

Daniel L. Dreisbach

## Founders Famous and Forgotten

Consider the political career of Roger Sherman of Connecticut (1721-1793), a largely self-taught man, devout Calvinist, and lifelong public servant. He was one of only two men who signed all three of the great documents of American organic law: the Declaration of Independence, the Articles of Confederation, and the Constitution.<sup>1</sup> He was a delegate to the First and Second Continental Congresses. He was a member of the five-man committee formed to draft the Declaration of Independence and a member of the committee of thirteen formed to frame the Articles of Confederation. At the federal Constitutional Convention of 1787 he delivered more speeches than all but three delegates and was a driving force behind the Great (Connecticut) Compromise. He was a member of the first U.S. House of Representatives (1789-1791) and later of the U.S. Senate (1791-1793), where he played key roles in deliberations on the Bill of Rights and the creation of a national bank. If any man merits the mantle of “founding father,” surely it is Roger Sherman.

Yet few Americans recall, let alone mention, Sherman’s name when enumerating the founding fathers; even among those familiar with his name, most would be hard pressed to describe his role in the founding. Why is it that a man of such prodigious

contributions to our country is today an all but forgotten figure? The same question could be asked about many other patriots—John Dickinson, Elbridge Gerry, John Jay, Richard Henry Lee, George Mason, Gouverneur Morris, Charles Pinckney, Benjamin Rush, John Rutledge, James Wilson, and John Witherspoon, just to name a few—who labored diligently to establish an independent American republic.

When asked to identify the “founding fathers,” Americans typically respond with a short list of a half dozen or so notables who have achieved iconic status in the American imagination and collective memory. This is true of even serious students of American history. The small fraternity of “famous founders” typically includes (in no particular order) Benjamin Franklin, George Washington, John Adams, Thomas Jefferson, James Madison, and Alexander Hamilton. To this short list, individual historians occasionally add a favorite figure or two.<sup>2</sup>

There is, however, a much larger company of statesmen who made salient contributions in thought, word, and deed to the

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construction of America's republican institutions. Unfortunately, many among the founding generation, whose contributions and sacrifices were consequential in the creation of a new nation, have slipped into unmerited obscurity, exiles from the elite fraternity of the famous. Why are some individuals, whose well-documented contributions were valued by their peers and celebrated in their time, largely forgotten in our time? Why are a few founders "famous" and others now "forgotten"?

### Why are Some Founders Famous?

Before considering why some important founders are now forgotten, it is worth asking why the famous founders are famous. Do they share characteristics or experiences that explain their prominence or separate them from lesser known founders? There is no single factor or set of factors that satisfactorily explains why certain founders are famous or forgotten. Rather, a variety of factors and circumstances are at play.

The lists today of famous founders almost always include Franklin, Washington, Adams, Jefferson, Madison, and Hamilton. But has the fraternity of famous founders always been limited to this select group? The popularly accepted list of famous founders, one writer has recently argued, has not been static during the last two hundred years. The generation that lived through the War for American Independence venerated and celebrated military heroes above all, men such as George Washington (always first), Nathanael Greene, Henry Knox, and even the Marquis de Lafayette. Americans in the early nineteenth century placed the mantle of greatness on the "host of worthies," as Jefferson called them, who framed and signed the Declaration of Independence.<sup>3</sup> These men are depicted in John Trumbull's iconic 12- by 18-foot oil painting "Declaration of Independence" (commissioned in 1817), which now

hangs in the Rotunda of the U.S. Capitol.<sup>4</sup> Later generations counted among the founding fathers the "assembly of demi-gods" (again, to use Jefferson's phrase) who crafted a new national Constitution in the summer of 1787.<sup>5</sup>

Those recognized today as famous founders have not always been assured a seat in this elite company. Merrill D. Peterson and, more recently, Stephen F. Knott track the rise and fall of Jefferson's and Hamilton's respective standings in the public mind. "Alexander Hamilton's place at any period on the imaginary scale that charts American reputations is always a good index to Jefferson's," Peterson observed.<sup>6</sup> At different moments in history, for a variety of political reasons, Jefferson's stature waxed as Hamilton's waned, and at other times the opposite was true.<sup>7</sup> Only a recent bestselling biography of John Adams by David McCullough, commentators have remarked with perhaps slight exaggeration, could manage to reinstate the irascible Bay Stater among the famous founders.<sup>8</sup> Thus, if the past is a reliable guide, future generations may well celebrate selected founders for still other reasons—perhaps including women, whose contributions have been largely ignored in the standard histories, or honoring those who opposed slavery at a time when it was not always popular to do so.

It is also worth noting that Benjamin Franklin was, at one time, the most famous American in the western world, celebrated widely as much for his scientific and philosophical achievements as for his political contributions to the American cause. This was remarkable for a "colonial." And by the time independence from Great Britain was secured, George Washington was, perhaps, equally famous. Their celebrated status at home and abroad went far in securing their persistent place in the pantheon of famous founders. Despite the vagaries of politics

and fashion, Franklin and Washington, unlike all other founders, have never had their status as top-tier founders seriously questioned or challenged in the last two centuries, at least not in popular discourse.

Fame is not easily manufactured. “[T]he great whom the present recognizes,” Robert G. McCloskey observed, “tend to be those who were thought of as great in their time. Tomorrow may enhance or diminish yesterday’s reputation; it does not often create a wholly new one.”<sup>9</sup> Every founder who has resided at one point or another in the upper echelon of founders was recognized in his day by his peers as worthy of fame; founders whose contemporaries—those who knew them personally—were reluctant to place the mantle of greatness upon them have not risen above that initial, critical assessment in the public imagination.<sup>10</sup>

Students of the American founding know well that many founders—none more so than the elite famous ones—were extraordinarily attentive to their place in history. The notoriously vain John Adams fretted about whether he would receive the recognition he rightly deserved.<sup>11</sup> In his final winter, Thomas Jefferson beseeched his Virginia neighbor James Madison to “[t]ake care of me when dead.”<sup>12</sup> The founding generation was acutely aware that they had been present at the creation of something remarkable in human history. With an awareness of posterity’s judgment, many recorded their recollections in contemporaneous journals and correspondence or later in memoirs. The famous founders recognized the historical value of their papers and records and went to great lengths to preserve them.

Some of this behavior appears to be vain, petty jockeying for a preferred position in history. But was it? What did fame and the pursuit of fame mean to this generation of Americans? In his now classic essay, “Fame

and the Founding Fathers,” Douglass Adair argued that the founders’ “obsessive desire for fame” was not merely a vulgar quest for celebrity, popularity, or deification by their countrymen.<sup>13</sup> Rather, for this generation, steeped in the classical tradition, fame was akin to what we might call honor, virtue, or good reputation.

Indeed, there were, in this sense, few higher callings than the pursuit of fame. “The love of honest and well earned fame,” James Wilson remarked, “is deeply rooted in honest and susceptible minds.”<sup>14</sup> “[T]he love of fame, [is] the ruling passion of the noblest minds,” wrote Alexander Hamilton in the *Federalist Papers*.<sup>15</sup> As with the Romans, the founders thought fame meant placing duty to one’s home and country above personal interests. Great men earned true fame by curbing selfish appetites and by performing acts of uncommon virtue and patriotism that promoted the commonwealth. Yes, fame is very much concerned with immortality, and, yes, “the greatest of the great generation” of founders became obsessively “concerned with posterity’s judgment of their behavior.” Yet, as Adair observed, “[t]he audience that men who desire Fame are incited to act before is the audience of the wise and the good in the future—that part of posterity that can discriminate between virtue and vice—that audience that can recognize egotism transmuted gloriously into public service.” The noble passion for fame “can spur individuals to spend themselves to provide for the common defense, or to promote the general welfare, and even on occasion to establish justice in a world where justice is extremely rare.”<sup>16</sup> Fame, the founders were taught, was the spur that goaded men to live lives of honor, virtue, and personal sacrifice.

What, then, makes a founder famous? All the famous founders had strong, memorable, and (with the possible exception of

Madison) colorful personalities. All came from and respected powerful, influential power centers in the new nation. None came from a small or isolated corner of the union. All, it goes without saying, made significant and enduring contributions to the *national* polity in the critical years between the formation of the Continental Congress and the establishment of the national government under the Constitution. All, except Franklin (who died in 1790), played a prominent role on the *national* political stage following ratification of the U.S. Constitution. Indeed, four of the six famous founders became president. Throughout their adult lives, they were consistent and unceasing in their commitment to the American cause, rarely deviating to pursue other ventures; and in retirement they could reflect upon, as did George Washington in his Farewell Address (1796), “forty five years of my life dedicated to its [my Country’s] Service, with an upright zeal.”<sup>17</sup> All took steps to ensure that their contributions would be remembered and to shape how their contributions would be remembered by future generations. All left a voluminous paper trail of public and private documents providing historians with a record of their deeds and insights into their views and actions. Not only were they prolific writers, but all were also masters of the written word. Even Washington, often dismissed as an inferior wordsmith, could be surprisingly eloquent in both the spoken and written word. These are the characteristics of the famous founders.

#### **Why are Some Founders Forgotten?**

Yet many of these characteristics and achievements also describe certain of the forgotten founders. So what explains why some founders are famous and others not? Again, there are a variety of factors distinguishing the famous from the not-so-famous founders, and, to some extent, each

founder must be individually examined. A unique combination of circumstances explains why some figures have not been duly recognized by history. That said, a number of factors are recurring features in the lives of those founders now relegated to obscurity.

Age (or generational factors) and time of death may explain why some viable candidates for top-tier status are now largely forgotten. With the exception of Franklin, who died in 1790, all the famous founders went on to distinguished careers in national politics under the U.S. Constitution, whereas some important forgotten founders, such as William Livingston (1723-1790), George Mason (1725-1792), John Hancock (1737-1793), Richard Henry Lee (1732-1794), and John Witherspoon (1723-1794), died before they could take a prominent role in the new national government. These men were of a slightly older generation than the famous founders (with the exception of Franklin). For example, George Mason, born in 1725, was seven years older than his neighbor and lifelong friend George Washington. He was a decade older than John Adams, eighteen years older than Thomas Jefferson, twenty-six years older than James Madison, and thirty years older than Alexander Hamilton.

A failure or refusal to play a prominent role on the national political stage after the Constitution’s implementation may have denied some otherwise worthy patriots seats in the founders’ hall of fame. Their reasons for not taking to this stage are legion: retirement from public life, a focus on state or local politics, or the pursuit of other ventures such as business or the law. Fame has been especially elusive for those who channeled their energies into state and local politics following the bitter battles of the independence struggle, even though they were no less passionate about public service and the cause of American liberty than

their more famous compatriots. In any case, their departure from the *national* political scene at the very moment when prominent colleagues were taking leading roles on the newly available national stage undoubtedly contributed to their disappearance from public memory.

Fame has not smiled on founders of few words or those who left an insufficient paper trail to inform or interest historians. There must be enough of an extant record with which students of history can work. A written record or historical narrative is vital for duly crediting a founder for his contributions. With considerable discomfort, Madison scribbled transcripts and copious notes of proceedings during the Constitutional Convention that, not surprisingly, recorded his contributions in a favorable light and assured his place in history. All the famous founders left enough words that, even two centuries after their demise, archivists still labor to collect and transcribe them, their papers filling many scores of published volumes.<sup>18</sup> Of particular value to historians are letters, journals, and diaries, which often provide a measure of a man's character, and open a window into his motivations and aspirations. ("Without Jefferson's letters," Gordon S. Wood asked, "what would we know of his mind?")<sup>19</sup>

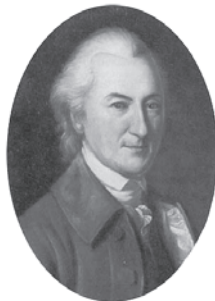
The papers that were preserved and later archived and, still later, published reflect evolving private and public perceptions of whose contributions were consequential and, thus, whose papers were worthy of preservation for future generations. An individual founder's decision to keep a journal, write a memoir, or preserve correspondence was an initial self-assessment of that founder's contribution. Subsequent decisions made by family, acquaintances, or executors to preserve or discard such

documents after an individual's death were similarly a pivotal assessment whether or not the deceased's activities were noteworthy. Even before some had died, family members and others recognized the importance of preserving papers associated with particular founders. Unfortunately, the same generation failed to appreciate the value of other founders' papers and thus many were lost to history. Decisions of still later historians and archivists to preserve and publish a founder's papers reinforced earlier decisions regarding which founders were notable and which were not.

Major papers publication projects sponsored by universities and historical societies and funded by government initiatives and private foundations seemingly confirmed that the subjects of these projects were the truly consequential founders. A fresh review of history might well lead one to conclude that previously discounted or discarded papers of certain for-

gotten founders would be invaluable for a well-rounded understanding of the American founding. Regrettably, however, decisions made at various points in the preceding two centuries have made it exceedingly difficult, if not impossible, to recreate the complete historical record. More important, the steps taken long ago to preserve or discard historical documents have shaped how subsequent scholars have assessed the thoughts, words, and deeds of the various founders.

George Mason of Virginia and John Witherspoon of New Jersey are examples of founders whose reputations may have been diminished in subsequent historical accounts because of gaps in the relevant documentary records. Mason, the principal draftsman of the influential Virginia Declaration of Rights (1776) and among the most voluble members of the Constitu-



John Dickinson



tional Convention, is survived by a dearth of papers, which have been collected in a mere three volumes.<sup>20</sup> As his first major biographer observed in the late nineteenth century, “His life never having been written, his papers having been lost and scattered,” it is, perhaps, no wonder that “justice has not been done to George Mason.” Mason’s biographers, unlike Washington’s, Jefferson’s, and Madison’s, have not had their subject’s extensive recollections and papers “before them” in which the subject’s leading role in legislative deliberations “is chiefly dwelt on” and emphasized.<sup>21</sup> Then there is the case of the Reverend Doctor John Witherspoon, a signer of the Declaration of Independence and Articles of Confederation and an active member of over 120 committees in the Continental Congress. In Witherspoon’s case, the problem is not the lack of papers; rather, it concerns copious papers which were lost or destroyed. Nine volumes of his collected works were published very early in the nineteenth century, but many of these papers pertained to his European career, and the published collection was out of print and exceedingly difficult to find for much of the last two centuries. More importantly, despite devoting two days per week in his later years to correspondence, only a handful of his many letters survive. The loss of so many primary documents is due, among other reasons, to the sacking of the College of New Jersey’s Nassau Hall and president’s home following the Battle of Princeton and to Witherspoon’s instructions shortly before his death to burn many of his papers.<sup>22</sup> Unlike Franklin, Adams, Jefferson, and Madison, neither Mason nor Witherspoon wrote an autobiography or left a journal or diary that might have given succeeding generations a revealing self-portrait of their characters, motives, and achievements and, perhaps, enhanced their standing in history. The paper trails left by a host of other

founders are even more meager than those left by Mason and Witherspoon. History might well have been written differently had important figures such as Gerry, Henry, Jay, Randolph, Sherman, and Wilson left more papers, both public and private, for scrutiny by later generations.

Fame has often accompanied men, especially political leaders, eloquent in the spoken word. The founders lived in an age in which political power and influence were often derived from and defined by oratorical prowess. (Contemporaneous biographical sketches of the founders frequently remarked on the subject’s public speaking skills as if they were a measure of that figure’s greatness.) Patrick Henry, for example, was greatly admired in his time and he is remembered today for his matchless gifts of oratory. James Madison, by contrast, had a weak voice and a diffident disposition, which seem for a time to have impeded justly deserved recognition and diminished his public standing. In short, men of great minds but weak elocution often are not duly appreciated in their own time. The founders’ literal voices have long been silenced and all that remains are their written words. There is some irony in the fact that, although masters of the *spoken* word may have garnered more power and acclaim in their own day, today the masters of the *written* word are more celebrated.

According to a well-worn axiom, history is written by the victors. The reputations of several important founders have been damaged, one suspects, because they were on the losing side of great debates or controversies, especially the bitter debates over the declaration of American independence and ratification of the proposed national constitution. Consider, for example, the Quaker John Dickinson of Delaware and Pennsylvania (serving both states as the elected chief executive), who championed the cause of American liberties in a

series of brilliant “Letters from a Farmer in Pennsylvania” (1767-1768), and who was a delegate to the Stamp Act Congress where he drafted the “Declaration of Rights and Grievances” (October 1765), a member of the First and Second Continental Congresses where he was the principal draftsman of the “Declaration of the Causes and Necessity of Taking Up Arms” (6 July 1775), and one of Delaware’s delegates to the Constitutional Convention of 1787. In 1776, however, he spoke eloquently against and refused to sign the Declaration of Independence because he thought it premature and intemperate, and his reputation and public career suffered for it, despite commendable subsequent service to the nation. It has been said of George Mason that “His opposition to ratification of the federal Constitution—a document whose shape he helped mightily to craft—started his fall from the national memory.”<sup>23</sup> The public standing of other vocal critics of the proposed Constitution was arguably diminished by their controversial stances in this most important national debate, despite the fact that some later became ardent admirers of the charter. Among the critics were Patrick Henry, Richard Henry Lee, Elbridge Gerry, Samuel Adams, George Clinton, Luther Martin, and John Francis Mercer. Other founders may have similarly fallen from public favor because of their advocacy of positions and causes that later proved unpopular.

The stature of some founders has risen and fallen with the vagaries of subsequent politics. As political parties emerged in the late eighteenth century and carved out well defined identities in the nineteenth century, partisans often appropriated selected founders as precursor spokesmen for, or ideological models of, their party perspectives, or as avowed opponents of some partisan position. The Jacksonian Democrats of the 1820s and succeeding decades, for

example, described themselves as inheritors of the Jeffersonian tradition and demonized Federalist party stalwarts, such as Alexander Hamilton, John Adams (an especially inviting target because his son, John Quincy Adams, was Andrew Jackson’s immediate foe), and John Marshall, for their opposition to Jeffersonian politics. (The reputations of other prominent Federalists—such as Fisher Ames, John Jay, Rufus King, Gouverneur Morris, and C.C. Pinckney—may have similarly suffered in the wake of their party’s demise and Republican ascendancy at the turn of the century.) Thus, Jefferson’s reputation as a founder flourished and Federalist founders’ reputations floundered as Jacksonianism ascended. The War Between the States and its aftermath prompted a reappraisal of Hamilton’s staunch advocacy of a strong national government, and, in the North at least, Hamilton eclipsed the states-rights Jefferson as a “revered figure in the minds of most Americans.”<sup>24</sup> According to Merrill D. Peterson, “Jefferson’s reputation merely survived the War; Hamilton’s was remade by it.”<sup>25</sup> In summary, political partisans of succeeding generations have promoted or demoted selected founders in the public mind depending on whether a founder’s views and associations advanced or impeded the goals of these latter-day partisans.

Another explanation focuses on certain founders’ unappealing personal traits, quirks or eccentricities, or alleged moral failings. George Mason’s truculent temperament and general aversion to public life almost certainly diminished his profile in the history of the founding era. He was a most reluctant public figure, eschewing the limelight and declining to pursue high office (although reluctantly accepting public office when called). An abrasive, egotistical personality did little to enhance Thomas Paine’s reputation, and pious Americans from his day to the present have reviled him

for his heretical views on Christianity. John Adams described the radical pamphleteer as “the lying rascal,” and Teddy Roosevelt denounced him as that “filthy little atheist.”<sup>26</sup> And so the most influential polemicist of the age, renowned on both sides of the Atlantic, died in relative obscurity in 1809 without a eulogy from his former compatriots in the struggle for American independence. Gouverneur Morris’s well earned reputation as a profligate rake and lecher may have diminished his standing among prudish nineteenth-century Americans. In a very different vein, Aaron Burr’s widely publicized roguish, even “murderous,” and allegedly treasonous conduct has kept him alive in the public memory, but it has also demoted him from the pedestal of a venerated founder. There is the tragic case of James Wilson, who died in ignominy in 1798 at age 56, fleeing from creditors for failed land speculation. He was buried in an obscure country graveyard in Edenton, North Carolina.<sup>27</sup> Today, Wilson is virtually unknown to the American public, but he was among the most trenchant and influential minds at the Constitutional Convention (making more speeches than any other delegate, save Gouverneur Morris), and he stamped an indelible mark on American legal theory through his influential law lectures and tenure on the U.S. Supreme Court. Robert Morris, a signer of the Declaration of Independence, Articles of Confederation, and Constitution, a member of the first federal Congress, and the indispensable “financier of the Revolution”—a man who by any measure should be remembered as a founding father—similarly borrowed heavily and failed miserably in western land speculation. He languished for three and a half miserable years in a debtors’ prison and his reputation has never recovered.

Finally, there seems to be an inclination among modern scholars to dismiss, dis-

count, or ignore the views of pious founders whose ideas and actions were shaped by deeply held religious convictions. Trained in the rationalist traditions of the academy, some scholars are unfamiliar or uncomfortable with or closed to religiously informed arguments and rhetoric; thus, they dismiss as serious thinkers or otherwise decline to engage founders whose worldview was profoundly religious. Founders steeped in the rationalist traditions of the Enlightenment are more familiar and accessible, and their exploits are advanced in modern scholarship. John Witherspoon’s faith-based perspectives may have scared off more than one secular scholar; moreover, his clerical collar may have symbolically entangled church and state too excessively for modern sensibilities. The profiles of Samuel Adams, Roger Sherman, Oliver Ellsworth, John Jay, Elias Boudinot, and Isaac Backus, among others, may have been similarly diminished by modern scholars on account of their profoundly religious identities and perspectives.

### Does the Difference Matter?

Does the distinction in the public mind between famous founders and forgotten founders matter to us today? Yes it does, for both symbolic and substantive reasons. An exclusive or even primary focus on a small fraternity of famous founders gives a limited and potentially distorted picture of the founders—their ideas, values, interests, aspirations, faith commitments, socio-economic standings, etc. It slights, if not ignores, the services, sacrifices, and legacies of those forgotten founders who gave much to birth a new nation.

Separating the famous from the now forgotten founders may erroneously convey the notion that the founders were a much more single-minded, monolithic fraternity than they really were. Our understanding of the delicate balance of person-



alities, perspectives, and experiences so vital to the success of the founding generation is obscured when we train our sights on a select few famous founders and disregard the rest. As previously noted, for example, the most orthodox Christians among the founders (Samuel Adams, Elias Boudinot, Oliver Ellsworth, Patrick Henry, John Jay, Roger Sherman, and John Witherspoon) are rarely counted among the company of famous founders, despite their substantial contributions to the new nation, suggesting, perhaps, that the founders (and, more important, their ideas) were more heterodox than they really were. The contributions of traditional Christian thought to the American founding are, in large measure, diminished in the process.

These distortions, unfortunately, are sometimes translated into modern law and policy. Judicial interpretations of the First Amendment illustrate the potential problems. The U.S. Supreme Court's near exclusive reliance on the views of Thomas Jefferson and James Madison, two purported advocates of church-state separation, to divine the original understanding of the First Amendment, while ignoring the input of others who, in the deliberative process, championed an essential role for religion in public life, has arguably resulted in a distorted construction of the First Amendment.

Mark David Hall has recently documented that, in its recourse to legislative history, the U.S. Supreme Court has given inordinate attention to Jefferson and Madison.<sup>28</sup> The focus on these two Virginians is odd, if not counter-historical, because Jefferson was, at most, only indirectly involved in framing the First Amendment (he was serving as the American Minister to France when the First Congress framed the amendment) and Madison suffered decisive defeats in his efforts to shape the content of the religion provisions. As Cushing

Strout observed: "Madison did not carry the country along with Virginia's sweeping separation of churches from the state: indeed, the country in some degree carried him."<sup>29</sup>

At critical junctures in the First Congress's deliberations on the amendment, language was proposed by Samuel Livermore of New Hampshire and Fisher Ames of Massachusetts that arguably shaped the final text of the First Amendment. Legislative histories often gloss over these crucial contributions and insights of the now all but forgotten Livermore and Ames, suggesting instead that the First Amendment flowed fully formed from the pen of the famous James Madison. Lost in these incomplete histories are the possible concerns and intentions behind Livermore's and Ames's revisions that almost certainly influenced congressional colleagues, thus leaving their mark on the First Amendment.

The near exclusive focus on a select few virtually deified famous founders impoverishes our understanding of the American founding. It also departs from the canons of good scholarship. The demands of honest scholarship require scholars to give attention to the thoughts, words, and deeds of not only a few selected demigods but also an expansive company of men and women who contributed to the founding of the American republic.

1. The other was Robert Morris of Pennsylvania.
2. Joseph J. Ellis, for example, adds Abigail Adams and Aaron Burr to the usual six "most prominent political leaders in the early republic." Ellis, *Founding Brothers: The Revolutionary Generation* (New York: Alfred A. Knopf, 2005), 17.
3. Jefferson to Roger C. Weightman, 24 June 1826, in *Thomas Jefferson: Writings*, ed. Merrill D. Peterson (New York: The Library of America, 1984), 1517.
4. Ray Raphael, *Founding Myths: Stories that Hide Our Patriotic Past* (New York: New Press, 2004), 127. See

Clinton Rossiter, *1787: The Grand Convention* (New York: Macmillan, 1966), 317.

5. Jefferson to John Adams, 30 August 1787, in *Thomas Jefferson: Writings*, 909.

6. Merrill D. Peterson, *The Jefferson Image in the American Mind* (New York: Oxford University Press, 1960), 222. See also Stephen F. Knott, *Alexander Hamilton and the Persistence of Myth* (Lawrence: University Press of Kansas, 2002).

7. This battle of interpretations, Joseph Ellis notes, is manifested in the “earliest histories of the period.” In *History of the American Revolution* (1805), Mercy Otis Warren set forth the “pure republicanism” or Jeffersonian interpretation, whereas John Marshall articulated an alternative version more friendly to the Federalists in his expansive five-volume *The Life of George Washington* (1804-1807). Ellis, *Founding Brothers*, 13-14.

8. David McCullough, *John Adams* (New York: Simon & Schuster, 2001).

9. Robert Green McCloskey, introduction to *The Works of James Wilson*, ed. Robert Green McCloskey, 2 vols. (Cambridge: The Belknap Press of Harvard University Press, 1967), 1:47.

10. See David W. Maxey, “The Translation of James Wilson,” *Supreme Court Historical Society 1990 Yearbook* (1990), 29.

11. Ellis, *Founding Brothers*, 212-227.

12. Jefferson to Madison, 17 February 1826, in *Thomas Jefferson: Writings*, 1515.

13. Douglass Adair, “Fame and the Founding Fathers,” in *Fame and the Founding Fathers: Essays by Douglass Adair*, ed. Trevor Colbourn (New York: W.W. Norton & Co.; Institute of Early American History and Culture, 1974), 7.

14. Wilson, *The Works of James Wilson*, 1:405.

15. Publius [Alexander Hamilton], *Federalist Paper*, no. 71.

16. Adair, “Fame and the Founding Fathers,” 7, 11-12.

17. George Washington, Farewell Address, 19 September 1796, in *The Writings of George Washington*, ed. John C. Fitzpatrick, 37 vols. (Washington, D.C.: Government Printing Office, 1931-1940), 35:238.

18. The current George Washington papers project, once completed, is projected to contain approximately

90 volumes. The Adams family papers project is expected to include more than a 100 volumes. The Thomas Jefferson papers project is estimated to consist of 75 volumes. Both the James Madison and Benjamin Franklin papers projects are expected to contain approximately 50 volumes each. The papers of Alexander Hamilton, who died before his fiftieth birthday, were published in 27 volumes. An additional 5 volumes are devoted to Hamilton’s law practice.

19. Gordon S. Wood, *Revolutionary Characters: What Made the Founders Different* (New York: Penguin Press, 2006), 246.

20. George Mason, *The Papers of George Mason, 1725-1792*, ed. Robert A. Rutland, 3 vols. (Chapel Hill: University of North Carolina Press, 1970).

21. Kate Mason Rowland, *The Life of George Mason, 1725-1792*, 2 vols. (New York, 1892), 1:272.

22. Jeffry H. Morrison, *John Witherspoon and the Founding of the American Republic* (Notre Dame: University of Notre Dame Press, 2005), 14-15.

23. Warren M. Billings, “‘That All Men Are Born Equally Free And Independent’: Virginians and the Origins of the Bill of Rights,” in *The Bill of Rights and the States: The Colonial and Revolutionary Origins of American Liberties*, ed. Patrick T. Conley and John P. Kaminski (Madison, Wisconsin: Madison House, 1992), 337.

24. Knott, *Alexander Hamilton and the Persistence of Myth*, 47.

25. Peterson, *The Jefferson Image in the American Mind*, 222; see generally *ibid.*, 209-211, 216-226.

26. Adams to Benjamin Rush, 14 November 1812, in *The Spur of Fame: Dialogues of John Adams and Benjamin Rush, 1805-1813*, ed. John A. Schutz and Douglass Adair (San Marino: The Huntington Library, 1966), 252; Theodore Roosevelt, *Gouverneur Morris* (Boston: Houghton, Mifflin and Co., 1898), 251.

27. See Maxey, “The Translation of James Wilson,” 29-43.

28. Mark David Hall, “Jeffersonian Walls and Madisonian Lines: The Supreme Court’s Use of History in Religion Clause Cases,” *Oregon Law Review* 85 (2006): 563-614.

29. Cushing Strout, *The New Heavens and New Earth: Political Religion in America* (New York: Harper & Row, 1974), 97.