

Thomas Jefferson, Religious Freedom, Monticello, and the Levy Family

by Frank Overton Brown Jr.



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In fall 2010, my wife Susan and I took three of our young grandchildren to visit Thomas Jefferson's home, Monticello, near Charlottesville. We anticipated that it would be a special day for us and our grandchildren, if for no other reason than that we would enjoy a wonderful day together, but we had little idea of all the reasons that would make it a great day of discovery for us. It had been some years since Susan and I had been to Monticello, and we were pleasantly surprised by the improvements that have been made to Monticello and the grounds by the Thomas Jefferson Foundation Inc., a private nonprofit 501(c)(3) corporation, that has owned Monticello since 1923. Monticello is the only historic house in the United States that is on the United Nations World Heritage List.

Before our tour, we watched a fifteen-minute film, *Thomas Jefferson's World*, in a 125-seat theater in the Smith Education Center, part of the Thomas Jefferson Visitor Center. The forty-two-thousand-square-foot facility, which opened in 2008, is a pleasure to visit, and the film prepared us for our tour of Jefferson's home and for thought-provoking discussions afterwards.

After we had toured the house, our engaging and knowledgeable volunteer guide described what had happened to Monticello after Thomas Jefferson's death on July 4, 1826. That brief conversation initiated a journey of discovery for us, which led to the title of this article. Because much has been written in detail about the

"saving" of Monticello — about the convoluted and drawn-out events involved, the various political machinations, and how Monticello went to wrack and ruin and then was restored — I will focus instead on some of the interesting and interrelated legal aspects.

Thomas Jefferson acquired the land on which Monticello was built at the death of his father, Peter Jefferson, on August 17, 1757, when Thomas Jefferson was thirteen years old. (Jefferson came into his inheritance in 1764, at age twenty-one.) Thomas Jefferson chose the name Monticello, "little mountain." He began construction at Monticello in 1770, first occupying the South Pavilion with his bride, Martha. The brickwork on the main house was completed eight years later. Construction, reconstruction, remodeling, enlargement, and improvements on Monticello were for Jefferson a lifetime project.

Even with his greatness and his many intellectual gifts and talents, at the time of his death Thomas Jefferson was deeply in debt and had been for many years. In 1815, to benefit Jefferson and the United States, Congress purchased almost all of Jefferson's library at Monticello, to help replace the Library of Congress, which had been destroyed by the British in 1814 when they burned the U.S. Capitol. Jefferson sold more than 6,400 volumes for \$23,950. Most of the proceeds paid two of Jefferson's creditors. In an ironic twist, a Christmas Eve fire at the Library of Congress in 1851 destroyed nearly two-thirds of the volumes that had been purchased from Jefferson. What remains of the Thomas Jefferson Library, including additions of volumes from the Library of Congress's own holdings and gifts from generous donors (whose philanthropic intent was encouraged by the charitable deductions permitted in the U.S. tax laws) is now part of the Rare Book and Special Collections Division of the Library of Congress in the Thomas Jefferson Building. My wife and I saw the Jefferson Library Exhibition at the Library of Congress. It is hard to



imagine the entire Jefferson library housed at Monticello, and Jefferson handily choosing and reading these volumes written in many different languages and on many different subjects.

If Jefferson had lived only a little longer, he would not have owned Monticello at his death, and I would not be writing this article. Jefferson realized that indebtedness was a way of life for farmers or planters, and that the only way out was to sell the land. To pay his debts, he devised a lot-

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tery of his property to raise funds to pay his creditors. At Jefferson's behest, but not at his direct request, the Virginia General Assembly in 1826 authorized the lottery. The legislation named the managers and appraisers of Jefferson's property. Jefferson entrusted the details of the lottery to his grandson, Thomas Jefferson Randolph, his valued helper for many years. The elements of the plan were that his holdings would be appraised and that tickets would be sold up to the total appraised value of Jefferson's holdings, including Monticello. Jefferson would have a life estate in Monticello, and his daughter Martha would have the use of Monticello for two years after Jefferson's death. There would be 11,480 lottery tickets sold at \$10 each, for a total of \$114,800. When Thomas Jefferson died, the public announcement had been made and the tickets had been printed but not sold. Among those who had expressed an interest in buying tickets was Chief Justice John Marshall. The appraisers for the lottery had valued Monticello and 409 acres surrounding it at \$71,000.

In 1787, Jefferson wrote to a friend, Dr. George Gilmer, "I am as happy no where else and in no other society, and all my wishes end, where I hope my days will end, at Monticello." Jefferson died at Monticello on July 4, 1826, the same day John Adams died. Jefferson is buried in the family cemetery at Monticello. He designed his own tombstone and wrote the wording for the inscription, which notably does not mention that he was President of the United States between 1801 and 1809. It states simply:

HERE WAS BURIED
THOMAS JEFFERSON
AUTHOR OF THE
DECLARATION
OF
AMERICAN INDEPENDENCE
OF THE
STATUTE OF VIRGINIA
FOR
RELIGIOUS FREEDOM
AND FATHER OF THE
UNIVERSITY OF VIRGINIA

BORN APRIL 2, 1743, O.S.

DIED JULY 4, 1826.

"O.S." after Jefferson's birthdate refers to "Old Style." In 1752, when Jefferson was nine, England and its colonies had changed from the Julian calendar to the Gregorian calendar, necessitating the skipping of eleven days in order to conform the calendar year to the astronomical year; therefore, in most modern histories, Jefferson's date of birth is given as April 13, 1743. The Thomas Jefferson Memorial Foundation Inc. was established on April 13, 1923, the 180th anniversary of Jefferson's birth. It is now the Thomas Jefferson Foundation.

Jefferson's last will and testament was a two-page holographic document, written by him on March 16, 1826, to which he added a two-page holographic codicil on March 17, 1826. Jefferson stated in his will: "In consequence of the variety and indescribability of the articles of property within the house at Monticello, and the difficulty of inventorying and appraising them separately and specifically, and its inutility, I dispense with having them inventoried and appraised." He made a devise of part of his lands at Poplar Forest to his grandson, Francis Eppes (the son of his deceased daughter Mary Eppes), and made bequests by his codicil (including the granting of freedom to five of his slaves — referred to as "servants" — Burwell, John Hemings, Joe Fosset, Madison Hemings, and Eston Hemings). Before disposing of the residue of his estate in what could be best described as a form of protective trust for the benefit of his daughter Martha Randolph and her heirs (to be held in trust until the death of Martha Randolph's husband), Jefferson declared: "I subject all my other property to the payment of my debts in the first place." Because of Jefferson's considerable remaining indebtedness, this direction became a formidable task for his executor, grandson Thomas Jefferson Randolph. The task would continue for many

years after Thomas Jefferson's death in 1826; in fact, Jefferson's debts were not all paid until 1878. As I read the accounts of the sales of Jefferson's assets, including the more than two hundred slaves whom he owned at Monticello and elsewhere, the slaves — many of whom produced bricks, nails and other raw materials of which Monticello was built, and many of whom did much of the work itself — I asked myself that recurring question: Even considering Jefferson's enormous intellectual powers, skills, interests, and gifts, could he have lived the life that he lived at Monticello (indeed, would there have been a Monticello at all) had it not been for the work of the human chattels whom he owned? The process of raising the funds to pay Jefferson's debts would eventually result in the sale of Monticello and 522 acres of land to James Turner Barclay of Charlottesville, for \$7,000. The deed, called an "indenture," from Thomas J. Randolph and Martha Randolph was dated November 1, 1831, and was not recorded in the clerk's office until November 2, 1833.

Barclay owned Monticello until 1836. Two years of proceedings had ensued prior to that, in part because of a dispute over how many acres of land were to be included in the transfer, Barclay having sold off some of the land during his brief time of ownership. The dispute resulted in litigation in the Albemarle County Circuit Superior Court of Law and Chancery in a suit, *Levy v. Barclay*, out of which came an order of survey by the court. Barclay then conveyed Monticello and 218 acres of land to Uriah Phillips Levy, a New Yorker and a lieutenant in the U.S. Navy. The deed, dated May 20, 1836, and recorded on May 31, 1836, referred to a "plat made by A. Broadhead in pursuance of an order of survey of the Circuit Superior Court of Law and Chancery of Albemarle County in the case of *Levy v. Barclay* in that Court." The purchase price was \$2,700. Thus began the Levy family's ownership and stewardship of Monticello for almost ninety years. That period was briefly interrupted by the Sequestration Act of 1861, when the Confederate States of America took possession of Monticello as the property of an alien enemy and sold it at auction in 1864 to Confederate Colonel Benjamin Franklin Ficklin — a graduate of the Virginia Military Institute class of 1849, a former superintendent for the Pony Express, a participant in the Battle of Malvern Hill east of Richmond, and a blockade runner for the Confederacy. After the Civil War, Monticello returned to the ownership of the Levy family. (Some would say that it had

never rightfully left their ownership). The Levy family's ownership and stewardship was further hobbled by litigation that followed the death of Uriah P. Levy, which interrupted the possession of Monticello.

Levy was an ardent admirer of Jefferson. He often spoke and wrote about him. Levy wrote that Jefferson was "one of the greatest men in history, who did much to mold the Republic in a form in which man's religion does not make him ineligible for political or governmental life." Levy, not one to shrink from a challenge, had frequently suffered anti-Semitic discrimination and barbs. He was especially appreciative of Jefferson's role in defending religious freedom, and he wished to honor Jefferson. Levy is remembered today not only for his role in helping to save Monticello, but also as a naval officer who helped to abolish flogging as a punishment of seamen in the U.S. Navy; a prisoner of war of the British for sixteen months during the War of 1812, when the ship on which he was a crew member was captured; the man who commissioned a statue of Jefferson by the great French sculptor Pierre Jean David d'Angers, which was presented to Congress by Levy in 1834 and is the only privately funded statue in the rotunda of the United States Capitol; the namesake of the USS *Levy*, a destroyer escort (DE-162) that served in World War II; the officer for whom the Commodore Uriah P. Levy Center and Jewish Chapel at the U.S. Naval Academy in Annapolis, Maryland, is named; and the officer

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After Levy died on March 22, 1862, a resident of and domiciled in the State of New York, his last will and testament, dated May 13, 1858, was probated in the New York Surrogate Court on June 9, 1862. Levy appointed eight executors, but only two of them qualified as executors. Levy was not survived by issue, but was survived by his widow, Virginia Lopez (Lopes) Levy. In addition to being his widow, Virginia Levy was also his niece — the daughter of Uriah Levy's widowed, deceased sis-

ter, Fanny. This dual relationship would provide an interesting twist in the subsequent settlement of Uriah Levy's intestate estate in Virginia.

In his will, Uriah Levy made the following provisions regarding Monticello:

After paying the above legacies and bequests, or investing for the same, and subject to my wife's dower and use of furniture, I give, devise and bequeath my farm and estate at Monticello in Virginia, formerly belonging to President Thomas Jefferson, together with all the rest and residue of my estate, real and personal, or mixed, not hereby disposed of, wherever or however situated, to the People of the United States, or such persons as Congress shall appoint to receive it, and especially all my real estate in the city of New York, in trust, for the sole and only purpose of establishing and maintaining at said farm of Monticello, Virginia, an agricultural school for the purpose of educating, as practical farmers, children of the warrant officers of the United States navy whose fathers are dead. ... Should the Congress of the United States refuse to accept of this bequest, or refuse to take the necessary steps to carry out this intention, I then devise and bequeath all the property hereby devised to the people of the State of Virginia, instead of the people of the United States; provided they, by acts of their Legislature, accept it and carry it out as herein directed. And should the people of Virginia by the neglect of their Legislature decline to accept this bequest, I then devise and bequeath all of my said property to the Portugese Hebrew congregation of the city of

and to establish an agricultural school at said Monticello for the children of said societies, who are between the ages of twelve and sixteen years, and whose fathers are dead; and also similar of any other denomination of Hebrew or Christian. ... Should the fund arising from said estate be more than sufficient to support and educate the Children of warrant officers of the United States navy, the directors of the said school are then next to select the children of sergeant majors of the United States army as the beneficiaries, and if a surplus is still remaining they are then to select from the children of seamen of the United States navy whose fathers are dead. (*Commonwealth of Virginia v. Levy, et al.*, 23 Grattan (64 Virginia) 21 (1873))

On October 31, 1862, Asahel S. Levy and David S. Coddington, the acting executors and acting trustees of the last will and testament of Uriah P. Levy, deceased, commenced a suit for judicial construction (a suit for aid and guidance) of the will's provisions. *Levy v. Levy* was tried in the Special Term of the New York Supreme Court on February 18, 1863. In their complaint, after reciting the provisions of Levy's duly probated will, the executors stated: "And these plaintiffs show to this Honorable Court, that grave doubts have arisen as to the validity of the said devises and bequests to the People of the United States and to the People of the State of Virginia, and to the several Hebrew Societies mentioned in said will. ... And, inasmuch as the plaintiffs are unable to decide or act upon the grave legal questions involved in the construction of said will, and are fearful of acting erroneously as trustees of said property, they, therefore, pray this Honorable Court to settle and decide as to the validity of said devises and bequests." The court reported that "all of the defendants appeared, excepting the 'Portugese Hebrew Congregation of Richmond, Virginia' and the People of the State of Virginia." On April 21, 1863, the trial court decided that the gift in trust of the rest and residue of the estate and of Monticello was void, and that therefore those assets estate passed in intestacy to Levy's widow, heirs at law, and next of kin. The case was appealed to New York's intermediate appellate court, the General Term of the Superior Court, which reversed the decision of the trial court and upheld the trust provisions of the will. For a reason whose importance will be noted later, it is significant that in these proceedings in New York, the people of the United States were repre-

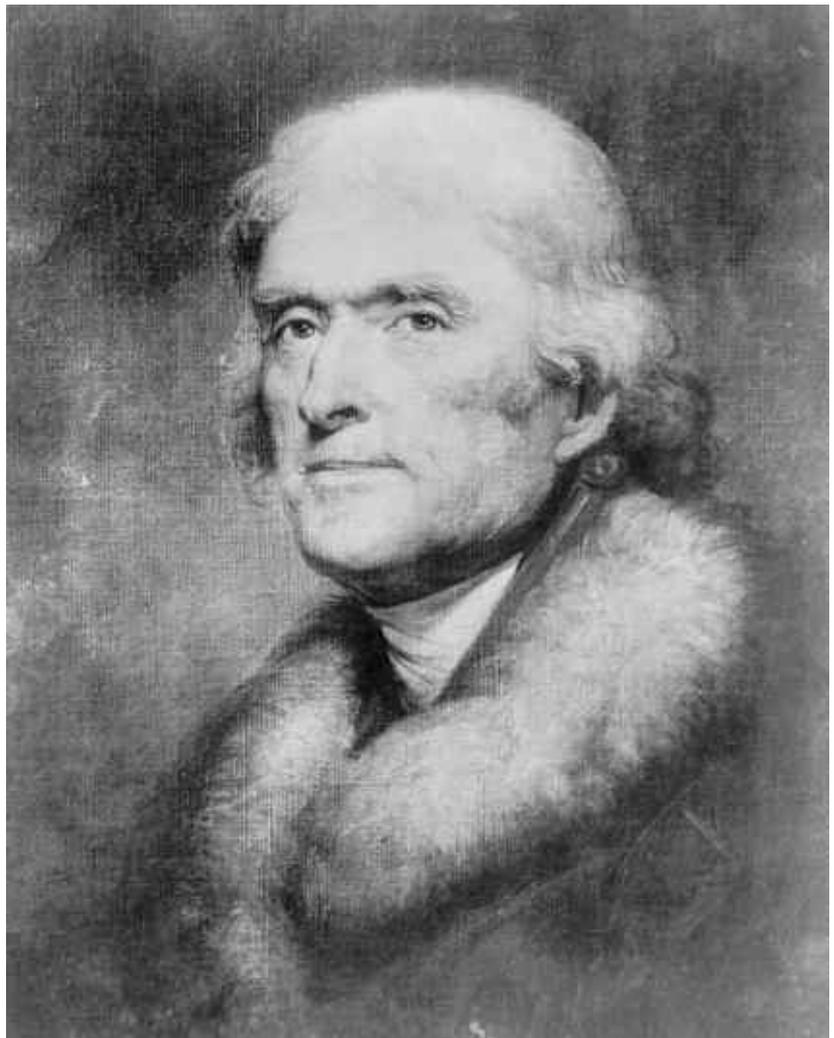
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New York whose synagogue is in Crosby street, New York, the old Portugese Hebrew congregation, whose synagogue is in Cherry street, Philadelphia, and the Portugese [Hebrew] congregation in Richmond, Virginia: Provided they procure the necessary legislation to entitle them to hold said estate,

sented by able legal counsel, but, because of the Civil War, the people of Virginia were not represented by counsel. The matter was appealed to New York's highest court, the Court of Appeals, which in June 1865 reversed the Superior Court, and declared that the will's trust provisions regarding Monticello and the rest and residue of the estate were void, and that Monticello and the rest and residue were to be disposed of in intestacy. *Levy, et al. v. Levy, et al.*, 33 New York Reports, VI Tiffany, 97-138 (1865). The Court of Appeals found that the trust's provisions were void because of indefiniteness; of being in contravention of the New York rule against perpetuities; of no competent trustee being named; of being in violation of New York's statute of uses and trusts; and of the dependence upon the combination of the real estate in Virginia and the real and personal estate in New York, and therefore, since the testator's plan embraced and required all of the property, and the law of either Virginia or New York was hostile to the limitation (the trust), the limitation was wholly void. Justice Wright, the author of the court's opinion, wrote in conclusion:

I cannot say that I regret this result. The purpose may be, in a general sense, charitable, but the plan for carrying it out is manifestly impracticable, not to say impossible. Aside from incapacity, there is manifest unfitness in the government of the United States, or the state of Virginia, becoming the trustee or the administrator of a fund donated by an individual for the furtherance of an object in no way pertaining to the administration of those governments. With regard to the Hebrew societies, it is so utterly vague and indefinite that it could not be executed in the English chancery without invoking its *cy pres* power: a power in case of charity, as has been held by this court, having no existence in the jurisprudence of this State.

It is important to note that, in intestacy, Uriah P. Levy's real estate in Virginia passed not under the intestate laws of New York, but under the laws of the real estate's situs, Virginia. Under Virginia's laws of descent that were in effect when Levy died, his widow Virginia, in her own right as a widow, was not an heir; she was entitled only to a widow's dower interest of one-third for her lifetime. Therefore, Uriah Levy's heirs as to Monticello were his siblings and the surviving issue of his siblings who had predeceased him.



Thomas Jefferson — 1805 Rembrandt Peale portrait
courtesy of The Library of Virginia

Under Virginia law, then, his widow was entitled to her dower interest in the real estate, and she was also an heir — not as a widow, but because she was Levy's niece; therefore, she took a fractional part of the share of her predeceased mother, Uriah Levy's sister Fanny. In July 1868, a suit in equity seeking partition of Monticello and its 218 acres was filed in the old Circuit Court of the City of Richmond. The style of the case was *Jonas P. Levy, et ux v. Commonwealth of Virginia, et al.* In that suit, process to answer the bill in equity was served on the defendants, "the people of the State of Virginia," Thomas R. Bowden, attorney general, and "because they having failed to appear and answer the bill, it was taken as confessed as to them." On November 30, 1868, the Richmond Circuit Court entered a decree holding that the devise by Uriah P. Levy of Monticello and its 218 acres was "invalid and that the same ought

to be sold for partition among his next of kin” and appointing Albemarle lawyer George Carr as commissioner for that purpose. The court ordered the commissioner to sell the

said two hundred and eighteen acres of land, being the Monticello tract proper, as distinguished from the disconnected tracts of which Uriah P. Levy died seised, at public auction on the premises, after advertising the sale for thirty days in a newspaper published [sic] in the City of Richmond and another published in the County of Albemarle, if there be one, or elsewhere, if in his discretion it be important, on the terms of one third being paid in cash, another third on twelve months credit, from the day of sale and the remainder on two years credit from the day of sale, taking the purchaser’s bonds for the deferred instalments. ... And the said George Carr, in the event of his failure to obtain a price for the said land, deemed reasonable by him, is authorized to let the same out to rent. And he is ordered to report his proceedings to Court.

The Commonwealth appealed the decree. The Court of Appeals of Virginia (as the Supreme Court of Virginia was then called), under Section 5, et seq., of Chapter 181 of the Code of Virginia, would have dismissed the decree as improvidently granted, since the appeal was applied for by the attorney general without his first having moved the circuit court to rehear the decree — a requirement when the decree was obtained by default as to the Commonwealth. However, because the appellees had wisely expressly waived the objection to the appeal, the appeal was granted by the Court of Appeals, which “deemed it best for all parties to proceed to hear and decide the case without regard to that preliminary question.” In 1873, the Court of Appeals affirmed the decision of the Richmond Circuit Court. On appeal, the Commonwealth had argued that it was not bound by the New York decision, since it had not been represented in those New York proceedings in which the will’s provisions were found to be void. The Virginia Court of Appeals held that the trust had been represented in the New York proceedings by legal counsel for the defendants, “the people of the United States,” and that, even though “the people of the State of Virginia ... could not be personally served with process, in consequence of the pendency of the then existing civil war ... there was a perfect representation of

the trust in the litigation in New York. ... The government of the United States was a competent and sufficient, as it was an actual, party to that litigation; and Virginia, in that state of the case at least was a wholly unnecessary party.” Although the Court did not explicitly state this, it sounds very much like the doctrine of virtual representation. The Virginia Court of Appeals held that the decision of the Court of Appeals of New York regarding the invalidity of the devise was *res adjudicata*. In part, the Virginia Court of Appeals of Virginia stated: “By the Constitution of the United States, article 4, section 7, and the Act of Congress passed in pursuance thereof on the 24th of May, 1790, the records and judicial proceedings of the courts of each state have the same faith and credit given them in every court, as they have by law or usage in the courts of the State, whence the said records are or shall be taken.” *Commonwealth of Virginia v. Levy, et al.*, 23 Grattan (64 Virginia) 21 (1873).

It is often said that we are a nation of laws, and I was reminded of that as I read the opinion of the highest court of Virginia extending full faith and credit to the decision of the highest court of New York. Just eight years earlier, these two states had been at war with each other, and, here, the Constitution that had brought them together in 1789 was working.

After the decision of the Virginia Court of Appeals affirming the decree, the case continued in the Richmond Circuit Court for eight more years. (As an aside, when I read about what transpired in and out of court between the death of Uriah P. Levy and the date about two decades later when title to Monticello was confirmed in Jefferson Levy, I thought, admittedly hyperbolically, of the case of *Jarndyce and Jarndyce* in Charles Dickens’s *Bleak House*.) Jefferson M. Levy was the high bidder for Monticello at the court-ordered sale on March 20, 1879, as part of the partition suit. His bid was \$10,050, payable one-third down and the other two-thirds within two years. On July 2, 1879, the circuit court confirmed the sale of Monticello by Special Commissioner George Carr to Jefferson M. Levy as being “judicious and proper,” and, in consideration of the fact that Jefferson Levy had already paid “much of the purchase money,” the court, after referring the matter to a special commissioner to determine the amounts and proportions of the heirs, decreed that Jefferson Levy “be at once let into the same [Monticello], and the Special Commissioner George Carr and his tenants are ordered to surrender to him [Jefferson Levy] the possession

thereof. But the title to the said estate is retained, and possession is to be held, subject to surrender on the order of this court.” On July 7, 1881, the circuit court entered its decree, extending until September 16, 1881, the time for Jefferson Levy to pay the unpaid balance of \$2,947.44, plus interest from July 2, 1879, and the court appointed T.J. Evans as special commissioner and ordered him to convey Monticello to Jefferson M. Levy with special warranty, upon Jefferson M. Levy producing a certificate from the State Bank of Virginia for the money. The special warranty deed from Evans to Levy was dated May 1, 1882, and was recorded in the Circuit Court of Albemarle County on May 15, 1882. Considering Thomas Jefferson’s love of nature, there is a certain beautiful congruity in the deed, in that the legal description, in reciting the metes and bounds and courses and distances made reference to the following trees: a red oak and chestnut, a forked chestnut, a chestnut oak, a hickory and chestnut oak, a dogwood and hickory, four chestnut saplings, a poplar, a chestnut oak, a dead oak, a white pine, two small walnuts, and a cherry. The deed made reference to the A. Broadhead court-ordered survey that had been done when Uriah Levy acquired Monticello from Barclay. Jefferson Monroe Levy was Uriah Levy’s nephew; he was the son of Uriah Levy’s brother, Jonas. Jefferson Levy had already bought out the interests of Uriah Levy’s widow and the interests of some of the heirs. The other heirs received their shares of the net proceeds as determined by the special commissioner.

At the time of Jefferson’s death, the physical condition of Monticello was already deteriorating. As is often the case, the service on Jefferson’s debt was almost as onerous as the debt itself, creating a shortage of funds with which to do upkeep and maintenance. From Jefferson’s death until Jefferson Levy acquired Monticello, the condition of the property had suffered under the misfeasance or malfeasance of various caretakers or overseers, had suffered vandalism by souvenir hunters and others, had generally been neglected, and had gone from worse, to somewhat better during the lifetime of Uriah Levy, to worse in the years following Uriah Levy’s death. Jefferson Levy, who later became a three-term Congressman from New York, set out to improve and to restore Monticello’s condition; the task took almost all of the rest of his life and a substantial amount of his money. In the process, he preserved but somewhat altered Monticello. It was, after all, a home of his, in which he resided for part of each year. In

1899, writer Edward C. Mead, after visiting Monticello, wrote: “It is doubtful whether the government of the United States or the State of Virginia could have done more for the preservation of Monticello than Mr. Levy; being a man of wealth, with an inherited love and admiration for the memory of Mr. Jefferson, he has spared no expense in preserving it in all its pristine beauty, and he has expressed his intention of making it one of the great attractive spots in America and worthy of the memory of the great apostle of freedom.”

From time to time, there were unsuccessful discussions, campaigns, proposals, and resolutions made in Congress to take (using powers of eminent domain) Monticello from Jefferson Levy against his express wishes not to sell Monticello. One effort was led by the wife of another New York congressman. In 1912, Levy, said, “It will be useless to pass resolutions, since I do not intend, and under no consideration will part with the estate.” After suffering financial adversities, Levy finally agreed to sell Monticello to the United States, but with the economic conditions then prevailing and the turmoil of World War I, no action was taken by the government. Finally, in

We have come to realize that Monticello is as much a symbol of the United States and its ideals and principles, which we are still trying to fulfill, as it is a physical entity.

1923, Jefferson Monroe Levy sold Monticello, certain tangible personal property therein, and additional lands that he had acquired around Monticello to the Thomas Jefferson Memorial Foundation Inc. for \$500,000. The deed, dated June 30, 1923, and recorded in the circuit court on December 4, 1923, recited that the sale was in consideration \$100,000 in cash to Levy, “paid at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, and of the further consideration of three hundred six (6%) per cent Gold Bonds of One thousand (1,000.00) Dollars each, totaling the sum of Three hundred thousand (300,000) dollars, bearing date the Thirtieth day of June, Nineteen hundred and twenty-three by the Thomas Jefferson Foundation, Inc. and secured

by the Deed of Trust dated the same day, made by the Thomas Jefferson Memorial Foundation, Inc.” The deed further recited that the conveyance was subject “to a deed of trust of the above described premises, or some part or parcels thereof, made by Jefferson M. Levy to H.B. Bourne and John P. Leary as Trustees, to secure the payment of \$100,000 and interest at six per centum per annum, dated December 23, 1916, and recorded in the office of the Clerk of the Circuit Court of Albemarle County in Deed Book 164, page 103, due and payable on December 23, 1924.”

The Thomas Jefferson Memorial Foundation Inc. was established in 1923 to raise the funds to purchase Monticello from Jefferson Levy, and to preserve and continue the restoration of Monticello. Apparently, it was difficult to raise the necessary funds, and as a result the fund raising was a combination of borrowing and contributions of all sizes and stripes, ranging from large donations by philanthropists to pennies collected from schoolchildren. The above-referenced \$300,000 purchase money deed of trust by the Thomas Jefferson Memorial Foundation Inc. was recorded in the circuit court clerk’s office immediately after the deed of conveyance from Jefferson M. Levy, and it was not released of record until October 15, 1930. Jefferson Levy died in 1924, within several months after the sale of Monticello. At the time of his death, Levy’s financial situation was somewhat similar to Thomas Jefferson’s situation at Jefferson’s death.

From 1923 to 1955, in addition to the funds raised by the foundation, contributions and in-kind work on the landscaping and drives were provided by supporters, including the Albemarle Garden Club, the Garden Club of Virginia, the Garden Club of America, the Civilian Conservation Corps, the botany department of the University of Virginia, and many other organizations and individuals. In the early 1950s, there was major renovation and reconstruction of Monticello. Monticello continued to be open to the public, but on a grander scale. During this time and through the present, the foundation slowly restored Monticello and acquired original or authentic furnishings for its interior. Donors with philanthropic intent, encouraged by charitable deductions in the tax laws, have generously supported the cause of preservation and education at Monticello. According to its Internal Revenue Service Form 990 (Return of Organization Exempt from Income Tax), for its fiscal year ending December 31, 2008, the Thomas Jefferson Foundation Inc. had contributions and grants of \$11,456,170 (of this amount, \$5,355,130 came from admission fees), total revenues of \$19,547,248, total assets of \$200,137,282, total liabilities of \$41,660,524, and net assets of \$158,476,758. About five hundred thousand people from all parts of the world visit Monticello each year.

When my wife, our grandchildren, and I visited Monticello in November 2010, we were reminded of a new nation founded on the ideas and ideals of young men such as Thomas Jefferson, who had studied systems of government that had not worked as well as the one which they would eventually devise. The story of Monticello incorporates the real-life issues with which Jefferson

and those who followed had to deal, within the framework of laws extant in those early years. The twists, turns, and resolution that led to Monticello’s preservation demonstrate the importance of its builder’s vision to us and to the world. We have come to realize that Monticello is as much a symbol of the United States and its ideals and principles, which we are still trying to fulfill, as it is a physical entity. It is also a multifaceted symbol that represents many things to different people. It is a symbol of constancy, of change, and of progress. It is the paradox of promises fulfilled and unfulfilled. It is a place of inspiration and imagination. It is a reminder of the importance of generosity and of stewardship. It is a symbol of the freedoms offered by our United States and of the motivational power of those freedoms. It is a lesson about human greatness and about human frailty. It is Monticello. I need not say more. ☪

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To assist the reader in understanding the relative current dollar value of various dollar amounts quoted in this article, the following table is provided:

Relative Value of a U.S. Dollar Using the Gross Domestic Product (GDP) Deflator*

Relative Value of a United States Dollar, Then And Now, Using the Gross Domestic Product (GDP) Deflator*:

Dollar Amount Then	Year	=	Dollar Amount In 2009
\$ 23,950	1815		\$ 368,000
\$114,800	1826		\$2,740,000
\$ 71,000	1826		\$1,700,000
\$ 7,000	1831		\$ 177,000
\$ 2,700	1836		\$ 58,800
\$ 10,050	1879		\$ 208,000
\$500,000	1923		\$5,150,000

*The GDP deflator is an index number that represents the average price of all the goods and services produced in the economy. Changes in the deflator are a broad measure of inflation.

(Source: Samuel H. Williamson, "Seven Ways to Compute the Relative Value of a U.S. Dollar Amount, 1774 to Present," *MeasuringWorth.com*, 2010, <http://www.measuringworth.com/uscompare/>, accessed March 9, 2011.)