coincided with his own.

“After a short, but very excruciating sickness, he died, June 8, 1806, in the eighty-first year of his age. It was supposed that he was poisoned; but the person suspected was acquitted by a jury of his countrymen. By his last will and testament, he bequeathed his valuable library and philosophical apparatus to his friend, Mr. Jefferson, and distributed the remainder of his little property among the grandchildren of his sister, and the slaves whom he had set free. He thus wished to liberate the blacks, not only from slavery, but from the temptations to vice. He even condescended to impart to them instruction; and he personally taught the Greek language to a little negro boy, who died a few days before his preceptor.

“Chancellor Wythe was indeed an extraordinary man. With all his great qualities, he possessed a soul replete with benevolence, and his private life is full of anecdotes, which prove, that it is seldom that a kinder and warmer heart throbbed in the breast of a human being. He was of a social and affectionate disposition. From the time when he was emanci-

pated from the follies of youth, he sustained an unspotted reputation. His integrity was never even suspected.

“ While he practised at the bar, when offers of an extraordinary, but well merited compensation, were made to him by clients, whose causes he had gained, he would say, that the labourer was indeed worthy of his hire; but the lawful fee was all he had a right to demand; and as to presents, he did not want, and would not accept them from any man. This grandeur of mind, he uniformly preserved to the end of his life. His manner of living was plain and abstemious. He found the means of suppressing the desires of wealth by limiting the number of his wants. An ardent desire to promote the happiness of his fellow men, by supporting the cause of justice, and maintaining and establishing their rights, appears to have been his ruling passion.

“ As a judge, he was remarkable for his rigid impartiality, and sincere attachment to the principles of equity; for his vast and various learning; and for his strict and unwearied attention to business. Superior to popular prejudices, and every corrupting influence, nothing could induce him to swerve from truth and right. In his decisions, he seemed to be a pure intelligence, untouched by human passions, and settling the disputes of men, according to the dictates of eternal and immutable justice. Other judges have surpassed him in genius, and a certain facility in despatching causes; but while the vigour of his faculties remained unimpaired, he was seldom surpassed in learning, industry, and judgment.

“ From a man, entrusted with such high concerns, and whose time was occupied by so many difficult and perplexing avocations, it could scarcely have been expected, that he should have employed a part of it in the toilsome and generally unpleasant task of the education of youth. Yet, even to this, he was prompted by his genuine patriotism and philanthropy, which induced him for many years to take great delight in educating such young persons as showed an inclination for improvement. Harassed as he was with business, and enveloped with papers belonging to intricate suits in chancery, he yet found time to keep a private school for the instruction of a

few scholars, always with very little compensation, and of ten demanding none. Several living ornaments of their country received their greatest lights from his sublime example and instruction. Such was the upright and venerable Wythe."

RICHARD HENRY LEE.

RICHARD HENRY LEE, a descendant from an ancient and distinguished family in Virginia, was born in Westmoreland county, of that province, on the twentieth of January, 1732. As the schools of the country for many years furnished but few advantages for an education, those who were able to meet the expense, were accustomed to send their sons abroad for instruction. At a proper age, young Lee was sent to a flourishing school, then existing at Wakesfield, in the county of Yorkshire, England. The talents which he possessed, industriously employed under the guidance of respectable tutors, rendered his literary acquisitions easy and rapid; and in a few years he returned to his native country, with a mind well stored with scientific and classical knowledge.

For several years following his return to America, he continued his studies with persevering industry, greatly adding to the stock of knowledge which he had gained abroad, by which he was still more eminently fitted for the conspicuous part he was destined to act in the approaching revolutionary struggle of his country.

About the year 1757, Mr. Lee was called to a seat in the house of burgesses. For several years, however, he made but an indifferent figure, either as an orator or the leader of a party, owing, it is said, to a natural diffidence, which prevented him from displaying those powers with which he was gifted, or exercising that influence to which he was entitled. This impediment, however, was gradually removed, when he rapidly rose into notice, and became conspicuous as a poli-