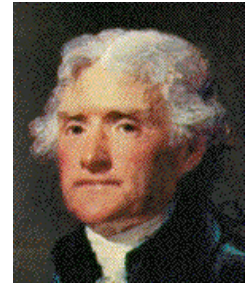


JEFFERSON NOTES



Jefferson Notes is a publication of the Thomas Jefferson Heritage Society
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Scholars Commission Report Released by Carolina Academic Press

In November 1998, the journal *Nature* published an article headlined, “Jefferson Fathered Slave’s Last Child.” Although *Nature* later admitted that the headline was not true, it stirred a renewed interest in the relationship of Thomas Jefferson and Sally Hemings.

At 1:00 PM on Thursday, September 1, 2011, an important new book will be released by Carolina Academic Press in the Zenger Room of the National Press Club, entitled *The Jefferson-Hemings Controversy: Report of the Scholars Commission*



The Thomas Jefferson Heritage Society sponsored the creation of a Scholars Commission to look at all the evidence on this controversial issue. Chaired by Robert Turner, of the University of Virginia, this group of thirteen distinguished scholars, independent and unpaid, spent a year studying all the available evidence relating to whether Jefferson could have been the father of a child by Sally Hemings. It was their “unanimous view that the allegation is by no means proven; and we find it regrettable that public confusion about the 1998 DNA testing and other evidence has misled many people into believing that the issue is closed.”

Members of the Scholars Commission



Lance Banning

Former Professor of History University of Kentucky.
Author of *The Jeffersonian Persuasion: Evolution of a Party Ideology* (1978); *Jefferson and Madison: Three Conversations from the Founding* (1995); and *The Sacred Fire of Liberty: James Madison and the Founding of the Federal Republic* (1998) which brought a nomination for the Pulitzer Prize and won the Merle Curti Award in Intellectual History. Prof. Banning died in 2006.



James Ceaser

Professor of Government and Foreign Affairs University of Virginia
Author of *Reconstructing America* (2000). Taught at Harvard, the University of Montesquieu, the University of Basel, and Marquette.
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Robert H. Ferrell

Distinguished Professor of History, Emeritus Indiana University
Has written, co-authored and edited numerous books on U.S. diplomatic history and U.S. presidents, including two books on Harry S Truman, one on Warren G. Harding and one on the U.S. Civil War.
Editor of the papers and diaries of presidents Harry S Truman and Dwight D. Eisenhower.

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Charles R. Kesler

Professor of Government Claremont McKenna College
Director of the Henry Salvatori Center at Claremont McKenna College and former chairman of its Department of Government. Has written extensively on the American founding and American political thought, and is co-editor of a widely-used edition of the *Federalist Papers*. Editor of the *Claremont Review of Books*.
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Alf J. Mapp, Jr.

Former Eminent Scholar, Emeritus and Louis I. Jaffe Professor of History, Old Dominion University
Awarded Commonwealth of Virginia Cultural Laureate
Author of *Thomas Jefferson: A Strange Case of Mistaken Identity (2000)*; and *Thomas Jefferson: Passionate Pilgrim (1991)*.
Professor Mapp died in 2011.



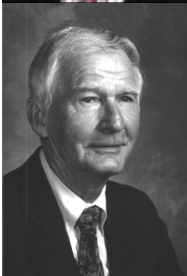
Harvey C. Mansfield

William R. Kenan, Jr. Professor of Government Harvard University
Author or editor of a dozen books, several of which address the era of the Founding Fathers. Served as President of the New England Political Science Association and on the Council of the American Political Science Association.
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David N. Mayer

Professor of Law and History Capital University
Holds both a law degree (University of Michigan) and a Ph.D. in History (University of Virginia).
Author of *The Constitutional Thought of Thomas Jefferson (1994)* and *Liberty of Contract: Rediscovering a Lost Constitutional Right, 2011*.
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Forrest McDonald

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Author of 15 books, which include *The Presidency of Thomas Jefferson (1976)*; *E Pluribus Unum: The Formation of the American Republic 1776-1790 (1979)*; *Novus Ordo Seclorum: The Intellectual Origins of the Constitution (1985)*; Selected in 1987 for the Jefferson Lecture with the National Endowment for the Humanities.
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Thomas Traut

Professor of Biochemistry & Biophysics School of Medicine University of North Carolina
Author or coauthor of more than seventy publications. Director of Graduate Studies and a former Ford Foundation and National Institute of Health Fellow. Shares his interest in Jefferson with his playwright wife, Karyn, who researched the Jefferson-Hemings relationship for seven years.
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Robert F. Turner (Chairman)

University of Virginia. Holds both professional and academic doctorates from the University of Virginia School of Law. Former Charles H. Stockton Professor of International Law at the U.S. Naval War College and a Distinguished Lecturer at West Point. Taught in University of Virginia Department of Government and Foreign Affairs and the Law School. A former president of the congressionally-established U.S. Institute of Peace.
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Walter E. Williams

Eminent Scholar Professor of Economics George Mason University. Chairman of the Department of Economics at George Mason University. A nationally syndicated columnist and author of ten books, which includes *Race and Economics: How Much Can Be Blamed on Discrimination?(2011)* and *Do the Right Thing: The People's Economist Speaks (1995)*.
<http://econfaculty.gmu.edu/wew/vita.html>

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WHAT ABOUT WHAT ABOUT

THE JEFFERSON-HEMINGS CONTROVERSY REPORT OF THE SCHOLARS COMMISSION

Edited by Robert F. Turner



Although she was neither a member of the Scholars Commission or the TJHS, Charlottesville's Cynthia H. Burton has been a serious student of Jefferson and Monticello for decades and is the author of *Jefferson Vindicated*. She worked closely with SC chairman Professor Robert Turner as he prepared his own individual views. As we await release of *The Jefferson-Hemings Controversy*, JN took the opportunity to ask Ms. Burton to respond briefly to some of the key questions in the dispute.

JN: Didn't 1998 DNA tests results prove that President Jefferson was the father of at least one of Sally Hemings' children?

Burton: No. The test used was only able to determine that the father was a member of a group of more than two dozen potential fathers in Virginia at that time. Yet, the journal *Nature's* careless headline ("Jefferson fathered slave's last child") asserted what molecular findings had not proved. This led to widespread misreporting, and consequently, much of the public and academic community adopted the false idea that science had proven the paternity of at least one of Hemings' children, Eston.

JN: If President Jefferson did not father the Hemings children, does the evidence point to someone else?

Burton: Yes. Based upon the extant evidence, the strongest case is against the president's younger brother Randolph, or perhaps one of Randolph's four eldest sons. Randolph was known for playing his fiddle and dancing half the night with Monticello slaves. He was easily influence by others and had white friends with black mistresses – in two cases, Hemingses, and he is believed to have fathered other slave children. Moreover, he was expected at Monticello to visit his twin sister and to deliver grass seed during Eston's conception window, so he was in the right place at the right time.

JN: Is Randolph Jefferson a convenient "fall-guy" because of his genetic profile?

Burton: No. Randolph was considered on a short list of potential fathers by scholars for decades prior to the DNA tests.

JN: Didn't the DNA disprove the story attributed to Jefferson's grandchildren that Peter or Samuel Carr admitted to fathering children by Sally Hemings?

Burton: No. Despite claims by paternity supporters that the DNA tests refuted the claims of Jefferson's grandchildren, Dr. Eugene Foster, who oversaw the testing, readily admitted that the tests said nothing about the paternity of Sally's four other known children.

JN: How and when did the story of a Jefferson-Hemings sexual relationship begin?

Burton: It was started in a newspaper attack by James Thomson Callender when Jefferson was president. Jefferson had refused to appoint Callender postmaster of Richmond, so Callender promised to extract "ten thousand fold vengeance" on the president. Callender was a self-confessed "liar," who also made false attacks on Presidents Washington and Adams. Because of Callender's reputation, even some of Jefferson's political enemies dismissed the charge.

JN: Didn't Jefferson take Sally Hemings to Paris with him in 1784?

Burton: No. Jefferson took his daughter, Martha, and Sally's older brother, James Hemings, with him to Paris. Years later, Jefferson instructed his in-laws to send his younger daughter Polly to Paris accompanied by a mature servant woman who could return immediately to Virginia. However, the in-laws sent Sally

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Hemings as Polly's maid without Jefferson's knowledge. As a ladies maid, she probably lived with Jefferson's daughters across town in a convent school that had servants' quarters.

JN: Didn't Sally Hemings and her children receive extraordinary privileges?

Burton: No. This is another of the many myths that have developed over the years. Based upon a review of all surviving records, Sally Hemings and her children were treated no better than any of the other members of the Hemings family of household servants.

JN: Didn't Jefferson free Sally in his will and promise to free her children when they turned 21?

Burton: No, Jefferson did not free Sally Hemings. The evidence does not support the claim that he promised freedom to her children when they turned 21.

JN: If the story wasn't true, why didn't Jefferson ever deny it?

Burton: He did unambiguously deny it in a private letter and discussed it with family and friends. It had been his well-documented practice for years to not respond publicly to slanders.

JN: Wasn't Jefferson always at Monticello when Sally Hemings conceived?

Burton: He was absent some days of each conception period, and in one case, he was actually absent for more than half of the possible conception days. An explanation for this general coincidence is that the house was locked when Jefferson was away, and family and friends flocked to Monticello when Jefferson was expected home. (Note: The apparent conceptions coincidences led to a junk-science statistical study in 2000 purporting to prove the paternity but actually contributing nothing to the search for truth. For more on that, please see the SC book, Chapter 5 and also Postscript pages 376-78 in the book).

JN: Wasn't Sally Hemings at Monticello when she conceived each child?

Burton: We don't know. Common practices of the day suggest she could have been elsewhere, and we know she was absent from Monticello for about six months on one occasion and possibly not there at other times.

JN: Didn't Sally's children resemble Thomas Jefferson?

Burton: The strongest "oral tradition" of a former slave having a strong physical resemblance to Thomas Jefferson has been handed down for generations by the family of Thomas Woodson. But six different DNA tests of descendants of three of Thomas Woodson's sons proved conclusively that he could not have been the child of Thomas or anyone carrying the Jefferson Y chromosome. Any resemblance of Hemings' children to Jefferson could be explained if one of the family relations were the father -- for example Randolph Jefferson, or his sons, or the Carr and Lewis nephews, or Jefferson's cousins.

JN: What about Eston's family oral tradition?

Burton: Ironically, until Eston's descendants were persuaded by historian Fawn Brodie that Eston was Thomas Jefferson's son, they passed down the story for generations that he was the child of a Jefferson "uncle." That strongly supports the case that brother Randolph -- who was called "Uncle Randolph" at Monticello -- was Eston's father. This theory is enforced by DNA, opportunity, and Randolph's reputation for energetic socializing with Monticello slaves.

JN: What about the Madison Hemings interview published in 1873?

Burton: Analyzing the validity of oral traditions is complex. Some statements alleged to have come from this aging man about a half-century after Jefferson's death are consistent with known facts, but there are some significant material errors too. Some statements cannot be proven true or false, but some can be proven false, which weaken his credibility. The narrative was written by a political newspaperman, and many of the statements appear to have come from earlier publications and probably influenced Madison Hemings' memory. Madison's family DNA has not been tested, and it is inconsistent with Eston's family tradition -- yet, certain paternity believers see it as central to their case.

JN: Are there any eye-witness accounts about Hemings' private life?

Burton: Yes. A longtime and respected Monticello overseer, Edmund Bacon, claims to have witnessed seeing someone, but not Thomas Jefferson, leave Hemings' room many mornings when he arrived at work. I find him to be a very credible eye-witness.

JN: Is it true that Sally and her sons were at Jefferson's deathbed?

Burton: No. According to eye-witness accounts, the only persons present were his physician, his daughter Martha, his grandson Jeff Randolph, his grandson-in-law, Nicholas Trist, and his personal servant Burwell Colbert. Contrary to Professor Annette Gordon-Reed's account, evidence proves that the servants did not prepare his body for burial.

JN: Where did Sally Hemings live at Monticello? Did she live inside the main house?

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Members of the Scholars Commission

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Jean Yarbrough

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<http://www.bowdoin.edu/faculty/jjyarbrou/>



Paul Rahe (author of the Minority Report)

Charles O. Lee and Louise K. Lee Chair in Western Heritage and Professor of History Hillsdale College. Author of *Montesquieu and the Logic of Liberty* (2010); *Soft Despotism, Democracy's Drift* (2010); *Republics Ancient & Modern* (in 3 vol. 1994);
<http://www.hillsdalesites.org/personal/prahae/author.html>

Q & A

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Burton: No. She lived in various servants' quarters along Mulberry Row and under the south terrace.

JN: Weren't there private passageways at Monticello so that Hemings could slip inside Jefferson's room without being noticed?

Burton: No. This is another myth. In fact, the often mentioned louvered porches adjacent to his room were not built until after Hemings' last child was conceived.

JN: Is it true that voices in Jefferson's room could be heard by his grandchildren?

Burton: Yes. In fact, voices from Jefferson's room can be heard today in the bedroom above called the Appendix.

JN: How was Thomas Jefferson's health during Hemings' childbearing years?

Burton: Beginning as early as 1794, Jefferson suffered with "rheumatism" often confining him during the months of August and September. And he had "rheumatism" the summer of 1807 when Eston was conceived. Add this discomfort to other risk factors such as his eighteenth-century lifestyle, advanced 64 years, habitual saddle compression, stress level that summer, Laudanum use, and urological issues – and it's hard to believe that he wasn't experiencing some degree of impotency and/or infertility when Eston was conceived. According to recent studies, Jefferson's fertility had been waning for almost 30 years by then.

JN: Did not Professor Annette Gordon-Reed in her two books establish the relationship that Hemings and Jefferson had at Monticello?

Burton: That is the argument that is made by the paternity believers. In truth, the first book, *Thomas Jefferson and Sally Hemings: an American Controversy*, merely poses the possibility that Madison Hemings was correct when he said that Jefferson was his father and the father of his siblings. In her second book, *The Hemingses of Monticello*, Prof. Gordon-Reed assumes that Jefferson is the father and imagines their lives at Monticello. Historian Gordon S. Wood concedes that she 'needed a lot of imagination to write this book' and at times, she pushed 'her conjectures beyond the limits of persuasiveness.'

JN: What about Monticello's position on the paternity?

Burton: Their position changed after Prof. Gordon-Reed's first book, and now rests on DNA that linked someone carrying the Jefferson Y chromosome with just one of Hemings' children, and on what has been described as a "bogus" statistical study. Prior to Prof. Gordon-Reed's book, Monticello historian Cinder Stanton said that the evidence for a liaison was "entirely circumstantial, and receives no support from other contemporary records." The Foundation's official opinion was: "While some historians accept the possibility of a connection, scholars who specialize in Jefferson studies are generally united in finding the case for such a relationship unpersuasive. At present the existence of a sexual relationship between Jefferson and Sally Hemings can be neither refuted nor clearly substantiated." This is a reasonable statement.

JN: What concerns you most about this issue?

Burton: The decline in standards of historical scholarship concerns me most.

THOSE PARIS YEARS

They are the “best-forgotten” years for those who promote the paternity of Sally Hemings’ children by Thomas Jefferson. It was in Paris, according to Madison Hemings, that his mother became pregnant. After her return to Monticello, she gave birth to a baby who “lived but a short time.”

On the trip home, Sally was in a cabin convenient to Jefferson’s two daughters. Both daughters later defended their father against the rumors raised by the Callender articles and it is not possible that this pregnancy could have gone unnoticed. There is no mention of this baby in Jefferson’s Monticello records.

It also went unnoticed in Paris that Jefferson was in a relationship with Hemings, either by his French acquaintances or by British officials. Jefferson was well-known in French society and undoubtedly by intelligence agents of France and England and no record of suspicion was even made.

THE TREATY LEGEND

The Madison Hemings interview is the source of the “treaty legend.” According to Hemings, when Jefferson prepared to leave France, he intended to bring Sally Hemings back with him to Virginia, “but she demurred.” To induce her, Jefferson promised her “extraordinary privileges, and made a solemn pledge that her children should be freed at the age of twenty-one years.”

This “treaty” took place 15 years before Hemings birth, but he does not reveal the source of this information. There is no record that anyone before Madison raised this unusual arrangement with his mother. Even given the benefit of hindsight, Hemings does not relate any of the “extraordinary privileges” that his mother received. In fact, all accounts indicate she was treated the same as the other house slaves. Madison describes her as “well used,” but there is no indication that her daily condition, material possessions, or duties at Monticello, involved any “extraordinary privileges.”

THE PHANTOM PARIS BABY

Those who believe that Thomas Jefferson began an affair with Sally Hemings in Paris and that she returned pregnant are in conflict over the fate of the baby. About 20 years ago, slave studies academics began to pressure Monticello to concede that the baby grew into Tom Woodson. This was the slave son “Tom” created by James Callender in his articles in the *Richmond Register* attacking Thomas Jefferson.

The descendants of a Tom Woodson are a large and accomplished family who have long promoted that their origin was from the union of Jefferson and Hemings. They have been very supportive of Monticello and Monticello has been sympathetic to their paternity claim. Some members have unsuccessfully sought permission to be buried in the Monticello family plot.

There is no evidence that a son was born to Sally Hemings about 1790 and was living at Monticello at the time of Callender’s articles in 1802. In 1998, DNA testing on some of the Woodson family established that they were not descendants of Jefferson.

In 1974, Fawn Brodie’s book, *Thomas Jefferson: An Intimate History*, resurrected an 1873 newspaper interview of Madison Hemings, in which he claimed that his mother became pregnant in Paris by Jefferson, but the baby died shortly after she returned to Monticello. This would have occurred about 15 years before Hemings’ birth, but he offers no comment on the source of this information. Other than this claim by Hemings, there is no evidence that his mother was pregnant when she returned from Paris and gave birth to a baby who “lived but a short time.”

Faced with the dilemma of the DNA testing, the paternity believers have now shifted from the Tom Woodson story to the dead baby story. This ignores the possibility that Tom Woodson was indeed the son of Sally Hemings, but his father would not have been Jefferson. Of course, Tom Woodson does not appear anywhere in the Monticello records, nor is he mentioned by any contemporaneous witness. But then, the same absence of evidence surrounds the dead baby.

Visit the Thomas Jefferson Heritage Society at www.TJHeritage.org for other articles on Thomas Jefferson and discussions on the Hemings paternity claim and exactly what the DNA tests proved.