

TENDING OUR VINES: FROM THE  
CORRESPONDENCE AND WRITINGS OF  
RICHARD PETERS AND JOHN JAY

*Carol E. Brier*

I believe that you and I derive more real Satisfaction from tending our Vines and Fruit Trees, than most Conquerors do from cultivating their favorite Laurels.

—John Jay to Richard Peters, February 26, 1816

The partnership and friendship of John Jay and Richard Peters reflect two extraordinary individuals who helped to plant the seed of American independence and nurture it in diverse ways for more than half a century through a long and devoted association. Toward the end of their lives, Peters wrote to Jay, “my recollections of the long and sincere love and friendship I have undeviatingly cherished for you afford to me the most gratifying and cordial satisfaction.”<sup>1</sup> Their correspondence reflects two men with many shared interests but two distinct personalities. Both men were well educated and successful attorneys before the outbreak of the Revolution to which both became deeply committed. While their careers took different paths, their friendship strengthened over time and found expression in many unexpected ways as they “tended their vines.”

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Peters was born on June 22, 1744, at Belmont, a stately home outside Philadelphia on the banks of the Schuylkill. His father, William Peters, came to Philadelphia from Liverpool, England, in 1739 and established a highly successful law practice in that city and was a judge in the Court of Common Pleas. Richard Peters was educated at home and later attended the College of Philadelphia, now the University of Pennsylvania, where he graduated valedictorian in 1761 and later became an *ex officio* trustee. After studying law, he established a successful law practice and later became Admiralty Register under the colonial government. In 1776 he married Sarah Robinson and they had six children. Peters supported the American Revolution and in 1775 led a company of provincial troops. The following year he was a delegate to the Continental Congress and elected to the Board of War, a special standing committee to oversee the Continental Army's administration and make recommendations to Congress regarding the army. While in this post, Peters discovered that Benedict Arnold was using funds designated for army supplies for his own use. An open feud developed between the two men when Peters tried to stop Arnold. Peters was "not the least bit surprised" when Arnold betrayed his country at West Point. Peters then went on to serve as a delegate to Congress under the Articles of Confederation and he also served in the Pennsylvania General Assembly from 1787 to 1790 and later as Speaker of the Pennsylvania Senate. In 1792 President George Washington appointed him as a judge for the U.S. District Court of Pennsylvania where Peters gained a reputation for his decisions in admiralty law. He served with distinction in that position until his death in 1828.<sup>2</sup>

John Jay was born on December 12, 1745, to Peter Jay and Mary Van Cortlandt Jay at 66 Pearl Street in Manhattan where his family lived. Peter was a wealthy merchant, the son of a French Huguenot, Auguste Jay. Auguste emigrated from La Rochelle, France, to the New World, fleeing religious persecution. John Jay was one of ten children, seven of whom survived, and was raised at the family farm, "The Locusts," in the town of Rye in Westchester County. He was educated at home by private tutors and at a boarding school in New Rochelle. In 1760 he entered King's College, now Columbia University, and in 1764 graduated. He then studied law and after being admitted to the bar of New York in 1768, he established a prosperous legal practice. In 1774 he married Sarah Livingston and they had six children. Before the outbreak of the Revolution, Jay had worked for reconciliation with England, but became a patriot when he realized that American independence was the only solution



FIGURE 1: Judge Richard Peters painted by Philip B. Wallace. Courtesy of the University of Pennsylvania Archives.

possible. He was a delegate to the First and Second Continental Congresses and later served as its president. At this time, Jay also served New York State as member of the State Provisional Congress drafting its first constitution and later as Chief Justice of the New York State Supreme Court.

In 1779 Jay was appointed Minister to Spain to secure financial assistance for the Americans, and in 1782 he went to Paris to help negotiate the Treaty of Paris, which established America's independence. Jay is regarded as the major architect of the Treaty and it is considered to be one of his major accomplishments in public life. The new nation was governed by the Articles

of Confederation and Jay served as secretary of Foreign Affairs. Jay, along with Alexander Hamilton and James Madison, coauthored the *Federalist Papers* in support of the ratification of the Constitution, drafted at the Constitutional Convention in Philadelphia in 1787, with its strong federal government to replace the ineffectual Articles of Confederation. With the ratification of the Constitution, George Washington became the first president and he offered Jay his choice of any position in the new government. Jay chose to become the first Chief Justice of the Supreme Court. While in that position, Washington asked Jay to go to London and negotiate a treaty with England to try to enforce the terms of the Treaty of Paris. The Jay Treaty of 1794 proved unpopular in America but Jay returned from England to discover that he had been elected governor of the state of New York while not actively seeking the office. After two terms as governor, he retired from public life to his farm in Bedford where he died in 1829.<sup>3</sup>

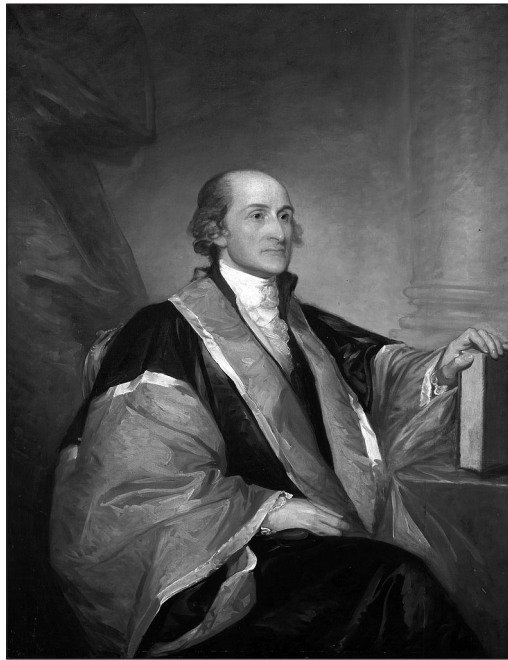


FIGURE 2: John Jay (1745–1829), painted by Gilbert Stuart in his judicial robes as Chief Justice of the Supreme Court. Courtesy: National Gallery of Art.

Service to his country kept Jay away from his family for long periods of time while Peters remained in Philadelphia and maintained a house in town and at Belmont for his entire life. Belmont, a Palladian-style mansion, was built by Peters's father in the mid-eighteenth century. Surrounded by formal gardens, the mansion is set on a hill above the Schuylkill with views of Philadelphia. It was here that Richard Peters entertained in gracious style and many Founders, including George Washington, John Adams, Thomas Jefferson, James Madison, and the Marquis de Lafayette, were guests. Washington was a frequent guest at Belmont and maintained a close friendship with Peters up to his death in 1799. He loved to escape from his presidential duties for a long walk with Peters in Belmont's gardens among "clipped hedges, pyramids, obelisks and balls of evergreen and spruce."<sup>4</sup> The diarist and neighbor of Peters, Samuel Breck, wrote that "It was here that General Washington, when President, used to seek relaxation from his official labours, and in it would seem to forget all the cares of government."<sup>5</sup>

Francois-Jean Chastellux, a major-general attached to General Rochambeau of the French forces aiding the Americans during the Revolution, kept a journal of his travels in America from 1780 to 1782. He wrote of meeting Peters on several occasions. During a visit in 1780 with Peters at his house on Walnut Street in Philadelphia, Chastellux wrote, "His house is not large, . . . but he possesses what is preferable to all the offices in the world, an amiable wife, excellent health, a fine voice, and a happy and agreeable disposition." Chastellux wrote that at one dinner party in Philadelphia given by Judge James Wilson,

Mr. [Richard] Peters . . . gave the signal for mirth and jollity by favoring us with a song of his own composition, so broad and unrestrained that I shall dispense with giving either a translation, or a selection of it here. This was really an excellent song. He then sang another, more chaste and more musical; this was a very fine Italian *cantabile*.

An enraptured Chastellux also wrote of his visit to Belmont

The tasty little box . . . is on the most enchanting spot that nature can embellish, and besides the variegated beauties of the rural banks of the Schuylkill, commands the Delaware, and the shipping and mounting and descending it, where it is joined at right angles by the former.<sup>6</sup>

Peters dressed in a formal manner and wore knee breeches and silver buckles on his shoes. He wore his hair powdered and dressed in a queue long after it had passed out of fashion. Peters was highly regarded for his wit and storytelling. He had a sharp nose and chin, which became more prominent with age. "A friend observed to him one day that his nose and chin were getting so near they would quarrel. 'Very likely' he replied, 'for hard words often pass between them.'" Another pun occurred when Peters was Speaker of the Pennsylvania State Assembly and a member of the Assembly tripped and fell which elicited laughter from the other members. Peters sternly cried out, "Order! Order, gentlemen, do you not see that a member is on the floor?"<sup>7</sup>

John Jay, on the other hand, was more reserved—circumspection was the hallmark of his character as well as a lawyerly manner. While riding circuit as Chief Justice Jay kept a diary and on two occasions he noted, "heard many anecdotes, not to be written" and "Learnt sundry anecdotes not proper to be written, but to be remembered."<sup>8</sup> During his tenure as Chief Justice, Jay maintained a grand stone house on Broadway in New York where he and his wife, Sarah, frequently entertained the elite of the new federal government. His retirement from public life to his farm in Bedford in 1801 was a dramatic change but one which he and his wife had hoped for, especially Jay, "From early Youth it was my desire and Intention to live in the Country as soon as Prudence and Prosperity would permit me."<sup>9</sup> Jay's farm was on 750 acres that he had acquired through inheritance and purchase. His twelve-room farmhouse with piazza was originally a small house for his farm manager that had been renovated when Jay decided to retire from public life. It was a large and comfortable house, built to Jay's strict specifications for the best materials, including his desire to have the exterior and interior walls lined with brick. There was ample room for his family and friends who visited Jay. His lifestyle was simple but not ostentatious—"Neatness + utility is all I ought or wish to aim at in Dress or Equipage."<sup>10</sup>

The Bedford farm was remote and required a two-day trip by stage from New York or a day's sail by boat up the Hudson River. Mail was delivered once a week from New York. Jay took an active role in the running of his farm and in his family. His son, William, wrote of his father that "When his health and the weather permitted, he spent most of the day in the open air, and no small portion of it on horseback. He disclaimed all intention of converting his farm into what is usually termed 'a seat'"<sup>11</sup> Jay was devoutly religious and

Every morning immediately before breakfast, the family, including the domestics, were summoned to prayers; and the call was repeated precisely at nine at night, when he read to them a chapter in the Bible, and concluded with prayer. At the close of the evening devotions he retired to rest, except when courtesy to his guests induced him to keep later hours; but the presence of company neither postponed nor suspended the family worship.<sup>12</sup>

True to his aim for “Neatness + utility” he wrote to his daughter, Maria, “our love to Nancy—Tell her I have received the stockings she sent . . . and that I wear those of her knitting with more Pleasure than others, because I owe them to her affectionate attention.” In 1802 the dream of a simple life in the country that he and his wife looked forward to was shattered when Sarah Jay died. He later wrote to Peters that “Conversation, Books and Recollections, still enable me, with the Blessings of Providence . . . to glide on placidly towards that ocean, to which the Stream of Time is bearing us all.” In contrast to their different lifestyles, Peters nevertheless had great respect for Jay when he wrote to him in 1808 that “I admire very much your apparently Settled Plan of Life.” True to his ever-probing mind and diverse interests, Peters had to admit that “My mind is too ardent & I must have some Hobby Horse to ride.” Peters shared his pursuits and his numerous “hobby horses” with Jay as the two men corresponded while they “tended their vines.”<sup>13</sup>

One “vine” that both Peters and Jay tended was agriculture. Both men were serious farmers and took an active interest in the management of their properties, yet they pursued farming in different ways. Their letters are replete with discussions about new crops and their success or failure with them. Jay wrote to Peters about speltz, a new grain, “To sow Wheat here, is like taking a ticket in a Lottery—more blanks than prizes—the Fly destroys more than we reap.”<sup>14</sup> Jay had a genuine interest in new farming techniques or a new crop, but it was Richard Peters who was highly regarded as an expert in the field of agriculture delving into new types of machinery, working with new crops, breeding new animal stock and researching different types of fertilizers or manures. Peters also corresponded with George Washington, Thomas Jefferson, James Madison and Alexander Hamilton, to name a few of the leading agriculturalists in the country, discussing a wide range of agricultural and horticultural topics. Hamilton wrote to Peters in 1802 for advice in managing his new home, the Grange, located in upper Manhattan. Peters replied, employing both his wit and wisdom, “Spare no Expence to



destroy Weeds. . . . Weeds are the Jacobins of Agriculture. If you do not destroy them, they will certainly ruin you.”<sup>15</sup> Peters’s stature as a leading agriculturalist was international and he corresponded with Sir John Sinclair and Arthur Young of Great Britain, renowned for their efforts in the field of agriculture. Washington had the highest regard for Peters when he wrote to Arthur Sinclair that “Richard Peters Esqr; who is one of the most intelligent, and best practical, as well as theoretical farmers we have.”<sup>16</sup>

Washington engaged in agricultural experiments at his beloved Mount Vernon and stated that “I know of no pursuit in which more real and important services can be rendered to any country, than by pursuing its agriculture.”<sup>17</sup> Washington also advocated the establishment of a National Board of Agriculture for the gathering and dissemination of information. Many societies devoted to agricultural pursuits were formed throughout the new nation. In 1785 the Philadelphia Society for the Promotion of Agriculture was formed with twenty-three charter members, among them Richard Peters, George Clymer, Robert Morris, Benjamin Rush, and James Wilson. The Society’s members consisted of many patriots among whom were signers of the Declaration of Independence, members of the Constitutional Convention who drafted the Constitution, officers in the Revolutionary War, members of Congress, a member of the Supreme Court, and a personal physician to George Washington and Benjamin Franklin.<sup>18</sup> Richard Peters was vice president of the Society and became president in 1805 serving until his death in 1828. George Washington was an honorary member and said of the founding of the society, “No measure in my opinion, will be more conducive to the public weal than the establishment of this Society.”<sup>19</sup>

The Society maintained relations with other American agricultural societies and foreign societies as well and quickly became a highly respected institution throughout America and Europe. The Society established a library and published its findings and activities through its journal, *Memoirs*, with an abbreviated version published as an *Almanac*. Peters was a prolific contributor to the *Memoir*, authoring eighty-seven papers on a wide range of subjects such as from Hoven cattle, peach trees, the thickness of cement, coarse flour, brown bread, trench ploughing, and hemlock for fences, to name just a few of his “hobby horses,” but none was more notable than his work on soil fertility. His *Notices to a Young Farmer* (1818), which was later published as a pamphlet, and *A Discourse on Agriculture: Its Antiquity* (1816) were widely read. In 1811 John Jay ordered six copies of the second volume of the Society’s *Memoirs*—“I mean to place a Set in our Town Library and to distribute others among



certain Persons in the neighbourhood who in my opinion would make proper use of them.”<sup>20</sup> Later that year Jay reported to Peters of the *Memoirs* now in the Bedford Town Library, “I am told that it is read with *great* avidity, and I suspect with proffit.”<sup>21</sup>

During his retirement, Jay maintained an active interest in many organizations eschewing participation. Jay was nominal head of the Westchester Agricultural Society and after his mission to London as U.S. envoy to negotiate the Jay Treaty with the British, Jay became a Foreign Honorary Member of the British Board of Agriculture in 1795. The diploma was signed by John Sinclair, president of the Board, who had entertained Jay many times during his stay in London the previous year.

Peters and Jay, like many farmers of their time, were trying to increase the fertility of soil through the use of new “manures.” It was in this particular area of research that Peters came to international prominence with the publication of his book *Agricultural Enquiries on Plaister of Paris*, which was published in 1797 and continues in print to this day. In the journal, Peters answered letters written to him by farmers from all parts of the country about the effectiveness of using plaister of Paris as a fertilizer. The plaister, which is made from gypsum, is derived from the Greek word for “chalk” or “plaster.”<sup>22</sup> The French were among the first to work the quarries from the Montmartre section of Paris, which furnished gypsum for many uses, hence the name “Plaister of Paris.” Peters was prompted to begin experimenting with plaister sometime around 1783: “I was among the first who began the use of it in Pennsylvania.”<sup>23</sup> It was the practice of many farmers in eastern Pennsylvania to cultivate their land without preserving the soil and to then move westward to virgin lands for new farms. There was also a need for winter fodder for livestock and summer grasses to produce the fodder. In an answer to an inquiry from a farmer about plaister, Peters explained how plaister had altered the cultivation of his farm:

Before I used the planter my land was full of twitch, or what is called blue grass, which afforded but little pasture, scarcely sufficient to fatten cattle for my own use; since the use of it for several years back, I have fattened from forty to fifty each year, besides mowing as much of the fields each year as afforded a sufficiency of hay for my team and family horses, and upwards of twenty cattle; before that my dependence for hay was from bittoms and watered banks, the hay from which was very inferior to that from the fields.<sup>24</sup>

Peters responded to another inquiry about his preference in plaister by stating that

I have in general found the European plaister the best. But I have used the Nova Scotia (the only American plaister I am acquainted with) to equal advantage. I know not whether there has been any chemical analysis of these plaisters, to enable us to judge their relative qualities. The quarries in Nova Scotia may turn out better the more they are worked and explored. There is a variety in the American plaister, some being much better than others.<sup>25</sup>

In his meticulous attention to every detail, which he displayed in all his research, Peters discussed the texture of the plaister he used, "I do not like the plaister ground too fine. It flies away in strewing, and is not so durable as that moderately pulverized, I think it sufficiently fine." His book reveals that Peters was well read on the subject of fertilizers and familiar with the most current research and practices on the subject. He discussed the types of soil that benefit most from the application of plaister, "Light soils, dry and sandy, or loamy"; the time of year for its application, "From the first of March, if the ground is clear of frost, to the first of May"; the amount used, "The quantity of plaister per acre, four and a half bushels, and the redressing about three bushels"; to the crops, "Beneficially to the production of wheat, rye, barley, Indian corn, buckwheat, peas of all kinds, potatoes, cabbage, clover, and all other grasses common amongst us."<sup>26</sup>

In his *Agricultural Enquiries* Peters demonstrated his command of the subject, his eagerness to share his knowledge with others, and the high degree of respect in he was held in the field of agriculture. George Washington replied to Peters that

I have received with much pleasure, your agricultural enquiries on Plaister of Paris;—and thank you for the honor of, and the affectionate sentiments contained in, the Dedication. I shall be obliged by your furnishing me with two or three more copies of them, one of which I will send by the first opportunity to my correspondent of agriculture—Sir John Sinclair.<sup>27</sup>

However, Peters said of Washington's efforts with plaister on clay soil, "The President (whose land at Mount Vernon and in its neighbourhood, are

generally strong clay, or inclining thereto), has frequently told me, that he has always been unsuccessful with plaister.”<sup>28</sup> However, John Jay had success with plaister and with ground shells. The correspondence between the two friends on this subject reveals great interest, efforts, and knowledge on the subject. When John Jay retired to his farm in Bedford in 1801, it was not a fine house, beautiful gardens, and well-tended fields such as Peters had inherited from his father. Jay’s farm had been worked by tenant farmers for many years with not much productivity but nine years after taking up residence at the farm Jay wrote to his daughter that “You would be surprised to see the orchards—they are literally bending and breaking under a prodigious Burthen of Fruits. I do not recollect any former Year in which there was so much.”<sup>29</sup>

Jay was receptive to trying new hybrid crops and eagerly planted new hybrid trees on his property. Many of the seeds were sent to him by Peters as part of a program of the Philadelphia Society for Promoting Agriculture. Jay purchased other seeds and trees from the William Prince Nurseries in Flushing, NY. The nursery, along with John Bartram’s in Philadelphia, were the premier nurseries in the country introducing many new plants to farmers and both counted George Washington, Thomas Jefferson, and James Madison as customers. Shortly after their inauguration as president and vice president, Washington and John Adams were accompanied by John Jay to the Prince Nurseries by barge. Jay was also familiar with the work of William Bartram when he wrote to Peters that having received a copy of the *Memoirs* of the Philadelphia Society for Promoting Agriculture from Peters, he conducted an experiment:

On reading (in the Memoirs) the observations of Mr. Bartram on the Pea Fly, I took particular notice of his Question “whether oyster shells powdered would not be found as to be as good a manure as Plaister or Lime?” I have made a trial of it.

In a Conversation I had last Year, with Judge Miller who is one of my neighbours, respecting certain Fields along the Sound (Long Island Sound), in which formerly abounding in Shells, and continued to be remarkably fertile while those shells lasted, I observed to him that pounded or powdered shells would probably be a good manure. He soon afterwards passed some Shells thro’ his Mill, & sent me about half a Pint of the Powder. I drove four stakes about a Yard distant the one from the other, with some of the poorest Land near my House—it

was light worn out Loam. On this little Square I spread the half Pint of Shell Powder. Toward the autumn a fine Crop of White Clover and Spear Grass came on, and flourished until Winter; This Spring it assumed the same appearance—in order to try whether shell Powder or Plaister would produce the most *durable* effect, of the Plaister soon revealed but did not exceed that of the Shell Powder—both Pieces flourished very nearly alike until lately—as the Dry Weather came on, the little Square became less and less verdant, and is now brown and parched, while the plastered ground, which begins with a Yard of it, remains, green. Judge Miller afterwards sent me about a Peck of this powder which I spread last Spring on another little Spot in the same field, & of the like kind as the former the Effects of it proved to be similar to that of the half Pint used last Year. Altho' Plaister succeeds well here; and I have used much of it for Grass, yet I have neglected to try it on garden esculent Vegetables. You have probably been more attentive—be so good as to inform me to which of them Plaister is useful, and at what Seasons and in what Quantities it should be applied.<sup>30</sup>

Peters wasted no time in responding to his good friend with all the experience and knowledge that had gained him an international reputation as an expert in agriculture during his years of experimenting with Plaister, shells and other manures:

The Shells of Fish & the Materials whereof Plaister is formed, differ much. *Shells* are composed of cratacious Earth & animalized Matter. *Plaister* is calcareous Earth & Oil of Vitriol. Both have lime for their Basis, but one (Shells) have carbonic Acid or fixed Air in the Composition, the other, Sulphuric Acid. Both operate as Manure, but of Shells a more absorbent Quantity must be applied. The Sulphuric Acid has a given Affinity for Water, which it attracts in an uncommon Degree. This accounts for the Lush you mention in your Plastered Spot remaining green, while this very dry Season has parched your other Place of Experiment. Dew will remain on plastered Grass for Hours, after it has left other places. . . . I have discontinued any extensive use of Shells. I have repeatedly perceived the Effect you mention of the Verdure on Plastered Fields, while others were arid & apparently deprived of all Vegetation. I have used Plaister on Garden

Esculents continually. I know of none not benefited by it. But Vines & leguminous Plants, it seems more efficacious. Even young Trees receive Advantage from it.<sup>31</sup>

Jay wrote to Peters commending him for his outstanding work: "Natural interest unites with other Considerations in drawing your attention to agriculture—I think it has greatly improved in our Country since the Revolution."<sup>32</sup>

Peters's work with Plaister of Paris had revolutionized agriculture in America. He had broadened the scope of rotation of crops and the cultivation of crops for various uses, especially as fodder for livestock. Farmers were now able to raise enough food for their livestock to maintain them through the winter, whereas in the past it was very difficult and often expensive to keep a significant number of farm animals due to insufficient fodder. Peters's success with Plaister of Paris, and other factors, allowed for the introduction of new breeds of sheep and their successful breeding in America and enabled Peters to tend yet another "vine"—Tunis sheep.

In the late eighteenth century, sheep were generally imported from England but did not flourish on the East Coast of America. They were kept largely for a small supply of mutton and whatever fleece could be obtained. In a letter to George Washington in 1792, Peters outlined the drawbacks to raising sheep in America:

For some time hence this will not be a great sheep country; the dryness or our seasons burns up the pasture for a great part of the year; we keep too many dogs who destroy them; and our country is intersected with mountains, inhabited by wolves; which cannot be extirpated. . . . Our long winters are inimical to sheep; they render the keeping expensive, and subject the animal to numberless disorders. We have no succulent or green forage; . . . I have tried the English sheep, which soon degenerate, and stand the climate but badly. As to fleece it is scant, but three pounds per sheep being rather an over calculation.<sup>33</sup>

Washington had long advocated the importance of agriculture and the need for improving livestock when he wrote to Sir John Sinclair, "I know of no pursuit in which more real and important service can be rendered to any country, than by improving its agriculture, its breed of useful animals, and other branches of an husbandman's cares."<sup>34</sup> Yet through the efforts of

Peters and others, including Washington, the prospect of sheep raising was transformed and the necessary elements were in place for the importation and cultivation of the Tunis sheep.

In 1799 U.S. Consul to Tunis William Eaton obtained the delivery of ten Tunis sheep as a gift from the Bey of Tunis to George Washington. After a stormy sea voyage during which most of the sheep died, Secretary of State Timothy Pickering had the surviving ram and ewe delivered to Richard Peters for breeding purposes. Tunis sheep, one of the oldest breeds of sheep, are characterized by their cream-colored wool with cinnamon/red head and legs. Their tails are punctuated by fat deposits and the breed is sometimes referred to as the broad-tailed sheep. The breed was prized for its mutton and wool and with other shipments of the sheep to this country, its popularity spread quickly. George Washington used Tunis sheep to rebuild his flock at Mount Vernon, which had suffered during his presidency. Other prominent agriculturalists of the period such as John Adams and Thomas Jefferson had Tunis sheep on their farms and Jefferson was known to have Tunis sheep grazing on the lawn of the White House along with other breeds.<sup>35</sup> The sheep were cross-bred with other breeds and produced a new breed—the American Tunis.

Peters set about distributing lambs to encourage the breeding of the sheep, which after some time made him a strong advocate of the breed. In his *Memoir on the Tunis, broad-tailed Sheep*, which was published by the Philadelphia Society for Promoting Agriculture, and later in international journals, Peters discussed the merits of the breed. He noted that “I deemed myself bound, though no terms were made with me, to distribute many of their progeny gratuitously, and gave away lambs for several years, with a view to encourage and spread the breed.”<sup>36</sup> Peters then noted the other favorable characteristics of the breed: “I have never seen better homemade cloth than the selected parts of the Tunis fleeces”; “The mutton is known to be among the finest and best in our market. The proportion of flesh to size of the animal is, I think, remarkably great”; “They are hardy, and will bear either cold or heat better than any others within my knowledge”; “They fatten with less food, and much quicker, than any other sheep”; “A tunis tup [ram] couples with a ewe of other breeds with more certainty and effect, than a tup of the common species with a Tunis ewe”; “The Tunis sheep are better set with wool than any others generally known here.” With attention to every detail, Peters also noted that “The tail is the true test of purity of blood,” and in this regard, the Tunis sheep served Peters’s reputation as a gourmand well

when he commented that “Its tail (which I have known, when prepared for cooking, to weigh from six to eight pounds) if properly dressed, is a feast for an epicure. The tail of a young beaver, which I have enjoyed when I dared to indulge in such food, . . . is the only rival I know.”<sup>37</sup>

In his *Memoir* Peters also discussed other reasons for his enthusiasm for the breed and mentioned an important trait of the breed that contributed to its popularity—“Their character is that of gentleness and quietude; and they live in health, vigor, and usefulness, to greater ages than other sheep. I never saw a breachy Tunis sheep.”<sup>38</sup> By “breachy” Peers meant that the Tunis sheep did not wander from their pasture or jump fences, which is something that attracted the attention of many farmers in the country, including John Jay. In an 1810 letter to Peters, Jay discussed the subject of sheep:

I had often heard of broad tailed sheep, and seen some of them, but supposed them to be a rather singular than a useful Breed. You have corrected that Error, and I should, like to have some of them, if they would remain quietly in fields fenced only by Stone Walls.—My farm was, from its first Settlement occupied by Tenants—they left me no Trees fit for Rails; nor can I obtain a supply in this Neighbourhood. The stones they could not destroy—and they are the only Materials I have for Fence. . . . You say the Tunisians are quiet—Tell me whether you think they may be trusted within Stone Walls—if they may—I shall, in case I live till Spring, be inclined to purchase two or three of them to begin with.<sup>39</sup>

Jay had maintained a flock of Merino sheep that rivaled the popularity of the Tunis sheep at the time. Merino sheep originated in the Iberian peninsula and were prized for their fine, superior wool, which continues to this day. In 1802 Chancellor Robert R. Livingston, a noted agriculturist and the American Minister to France, and Colonel David Humphreys, the American Minister to Portugal, were among the first Americans to bring Merino sheep to America. The Spanish prevented the exportation of the breed until Napoleon invaded Spain in 1808 after which the breed was available to American markets. The Americans had previously relied on British sheep but with the War of 1812 and the embargo imposed by President Jefferson on British products, Merino sheep became highly prized and competed with Tunis sheep. Between 1809 and 1811, 3,500 Merino sheep were sent to America due to the efforts of William Jarvis of the U.S. Diplomatic Corps.<sup>40</sup>



Jay ultimately sold the flock of Merino sheep due to their inability to stay in the pastures. The "Otter" breed, which he mentioned to Peters, were the sheep with "crooked legs" and were no "Beauties." The otter or ancon sheep first appeared in the United States in 1791 when a Dover, Massachusetts, farmer, Seth Wright, noticed that one of his newborn rams had unusually short legs. This was later attributed to the lack of cartilage developing between the joints which produced the short legs and dwarf-like appearance in the sheep. Although the breed exhibited other abnormalities, their inability to jump stone fences made them attractive to farmers and Wright developed the breed. The otter breed gained in popularity but other mutations in the animal, particularly poor health, led to a decrease in their popularity.<sup>41</sup> Nonetheless, Jay was persuaded by Peters's pamphlet on the subject to purchase a pair of lambs: "But for the dogs I shd like to begin with a larger number."<sup>42</sup> The two agreed on the price of \$25 a piece for a ram and a ewe to be delivered to John Jay's son and agent in New York City, Peter Augustus, by water or by land. Upon the sheep's arrival in New York, Peter Augustus had them delivered to Jay's farm. Peters had some advice for his good friend about the care of the Tunis sheep:

You must not pet them too much, as they are a hardy Sheep, but, like others profit ably kept, require some additional Food other than mere Hay thro Winter & especially towards Spring. Shelter is open Sheds is best though they may use it or not at their Pleasure. . . . The Sheep are no Jumpers or Wanderers, & will keep Company with your crooked leg'd.<sup>43</sup>

Dogs still remained a threat to sheep as Peters bemoaned the loss of "my old Selema by a Dog, in perfect Health & Vigour at 10 Years old. Her Fleece was perfect & excellent when she fell Victim." Jay's flock, too, was to suffer the same fate eight years later when he wrote to Peters, "I wish I could give you a good account of my Tunisian Sheep—but the dogs have put it out of my power."<sup>44</sup> Otherwise, Jay seemed very pleased with the Tunisian sheep.

The breed quickly established itself in other parts of the country, especially the southern part of the United States, where the Tunisians readily adapted to the warm climate. Jay had to wait for his pair of Tunisian sheep when Peters informed him "But our Flock is reduced to a mere Squad—and the Carolina People have swept the whole."<sup>45</sup> The Tunisians were all but wiped out during the Civil War and their popularity decreased as the Merino

sheep became the choice of many farmers. It was Peters and his efforts that established the Tunisian sheep as one of the first truly American breeds of sheep and to this day the American Tunis sheep remain an integral part of American agriculture.

Yet another “vine” that these two men cultivated almost to the end of their days with steadfast loyalty was American independence and their admiration for George Washington. Peters and Jay were swept up into a strange national debate that arose about the authorship of Washington’s Farewell Address. Was the document written by Washington, as many people had supposed, or was it written by Alexander Hamilton?

In 1796, toward the end of Washington’s second term as president, he resolved to write a valedictory to the nation. He wrote a draft and sent it to Hamilton for his review. Washington had relied on Hamilton’s judgment and assistance in drafting documents dating back to the Revolutionary War when Hamilton was a member of his staff. On those occasions Hamilton served as an editor and did little to alter the content of the documents. Washington’s instructions to Hamilton about the Valedictory Address left no doubt as to what Washington desired of Hamilton’s input: “all the ideas

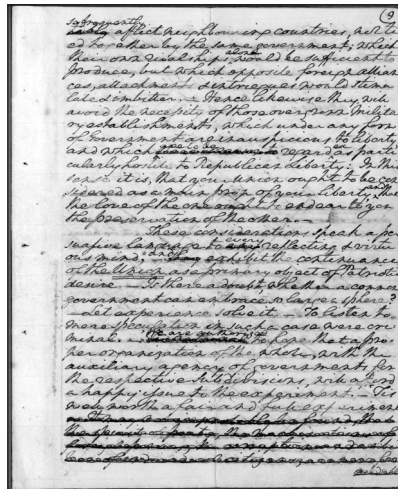


FIGURE 3: A page from the original draft Washington’s farewell address. Alexander Hamilton papers. Courtesy: Library of Congress.

and observations are confined, as you will readily perceive, to my draft of the valedictory Address. If you form one anew, it will of course, assume such a shape as you may be disposed to give it, predicated upon the Sentiments contained in the enclosed Paper." However, Washington had such a high regard for Jay that he instructed Hamilton to meet with Jay and have him review the document as well: "as I have great confidence in the abilities, the purity of Mr. Jay's views, as well as in his experience, I should wish his sentiments on the purport of this letter." Jay and Hamilton did meet in Jay's house on Broadway in New York City to review Washington's draft and another draft that the two men worked on and written by Hamilton to which minor changes were made, which Jay later said "none of much importance."<sup>46</sup> Washington's draft was left untouched by Jay and Hamilton and it was that document, now known as Washington's Farewell Address, which was published on September 15, 1796, in the *American Daily Advertiser* and later in many American and European newspapers and journals. However, the meeting between Hamilton and Jay would later play a central role in the strange debate that was about to erupt.

It was not until Hamilton's death in 1804 that the controversy over the authorship of the Farewell Address arose when one of the executors of Hamilton's Will, Nathaniel Pendleton, came across Hamilton's draft of the document and rumors were being spread by Mrs. Hamilton and her family that Hamilton and not Washington wrote the now famous Farewell Address. Pendleton gave Hamilton's papers to Rufus King, a lawyer, diplomat and fellow Federalist who agreed with Pendleton that Washington had authored the address. Pendleton did not want to compromise his position as one of Hamilton's executors if asked about the content of Hamilton's papers.

Rumors began to circulate about the controversy and would involve many notable Americans, including Peters and Jay. Richard Peters wrote to Jay in 1811 about the burgeoning talk among Hamilton's friends and admirers in New York and Philadelphia:

I am always hurt when I hear anything which tends to break with what remains of the *Charm* his [Washington's] Name once possessed. I would not *lie* to support any Position. But I would not tell mischievous Truths. You see I have glanced at his Farewell Address. It was meant to take off the Edge of the unnecessary *Buzz* that Hamilton wrote it. I do not believe that he did more than *dress* it; & most likely interweave some good Things.<sup>47</sup>

Peters then went on to attribute the “Buzz” to William Lewis, a prominent attorney in Philadelphia and neighbor of Peters and Dr. John Mitchell Mason, a famous orator and Quaker—“Our *Lewis* is constantly blabbing, *as a great secret*, (he had either personally, or from Dr. Mason) the Affair of the Farewell Address. When his [Lewis] Talents were at their best (which they now are not) I never could trust him with what I did not care whether or not all the world should know.”<sup>48</sup> Dr. Mason was writing a biography of Hamilton at the request of Mrs. Hamilton, which he later abandoned due to ill health. Mason admired Hamilton greatly, and had access to some of Hamilton’s papers which he intended to publish.

When Jay read Peters’s letter about the growing controversy he wrote to Peters and began by acknowledging receipt of Peters’s book on Plaister of Paris. He then wrote, “Your letter conveyed to me the first, and only information I have received, that a copy of President Washington’s Valedictory Address has been found among the papers of General Hamilton, and in *his* handwriting, and that a certain gentleman had also a copy of it, in the same *handwriting*. This intelligence is unpleasant and unexpected.” Jay composed a lengthy letter to Peters, in his lawyerly manner, in which he defended Washington’s character and his ability to write a valedictory: “the occasion invites me to take the pleasure of reviewing and bearing testimony to the merits of our departed friend.”<sup>49</sup> Jay then succinctly discussed his meeting with Hamilton and what had transpired. Always circumspect and in his finest legal manner, Jay noted,

Thus much for presumptive evidence, I will now turn to some that is direct. The history, (if it may be called) of the address is not unknown to me, but as I came to the knowledge of it under implied confidence, I doubted when I first received your letter, whether I ought to disclose it. On more mature reflection I became convinced that if President Washington were now alive, and informed of the facts in question, he would not only authorize, but also desire me to reduce it to writing; that when necessary it might be used to invalidate the imputations to which those facts give colour.<sup>50</sup>

Jay did not think that the contents of his letter should be disclosed at this time. He was very concerned that when the appropriate time arrived for disclosure of his letter he might be incapacitated or dead. His high regard and admiration and trust in Peters were obvious when Jay then wrote “I shall

now commit it to writing, and commit it to your care and discretion.”<sup>51</sup> This letter written by John Jay to Richard Peters and dated March 29, 1811, was to become the focal point of the authorship debate as it widened and involved more people.

Upon receipt of Jay's letter, Peters wasted no time to mention it in the proper circles and circulate the facts of Jay's involvement in the editing of the Address. Peters was committed to wait for the proper time to reveal the letter publicly and wrote to Jay, “Nothing can be a stronger Bulwark against their Attacks, than your letter. I shall not use it indiscreetly or busily. But when I shall believe that *you* would think it right, I will use it.” Jay was the only survivor of the principals involved in the drafting of the Farewell Address and he was still held in high regard and esteem by many Americans, even by those who may have differed with him on his policies, particularly the unpopular Jay Treaty. His character was beyond reproach, which only strengthened his assertion that Washington was indeed the author of the Valedictory Address. Peters was in a unique position to utilize Jay's letter and Jay's instructions for discretion. Peters was a judge in the Federal Circuit Court and a leading citizen of Philadelphia. He knew many influential people in the city and he did not hesitate to ultimately contact Dr. Mason and dissuade him from publishing Hamilton's papers. Of Dr. Mason Peters wrote to Jay that “his Zeal for Disclosure of anything relating to Hamilton's Fame, eats up his Discretion” and noted that Mason and William Lewis were as one on this subject. The letters between Peters and Jay from March through the fall of 1811 centered on the controversy and Peters's success in having quelled much of the gossip with his judicious use of the existence of Jay's letter in his possession without disclosing the contents of the letter.<sup>52</sup>

In 1818 Mrs. Hamilton visited Jay at his Bedford farm and discussed the Farewell Address with him, stating that she saw Washington's letter to her husband asking Hamilton to make any *alterations* to the document that Hamilton thought proper. Jay noted in a letter to Peters that “This is certainly is very different from desiring him to compose one.”<sup>53</sup> Later that year, Peters assisted Jay in the ever-widening debate. It seems that Mrs. Hamilton had written to Bushrod Washington, who was not only George Washington's nephew and executor of Washington's estate, but also a Justice of the Supreme Court. In her letter, Mrs. Hamilton outlined her position in the matter. Mrs. Hamilton had visited the Justice at Mount Vernon and borrowed many of Hamilton's letters to Washington for copying. It was after this visit that the Justice was “informed in Phila., by a friend, the authorship

of that address was attributed to Genl. H. in whispers by certain persons in N.York & Phil.”<sup>54</sup> Peters was later to facilitate Justice Washington in making a copy of Jay’s 1811 letter to Peters after the Justice had been drawn into the controversy.

Peters also used his powers of persuasion on Joseph Hopkinson, a federal district judge and eminent trial and constitutional lawyer to whom Mrs. Hamilton had loaned Hamilton’s papers for purposes of writing a biography of Hamilton. Once again, Peters’s wise use of Jay’s letter enabled him to dissuade Hopkinson from publishing anything that would detract from Washington’s reputation.

In 1825 events began to spiral when Mrs. Hamilton filed a suit in Chancery Court against Rufus King to relinquish the letters he had custody of for so many years. The lawsuit became fodder for the newspapers and so alarmed Bushrod Washington that he wrote to Chief Justice John Marshall for advice. Marshall stated that should the letters in question be published, they would agree with Jay’s account of the episode and “they [Mrs. Hamilton and her family] must know that the address was written by General Washington and revised by his friends.”<sup>55</sup> Marshall was very familiar with Washington’s papers. In 1800 Marshall was asked by Mrs. Washington and Bushrod Washington to write a biography of the president and was given access to all of his papers. Marshall saw nothing in those papers to persuade him to doubt Washington’s authorship of the valedictory.

The lawsuit brought national attention to the authorship debate and in 1825 the matter was taken up by the Historical Society of Pennsylvania. Founded the year before, its members were disturbed by the debate that had erupted over the authorship of Washington’s valedictory. William Rawle, the first president of the Society who was an attorney and appointed by Washington to the post of U.S. District Attorney for Pennsylvania, met in December of 1825 with David Claypoole, the initial publisher of the Valedictory Address and to whom Washington had given his handwritten draft of the document. Claypoole recounted his meetings with Washington and allowed Rawle to view the draft of the address written in Washington’s hand. Claypoole’s account of his meeting with Washington was later published and incorporated into the *Memoirs of the Society*.

The Society continued its investigation and on February 6, 1826, an ad hoc committee was formed to pursue the inquiry. The members of the committee were William Rawle, Charles Jared Ingersoll, who was a former member of Congress and author, and Benjamin R. Morgan, the current president

of the Society. Then on February 10, the committee sent letters to Justice Bushrod Washington, Chief Justice John Marshall, Judge Richard Peters, and John Jay—"The interest which has lately been taken by so many in the question whether the Valedictory Address of the venerable Washington was his own composition or the work of another, has extended to the Historical Society of Pennsylvania which has appointed a Committee to make enquiries on the subject."<sup>56</sup> Justice Washington and Chief Justice Marshall, both of whom were familiar with Washington's papers, replied that they saw nothing in those documents to make them believe that anyone other than George Washington had written the address. Peters, who still retained Jay's letter concerning his all-important meeting with Hamilton, deferred to Jay's wishes not to reveal the contents of the letter when he wrote to the Society: "I cannot deliver his [John Jay] letters to any one without his permission."<sup>57</sup> But Peters then added

it is a strange pursuit in Hamilton's family, thus to give trouble to everybody who regards the fame of either the General or Col. H. himself. If he had written the Address, it is perfidy to betray the confidence reposed in him. But as he did not, it is wrong in his family to assert his having done it. In either case his descendants would gain no reputation, but our nation would suffer a serious injury by having the fascinating name of *Washington* taken from the creed of every friend of his country.<sup>58</sup>

Peters's statement is interesting for several reasons. It is a testament to his loyalty and respect for his good friend, John Jay, and pledge of confidentiality in the matter. He focused on the fact that neither Hamilton nor Jay had betrayed Washington's wishes for confidentiality, which gave credence to Washington's authorship of the address. Last, he bemoaned the possible effects on Washington's reputation, which he and Jay had the highest regard for, and upon the nation as well. Politics also colored the reasoning of some involved in the debate. Washington's supporters in this controversy were for the most part Federalists, while Hamilton's supporters were mainly Democratic-Republicans, a party founded by Madison and Jefferson primarily due to their opposition to the Jay Treaty. Washington himself was greatly disturbed by the formation of political factions and it was those very factions that had taken up sides in the debate. To people like Jay, Peters, Bushrod



Washington and John Marshall, their admiration for Washington never faltered through the years and they did not want to see Washington's reputation diminished in any way. Mrs. Hamilton though sought to augment her husband's reputation through the publication of a biography of him which gave rise to the suit she had brought in Chancery Court.

To Peters and Jay the authorship of the document was of grave importance, not just to Washington's reputation and legacy but to the nation as well. By this time Jay was eighty-two years old, an advanced age for that period, and he had suffered several strokes, which left him slightly incapacitated physically. He now deemed the time was right for his letter to Peters of March 1811 to be made public. His reply to the ad hoc committee was brief and direct: "to this request propriety requires from me a candid and explicit answer."<sup>59</sup> He stated that he had first learned of the controversy from Peters in 1811 and that he had written a letter to Peters outlining his meeting with Hamilton to review Washington's draft and that now "I therefore take the liberty to refer you to Judge Peters who will readily communicate to you the contents of that letter. Permit me to add, that should any copies be taken, it is my desire that they may be copies of the *whole*, and not merely of *parts* of the letter."<sup>60</sup>

The ad hoc committee, which was "uneasy and indignant" about the controversy, published Jay's letter of 1811 to Peters later that year along with its letters to Jay, Peters, Chief Justice Marshall, and Justice Washington, and their replies to the committee. The members of the committee stated that the findings

must remove all doubts on the subject. The facts stated in Mr. Jay's letter to Judge Peters well account for the *mistake which had accompanied* this question. The whole address appears to have been copied by General Hamilton, whose affectionate attachment to the President prevented him from thinking any trouble on his account too great, and this copy having been we now know, returned to his possession, was probably the cause of the opinion that he was the original author.

This ended the Committee's investigation into the authorship of the address.<sup>61</sup>

However, Jay was intent that his letter be published for the general public and on October 5, 1826, the *New York American* published Jay's 1811 letter to

Judge Richard Peters in its entirety. The paper issued a statement following the letter:

NEW YORK AMERICAN

THURSDAY EVENING, OCTOBER 5, 1826

The letter of Mr. Jay, which we publish this day, on the subject of Washington's Farewell Address, will be read with great interest. It is marked with the characteristic force and elegance of that gentleman's style, and in its facts and reasoning, is conclusive.<sup>62</sup>

Jay's reputation had retained the credibility and high regard that he had enjoyed while in public office, even from his opponents, and now from a newspaper with opposing political views. The course of the debate over Washington's valedictory had been decisively altered. After the publication of Jay's letter, Rufus King returned Hamilton's papers to Mrs. Hamilton, who then withdrew her lawsuit, both of them realizing the effect of Jay's letter. Mrs. Hamilton sold her husband's letters to the government, and they are now in the Library of Congress, but she never wavered in her belief that it was her husband who wrote the Farewell Address. In 1854, when she died at the age of ninety-seven, she attested to her belief in her Last Will and Testament that Hamilton was the true author of Washington's Farewell Address.

Peters and Jay had accomplished their goal and the controversy was resolved. There were several pamphlets published on the subject in later years, but the eventual publication of the papers of Washington and Hamilton ended the debate, which was all but forgotten and passed into history. It was the dedication and resolve of Peters and Jay that led to the publication of the facts surrounding the drafting of Washington's valedictory and all but ended the rumors. Jay was the only survivor of those involved in the drafting of the address and he used his great credibility and his lawyerly approach and skills to advantage. He implicitly trusted Richard Peters, to whom he delivered his letter of 1811 outlining his meeting with Hamilton. Peters respected Jay's wishes with great discretion and the confidentiality that Jay asked for. It was Peters who wisely used his position and reputation in Philadelphia to counter the rumors and innuendo surrounding the controversy. His direct intervention prevented the publication of Hamilton's papers until such time as the debate was resolved. In many ways, it was the perfect partnership between Jay and Peters.

Their friendship lasted until Peters's death in 1828. His home, Belmont, remained in the family until 1867 when it was sold to the city of Philadelphia and is now part of Fairmount Park and houses the Underground Railroad Museum. Jay died in 1829 and his farm remained in the Jay family for another four generations. The farm is now the John Jay Homestead a New York State Historic Site. It is fitting and proper that the two homes remain to perpetuate the legacies of Richard Peters and John Jay. In so many ways, these two men planted and nurtured the seed of American independence and aided in the growth of their nation through their diverse and dedicated efforts. Their efforts were like threads that helped to weave the fabric of the nation they helped to create. Peters wrote to Jay in 1808 about their beloved country, "Old Yates used to tell me in 1776, that if the Bantling Independence, lived out a year, it would last to the Age of Methusalah."<sup>63</sup> Jay wrote earlier in the Federalist Papers no. 2 that "This country and this people seem to have been made for each other,"<sup>64</sup> just as Richard Peters and John were not only friends but were indeed made for this country as attested to by their enduring friendship and accomplishments in tending their "vines."

## NOTES

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