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HUGH BLAIR GRIGSBY; A DELEGATE TO THE
VIRGINIA
CONSTITUTIONAL CONVENTION OF 1829-30

BY

WILLIAM ALLEN LESUEUR DEANE

A THESIS
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PREFACE

It has not been the intention of the writer to give a definitive biography of Hugh Blair Grigsby but only to relate his observations and participation in the Virginia Constitutional Convention of 1829-30.

The major portion of the material collected in the preparation of this paper has been taken from the papers and diaries of Grigsby in the Virginia Historical Society. Much information also was gathered from the Virginia State Library, being derived largely from current newspapers during the time of the Convention.

Thanks are extended to the personnel of the Virginia Historical Society and the Virginia State Library who have assisted the writer in this endeavor, and particularly to Mr. William M. Rachal, editor of The Virginia Magazine of History and Biography, who suggested the topic and who granted assistance from time to time, to Dr. R. C. McDanel, of the University of Richmond, for his criticisms and suggestions, and to Mr. Howson Cole, of the Historical Society, who aided in the collection of the material throughout.

As but a small token of appreciation the writer gratefully dedicates this paper to Dorothy P. Deane, whose aid and encouragement has been a constant factor throughout its development.

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CHAPTER I

EARLY YEARS

The paternal ancestor of the Grigsby family is reputed to have emigrated from England to Virginia in the same century, but some years after the settlement at Jamestown. The year given as the date of his arrival is 1660.¹

John Grigsby, among the first of the Grigsby line in Virginia, was born in Stafford county in the year 1720. He married twice, first at the age of twenty-six to a Miss Etchison, and secondly at the age of forty-four to Elizabeth Porter of Orange county, Virginia. John Grigsby's first wife bore him five children (she died in their sixteenth year of marriage), the eldest of whom was James Grigsby. Nine children were born of the second marriage.²

James Grigsby also married twice. In 1768 he married Frances Porter, sister of his stepmother. To them was first born a son whom they christened Benjamin Porter Grigsby.³ The date of his birth was September 18, 1770, and the place was Orange county. Benjamin Grigsby attended

1. Hugh B. Grigsby, The History of The Virginia Federal Convention of 1788, Vol. IX of Virginia Historical Society Collections ed. by R. A. Brock, p. vi.

2. Ibid.

3. Ibid., p. vii.

Liberty Hall Academy which later became known as Washington and Lee University. While yet a young man, Benjamin Grigsby set out with a companion in quest of an occupation. Grigsby's friend dropped off in Petersburg but he continued on to Norfolk where he became the first pastor of the first Presbyterian church in that town. Here he remained, and here he married Elizabeth McPherson, daughter of Hugh and Lillias (Blair) McPherson. To them was born a son on November 22, 1806, whom they named Hugh Blair.⁴

As Hugh Blair Grigsby is the main subject of this paper, it becomes practical to give a brief sketch of his early life. Here the writer is perplexed by a difficult problem, for little is recorded of the subject's early years. There has been no biography of Hugh B. Grigsby to date and of the few sketches which have been located by this writer, all seem to have been taken exclusively from R. A. Brock's biographical sketch of Grigsby in one of the latter's works. As Brock was a contemporary, and in later years a close associate of Grigsby, this probably presents the best sketch of his life. Though valuable as this material may be, Brock seriously neglected Grigsby's first years, and they are years of some importance.

From all accounts, young Grigsby did not have a happy childhood. Poor health is partly accountable for this, and the death of his father when Grigsby was not yet four years old was likewise a great misfortune. Though in later years Grigsby may have overcome his grief upon the loss

4. Ibid., p. vi.

of his father, he never seemed to have completely defeated his poor state of health. This accompanied him all through life and was especially apparent during his childhood years. In fact, Grigsby was of such delicate condition as a child it was believed he would survive only a short time.⁵ The source of his condition lay in a pulmonary infection, and only through daily exercise and great perseverance was Grigsby afforded a long, though somewhat restrained, life. His daily exercise consisted largely of a long walk and on some days a swim in the Atlantic Ocean.

Lacking the many diversions that are attendant upon present day life, and having suffered too the loss of his father's companionship, Grigsby manifested a desire for study from early boyhood. At an early age he journeyed to Prince Edward county and there entered a classical school under the principalship of a Mr. Drury Lacy, a former Vice-president of Hampden Sydney College. As students from some distance attended the school, Mr. Lacy was obviously a very competent and well-known educator. Many years later, in delivering the centennial address at Hampden Sydney College, Grigsby related an account of this schooling:

It was in the capacity of the principal of a classical school which he [Drury Lacy] conducted under his own roof until the day of his death in 1815, that he rendered most valuable service to his country. His pupils came from a distance, and lived in his family or at the house of some one of his neighbors. I was one of those pupils and bear my testimony to his thorough teaching of the Latin tongue. Though sixty-one years have passed since I was under his care, I feel the influence of his teaching on my mind and character at this moment....⁶

5. Hugh B. Grigsby, Discourse On The Lives and Characters of The Early Presidents and Trustees of Hampden-Sidney College, Vol. VII No. 4 of the Hampden-Sidney College Bulletin, p. v.

6. Ibid., p. 21.

From this account one can very easily ascertain Grigsby's approximate age during his enrollment at the school. As he was then (at the time of this speech at Hampden Sydney College) nearing seventy years of age, sixty-one years having passed as he stated, the young student would have been nine years old. However, Grigsby's exact age in this instance is not too important. The significant fact here is he enjoyed at least the rudiments of a formal education during an early age and under the direction of a better than average tutor.

On the same occasion, the speaker left to posterity another bit of information relative to an interesting episode during the course of his early study under Mr. Lacy - an event which almost cost Grigsby his life. During his attendance at the school, the youngster contracted typhoid fever and for many days was in a state of delirium and unconsciousness. Typhoid in those days was quite often fatal, and according to Grigsby it was believed that he would not recover. Accordingly, he related, "My mother, and only surviving parent, who lived two hundred miles away, had been sent for to be present, as I afterwards learned, at my burial or at least to look upon the grave of her eldest child and only son."⁷

Fortunately for Mrs. Grigsby (and her son) she was spared the ordeal of such misfortune as the young Grigsby soon recovered.

Shortly after the clash with death, Grigsby felt again the grief of losing someone close. This time it was in the person of Mr. Lacy. Grigsby obviously admired his tutor a great deal, and it is very probable

7. Ibid., p. 22.

that Drury Lacy did much for the youngster by giving him the kind of companionship lost to Grigsby through the passing of his father. This relationship was disclosed on the same occasion when the speaker stated: "This great teacher [Lacy] regarded his pupils with the feelings of a father."⁸ Grigsby then revealed that he lived in the Lacy home. Considering these facts, and remembering the youngster was fatherless, it is all but apparent the principal had a special place in his heart for the young Grigsby.

Shortly after the death of Mr. Lacy, a third man came into the life of Grigsby who might have given to him the fatherly affections cherished by all youngsters. In January, 1817, Elizabeth Grigsby married Dr. Nathan Colgate Whitehead. Though no record is available as to the amiability of stepfather and son during the early years, they apparently were quite close, for it is a matter of record that in later years the two were very friendly and corresponded frequently.

In the years immediately after Grigsby's schooling in Prince Edward county, this writer has been unable to determine the pattern of his life. It is very probable he was enrolled in a similar school. Mr. Brock related in his biographical sketch that a Rev. W. W. Duncan was one of Grigsby's early tutors. It is also interesting to note he recalled that Mr. William Lacy of Prince Edward county too was an early instructor of the youngster.⁹ Brock, apparently writing from memory, was mistaken in

8. Ibid.

9. Grigsby, History of Virginia Federal Convention, p. viii.

Lacy's first name. Assuming Mr. Brock was correct in his assertion concerning Rev. Duncan's being an instructor of Grigsby, this writer would contend that the youngster entered school under the tutelage of Rev. Duncan after the death of Drury Lacy. The most obvious basis for such a conclusion rests on the age of Hugh Blair Grigsby when he attended the Prince Edward county school. He was then only nine or younger, depending upon his length of enrollment. However this may be, it will later become quite apparent to the reader Grigsby benefited in either instance and obviously received a much better than average education as a youngster.

Grigsby as a child was an avid reader. This was a habit he retained throughout his long life and, of course, was much the richer for spending his leisure hours in such manner. He found particular enjoyment in biography and one can quickly perceive this by briefing his diaries in later years. As an eighteen year old Grigsby found delight not only in reading biography but in writing a volume depicting the character, personal appearance and social traits of the leading Virginia statesmen and clergy with whom he was most familiar. That Hugh Grigsby was an ardent lover of books and reading was attested to during later years when he had a single building constructed for the purpose of housing his six thousand volumes collected through the years. The major portion of those volumes were subjects of history, biography and the ancient classics. His purchase of those books and his daily readings will be pointed out from time

10. Ibid.

11. Ibid., p. xi.

to time in the course of this paper.

Completion of Grigsby's volume referred to above brings the writer to the year 1824. Some time during that year, or in the course of the next, he enrolled in Yale College with plans of someday becoming a lawyer. As was so true of Grigsby's past, misfortune again beset the young man and prevented the completion of his immediate objective - consumption of the law course there. Actually his health was again involved. Upon this mishap - the contraction of an impairment in his hearing - Grigsby was compelled to terminate his college career. However, he refused to be denied. Displaying the temerity and the abundant fortitude he obviously possessed, the following year was one of concentrated study. The reader should recall Grigsby was yet far from healthy and all during that year of study was quite frequently plagued by ill health. That sickness, of course, stemmed from his pulmonary disease.

During that year of study (1827) it was probably due to want of a systematic program in his studies that Grigsby began his first diary, for a large portion of the entries in this and later diaries are related to his scholarly activities. However, this is not the sole importance of his diaries. The reader will recall mention was made above concerning the shortage of material available on Grigsby's early life. This then is their (his diaries) real value, for it was rarely that Grigsby missed a day's account once he began November 19, 1827.

On that first day Grigsby recorded that he read Blackstone, the eminent English jurist and writer on law, and John Locke, the English philosopher. Grigsby was a serious reader, and this is quickly perceived

by reviewing his daily recordings. He was particularly an enthusiastic student of Blackstone. On this day the young man also set down a plan which he resolved to pursue in his studies. Before breakfast he was to solve a question in arithmetic and read a chapter in Blackstone. After breakfast Blackstone was again to be read and a proposition in Euclid was to be studied. In the afternoon, following lunch, Grigsby resolved to read at least twenty pages in Blackstone and walk until dark. "After supper," he resolved to, "read, write, play, talk and the like."¹²

Several days later, November 22, Grigsby noted that it was his birthday. That day Grigsby became of age (twenty-one) and celebrated by having a "good day's reading."¹³ That was hardly a change for the studious youngster, being the scholar he was, for the next number of days were passed in the same manner, law being his prime subject.

The first of December was the first time Grigsby made any mention of his close friend, John N. Tazewell, in his diary. On that day Grigsby noted, "Went to church. [I] Spent the afternoon with John N. Tazewell in his father's library."¹⁴ The younger Tazewell and Grigsby were constant associates, and the latter quite frequently mentions John Tazewell in his day to day accounts. Almost without fail it will be seen that the two took a long walk together or just "conversed". John Tazewell was the son of Littleton W. Tazewell, a man whom Grigsby was to follow in the Virginia Convention - but more of this in a later chapter.

12. Hugh B. Grigsby, "Diary No. 1 of Hugh Blair Grigsby, November 19, 1827 - April 26, 1828", found in Virginia Historical Society, November 19, 1827.

13. Ibid., November 22, 1827.

14. Ibid., December 1, 1827.

As stated above he attended church on that Sunday, and he apparently was a regular church-goer. There are very few Sundays when he did not attend at least once, and on the majority of Sundays he heard two sermons. Between sermons on those days, Grigsby usually read and/or walked with John N. Tazewell or some other friend. At times, though, his health evidently prevented his attending church. In that event he would remain home and read, sometimes in bed if he felt very "unwell", as he usually recorded.

On December 14 the young man wrote in his diary he gave his first
15 vote. Apparently the occasion was a local contest there in Norfolk. Incidentally, he voted for the winning candidate.

Several days later Grigsby noted the death of George Blair and stated that his loss was a great one. He paid his respects in part by
16 writing an obituary for the Norfolk papers.

Christmas of 1827 was a quiet, uneventful day. Grigsby passed the
17 day in reading Boswell's "Life of Johnson." By the end of the week Grigsby had the feeling he had not been too diligent for he stated: "This week I have idled, but have [had] nevertheless an useful review, [having]
18 read about 3000 octavo pages of miscellanies."!

On the first day of the new year, 1828, Grigsby was unwell.
19 This was one of his occasional notations, and seems to be an all too frequent

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15. Ibid., December 14, 1827.
16. Ibid., December 16, 1827.
17. Ibid., December 25, 1827.
18. Ibid., December 29, 1827.
19. Ibid., January 1, 1828.

recording when one remembers the young man was only twenty-one years of age. From these facts one derives a clear understanding as to his state of health, and the hindrance the man suffered as a consequence. Obviously he refused to be defeated by his condition for he lived to the age of seventy-five!

It might be interesting to note that on this date, January 1, Grigsby became a manager of the Norfolk Athenaeum. Debating at the Athenaeum on Saturday nights was a favorite pastime of Grigsby and many of the local, scholarly inclined men at the time and continued to be for many years.

Several weeks later, on January 14, Grigsby again noted his poor health: "Have felt very unusual this day. My health is declining."²⁰

The following day another meticulous plan of study was drawn up: "Wish to devote six hours every day to law and six to mathematics. One hour before breakfast to law, and from nine to two. Walk in the evening till six. Then study mathematics until twelve."²¹ He further stated this was the schedule he should follow but due to his condition was apprehensive as to whether he would be able to pursue the course thus adopted.

Some time during the late winter, or more probably early spring, Grigsby's work, "Letters by a South Carolinian," was published. He first mentions the book in his diary on January 21. During the same week he

20. Ibid., January 14, 1828.

21. Ibid., January 15, 1828.

revealed the sale of the complete edition to a Mr. Bonsal, the proprietor of a bookstore in Norfolk.²² This was his first such work for publication, and evidently it had its merits for on May 15 there appeared in the Beacon, a Norfolk newspaper, an extract from the New York Inquirer commending Grigsby on his work.²³ It should be stated here that the book he completed during his eighteenth year apparently furnished the basis for the above mentioned work. Both works constituted a brief study of the more influential men of Virginia.

Grigsby's immediate objective in his study program was the passing of the bar exam and on June 22, 1829 his labors brought success.²⁴ On that day he qualified as a member of the Norfolk Bar, and thus at the age of twenty-two Hugh Grigsby became a legal counselor. It should be commonly agreed attainment of that goal had been difficult, not from the standpoint of mental deficiency but due to physical weakness. Determination spelled the difference. This becomes a proven fact upon observing that on one day while striving toward his objective, Grigsby read a total of 444 pages of law! He recorded: "I feel satisfied (almost) with my day's work; but my health will not stand it long."²⁵

However, during this year, or more, of self-teaching Grigsby was not occupied entirely by study. Mention has been made above of some diversion such as attending church, and his walks and conversations,

22. Ibid., January 24, 25, 1828.

23. Grigsby, "Diary No. 2, April 28, 1828 - July 27, 1828", May 15, 1828.

24. Grigsby, "Diary No. 3 $\frac{1}{2}$, May 3, 1829 - October 3, 1829", June 22, 1829.

25. "Diary No. 1", February 18, 1828.

particularly with John Tazewell. There were other leisure hours of debating at the Society on Saturday nights to which reference has also been made. Another of Grigsby's favorite pastimes was the collection of books. His desire was not satiated solely by reading a book; he wanted the work for his own possession. Several times during early life he decided to keep a written account of all the books he obtained. One such date is recorded in his first diary.²⁶ There is evidence available in the form of several small memorandum pads that Grigsby attempted to keep such information, but he never succeeded for any length of time.²⁷ Possibly there are records to the contrary elsewhere, but probably he never succeeded in that his purchases were so frequent. Such information (regarding the purchase of books) is related throughout his diaries and is attested by the library he possessed, all of which was referred to above. To cite one instance which is ample proof that he was an ardent lover of books, Grigsby once related that of \$30.00 he possessed, nearly \$25.00²⁸ was spent for the purchase of various volumes!

Shortly after Grigsby obtained his law license, he undoubtedly was surprised upon learning of his having been named as a candidate to represent Norfolk in the State Legislature. He left this account:

I was this date [April 28, 1828] brought out as a candidate to represent the borough [of Norfolk] in the State Legislature. I was the only candidate on the Hustings. I spoke for about an sic 40

26. *Ibid.*, March 7, 1828.

27. See Grigsby's papers in Virginia Historical Society.

28. Grigsby, "Diary No. 3, September 10, 1828 - October 25, 1828", September 24, 1828.

minutes before the polls were opened. I obtained 189 votes, about 70 over Gen. Taylor, who was voted for tho' sic not strictly a candidate.

After the polls were closed he made a brief extemporaneous speech thanking the people and promising to promote their interests. In consequence of his victory, the people afterwards conducted Grigsby to his home upon their shoulders and remained in celebration until 11 or 12 o'clock that night.

Inasmuch as it appears Grigsby benefited little in way of compensation by obtaining his law license, this writer has pondered the question as to the source of his finances during this period of his life. Evidently his stepfather aided him from time to time. Of course, he earned some money from the sale of his "Letters" to Mr. Bonsal, but he left no record of how much he thus gained in the way of finances. It may be interesting for the reader to know that in later years (1834) the origin of his finances lay in a newspaper, the Norfolk American Beacon, of which he became editor. Grigsby held that position for six years and in 1840 sold the paper for \$60,000.00.³⁰ It is superfluous to add that had he ever been faced with financial difficulty before, Grigsby certainly had no such worry in later years.

The late spring, summer and fall of 1828 were spent in a relatively leisurely manner, though by no means was Grigsby free of all cares. His most pressing (and almost constant) problem was that of his health. In order to prevent being bedridden, the young Grigsby was forced to resort

29. "Diary No. 2", April 28, 1828.

30. Grigsby, History of Virginia Federal Convention, p. viii.

to a more systemized regularity in his exercise. This took the form of long daily walks and a frequent swim in the Atlantic Ocean. He recorded at one stage during this period: "I am sick and must devote a great deal of time to exercise. I shall devote all this week and the next to hard exercise."³¹ Several days later Grigsby noted: "[I] was this day taken violently sick with a bilious cholera."³² This attack lasted for several days, and on October 5 he recorded he was yet "unwell."³³

The high spot during this period of Grigsby's life, and possibly a morale lifter to the young man during his time of sickness, was his acquaintance with Littleton Waller Tazewell, a man with whom Grigsby was to become a close associate, and an ardent admirer in the near future.³⁴ Mr. Tazewell was a very prominent personage in Virginia and widely known throughout the United States at the time, being a member of the United States Senate. Actually he was more than just a member of that body. In later years Grigsby stated that he (Tazewell) held the foremost place in that body during his presence of nearly eight years.³⁵ This was not the sole public office which Tazewell had occupied, nor was this position his last for in a few years he was elected Governor of the State.³⁶

Viewing this distinguished record, it is no wonder Grigsby was so

31. "Diary No. 3", September 25, 1828.

32. Ibid., October 1, 1828.

33. Ibid., October 5, 1828.

34. "Diary No. 2", June 4, 1828.

35. Hugh B. Grigsby, Discourse on The Life and Character of The Hon. Littleton Waller Tazewell, p. 57.

36. J. R. V. Daniel, ed., A Hornbook of Virginia History, p. 6.

fascinated by Mr. Tazewell, being the student he (Grigsby) was of history and biography. On their first meeting Grigsby recorded: "I was really gratified in becoming acquainted with a man of his splendid talents and agreeable manners."³⁷

Several days later the young Grigsby spent the evening with John N. Tazewell (probably to gain the presence of his father) and heard Mr. Tazewell converse on the Judiciary of Virginia and the coming constitutional convention. His conversation concerning the convention was centered on the right of suffrage. On this measure Tazewell stated it could not be general because (1) the masters would control the Negro vote (2) fathers would control daughters' votes and husbands their wives' and (3) children lack the discretion, all of which Grigsby observed "was a most ingenious argument."³⁸ A little more than a year later and Grigsby was backing Tazewell on similar arguments in the Convention.

Inasmuch as that year (1828) was a presidential election year, it might be of interest to note Hugh B. Grigsby was a supporter of Andrew Jackson and recorded several entries in his diary relative to the contest. Upon one instance he wrote: "[I] heard the glorious news of Jackson's sweep in New York." Perhaps Grigsby was here influenced by Littleton W. Tazewell who was hostile to the administration of John Q. Adams and was thereby opposed to his re-election.³⁹ This assumption can be further supported when it is remembered the Norfolk district generally

37. "Diary No. 2", June 4, 1828.

38. Ibid., June 6, 1828.

39. Grigsby, Discourse On Littleton W. Tazewell, p. 59.

opposed Jackson.

Shortly after Jackson's election, on November 22, Grigsby had more cause for celebration, that day being his twenty-second birthday. But he was in a pensive, if not a disconsolate, mood. He wrote: "I have kept a diary since I became of age and this is the last day of this book. During the last year my health has been very bad - I hope it may be better during the present.⁴⁰

Thus Grigsby closed out his first year's diary. For the next five months he did not attempt to keep a record of his day to day activity, but there is no question as to his whereabouts during that period. He was serving his first year in the House of Delegates. There he became acquainted with many of the men with whom he was to serve in the convention during the following year.

Terminating his first session as a member of the House of Delegates, Grigsby returned to Norfolk and began again his regular routine of life - the large part of which as yet consisted of walking and studying. Except for two occasions during the summer and fall (of 1829), such was the course of his life during that period.

The two exceptions included a trip on foot to the western part of the state, and his introduction to the President of the United States, Andrew Jackson.

Grigsby being the admirer of Jackson that he was, the writer is quite certain he was overjoyed by the event though he somewhat nonchalantly

40. "Diary No. 3", November 22, 1828.

recorded in his diary: "Jackson arrived in Norfolk today, and I had the honor of being introduced to him."⁴¹

On his western trip to the mountains Grigsby was accompanied by a friend from Norfolk. During the course of the three weeks' adventure, Grigsby and his companion visited such places as Monticello and Natural Bridge.⁴² The sheer exercise was probably enjoyed by Grigsby more than any occurrence on the journey, and on one day when the two traveled thirty miles, he remarked: "Made slow progress today."⁴³

When Grigsby and his companion reached Norfolk on their return, the Virginia Convention was not two months distant...

41. "Diary No. 3 $\frac{1}{2}$ ", July 10, 1829.

42. Ibid., July 22, 28, 1829.

43. Ibid., July 19, 1829.

CHAPTER II

AN INTERESTED CITIZEN

Before going into Grigsby's observations as a spectator at the Convention, the writer will first give an account of the story behind the Convention.

Since the end of the Revolution there had been much agitation throughout the state expressing desire for a change in the constitution which had been drawn up in 1776. There had been one minor change in that document during the course of years. That alteration gave the ballot to any white man twenty-one years of age or over who possessed twenty-five acres of land. Formerly the same such man required fifty acres in his possession.¹ That adjustment satisfied a few freeholders, but the measure was by no means an answer to all grievances set forth.

The western part of Virginia was the major source of contention and rightly so. The westerners' prime argument concerned the unequal apportionment of representation in the State Legislature. In 1828, for example, the west had a total white population of 254,196 and sent only eighty members to the House of Delegates and nine members to the Senate. The eastern division of the state totaled 348,873 in white population and

1. Charles Henry Ambler, Sectionalism in Virginia From 1776 to 1861, p. 137.

was represented by 134 Delegates and fifteen Senators.² Had the apportionment then been based upon the white basis exclusively, the west would have been awarded ten additional Delegates and the east would have thereby lost the same number. There would have been little, if any, change in the composition of the Senate.³

The reader will notice that reference has been made only to white population. This actually was the crux of the disagreement. As it then stood, three-fifths of the Negro slaves were being counted in the total population used as the basis of representation. Inasmuch as the big planters were located in the eastern section of Virginia the overwhelming majority of the slaves were to be found there. The west had few slaves, which accounted, in part, for its smaller population, thereby resulting in fewer seats in the government. The west then was obviously in favor of a strictly white basis for representation. As the east stood to lose on that basis, the majority of the populace of that section naturally opposed any change. Though this was the major grievance expressed prior to the Convention, and as will be seen, was the number one problem during the Convention, it was certainly not the only cause for disagreement.

Extension of the suffrage was another problem which required attention. This measure was supported in many sections of the state, east and west alike. It was generally estimated that only 45,000 persons were then given the ballot out of some 75 or 76,000 who should have been

2. Ibid.

3. Ibid.

accorded the vote.⁴

Dissatisfaction was also expressed over the frequency and length of the Legislative sessions. People of the west believed a substantial cut in expenditures could be achieved if the number and duration of such assemblies were reduced. The revenue so saved, the westerners suggested, might then be used to improve roads and canals.⁵

The governor's council was another source of contention and the westerners were particularly disaffected by its existence. They wished its abolition due to its reputed abuse of its powers in connection with the internal improvement and the literary funds.⁶

The county courts were in many instances corrupt in practice and so proved a source of badly needed reform.

Because the majority of such reform measures set forth found their origin in the west, the western delegates to the Convention were generally referred to as the reformers. But now to give a brief story of the efforts which ultimately culminated in the Convention.

As previously stated, agitation for amending the constitution had existed since the Revolution. By 1816 the problems occupied such importance as to result in a convention at Staunton,⁷ That convention originated from a meeting of twenty-two prominent men of western and northern

4. Proceedings and Debates of The Virginia State Convention of 1829-30, ed. by Ritchie and Cook. Speech of Doddridge November 21, 1829, pp. 423, 424.

5. Ambler, Sectionalism in Virginia, pp. 138, 139.

6. Ibid., p. 139.

7. Richmond Enquirer, August 7, 28, 31, 1816.

Virginia held in Winchester in May, 1816. Their objective was to organize agitation towards the Legislature favoring the call of a constitutional convention to correct the inequalities of representation which existed in that body, particularly the House of Delegates. To that end the people of each county were urged by the Winchester assembly to elect two members to attend a convention at Staunton on August 19 of that year.⁸

When the convention delegates assembled, only thirty-six counties were represented. Discussion was centered largely upon the basis of representation question. The object of the group was attained through a memorial to be presented the Legislature asking that a bill be passed to permit the people to decide whether a convention should be called for the purpose "to alter and amend the defects of the Constitution."⁹ The petition met with success in the House of Delegates but was defeated by the Senate.¹⁰ Although this was true, the convention did aid in bringing about a reapportionment in the Senate. As a result of that measure, the east received fifteen instead of twenty members in that body, and the west was awarded five additional Senators, making a total of nine.¹¹

That change subdued agitation for only a short period, and not long thereafter the Legislature was being petitioned by citizens throughout the state requesting reform.

The stage was now set for another convention in Staunton during the

8. Ibid., June 12, 1816.

9. Ibid., August 31, 1816.

10. Ibid., February 13, 1817.

11. Julian A. C. Chandler, Representation in Virginia, Vol. XIV of the Johns Hopkins University Studies, p. 25.

summer of 1825, called by those favoring reform.¹² The body convened July 25 of that year. Thirty-five counties and two cities were represented, and five counties elected delegates who did not attend.¹³ As was the case in 1816, the majority of the delegates who attended were westerners, but the 1825 convention exerted more influence and attracted more attention than its predecessor. After a week of deliberation, various resolutions expressing reform were agreed upon. One favored a reduction of membership in the House of Delegates; another the white basis of population as the basis of representation in the General Assembly, and a third favored an extension of the suffrage.¹⁴

As a result of that concerted action, more pressure was exerted on the Legislature during the 1825-26 session requesting the call of a convention. Repeated attempts having failed, the Legislature finally passed a bill during the session of 1827-28 for the purpose of submitting to popular vote the decision for calling a convention.¹⁵ During the spring of 1828, the vote was taken, and a majority of 5,000 approved of the measure. The vote stood 21,896 to 16,646.¹⁶ Generally, the voting pattern on the measure fell into an east vs. west contest, with the west, of course, favoring the call. There were a few minor exceptions, as can be seen from the map on the following page.

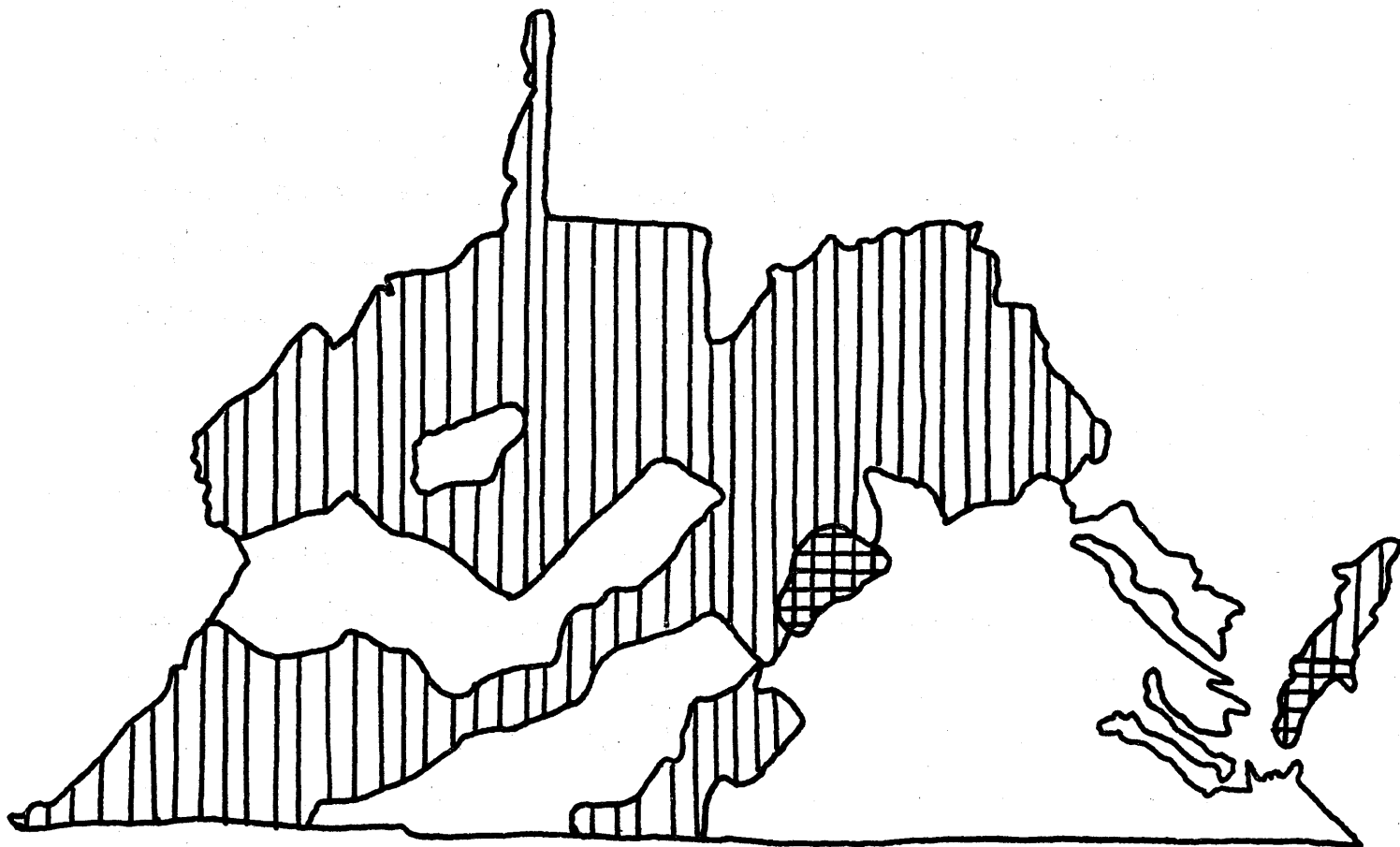
12. Enquirer, July 22, 1825.


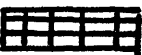

13. Chandler, Representation in Virginia, p. 28.

14. Enquirer, August 11, 1825.

15. Julian A. C. Chandler, The History of Suffrage in Virginia, Vol. XIX of the Johns Hopkins University Studies, p. 30.

16. Proceedings and Debates, p. iii.



-  For the Convention
 Against the Convention
 Evenly divided

17

Though the decision had been reached to call the convention, there was yet much contention to be settled before that assembly was to become a reality. Disagreement arose in the Legislature during the following session (1828-29) concerning the method of selecting the delegates who would attend. After much wrangling, it was finally agreed to select the members according to the Senatorial districts in the state. Four delegates were to represent each district, and as there were twenty-four such districts, this meant a total of ninety-six delegates. The date set for meeting was October 5, 1829.

Remarkable judgment was displayed by the Legislators when it was agreed no restriction was to be placed on the selection of the members according to their district of residence or of offices held. As a result of that stipulation, when the Convention convened there was an array of public figures such as had seldom been witnessed and, in fact, has probably remained unsurpassed in talent and capability to this day. Many held it equal in talent and ability to the great convention held in the state in 1788 which passed upon the Federal Constitution. That assertion will be upheld by many upon reading the names of those so elected.

Giving the list according to Senatorial districts:

<u>DISTRICT</u> <u>NO.</u>	<u>COUNTIES AND/OR BOROUGHS</u>	<u>NAMES OF DELEGATES</u>
1.	Amelia, Chesterfield, Cumberland, Nottoway, Powhatan and Town of Petersburg	John W. Jones Benjamin W. Leigh Samuel Taylor William B. Giles

18. C. H. Young, Virginia Constitutional Convention of 1829, Vol. I No. 2 of The John P. Branch Historical Papers of Randolph Macon College, p.103.

19. Proceedings and Debates, p. iii.

20. Ibid.

<u>DISTRICT NO.</u>	<u>COUNTIES AND/OR BOROUGHS</u>	<u>NAMES OF DELEGATES</u>
2.	Brunswick, Dinwiddie, Lunenburg and Mecklenburg	William H. Broadnax George C. Dromgoole Mark Alexander William O. Goode
3.	City of Williamsburg, Charles City, Elizabeth City, James (City) Henrico, New Kent, Warwick and York	John Marshall John Tyler Philip N. Nicholas John B. Clopton
4.	Shenandoah and Rockingham	William Anderson Samuel Coffman Peachy Harrison Jacob D. Williamson
5.	Augusta, Rockbridge and Pendleton	Briscoe G. Baldwin Chapman Johnson William M ^c Coy Samuel M ^d . Moore
6.	Monroe, Greenbrier, Bath, Botetourt, Alleghany, Pocahontas and Nicholas	Andrew Bierne William Smith Fleming B. Miller John Baxter
7.	Sussex, Surry, Southampton, Isle of Wight, Prince George and Greensville	John Y. Mason James Trezvant Augustine Claiborne John Urquhart
8.	Charlotte, Halifax and Prince Edward	John Randolph William Leigh Richard Logan Richard N. Venable
9.	Spottsylvania, Louisa, Orange and Madison	James Madison Philip P. Barbour Robert Stanard David Watson
10.	Loudon and Fairfax	Charles Fenton Mercer James Monroe William H. Fitzhugh Richard H. Henderson

<u>DISTRICT NO.</u>	<u>COUNTIES AND/OR BOROUGHS</u>	<u>NAMES OF DELEGATES</u>
11.	Frederic and Jefferson	John R. Cooke Alfred H. Powell Hierome L. Opie Thomas Griggs, Jr.
12.	Hampshire, Hardy, Berkeley and Morgan	William Naylor William Donaldson Elisha Boyd Philip C. Pendleton
13.	Washington, Lee, Scott, Russell and Tazewell	John B. George Andrew M'Millan Edward Campbell William Byars
14.	King William, King and Queen, Essex, Hanover and Caroline	John Roane William P. Taylor Richard Morris James M. Garnett
15.	Wythe, Montgomery, Grayson and Giles	Gordon Cloyd Henley Chapman John P. Mathews William Oglesby
16.	Kanawha, Mason, Cabell, Randolph, Harrison, Lewis, Wood and Logan	Edwin S. Duncan John Laidley Lewis Summers Adam See
17.	Ohio, Tyler, Brooke, Monongalia, and Preston	Philip Doddridge Charles S. Morgan Alexander Campbell Eugenius M. Wilson
18.	Fauquier and Culpeper	John S. Barbour John W. Green John Scott John Macrae
19.	Norfolk, Princess Anne, Nansmond and Borough of Norfolk	Littleton W. Tazewell Robert B. Taylor George Loyall Joseph Prentiss

<u>DISTRICT NO.</u>	<u>COUNTIES AND/OR BOROUGHS</u>	<u>NAMES OF DELEGATES</u>
20.	Campbell, Buckingham and Bedford	William Campbell Samuel Claytor Callohill Mennis James Saunders
21.	Franklin, Patrick, Henry and Pittsylvania	George Townes Benjamin W. S. Cabell Joseph Martin Archibald Stuart, Jr.
22.	Albemarle, Amherst, Nelson, Fluvanna and Goochland	James Pleasants William F. Gordon Lucas P. Thompson Thomas Massie, Jr.
23.	King George, Westmoreland, Lancaster, Northumberland, Richmond, Stafford and Prince William	William A. G. Dade Ellyson Currie John Taliaferro Flaming Bates
24.	Mathews, Middlesex, Accomack, Northampton and Gloucester	Thomas R. Joynes Thomas M. Bayly Calvin H. Read Abel P. Upshur

21

Thus is seen the congregation of prominent public figures. There were two ex-Presidents, a Chief Justice of the United States Supreme Court, two United States Senators, and eleven Federal Congressmen, two ex-Governors and numbers of Virginia Legislators. Identifying several as to positions of prominence, there were Madison and Monroe, ex-Presidents, and John Marshall, the greatest jurist of his day and Chief Justice of the U. S. Supreme Court. John Tyler, former Governor of Virginia who was then serving a term in the U. S. Senate and who, in later years, became President of the United States, was also present, as were John Randolph

of Roanoke who had recently led the opposition in the U. S. House of Representatives against the Adams' administration, and Abel Upshur, noted jurist who had served in the House of Delegates and later became one of Tyler's cabinet members by serving as head of the Navy Department.²² Others worthy of mention in this connection included James Pleasants, former Governor of the state, William B. Giles, Governor of the state at the time of the Convention, Littleton Tazewell, Grigsby's beloved friend and leader in the U. S. Senate, Philip P. Barbour, Speaker of the U. S. House of Representatives and later president of the Convention, and numbers of others too numerous to record here.²³ There was at least one interested citizen present who believed, as many others, that the membership of this Convention was hardly to be surpassed, and he was Hugh B. Grigsby.

Retracing just a bit the writer should reveal that the first reference of any significance which Grigsby noted on the coming Convention was nearly a week before the delegates were to assemble. On that same day he also set down in his diary a course of study which he would pursue for the next five months. The schedule to be followed called for the study of mathematics before breakfast and until 10 o'clock. At 12 o'clock he contemplated attending the Convention or, as he stated, "at 12 o'clock attend the Capitol until dinner time."²⁴ The afternoon was to be spent in one of his favorite (and necessary) pastimes - walking. The night was

22. Dictionary of American Biography, Vols. XV, 365 and XIX, 89, 127, ed. by Dumas Malone.

23. Armistead C. Gordon, William Fitzhugh Gordon, pp. 155, 156.

24. "Diary No. 3 $\frac{1}{2}$ ", September 30, 1829.

to find him occupied in study. This, too, was Grigsby's first mention, in his diary, of attending the Convention. Though this plan was carefully drawn up, it was not closely followed and other than his assertion to attend the Capitol and walk, it was practically abandoned in its entirety. However, due to the prime reason it was shelved, and as subsequent events proved, the young man from Norfolk was to gain far more in knowledge than any such closely followed course of study ever would have imparted. In directly referring to the coming event, Grigsby stated:

I understand that Mr. Tazewell [Littleton W. Tazewell] and Mr. Loyall [George Loyall] will visit Richmond on Sunday for the purpose of taking their seats in the August October Convention about to assemble to frame anew the constitution of our state. It appears to me that three great questions will be stated 1st The basis of representation; 2. The Right of Suffrage 3. The Court System. 25

He then named the men whom he thought would be the principal speakers in the Convention. This list included, among others, Philip Doddridge, Chapman Johnson, Littleton W. Tazewell, his friend from Norfolk Borough, John Randolph of Roanoke, William B. Giles, Charles F. Mercer and Briscoe Baldwin.²⁶ This same day's entry also included the clothes which he would carry and, of course, his list of books which would be included in his baggage. Again Grigsby displays his obvious interest in mathematics by including five books on that course in his list.

Two days later he was occupied in packing for his Richmond journey, and this must have consumed the greater part of the day for this notation (concerning the packing of his clothes) was the only subject entry in his diary that day.²⁷

25. Ibid.

26. Ibid.

27. Ibid., October 2, 1829.

It was on a Sunday that Mr. Grigsby departed. On that day he rose before the break of day (at 4 a.m.), and after breakfast had his baggage conveyed to the wharf and thence on the steamboat, "Norfolk". The boat sailed at 7 a.m., having on board as passengers Grigsby, the delegation from the nineteenth Senatorial District in the persons of Littleton W. Tazewell, Robert B. Taylor, George Loyall and Joseph Prentiss, and at least one other passenger. As was natural for Grigsby, he became very well acquainted with this latter traveler while steaming toward Richmond. ²⁸

Young Grigsby obviously enjoyed every minute of the trip to the capital city, being in the company of these noted men. Of the four, however, Mr. Tazewell, without a doubt, was the most prominent in Grigsby's mind. The youngster was infatuated by the "old" man (he was then 54.) This is quite apparent in his (Grigsby's) references to Tazewell mentioned in several instances above, and will be pointed out from time to time. In his diary he related: "On the passage Mr. Tazewell amused and instructed the members of the delegation with his engaging conversation on a number of interesting subjects." ²⁹ Further he stated: "In the afternoon, he [Tazewell] gave Mr. Upshur, Convention Delegate for Accomacke [sic], a complete account of his county from the beginning of the world." ³⁰ Mr. Taylor, whom Grigsby referred to as "Gen. Taylor", also engaged in the conversation. "In this way", wrote Grigsby, "these gentlemen whiled off the time in a very agreeable manner." ³¹

28. Grigsby, "Diary No. 4", October 4, 1829.

29. Ibid.

30. Ibid.

31. Ibid.

The travelers reached the capital around 10 o'clock that night and took lodging in the Eagle Hotel. After talking until 12 midnight, they finally called it a day; a day which the excited Grigsby remembered for many years to come.

But if that day was exciting and long remembered by him, the next brought forth no less excitement. The day was October 5, 1829, and even though Grigsby had remained up until late the previous night, he rose early and shortly thereafter had breakfast, at which time he saw a number of the members of the Convention. No reference is made in his diary as to how the time was consumed between breakfast and 12 o'clock, but in all probability the major portion was passed in conversing with old and newly acquainted friends.

As the hour of twelve noon approached, the members of the Convention and the interested spectators made their way to the Hall of the House of Delegates in the Capitol building. Grigsby gives a brief account upon the convening of the members:

At 12 o'clock the Convention was called to order by Mr. Madison, when he nominated Mr. Monroe as president of the Convention who being thereupon elected, was conducted to the chair by Chief Justice Marshall and Mr. Madison. He then returned his thanks to the House and the election of clerk was made. On the right of the chair was Charles Fenton Mercer, on the left was Mr. Madison and Judge Marshall.

Grigsby seemed more intent that day upon seeing the different members of the Convention, especially the more prominent ones, than he was

32. Ibid.

33. Ibid., October 5, 1829.

34. Ibid.

of taking in the proceedings. He wrote:

I saw Gen. Briscoe G. Baldwin of Staunton [Staunton]; also Gov. Pleasants [meaning former Governor James Pleasants, Jr. who was Governor of Virginia from 1822 to 1825]; 35 but I would particularly notice John Randolph of Roanoke. His black eye may be seen at an immense distance. I heard Mr. Loyall say that he saw Randolph bite his lips when Monroe was nominated, and appeared on the eve of rising! 36

As Grigsby did not attempt to record any lengthy proceedings of the Convention, the writer will supplement his material from time to time in order to afford the reader a better understanding of those procedures.

After the election of the President, Clerk and various minor positions, the roll was taken. The absentees included William B. Giles from the first district; David Watson of the ninth who had already notified the Executive of his inability to serve; Callohill Mennis of the twentieth; William Dade of the twenty-third, and Ellyson Currie also of the twenty-third, who had passed away since his election; and Calvin H. Read of the twenty-fourth district. ³⁷ Of these, only Giles and Mennis ever attended. During later sessions, Neale and Alexander F. Rose replaced Currie and Dade of the twenty-third district; Waller Holloday took the seat of Watson from the ninth district, and William K. Perrin assumed the chair vacated by Read of the twenty-fourth district. ³⁸ There were several changes in membership during the course of the assembly, and these will be noted if such changes were of major importance.

For the first few days the members were busy organizing procedures.

35. A Hornbook of Virginia History, ed. by J. R. V. Daniel, p. 8.

36. "Diary No. 4", October 5, 1829.

37. Proceedings and Debates, p. 5.

38. Journal, Acts and Proceedings of A General Convention of The Commonwealth of Virginia 1829-30, pp. 23, 24, 34, 46.

One of the first steps taken was to set up a Committee of Twenty-four composed of one delegate from each of the Senatorial Districts. The task of this body was that of adopting a course, which they deemed the best method, of completing the work of the Convention, and quite naturally it was composed of a goodly number of the more prominent delegates.³⁹

It was the second day of the Convention that the Committee of Twenty-four was brought into existence. Grigsby, of course, was present, but he was more concerned with the actions of Mr. Monroe. Some of the delegates seemed a little skeptical of his appointment as President from the beginning. Though Grigsby was not a delegate at the time, he was far from confident of the gentleman's ability. He wrote: "Mr. Monroe's conduct in the chair is reprehensible enough. It appears to be the opinion of all with whom I have conversed, that he will be necessitated to resign."⁴⁰ This bit of prophecy was later borne out.

It is superfluous to state that Grigsby found these days (and nights) to be quite enjoyable. After having attended the Convention, he usually passed the rest of the day in walking about the city with a friend, conversing with the different delegates, and in some instances reading. One of his earlier friends and frequent companions during these Convention days was William F. Gordon, Delegate from the twenty-second District. Grigsby always referred to him as "Gen. Gordon" and actually he was a General. Though he had served in the War of 1812 as a private,

39. Ibid., p. 10.

40. "Diary No. 4", October 6, 1829.

in later years the General Assembly elected him to the rank of Major-General.⁴¹

For the next few days Grigsby viewed the wrangling in the Convention over the best method of accomplishing its task. Finally agreement was reached to appoint a committee for each of the three departments of government for the purpose of taking into consideration each respective department, "as established by the present Constitution," and to report to the Convention any amendments or changes necessary. In the case of the Legislative department, they were to report, "either a substitute for the same" or any necessary changes.⁴² A fourth committee was also appointed. This latter body was "to take into consideration the Bill of Rights, and such other parts of the present Constitution as are not otherwise referred."⁴³

Mr. Tazewell, Grigsby's friend, was not in complete accord with the decision so reached. He wished the Constitution and the Bill of Rights to be discussed and examined by a committee of the whole House, and he thereby offered a resolution to that effect.⁴⁴ Tazewell appeared a little dubious of this measure himself, for Grigsby wrote:

After breakfast I saw Mr. Tazewell who explained with great ability to me the leading advantages of the substitute he offered yesterday in Committee. He also informed me that he would offer the resolution today but not with the slightest idea of its adoption; it was his own opinion that it ought not to be offered, but his friends seemed desirous that he should do so, and he acted for them but against his own judgment.⁴⁵

41. Gordon, William F. Gordon, p. 88.

42. Journal, Virginia Convention 1829-30, p. 19.

43. Ibid., p. 22.

44. Ibid., p. 12.

45. "Diary No. 4", October 9, 1829.

The resolution was offered a second time but as the author suspected, it was rejected and by a vote of thirty-four to fifty-four. It is interesting here to note that Robert B. Taylor of the Norfolk delegation, (the nineteenth Senatorial District), the man whom Grigsby was later to replace, was the sole dissenting voter, on that proposal, of that delegation.⁴⁶

After the method of proceedings was settled by the adoption of the committee system, and the delegates were appointed to those different bodies, the work of the Convention devolved largely upon those committees. As the Legislative Committee inherited the all important basis of representation question, and as Mr. Tazewell was a member of that group, Grigsby usually found himself in attendance at the session of that body. However those were not the only reasons Grigsby constantly viewed the deliberations of that body. Later on Grigsby recorded in his diary that Tazewell asked him to attend the sessions of the Committee due to his (Tazewell) having to be absent (he had to return to Norfolk).⁴⁷ At this early date he was attending purposely to get a full account of the proceedings in that body.

Mention was made above of Taylor's being replaced by Grigsby in the Norfolk delegation. Actually it appears to this writer that from the very beginning of the Convention, and perhaps from the day Taylor was elected as a delegate, the other three members were opposed to his presence

46. Journal, Virginia Convention 1829-30, pp. 19, 20.

47. "Diary No. 4", October 13, 1829.

and were scheming to oust him. It was a well known fact Mr. Taylor favored reforms in the Constitution.⁴⁸ This then aligned him with western interests - interests very much opposed by the other members of his group. The first evidence that discord existed between Taylor and his colleagues has already been revealed above in the vote taken on Mr. Tazewell's resolution. Other observations will be presented, culminating in Taylor's ultimate resignation.

Though young Grigsby was very much occupied with the Convention, he did not fail his studies and the books he had brought along. Only a few days had elapsed before he drew up another course of study, and though he made some attempts to follow that plan, he was not too successful in doing so. His efforts were probably defeated for the simple reason there were so many people with whom he could converse! Further, the sessions of the Legislative Committee were too exciting for Grigsby to resign himself to study.

In order to ascertain the functioning of the Convention during the second week of deliberation, one had only to read accounts which appeared in one of the local newspapers: "The different committees are actively and laboriously engaged and reports from some of them, may now be early anticipated. In the meantime, the sessions of the Convention itself are brief, and its proceedings uninteresting."⁴⁹ And the following day:

48. Enquirer, November 10, 1829, Letter from Robert B. Taylor to James Monroe, President of the Convention.

49. Richmond Whig, October 15, 1829.

The Committees detailed by the Convention, now sit from 10 to 2 o'clock, and are besieged by numerous crowds, attracted by the importance of their deliberation, and the celebrity of many who join in the discussions. The Convention itself, merely meets to adjourn, presenting the unheard of spectacle, of a deliberative body whose entire numbers were [are] absorbed by its committees, and which until those committees shall report, has no one thing to do."⁵⁰

It was not until the third week of deliberation that all of the committees finally reported. In the meantime Grigsby had indulged in several conversations concerning the merits of General Taylor. He revealed in one of those discussions what he perceived to be the ultimate objective of Mr. Taylor in adopting the course (of reform) which he had chosen. Grigsby expressed belief that the General had an eye to a seat in the United States Senate and thus "this was the polar star that guided him."⁵¹

On the day the Legislative Committee reported its resolutions, Grigsby was not present at the proceedings. He wrote: "Having some arrangements to make, I did not attend the session of the Convention, being convinced that nothing of importance would be transacted."⁵² He gave no indication as to what those arrangements might have been, but conceivably he was occupied with obtaining another rooming place now that the State Legislature was nearing assembly.

This writer has uncovered only one instance in which Grigsby expressed an opinion contrary to the belief of Mr. Tazewell, and this he recorded only a short time before he entered the Convention as a delegate. In referring to a conversation which had taken place between Tazewell,

50. Ibid., October 16, 1829.

51. "Diary No. 4", October 23, 1829.

52. Ibid., October 25, 1829. (Grigsby was confused on the date. It was 24th of October.)

Loyall, William Maxwell (a Norfolk friend but not a delegate) and himself, Grigsby stated:

I recollect hearing Mr. Tazewell say that, they talk of basing representation upon numbers, they might as well talk of basing representation upon grannies [sic]. That in an equal apportionment by numbers, today or tomorrow would destroy the level - this man would die, - that [man] would leave the country - and so in a short time, the inevitable inequality attendant on all human institutions would appear as strong as ever."

As to this conception the young man wrote:

To this opinion I cannot yield assent. True, inequalities will exist in all stage and states of being - but gross inequalities need not exist and would not exist in an equal apportionment of population, at least not until 10 years, the usual period for taking census, when the counties would be re-apportioned to the original standard."⁵³

Although Grigsby was much the younger of the two men, he most certainly was being the more objective in this instance. But now to turn once again to the case of General Taylor.

Grigsby made mention in his diary only of Mr. Tazewell's returning to Norfolk for a few days, as referred to earlier; However, Mr. Loyall, a member of the Norfolk delegation, also went along.⁵⁴ It is this writer's belief that the two men returned home in order to influence their constituents to get a little strict with General Taylor, and so order him to vote with the easterners in the Convention. This assumption is based upon the fact that not long afterwards, Taylor received several sets of instructions from his constituents which evidently ordered him to adhere to the adopted course or to vacate his seat. In the meantime, Taylor received

53. Ibid., October 27, 1829.

54. Norfolk American Beacon, October 12, 1829.

no sympathy from the man who was eventually to take over that seat. Grigsby wrote:

After breakfast [I] attended the Capitol, where I heard Watkins Leigh [delegate from Chesterfield county] deliver one of the most eloquent speeches ever delivered before a deliberative body. He nobly maintained the interests of the east against all opponents with an eloquence that awakened every mind, and produced its influence on every heart. He assumed a bold and decisive stand against the spirit of Reform, and hurled defiance at its supporters.

Grigsby went on to relate that "poor General Taylor" seemed much disturbed at Leigh's blasts and "He [Taylor] rose to make an explanation in which nothing was explained - he showed a face covered with the bloodiest crimson...." Further: "He [Taylor] deserved this treatment, and he paid severely for his treason to the East."⁵⁵

As to the instructions to Mr. Taylor, Grigsby recorded:

Today [I] attended the Convention, and recieved [sic] a communication from Chandler [evidently a Norfolk associate] which contained instructions to Gen. Taylor. I called Mr. Tazewell out of the Convention, and communicated the instructions to him. He told me not to keep out of the way as I might be wanted; that the delegation had come to a determination - and that Mr. Loyall wished to see me. I hereby half believed that I was the individual selected. A short time [later] all the delegation, consisting of Prentiss, Loyall and Tazewell came near where I was, and Mr. Tazewell called me aside. He then informed me that I had been chosen; and that I had better keep within reach; that 56 the credentials would be made out and delivered to me in a short time.

Thus Mr. Taylor could not accept the instructions given him and chose rather to resign. In a letter to Mr. Monroe, the President, he explained that he could not conscientiously execute the wishes of his colleagues, and apparently a large majority of the people in his district, and therefore tendered his resignation. His letter clearly expressed that inasmuch

55. Grigsby, "Diary No. 5, November 1, 1829 - May 1, 1830", November 3, 1829.

56. Ibid., November 7, 1829.

as his original intention was to support the reform measures advocated by the west, he felt he had violated no trust.⁵⁷

As might have been expected Taylor's resignation was the source of much talk and a great deal of writing. While at least one newspaper approved of the General's course, others considered he had been illegally deprived of his seat and so should have remained as the lawful delegate. The editors of a Norfolk paper wrote: "His [Taylor's] course, we think, under every aspect, is entitled to particular approbation and respect."⁵⁸

According to one of the Richmond papers, the above quoted periodical was biased, as were all of the Norfolk papers.⁵⁹ Thereby such approbation was expected. In contrast, the editors of a Richmond paper, the Whig, seemed overwhelmingly in favor of Mr. Taylor, and believed he should have retained his position. In regard to the stand assumed by the editors of that paper, theirs was a position based upon sentiments favoring many of the reform measures sponsored by the west. They expressed the opinion that the ousting of General Taylor was one of many foul efforts afoot to defeat the white basis of representation.⁶⁰ This particular paper was very bitter over the issue of Taylor's departure, and for several days carried articles resisting such "foul" measures. Another of the leading Richmond periodicals of the day, the Enquirer, though favoring reform measures, made little reference to the issue.

57. Journal, Virginia Convention 1829-30, Letter from Taylor to Monroe, President of the Convention, pp. 49, 50.

58. American Beacon, November 9, 1829.

59. Whig, November 23, 1829.

60. Ibid., November 9, 1829.

In that all sources concerned were obviously prejudiced, it becomes somewhat difficult to give a fair appraisal as to whether Taylor was relieved of his position in a legal manner. The legality or illegality of such action revolves about the number of qualified voters whose names appeared on, or who were responsible for, the instructions directed to that delegate. Based upon information taken from Taylor's letter of resignation, one can easily conclude that a majority of his constituents favored dispatching those instructions. Subsequent events all but proved this to be a fact. Upon returning home Mr. Taylor made several speeches before a number of his constituents explaining his action in the Convention. Though he was successful in one of those meetings in securing resolutions which amounted to approbation of his course and a request for the resignation of Hugh B. Grigsby, this represented the height of his success.⁶¹ In another such meeting before the voters of Norfolk county, though the action of Taylor (while in the Convention) was approved, a proposal requesting the resignation of Grigsby was rejected.⁶² A similar agreement was reached by the qualified voters of Nansemond county.⁶³ Princess Anne, the remaining county in the nineteenth district, held a like conference, but the resolutions approving Taylor's position were signed by only a very few voters.⁶⁴

Thus while it is apparent a majority of the voters of the nineteenth

61. American Beacon, November 12, 1829.

62. Ibid., November 17, 1829.

63. Whig, November 16, 1829.

64. Ibid., November 30, 1829, Letter from a citizen of Norfolk District.

district refused to rebuke Taylor for his course as their representative, they were unwilling for him to be seated again. While Grigsby was plagued in several instances with requests for his resignation, it can be concluded he had the approval of a majority of his constituents in replacing Taylor as one of their delegates. The youngster did not let them down.

CHAPTER III

A DELEGATE

November 9, 1829, was the day Grigsby took his seat as a delegate to the Constitutional Convention. He was not yet twenty-three years of age. On that day he recorded in his diary: "At about half past ten o'clock today, I walked into the Convention Hall, and delivered my credentials to the clerk. I was congratulated by Gen. Broadnax, Gen. Gordon, Gen. Boyd, and a host of others."¹

Broadnax, Gordon and Boyd were delegates from the second, twenty-second and twelfth districts respectively.

Young Grigsby most surely was in a perturbed state of mind during his first few weeks as a member of the Convention for on several occasions during that period he received letters and instructions from the people of his district requiring his resignation. In one such instance a letter from his native Norfolk bore the names of 270 persons.² But to his great relief, he also received a number of letters advising against resignation.³ This, together with the support of his fellow colleagues, strengthened Grigsby in his desire to remain.

1. "Diary No. 5", November 9, 1829.

2. Ibid., November 18, 1829.

3. Ibid., November 13, 14, 1829.

The writer will now give a brief summary of the more important business accomplished by the Convention until the date Grigsby entered as a delegate.

As an interested citizen the youngster from Norfolk had witnessed relatively slow progress in the Convention. Finally, nearing the end of the third week, the Legislative Committee submitted its set of resolutions. As this was the last to report of the four Committees which had been appointed to study the different sections of the Constitution, including the Bill of Rights, it was generally expected that the work before the ninety-six delegates would then be accomplished with greater rapidity. However, this was not exactly the case. The decisions and resolutions so reached by the above mentioned Committees remained to be passed upon by the entire Convention. In order to provide for greater efficiency in those undertakings, the Convention organized into a Committee of the Whole.⁴ This was the last large body so established by the Convention, and it was through this method that the real work of that deliberative group was accomplished.

The major obstacle which remained to be surmounted lay in the question concerning the basis of representation. This problem, quite naturally, was part of the business which had been taken up by the Legislative Committee and there proved a source of great contention. However, that had not come as a great surprise for, as stated before, this question was a known problem of some years' standing. Only after lengthy debate, and

4. Proceedings and Debates, pp. 40, 41.

some compromising on the part of one of the older members (Mr. Madison), was the question passed in that Committee, but then only as pertained to membership in the House of Delegates.⁵ The resolution concerning the basis of representation as finally reported by the Legislative Committee read: "Resolved, that in the apportionment of representation in the House of Delegates, regard should be had to the white population exclusively."⁶ The same basis for the Senate was rejected.⁷

The business as reported by the four selected Committees was now before the Committee of the Whole Convention. Several resolutions offered by individual members also were up for consideration. This then was the state of affairs when Grigsby assumed his seat. The situation was to remain relatively the same for some weeks to come.

Young Grigsby witnessed debate after debate upon the merits (and demerits) of many plans of compromise concerning the basis question before agreement was actuated.

Discussion upon the all important resolutions of the Legislative Committee had begun before Grigsby entered as a delegate. Green of Culpeper set forth the first proposal regarding that report. He moved to amend the resolution calling for membership in the House of Delegates to be based upon white population exclusively to read as follows: "That in the apportionment of representation in the House of Delegates regard

5. Whig, October 17, 1829.

6. Journal, Virginia Convention 1829-30, p. 36.

7. Enquirer, October 16, 1829.

should be had to the white population and taxation combined." ⁸ Such a proposition would have favored the east. This can be clearly seen through the following figures. In that year (1829), the average valuation according to sections for tax purposes was 92 cents per acre for the trans-Alleghany, \$7.33 for the Valley, \$8.20 for the Piedmont and \$8.43 per acre for the Tidewater. ⁹ Benjamin W. Leigh, delegate from Chesterfield, was more explicit. He stated that for every dollar levied on the people west of the Blue Ridge, \$3.16 was levied on those east of the mountains, and for every dollar paid by the westerners, \$3.24 was paid by the people of the east. ¹⁰ For three weeks arguments were advanced by both sides. The amendment offered by Mr. Green then was voted upon and rejected. On that date Grigsby recorded in his diary: " I attended the Convention and heard Stanard conclude his speech of the day before supporting Green's proposition . Then Mr. Randolph took the floor and spoke for one hour and four-fifths. The question was then taken on Green's amendment, and we of the East lost it by 2 votes, 47-49." ¹¹

After the defeat of the above amendment, some interesting figures were revealed by a Richmond newspaper comparing the population figures (white people only) represented by those delegates who opposed against the figures of those who voted for the measure. If those figures are correct (and they appear to be reasonable), then 402,634 persons were

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8. Proceedings and Debates, p. 53.
 9. Ambler, Sectionalism in Virginia, p. 141.
 10. Proceedings and Debates, p. 153.
 11. "Diary No. 5", November 14, 1829.

represented by the 49 delegates who opposed the proposition, whereas only 280,000 constituents were represented by the 47 members who voted in favor of the amendment.¹² By doing a quick tally based on these population figures, the writer discovers that had the Convention members been chosen on the white population basis, (a plan which had been set forth but defeated by the eastern legislators), then no less than 56 of the 96 delegates would have favored that basis of representation for selecting members of the General Assembly. Assuming these figures are not in error, is it any wonder the easterners were opposed to the white basis and thus voted for Green's proposal?

Several days following the above proposal, Grigsby heard a second proposition set forth as an amendment to the basis resolution for the House of Delegates. Leigh of Chesterfield proposed a scheme requiring three-fifths of the slaves to be represented.¹³ The young delegate from Norfolk noted that this proposal also failed and by the same vote as Green's proposal - 47 to 49.¹⁴

This second measure resulting in defeat, it was decided by the members of the Convention to pass over the basis question for the meantime and endeavor to attain agreement on other resolutions set down by the Legislative Committee.¹⁵ After some measure of success with the suffrage question, the Senate then became the object of debate. In conjunction

12. Whig, November 17, 1829.

13. Proceedings and Debates, p. 322.

14. "Diary No. 5", November 16, 1829.

15. Proceedings and Debates, pp. 342-344.

with this issue, Mr. Gordon of Albemarle (Grigsby's friend), introduced a proposal which, in amended form, ultimately settled the whole of the basis question. His plan for representation was as follows:

There shall be ten Senators West of the Blue Ridge of mountains.
 There shall be in the House of Delegates one hundred and twenty members; of whom twenty-six shall be elected from Virginia lying West of the Alleghany mountains; twenty-four from the Valley between the Alleghany and Blue Ridge to the head of tide-water; and thirty-three thence below. 16

This proposal was then placed upon the table for future discussion. Thereafter several similar proposals were advanced, one by Upshur of Northampton, a second by Leigh of Chesterfield, a third by Cooke of Frederick, and a fourth by John Marshall. ¹⁷ Actually, these five measures were compromise attempts and were concerned exclusively with representation in the two houses of Legislature as to basis and apportionment of membership. The following page contains a chart which reveals those plans.

These measures were welcomed with relief both in regard to the delegates and the populace as a whole. For many days the local (Richmond) newspapers had been unable to report any substantial progress on the tasks before the delegates. Their accounts as to accomplishments had run somewhat the same from day to day: "We cannot yet congratulate the People, on their Representatives being in sight of land. The apportionment of representation is not decided. No question is yet taken, which chalks out the course of the Convention."¹⁸

16. Ibid., p. 455.

17. Ibid., pp. 494-499.

18. Inquirer, November 26, 1829.

DELEGATES	NO. HOUSE OF DELEGATES	NUMBER SENATE	HOUSE OF DELEGATES				SENATE			
			1st or Western District	2nd or Valley District	3rd or Middle District	4th or Tidewater District	1st Dist.	2nd Dist.	3rd Dist.	4th Dist.
Cooke	120	36								
Gordon	120	24	26	24	37	33	-	-	-	-
Upshur	120	30	26	22	38	34	7	6	9	8
Marshall	126	—	24	23	43	36	-	-	-	-
Leigh	126	—	26	23	42	35	-	-	-	-

Cooke favored representation according to the white basis in the House of Delegates and a mixed basis in the Senate (white population and taxation combined).¹ Neither Gordon nor Leigh referred to the basis of representation as pertained to population, but divided the State into districts and awarded each district a number of delegates.² Leigh nor Marshall made reference to the size of the Senate, and while Gordon did so, he did not give a breakdown according to districts.³ Upshur recommended a basis (for both Houses) taken from an average of the white population, the mixed basis, and federal numbers.⁴ Marshall proposed a basis drawn from an average of the white population and federal numbers according to the census of 1820.⁵ An amended form of Gordon's resolution ultimately proved successful.

1. Proceedings and Debates, p. 495.
2. Ibid., pp. 455, 495, 495.
3. Ibid., p. 455.
4. Journal, Virginia Convention 1829-30, pp. 61, 62.
5. Proceedings and Debates, p. 499.

The above quote appeared before the five compromise measures were introduced, but these propositions did not alter the situation immediately. It remained for Marshall and Madison to call for adoption of some type of compromise measure before agreement was attained.

All the while Grigsby was in constant attendance. Beginning the second week of December, he and several other members were putting in long days of deliberation, for the General Assembly was then in session. The long hours evidently were quite taxing upon Grigsby, for until that date he had each day recorded the highlights of the day's happenings in the Convention; afterwards, the accounts became very sketchy, and he merely recorded: "Attended Legislature and Convention", or "Attended Convention". Though Grigsby was well occupied during those days (attending both the Convention and the House of Delegates), he nearly always found time for his daily walk. The remainder of the day's activity was consumed in reading, writing to his friends, and his favorite pastime - conversation.

It was remarkable that the young man was not often sick considering his long hours of activity and state of health, but on only two days (and they were successive days) did sickness prevent his attending his duties. Perhaps the heavy activity helped remove his mind from constant thoughts of poor health, and consequently he did not "worry" himself into a state of sickness.

19. *Ibid.*, December 1, 3, 8, 1829.

20. "Diary No. 5", December 31, 1829, January 1, 1830.

Shortly after the legislative session of 1829-30 convened, it became necessary for the Convention to locate another meeting place for, as stated before, the Hall of the House of Delegates was the meeting place of that body. One of the local churches (Presbyterian) was first adopted as a suitable place, but due largely to the poor acoustics the church had to be abandoned.²¹ Several days later the First Baptist Church of the city was chosen as a proper site for deliberation.²² Grigsby, in his diary, referred to the new location as "the Baptist Church near the Monumental Church."²³

With the old meeting place also went the old President of the Convention -- James Monroe. The ninth day of December found Mr. Monroe unable to attend the Convention. During the same week Monroe had one of his colleagues of the tenth district, Charles F. Mercer, present to the Convention his letter of resignation:²⁴

Sir,

My indisposition rendering it impossible for me to perform my duties, either as presiding officer, or as a member of the Convention, I owe it to that body, to my constituents, and to the Commonwealth, to resign my seat, to enable my colleagues to devolve on some other person the duties that I am thus prevented from performing.

I avail myself of this opportunity, to express my grateful sense of the generous confidence of my constituents, evinced by their election of me to the important trust, and of their support of me in the course that my conscientious convictions have induced me to take in the execution of that trust, though it differed in some degree

21. Whig, December 9, 1829.

22. Journal, Virginia Convention 1829-30, p. 72.

23. "Diary No. 5", December 11, 1829.

24. Journal, Virginia Convention 1829-30, Letter from James Monroe to Philip Barbour, Acting President of the Convention, p. 10.

with the sentiments they had entertained.

For the distinction with which I have been honored by the Convention, by its selection of me to preside over its deliberations, I have already offered my grateful acknowledgements; and I beg leave again to tender them, and to add, that as a testimony of approbation of my conduct in the many important trusts I have held, under the State and Federal Government, at home and abroad, it will continue to be a source of consolation to me to the latest moment of my life.

In separating myself from the Convention, I cannot refrain from the expression of my ardent and anxious hopes, that the result of its deliberations may correspond with the expectations so fondly cherished before its session commenced, and that a Constitution will be framed that will secure the rights and protect the interests of all, command the public approbation, and promote the happiness and prosperity of the State.

I beg you to tender to the members of the Convention individually, my most respectful salutations, and to be assured of the high esteem with which

I am,

Your most obedient servant,

JAMES MONROE.

Note on the resignation of Mr. Monroe is interesting here not only due to what Grigsby had written concerning his capability at the very beginning of the Convention, but also for the reason Gen. Taylor was named by the remaining members of the tenth district delegation to take over Monroe's vacant seat. If any of the western delegates looked forward to Taylor's appearance, they soon were disappointed for he quickly notified the delegates of his inability to attend, though he highly valued the honor thus offered him. ²⁵ Another appointee readily accepted who was, quite naturally, a western adherent.

Grigsby made no mention in his diary concerning the resignation of Monroe, but it is of some interest to record his opinion of Philip P. Barbour, delegate from Orange county, who was elected to succeed Mr. Monroe.

25. Ibid., p. 79.

He wrote:

From Orange, deserves all the credit for talents and industry, incorruptible integrity, and unassuming worth, that I can give - that the world can bestow upon him.

His appearance is unfavourable, and he is decidedly [sic] an ugly man, but he is overpowering in logic. His voice is harsh, his manner tolerable, but his logic excellent. A quick, very rapid speaker; condensing his thoughts much.

I became well acquainted with him, and say without hesitation, that he is worthy of any honor that a nation can bestow upon a man devoted to its best interests, almost unrivalled [sic] in the powers of his mind, and incorruptible integrity. 26

The sketch of Barbour was only one among many which Grigsby completed while attending the Convention. Shortly after the assembly had convened, he recorded in his diary his intention to describe the various persons of distinguished character who were present.²⁷ A few days later he was more explicit. He then expressed his intention to "delineate the personal appearances of members of the Convention, and the style of their eloquence, or it might rather be said the structure of their minds."²⁸

Actually it was Grigsby's intention to write up all the members, but he was only successful in completing sketches of those members composing the delegations of the first nine Senatorial Districts, plus one delegate of the tenth district, Charles F. Mercer. The writer will here present brief interpretations of those sketches of the more prominent

26. Hugh B. Grigsby, "Sketches of Members of The Constitutional Convention of 1829-30", Vol. II No. 3, in The Virginia Magazine of History and Biography.

27. "Diary No. 4", October 8, 1829.

28. Ibid., October 11, 1829.

figures who were present and several of those delegates who were not widely known prior to the Convention but who proved themselves fully capable during its sessions.

Benjamin W. Leigh, one of the most competent and influential personalities who attended, and referred to in several instances above, was one of the very first members whom Grigsby depicted.

Benjamin W. Leigh - A handsome man past fifty, but seeming much younger, he was of normal height and graceful, though he was lame. He was an eloquent and uncompromising leader in debate on all important issues in the Convention and especially distinguished himself in speaking against reform. He was clear in his reasoning and a good speaker, and only a "childish fretfulness" in his manner sometimes marred his excellence.
29

John Marshall - From appearance, he seemed devoid of intellect. He was a tall lean man unfashionably and carelessly dressed, with a poor speaking voice and manner. However, his always obvious conviction in his cause and true reasoning, as well as his great age and high position, combined to render him a "powerful advocate and most formidable opponent."
30

John Tyler - He spoke very little, thus affording scant opportunity for observation of his character; however, he was a tall and graceful man with a very pleasant and unaffected manner, and when he did speak, it was with gestures of a polished gentleman rather than a debater.
31

29. Grigsby, "Sketches of Members of The Constitutional Convention", pp. 320-321.

30. Ibid., pp. 322-323.

31. Ibid., pp. 323-324.

Chapman Johnson - A man at odds with himself, he was in the terrible position of having to assist in changing a Constitution which he obviously revered. Unfortunately he chose to strike a middle road and therefore was not trusted by his friends of the west and laughed at by his opponents of the east. He was often embarrassed by his precarious position and his influence was little. Grigsby rated him a great man and pitied his inner conflict.³²

John Randolph - A most impressive person was this man from Roanoke. His slightest movements were noted by all eyes in the Convention, and even his demand that the clerk "read louder" caused a hush to fall over the entire congregation. His appearance was one of a slim boy.³³

James Madison - A small old man in antiquated clothing, he retained the same "jocose disposition" of years ago, and jested during the speaking of others, but appeared frightened when speaking himself. His mind was slow but steady in the confusion of a crowded assembly where many questions were put to him.³⁴

Now to return to the final few weeks of deliberation in the Convention. The reader should recall the story was dropped with the introduction of the five compromise measures offered, the resignation of Mr. Monroe and the subsequent appointment of Philip Barbour as Convention President. Debate on the five measures occupied the sessions during most of November and for several weeks in December. Finally, on the 18th of December,

32. Ibid., pp. 326-327.

33. Ibid., p. 330.

34. Ibid., p. 331.

agreement was accorded on an amended version of Gordon's proposition by a vote of 50 to 46.

As adopted, Gordon's resolution provided for a Senate of thirty-two members and a House of Delegates with 127 delegates. The west was to be represented in the Senate by thirteen members. The remaining nineteen Senators were to be elected east of the Blue Ridge. The breakdown of the House was as follows: "Twenty-nine [members] shall be elected from the district west of the Alleghany mountain; twenty-four from the Valley between the Alleghany and Blue Ridge; and forty from the Blue Ridge to the head of tide water; and thirty-four thence below."³⁵

There are several explanations as to how a resolution such as Gordon's (remember it ignored the white basis question entirely, the one object of the west) received the necessary majority vote for passage. One of those reasons was the change in attitude of both Madison and Marshall. The two were first regarded as neutral, but as the Convention progressed, they gradually tended to side with the easterners.³⁶ A second explanation concerns a changed attitude on the part of the delegates from the middle section of the state. Those members came to the Convention with the intention of supporting most of the reform measures, but when Gordon's plan was introduced, they quite naturally underwent a change of mind in that Gordon's proposition increased their members in the House of Delegates by several delegates. This can be ascertained by merely

35. Journal, Virginia Convention 1829-30, p. 108.

36. Ambler, Sectionalism in Virginia, p. 165.

reviewing Gordon's proposal. Another factor which helped bring about the passage of the above resolution, and which is of particular interest here, was the resignation of General Taylor and the appointment of Hugh Grigsby to fill that vacancy. That change resulted in the loss of a vote for the west and the gain of a vote for the east. Though that difference may appear minor in theory, in actual practice such an alteration can mean a world of difference, and in the case of the Convention, such was the story as the voting was quite evenly distributed.

The passing of Gordon's resolution by no means brought about the termination of the Convention, but it set the stage for agreement on the remaining problems, and thus the eventual passage of the new constitution which was effected on January 14, 1830 by a vote of 55 to 40. Mr. Dodd-³⁷ridge was the only member absent for the final ballot.

Actually the new constitution was but little different from the one adopted in 1776. The suffrage was extended, and the Executive Council was reduced in membership (but not abolished as the west had wished). Other than these changes and a few alterations in the judiciary, the west benefited little from the efforts of the Constitutional Convention, and one quickly notices this in reviewing a breakdown of the balloting favoring adoption of the new document. The only delegate from west of the Blue Ridge who supported the new instrument was Cooke of Frederic county.³⁸ Thus by this fact alone it can hardly be said that the new constitution composed the differences between east and west which brought about the

37. Journal, Virginia Convention 1829-30, pp. 296, 297.

38. Ambler, Sectionalism in Virginia, p. 168.

Convention of 1829-30. Some of those differences were settled in later conventions; others were dissolved by the division of the state in 1863.

The following April (1830) the newly-framed instrument was presented to the qualified voters for passage or rejection and was ratified by a majority of nearly 9,000 votes. As was expected, the east favored ratification whereas the west opposed.³⁹ The map at the end of this chapter present a clearer conception of that voting.

Grigsby recorded nothing in his diary as pertained to the division of vote on the constitution, but he did give an interesting, if not touching, description of the last moments of the last day's session:

There was presented a most trying scene - trying to my feelings. I could scarce refrain from shedding tears, when I saw the tremulous Isicl state of Col. Barbour, the deeply affected and venerable Mr. Madison, the evident sympathy of Randolph, and the strong expression of feeling which masked Mr. Tazewell's face.⁴⁰

With such deep emotion within his heart and that "trying" scene pictured indelibly in his mind, Hugh Blair Grigsby heard the last rap of the Chair's gavel which signified adjournment. The night proved a bit more joyful as many of the Convention members met and drank wine together. Grigsby recorded that "a great number of members of the Senate and House of Delegates" were present also. "The evening", he added,⁴¹ "was spent in social glee."

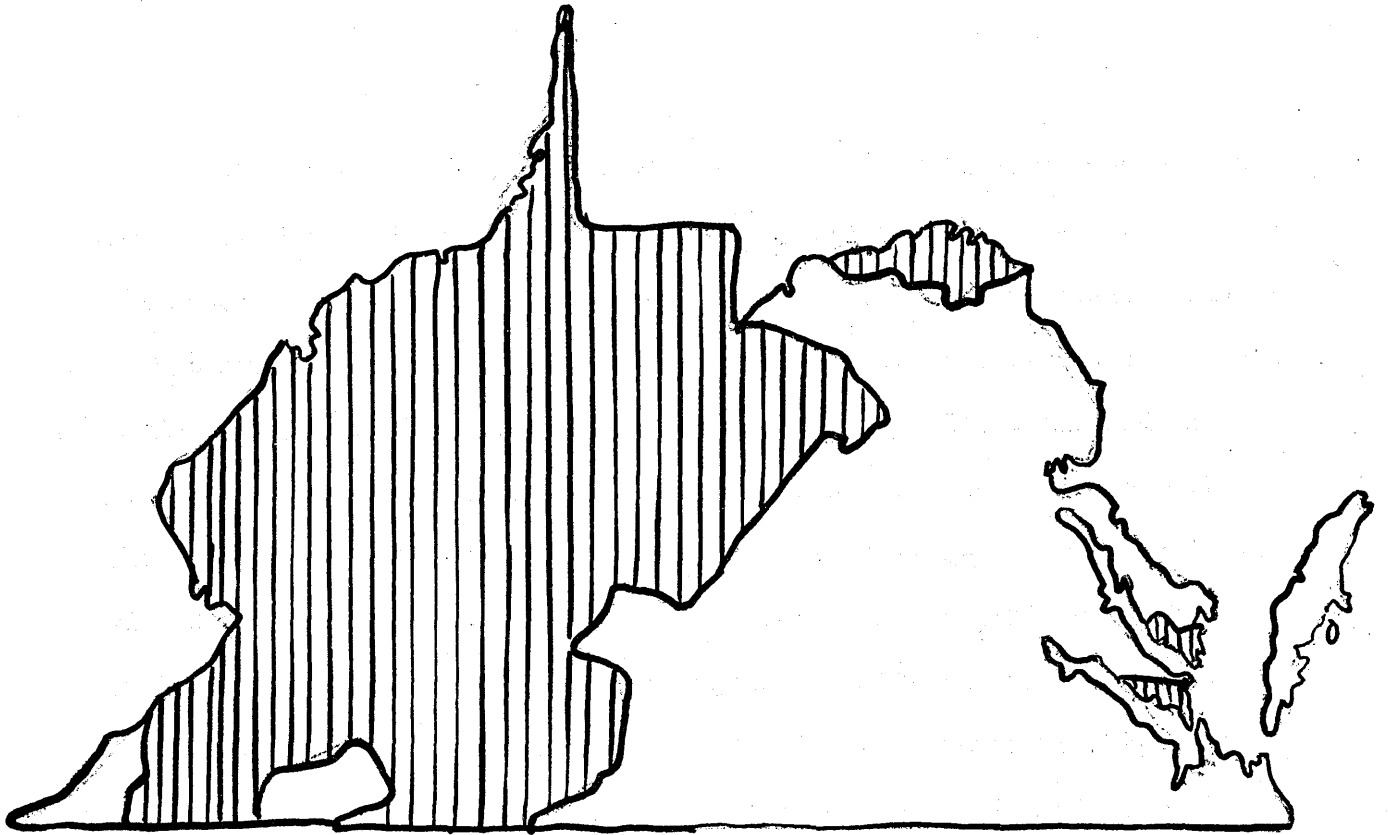
It was necessary for Grigsby to remain in Richmond for several weeks following the Convention due to his Legislative duties. Upon

39. J. N. Brenaman, A History of Virginia Conventions, p. 48.

40. "Diary No. 5", January 15, 1830.

41. Ibid.

adjournment of that body on February 23rd, he quickly departed for his
42
native Norfolk and his many friends.



For Ratification of the Constitution



Against Ratification of the Constitution

43

43. Ambler, Sectionalism in Virginia, p. 172.

CHAPTER IV

AFTERTHOUGHTS

Although Grigsby lived to the age of seventy-five, he never lost memory of those few months during which he attended the Convention. From all accounts the man held that one occasion as the most cherished moments of his active and eventful life. His speech before the Virginia Historical Society entitled, "The Virginia Convention of 1829-30", delivered many years later, gives credence to such assumption. One has only to review the lengthy address to be convinced. The personalities who attended convinced Grigsby. The discussion of those prominent Virginians was the basis of his talk. To Grigsby they represented the history of the state: "To behold those venerable men - to listen to their names as they fell distinctly and deliberately from the lips of the accomplished clerk, was to feel the whole history of Virginia from the memorable session of 1765 to that moment flash full upon you."¹

Such was the picture one perceived, he went on to relate, due to the parallel and closeness of the lives of those present with men such as Washington, Peyton Randolph, Thomas Jefferson, Richard Henry Lee, Edmund Pendleton and other figures considered as the fathers of Virginia.²

1. Hugh B. Grigsby, Discourse on The Virginia Convention of 1829-30, p. 6. Speech delivered before the Virginia Historical Society December 15, 1853.

2. Ibid., pp. 6, 7.

In this conjunction he related:

If Jefferson were not present, there was Madison, who carried out in the Assembly the great measures which his absence during his mission to the Court of France rendered it impracticable for him to do in person, and to whom he had recently said: 'To myself you have been a pillar of support through life; take care of me when dead.' If Pendleton and Wythe did not appear, there were Madison and Marshall, who had struggled with them in the Convention of 1788 against the eloquence of Henry...and if Grayson and George Mason were absent, there was Monroe, who united with them in opposing the adoption of the federal constitution by the people of Virginia...."³

It was then that Grigsby elaborated upon the lives of some of the more prominent men who were present. The writer will not delve into that material as much has already been related in former chapters concerning those personages, but there are several points of interest which should be recorded. One such bit of interest was Grigsby's explanation, more or less, as to why many members (including himself) were opposed to the election of Mr. Monroe as president of the assemblage. He explained that Madison was aware of Monroe's inability to perform any type of laborious service when he (Madison) nominated the gentleman for the Chair. But had not Edmund Pendleton, who presided at the Convention of 1788, been more of an invalid than Monroe? Yes, stated Grigsby, but "the nature of the two bodies was wholly dissimilar."⁴ He explained that the meeting of 1788 had only to accept or reject a ready-made constitution, and thereby the discussions were conducted in a committee of the whole. Thus he stated the president was in actual charge only for a very few minutes each day. The Convention of 1829-30 presented a different situation. The

3. Ibid., p. 7.

4. Ibid., p. 47.

constitution had to be drawn up within the body, and there was hardly a man of prominence present who did not possess a plan of his own. Moreover the state was strictly divided on the most important issues which came up for discussion. Under such circumstances a man of rare ability was needed to guide those deliberations. "For such a station", stated Grigsby, "...it is not uncourteous to say that Mr. Monroe, who was never much conversant with public assemblies, and was more infirm than either Madison or Marshall, was wholly unfit."⁵

Another point of interest which Grigsby elaborated upon was the position adopted during the Convention by James Pleasants, editor of the Richmond Whig, and Thomas Ritchie, editor of the Richmond Enquirer. Curious as it may seem, both editors sympathized with the west and favored reform measures. Grigsby stated: "The East not only received no support from the press of Richmond, but found its editors the most influential opponents of its favorite basis."⁶

The writer might add that the above was by no means an exaggerated statement, and one will quickly agree upon glancing through those editions during the Convention. The attitude of the Whig is particularly perceptible. It is easily comprehensible as to why Grigsby should bring out this fact. Remember the Whig had denounced the ousting of General Taylor and had favored his return.⁷

After having reviewed the lives (and their participation in the

5. Ibid., pp. 46, 47.

6. Ibid., p. 55.

7. Whig, November 9, 16, 23, 30, December 14, 1829.

Convention) of Randolph, Giles, Madison, Monroe, Benjamin Leigh and others who attended the memorable sessions, Grigsby concluded by expressing his lament for the many members who had since passed away and by describing to his audience the scene upon adjournment (which he had done so vividly in his diary years before).⁸

There was another event in Grigsby's later life which provided him occasion to remark upon the Convention of years past. During the course of a speech on the life of Littleton Tazewell before the bar and citizens of Norfolk, Virginia he elaborated upon that body (in reference to Tazewell's participation in that assembly) and revealed something which is of interest here. In reference to Tazewell's resolution (a proposal that a committee of the whole be used as the most expedient method to accomplish the work of the Convention - see Chapter II, p. 16), Grigsby revealed his complete accord with that measure. He stated: "Had that resolution been adopted, I now believe, as I believed then, that a constitution would have been formed which would have lasted for half a century, and that Tazewell, as a skilful and fearless mediator between East and West, would have performed the office with glorious success."⁹

Grigsby undoubtedly was being more laudatory to Tazewell in this instance (as he had on many past occasions) than he was level-headed or objective. It is conceivable that he, as a youngster during the Convention, could have favored such a proposal, but as an older and wiser man,

8. Grigsby, Virginia Convention 1829-30, pp. 94-99.

9. Grigsby, Discourse on Littleton W. Tazewell, pp. 65, 66. Speech delivered before the Norfolk bar and citizens, June 29, 1860.

he certainly was more aware of the difficulties attendant upon like situations. Tazewell himself had been skeptical as to the workings of his plan (see Chapter II, p. 16). As good evidence that Grigsby did not at that date (at the time of his speech on Tazewell) give full faith to his elder friend's proposal was revealed in his very next sentence following the above quote. He added: "But the passions of men raged high; extremes were the order of the day, and each party stood pledged to its favorite scheme."¹⁰ With that apparent awareness of conditions during the Convention, it is hardly conceivable that he really believed Tazewell's proposal would have worked.

Further evidence that Grigsby held the Convention as one of the biggest events of his active life is evinced through a pamphlet he kept containing obituary notices of many of the members who had been present at its sessions. Beside many of those clippings (he had taken the notices from various newspapers), Grigsby had written a short account of the man, and in some instances the cause of death. For example, he wrote by the notice of George Loyall's death: "George Loyall died in Norfolk, February 29, 1868 at ten in the morning, of pneumonia or an inflammatory affection [sic] of the bronchial organs. He was born on the 29th of May¹¹ 1789, and was at his death 78 years and 9 months old...."

Another of his entries included a list of the members who yet survived:

10. *Ibid.*, p. 66.

11. Hugh B. Grigsby, "Grigsby's Collection of Obituaries of Members of Convention of 1829-1830", Found in Virginia Historical Society.

The following is a list of the persons who survive this twentieth day of March 1866, of the Convention of 1829-30, with a probable account of their ages in some cases and with certainty in the case of others: I place the names according to the divisions of the country from which they come, beginning with Tidewater:

George Loyall	77
Hugh B. Grigsby	60
Mark Alexander	80
William Leigh	83
Richard Logan	70
Lucas P. Thompson	72
Jacob Williamson	90
Fleming B. Miller	70
S. McDowell Moore	70
James M. Mason	68
William Smith	80
John Laidley	85
	<u>905</u>
	75
	84
	65
	60
	<u>5</u>

"The aggregate of the ages of the surviving members being 905,¹² the average of each is nearly seventy-five and a half."

Even at that late date Hugh Blair Grigsby had fifteen full years of life remaining.....

12. Ibid.

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VITA

William Allen LeSueur Deane was born in Buckingham County, Virginia on November 18, 1929. At the age of 6 years he entered Marshall District School and remained until graduation in June 1947. In September of that year he entered the University of Richmond and in June 1952 graduated with a Bachelor of Arts degree in history. Then followed two years of Army service, eighteen months of which were spent in serving as an Information and Education specialist with the Third Infantry Regiment at Fort Myer, Arlington, Virginia. In the course of that period he was married to Dorothy Pendleton of Richmond, Virginia.

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