

= George Mason =

George Mason (sometimes referred to as George Mason IV) (December 11 , 1725 ? October 7 , 1792) was a Virginia planter , politician , and a delegate to the U.S. Constitutional Convention of 1787 , one of three men who refused to sign . His writings , including substantial portions of the Fairfax Resolves of 1774 , the Virginia Declaration of Rights of 1776 , and his Objections to this Constitution of Government (1787) in opposition to ratification of the constitution , have been a significant influence on political thought and events . The Virginia Declaration of Rights served as a basis for the United States Bill of Rights , of which he has been deemed the father .

Mason was born in 1725 , most likely in present @-@ day Fairfax County , Virginia . Mason 's father died when he was young , and his mother managed the family estates until he came of age . He married in 1750 , built Gunston Hall , and lived the life of a country squire , supervising his lands , family and slaves . Mason briefly served in the House of Burgesses and involved himself in community affairs , sometimes serving with his neighbor , George Washington . As tensions between Britain and the American colonies grew , Mason came to support the colonial side , and used his knowledge and experience to help the revolutionary cause , finding ways to work around the Stamp Act of 1765 and serving in the rebel Virginia Conventions of 1775 and 1776 .

Mason prepared the first draft of the Declaration of Rights in 1776 , and his words formed much of the text adopted by the final Virginia Convention . He also wrote a constitution for the state ; others who sought to have the convention adopt their ideas , like Thomas Jefferson , found Mason 's version could not be stopped . During the war , he was a member of the powerful lower house of the Virginia General Assembly , the House of Delegates , but to the irritation of Washington and others , refused to serve in the Continental Congress in Philadelphia , citing health and family commitments .

Named one of his state 's delegates to the Constitutional Convention , Mason traveled to Philadelphia , his only lengthy trip outside Virginia . Many clauses in the document bear his stamp , as he was active in the convention for months before deciding he could not sign it . He cited the lack of a bill of rights most prominently in his Objections , but also wanted an immediate end to the slave trade , which he opposed , and a supermajority for navigation acts , which might force exporters of tobacco to use more expensive American ships . Although he lost there , and again at the Virginia Ratifying Convention of 1788 , his prominent fight for a bill of rights led his fellow Virginian , James Madison , to introduce one during the First Congress in 1789 , and it was ratified in 1791 , a year before Mason died . Long obscure , Mason is today recognized for his contributions to the United States , and to Virginia .

= = Ancestry and early life = =

George Mason 's great @-@ grandfather , George Mason I , had been a Cavalier : militarily defeated in the English Civil War , some of them came to America in the 1640s and 1650s . He had been born in 1629 at Pershore , in the English county of Worcestershire . The immigrant George Mason settled in what is now Stafford County , Virginia , having obtained land as a reward for bringing his party to the colony . His son , George Mason II (1660 ? 1726) , was the first to move to what in 1742 became Fairfax County , then at the frontier between English and Native American areas . George Mason III (1690 ? 1735) , served in the House of Burgesses , and like his father was county lieutenant . George Mason IV 's mother , Ann Thomson Mason , was the daughter of a former Attorney General of Virginia who had immigrated from London , and was of a Yorkshire family .

The Masons lived in a colonial Virginia that had few roads , as most commerce was carried on Chesapeake Bay or through the waters of the Potomac , Rappahannock or other rivers . Most settlement took place near the rivers , through which planters could trade with the world . Thus , colonial Virginia initially developed few towns , since estates were largely self @-@ sufficient , and could get what they needed without the need to purchase locally . Even the capital , Williamsburg saw little activity when the legislature was not in session . Local politics was dominated by large

landowners like the Masons . The Virginia economy rose and fell with tobacco , the main crop , which was mostly for export to Britain .

Into this world was born George Mason , fourth of that name , on December 11 , 1725 . He may have been born at his father 's plantation on Dogue 's Neck (later Mason Neck) , but this is uncertain as his parents also lived on their lands across the Potomac in Maryland .

On March 5 , 1735 , George Mason III died when his boat capsized while crossing the Potomac . His widow Ann would raise their son George (then 9) and two younger siblings as co @-@ guardian with lawyer John Mercer . She selected property at Chopawamsic Creek (today in Prince William County , Virginia) as her dower house and there lived with her children and administered the lands that her elder son would control upon reaching his 21st birthday .

In 1736 , George began his education with a Mr. Williams , hired to teach him for the price of 1 @,@ 000 pounds (450 kg) of tobacco per annum . George 's studies began at his mother 's house , but the following year , he was boarded out to a Mrs. Simpson in Maryland , with Williams continuing as teacher through 1739 . By 1740 , George Mason was again at Chopawamsic , under the tutelage of a Dr. Bridges . Mason 's biographers have speculated that this was Charles Bridges , who helped develop the schools run in Britain by the Society for the Promotion of Christian Knowledge , and who came to America in 1731 . In addition , Mason and his brother Thomson doubtlessly had the run of Mercer 's library , one of the largest in Virginia , and the conversations of Mercer and the book @-@ lovers who gathered around him were likely an education in themselves .

Mercer was a brilliant man of strong opinions , who expressed his views in ways that sometimes gave offense ; Mason proved similar in brilliance of mind and ability to anger . George Mason attained his majority in 1746 , and continued to reside at Chopawamsic with his siblings and mother .

= = Virginia landed gentleman = =

= = = Public figure = = =

The obligations and offices that came with being one of the largest local landowners descended on Mason as they had on his father and grandfather . In 1747 , he was named to the Fairfax County Court . He was elected as a vestryman for Truro Parish , and took a position among the officers of the county militia , eventually rising to the rank of colonel . In 1748 , he sought a seat in the House of Burgesses ; the process was controlled by more senior members of the court and he was not then successful ; he would win in 1758 .

The county court not only heard civil and criminal cases , but decided matters such as local taxes . Membership fell to most major landowners . Mason was a justice for much of the rest of his life , though he was excluded because of nonattendance at court from 1752 to 1764 , and resigned in 1789 when continued service meant swearing to uphold a constitution he could not support . Even while a member , he often did not attend . Joseph Horrell , in a journal article on Mason 's court service , noted that he was often in poor health , and lived the furthest of any of the major estateholders from the Fairfax County courthouse , whether at its original site near today 's Tyson 's Corner or later in newly founded Alexandria . Robert Rutland , editor of Mason 's papers , considered court service a major influence on Mason 's later thinking and writing , but Horrell denied it , " if the Fairfax court provided a course for Mason 's early training , he chiefly distinguished himself by skipping classes . "

Alexandria was one of the towns founded or given corporate status in the mid @-@ 18th century that Mason had interests in ; he purchased three of the original lots along King and Royal Streets and became a municipal trustee in 1754 . He also served as a trustee of Dumfries , in Prince William County , and had business interests there and in Georgetown , on the Maryland side of the Potomac (today in the District of Columbia) .

= = = Squire of Gunston Hall = = =

On April 4 , 1750 , Mason married Ann Eibeck , only child of William and Sarah Eibeck of Charles County , Maryland . The Masons and Eibecks had adjacent lands in Maryland , and had joined together in real estate transactions ; by his death in 1764 , William Eilbeck was one of the wealthiest men in Charles County . At the time of his marriage , Mason was living at Dogue 's Neck , though in which residence is uncertain . George and Ann Mason would have nine children who survived to adulthood . Ann Mason died in 1773 ; their marriage , judging by surviving accounts , was a happy one .

George Mason began to build his home , Gunston Hall , likely beginning in 1755 . The exterior , typical of local buildings of that time , was probably based on architectural books sent from Britain to America for the use of local builders ; one of these craftsmen , perhaps William Waite or James Wren , constructed Gunston Hall . Mason was proud of the gardens which still surround the house . There were outbuildings , including slave quarters , a schoolhouse , and kitchens , and beyond them four large plantations , forests , and the shops and other facilities that made Gunston Hall mostly self @-@ sufficient .

Mason avoided overdependence on tobacco as a source of income by leasing much of his land holdings to tenant farmers , and diversified his crops to grow wheat for export to the British West Indies as Virginia 's economy sank because of tobacco overproduction in the 1760s and 1770s . Mason was a pioneer in the Virginia wine industry , subscribing along with other Virginians such as Thomas Jefferson to Philip Mazzei 's scheme for growing wine grapes in America .

Mason sought to expand his land and wealth . He greatly expanded the boundaries of Gunston Hall estate , so that it occupied all of Dogue 's Neck , which became known as Mason 's Neck . One project that Mason was involved in for most of his adult life was the Ohio Company , in which he invested in 1749 and became treasurer in 1752 ? an office he held forty years until his death in 1792 . The Ohio Company had secured a royal grant for 200 @,@ 000 acres (81 @,@ 000 ha) to be surveyed near the forks of the Ohio River (today the site of Pittsburgh , Pennsylvania) . War , revolution , and competing claims from Pennsylvania eventually defeated the Ohio Company 's plans . Although the company failed , Mason acquired considerable Western lands independently . His defense against the Pennsylvania claims , Selections from the Virginia Charters (1772) , originally intended to promote the Ohio Company 's claims , was widely applauded as a defense of the rights of Americans against royal decrees . Involvement with the Ohio Company also brought Mason into contact with many prominent Virginians , including his Fairfax County neighbor , George Washington .

Mason and Washington were friends for many years until they finally broke over their differences regarding the federal constitution . Peter R. Henriques , in his journal article on their relationship , suggested that Mason cultivated the friendship more than Washington did , as Mason sent many more letters and gifts , and stayed more often at Washington 's plantation , though the last can be explained in part as Mount Vernon lay on the road from Gunston Hall to Alexandria . Henriques suggested that as Mason was older , intellectually superior , and the owner of a flourishing plantation as Washington struggled to establish Mount Vernon , it would not have been in the future president 's character to be close to Mason . Washington had a deep respect for Mason 's intellectual abilities , several times asking for his advice , and writing in 1777 when learning that Mason had taken charge of an issue before the General Assembly , " I know of no person better qualified ... than Colonel Mason , and shall be very happy to hear he has taken it in hand " .

Despite his involvement in western real estate schemes , Mason saw that land was being cleared and planted with tobacco faster than the market for it could expand , meaning that its price would drop even as more and more capital was tied up in land and slaves . Thus , although a major slaveholder , he opposed the slave system in Virginia . He believed that slave importation , together with the natural population increase , would result in a huge future slave population in Virginia ; a system of leased lands , though not as profitable as slave labor , would have " little Trouble & Risque [risk] " .

= = Political thinker (1758 ? 1775) = =

= = = From burgess to rebel = = =

Little is known of Mason 's political views prior to the 1760s , when he came to oppose British colonial policies . In 1758 , Mason successfully ran for the House of Burgesses when George William Fairfax , holder of one of Fairfax County 's two seats , chose not to seek re @-@ election . Also elected were Mason 's brother Thomson (for Stafford County) , George Washington (for Frederick County where he was stationed as commander of Virginia 's militia as the French and Indian War continued) and Richard Henry Lee , who would work closely with Mason through their careers .

When the house assembled , George Mason was initially appointed to a committee concerned with raising additional militia during that time of war . In 1759 , he was appointed to the powerful Committee on Privileges and Elections . He was also placed during the latter year on the Committee on Propositions and Grievances , which mostly considered local matters . Mason dealt with several local concerns , presenting a petition of Fairfax County planters against being assessed for a tobacco wharf at Alexandria , funds they felt should be raised through wharfage fees . He also played a major role as the Burgesses deliberated how to divide Prince William County as settlement expanded ; in March 1759 , Fauquier County was created by legislative act . In this , Mason opposed the interest of the family of Thomas , Lord Fairfax , who wanted existing counties expanded instead , including Fairfax . This difference may have contributed to Mason 's decision not to seek re @-@ election in 1761 . Mason biographer Jeff Broadwater noted that Mason 's committee assignments reflected the esteem his colleagues held him in , or at least the potential they saw . Broadwater did not find it surprising that Mason did not seek re @-@ election , as he did not attend the sessions between 1759 and 1761 .

Although the British were victorious over the French in the war , King George III 's government felt that the North American colonies were not paying their way , since little direct tax revenue from the colonies was received . The Sugar Act of 1764 had its greatest effect in New England and did not cause widespread objection . The Stamp Act the following year affected all 13 colonies , as it required revenue stamps to be used on papers required in trade and in the law . When word of passage of the Stamp Act reached Williamsburg , the House of Burgesses passed the Virginia Resolves , asserting that Virginians had the same rights as if they resided in Britain , and that they could only be taxed by themselves or their elected representatives . The Resolves were mostly written by a fiery @-@ spoken new member for Louisa County , Patrick Henry .

Mason slowly moved from being a peripheral figure towards the center of Virginia politics , but his published response to the Stamp Act , which he opposed , is most notable for the inclusion of his anti @-@ slavery views . George Washington or George William Fairfax , the burgesses for Fairfax County , may have asked Mason 's advice as to what steps to take in the crisis . Mason drafted an act to allow for one of the most common court action , replevin , to take place without the use of stamped paper , and sent it to George Washington , by then one of Fairfax County 's burgesses , to gain passage . This action contributed to a boycott of the stamps . With the courts and trade paralyzed , the British Parliament repealed the Stamp Act in 1766 , but continued to assert the right to tax the colonies .

Following the repeal , a committee of London merchants issued a public letter to Americans , warning them not to declare victory . Mason published a response in June 1766 , satirizing the British position , " We have , with infinite Difficulty & Fatigue got you excused this one Time ; do what your Papa and Mamma bid , & hasten to return your most grateful Acknowledgements for condescending to let you keep what is your own . " The Townshend Acts of 1767 were Britain 's next attempt to tax the colonies , placing duties on substances including lead and glass , and provoking calls from the northern colonies for a boycott of British goods . Virginia , more dependent on goods imported from Britain , was less enthusiastic , and , as local planters tended to receive goods at their river landings , a boycott would be difficult to enforce . In April 1769 , Washington sent a copy of a

Philadelphia resolution to Mason , asking his advice on what action Virginia should take . It is unknown who adapted that text for use in Virginia (Broadwater concluded it was Mason) but Mason sent Washington a corrected draft on April 23 , 1769 . Washington took it to Williamsburg , but the governor , Lord Botetourt , dissolved the legislature because of the radical resolutions it were passing . The Burgesses adjourned to a nearby tavern , and there passed a non @-@ importation agreement based on Mason 's .

Although the resolution was not as strong as Mason had liked ? he wanted Virginia to threaten to cut off tobacco ? Mason worked in the following years for non @-@ importation . The repeal of most of the Townshend duties (excepting that on tea) made his task more difficult . In March 1773 , his wife Ann died of illness contracted after another pregnancy . Mason was the sole parent to nine children , and his commitments made him even more reluctant to accept political office that would take him from Gunston Hall .

In May 1774 , Mason was in Williamsburg on real estate business . Word had just arrived of the passage of the Intolerable Acts , as Americans dubbed the legislative response to the Boston Tea Party , and a group of lawmakers including Lee , Henry , and Jefferson asked Mason to join them in formulating a course of action . The Burgesses passed a resolution for a day of fasting and prayer to obtain divine intervention against " destruction of our Civil Rights " , but the governor , Lord Dunmore , dissolved the legislature rather than accept it . Mason may have helped write the resolution , and likely joined the members after the dissolution when they met at the Raleigh Tavern .

New elections had to be held for burgess and for delegate to the convention which had been called by the rump of the dissolved House of Burgesses , and Fairfax County 's were set for July 5 , 1774 . Washington planned to run for one seat , and tried to get Mason or Bryan Fairfax to seek the other , but both men declined . Although the poll was postponed to the 14th due to poor weather , Washington met that day with other local leaders (including , likely , Mason) in Alexandria and selected a committee to draft a set of resolutions , which Washington hoped would " define our Constitutional Rights " . The resulting Fairfax Resolves were largely drafted by Mason . He met with the newly elected Washington on July 17 at Mount Vernon , and stayed the night ; the two men rode together to Alexandria the following day . The 24 propositions that made up the Resolves protested loyalty to the British Crown , but denied the right of Parliament to legislate for colonies that had been settled at private expense and which had received charters from the monarch . The Resolves called for a continental congress . If Americans did not receive redress by November 1 , exports , including that of tobacco , would be cut off . The freeholders of Fairfax County approved the Resolves , appointing Mason and Washington to a special committee in the emergency . According to early Virginia historian Hugh Grigsby , at Alexandria , Mason " made his first great movement on the theatre of the Revolution " .

Washington took the Resolves to the Virginia Convention in Williamsburg , and although delegates made some changes , the adopted resolution closely tracks both the Fairfax Resolves , and the scheme for non @-@ exportation of tobacco Mason had proposed some years earlier . The convention elected delegates to the First Continental Congress in Philadelphia , including Lee , Washington , and Henry , and in October 1774 , Congress adopted a similar embargo .

Much of Mason 's efforts in 1774 and 1775 was in organizing a militia independent of the royal government . Washington by January 1775 was drilling a small force , and he and Mason purchased gunpowder for the company . Mason wrote in favor of annual election of militia officers in words that would later echo in the Virginia Declaration of Rights , " We came equal into this world , and equals shall we go out of it . All men are by nature born equally free and independent . "

Washington 's election as a delegate to the Second Continental Congress created a vacancy in Fairfax County 's delegation to the third Virginia Convention , and he wrote from Philadelphia in May 1775 , urging that it be filled . By this time , blood had been shed between colonial and Briton at the Battles of Lexington and Concord . Mason attempted to avoid election on the grounds of poor health and that he was needed to parent his motherless children . Nevertheless , he was elected and journeyed to Richmond , which , being further inland than Williamsburg , was deemed better protected from possible British attack .

When the Richmond convention began in July 1775 , Mason was assigned to crucial committees , including one attempting to raise an army to protect the colony . According to Robert A. Rutland , " Sick or healthy , Mason was needed for his ability . " Mason sponsored a non @-@ exportation measure ; it was passed by a large majority , though it had to be repealed later in the session to coordinate with one passed by Maryland . Despite pressure from many delegates , Mason refused to consider election as a delegate to the Continental Congress in place of Washington when the latter became commanding general of the Continental Army , but could not avoid election to the Committee of Safety , a powerful group that took over many functions in the governmental vacuum . When Mason proffered his resignation from this committee , it was refused .

= = = Declaration of Rights = = =

Illness forced Mason to absent himself from the Committee of Safety for several weeks in 1775 , and he did not attend the fourth convention , held in December 1775 and January 1776 . With independence from Britain widely accepted as necessary among prominent Virginians , the fifth convention , to meet in May 1776 at Williamsburg , would need to decide how Virginia would be administered henceforth , as the royal government was dead in all but name . Accordingly , the convention was seen as so important that Richard Henry Lee arranged for his temporary recall from Congress to be a part of the convention , and Jefferson tried but failed to arrange to leave Congress as well . Other notables elected to the convention were Henry , George Wythe , and a young delegate from Orange County , James Madison . Mason was elected for Fairfax County , though with great difficulty .

That convention , in May 1776 , unanimously instructed Jefferson and other Virginia delegates to Congress to seek " a clear and full Declaration of Independency " . At the same time , the convention resolved to pass a declaration of rights . Due to ill @-@ health , Mason did not arrive until May 18 , 1776 , after the vote , but was appointed to a committee led by Archibald Cary , which was to compose a declaration of rights and constitution . Mason was skeptical that the thirty @-@ person Cary Committee could collectively compose anything worthwhile , but was surprised at how quickly it moved ? though his membership had a role in that speed . On May 24 , convention president Edmund Pendleton wrote to Jefferson about the committee 's deliberations , " as Colo . [nel] Mason seems to have the ascendancy in the great work , I have Sanguine hopes it will be framed so as to Answer it 's [sic] end , Prosperity to the Community and Security to Individuals " .

Mason , working in a room at the Raleigh Tavern , drafted a declaration of rights and plan of government , likely to prevent frivolous plans with no chance of adoption from being put forward . Edmund Randolph later recalled that Mason 's draft " swallowed up all the rest " . The Virginia Declaration of Rights and the 1776 Constitution of Virginia were joint works , but Mason was the main author . Mason likely worked closely with Thomas Ludwell Lee ; the earliest surviving draft shows the first ten articles in Mason 's handwriting , with the other two written by Lee . The draft for the Declaration of Rights drew on Magna Carta , the English Petition of Right of 1628 , and that nation 's 1689 Bill of Rights . Mason 's first article would be paraphrased by Jefferson soon after in drafting the American Declaration of Independence .

From the first article , cataloguing the rights of man , Mason derived the following articles , which make clear that the role of government is to secure and protect those rights , and if it fails to do so , the people have a right to amend or abolish it . Property could not be taken for public use without the owner 's consent , and a citizen could only be bound by a law accepted by that person or by elected representatives . If accused , a person had the right to a speedy and local trial , based on an accusation made known to him , with the right to call for evidence and witnesses in his favor .

When the convention began to debate the declaration , it quickly bogged down on the first sentence of Article 1 , which conservatives feared would imply that slaves were their masters ' equals . This was resolved by the convention adding the words " when they enter into a state of society " , thus excluding slaves . Mason spoke repeatedly in the five days of debate , using oratory one hearer described as " neither flowing nor smooth , but his language was strong , his manner most impressive , and strengthened by a bit of biting cynicism when provocation made it seasonable " .

The Declaration of Rights was passed by the convention on June 12 , 1776 .

In later years , there was a flurry of contradictory statements from convention members (including Mason) about who composed which articles . Randolph credited Henry with Articles 15 and 16 , but the latter (dealing with religious freedom) , was written by Madison . Mason had imitated English law in drafting language requiring toleration of those of minority religions , but Madison insisted on full religious liberty , and Mason supported Madison 's amendment once made .

The committee draft , likely for the most part written by Mason , received wide publicity (the final version much less so) and Mason 's words " all men are born equally free and independent " were later reproduced in state constitutions from Pennsylvania to Montana ; Jefferson tweaked the prose and included the sentiments in the Declaration of Independence . In 1778 , Mason wrote that the Declaration of Rights " was closely imitated by the other United States " . This was true , as seven of the original states , and Vermont , joined Virginia in promulgating a bill of rights . Four in addition specified rights that were protected , within the body of their constitutions . Feelings were so strong in Massachusetts that voters there in 1778 rejected a constitution drafted by a convention , insisting that a bill of rights had to come first .

= = = Virginia constitution = = =

Even before the convention approved the Declaration of Rights , Mason was busy at work on a constitution for Virginia . He was not the only one occupying himself so ; Jefferson sent several versions from Philadelphia , one of which supplied the eventual constitution 's preamble . Essex County 's Meriwether Smith may have prepared a draft , but the text is unknown . As an original writing in Mason 's hand is not known , the extent to which the final draft was written by him is uncertain . Nevertheless , William Fleming on June 22 , 1776 , sent Jefferson a copy of the draft before the Cary Committee , telling him " the inclosed [sic] printed plan was drawn by Colo . G. Mason and by him laid before the committee " .

Mason had submitted his plan sometime between June 8 and 10 , 1776 . It named the new state the " Commonwealth of Virginia " , a name chosen pointedly by Mason to indicate that power stemmed from the people . The constitution provided for a popularly @-@ elected House of Delegates , chosen annually by men who owned or leased property , or who had fathered three or more Virginians . Most governmental power resided in the House of Delegates ? the governor could not even veto a bill , and could only act as head of the state militia on the advice of his Council of State , whose members were elected by the legislature . The draft was considered by the committee , and it issued a report on June 24 , at which time Jefferson 's preamble and several amendments authored by him were included ? George Wythe , who advocated for Jefferson 's draft before the committee , found discussion far enough advanced that members were only willing to yield to Jefferson on a few points . The entire convention considered the document between June 26 and 28 , and it was signed on the 29th . Richard Henry Lee wrote the day prior to the constitution 's passage by unanimous vote , " I have had the pleasure to see our new plan of Government go on well . This day will put a finishing hand to it . ' Tis very much of the democratic kind . "

When the convention chose Patrick Henry as Virginia 's first post @-@ independence governor , Mason led the committee of notables sent to inform Henry of his election . There was criticism of the constitution ? Edmund Randolph later wrote that the document 's faults indicated that even such a great mind as Mason 's was not immune from " oversights and negligences " : it did not have an amending process , and granted two delegates to each county regardless of population . The 1776 constitution remained in force until 1830 , when another convention replaced it . According to Henry C. Riely in his journal article on Mason , " The Virginia Constitution of 1776 , whatever may have been the question raised long afterwards as to the contribution of other great leaders , stands , on the authority of Jefferson , Madison , and Randolph ? to mention only the highest authority ? as his creation . "

= = Wartime legislator = =

Mason devoted much effort , during the American Revolutionary War , to safeguarding Fairfax County and the rivers of Virginia , since the British several times raided areas along the Potomac . Control of the rivers and of Chesapeake Bay was urgent as Virginians tried to obtain hard currency by trading tobacco to the French and other European nations . The export of tobacco , generally via the West Indies , allowed Mason and others to obtain , via France and Holland , British @-@ made items such as cloth , clothing patterns , medicines , and hardware .

Mason served as a member of the House of Delegates from 1776 to 1781 , his longest continuous political service outside Fairfax County , which he represented in Richmond . The other Fairfax County seat turned over several times ? Washington 's stepson Jackie Custis was elected late in the war ? but Mason remained the county 's choice throughout . Nevertheless , Mason 's health often caused him to miss meetings of the legislature , or to arrive days or weeks late . Mason in 1777 was assigned to a committee to revise Virginia 's laws , with the expectation that he would take on the criminal code and land law . Mason served a few months on the committee before resigning on the ground he was not a lawyer ; most of the work fell to Jefferson (returned from Philadelphia) , Pendleton , and Wythe . Due to illness caused by a botched smallpox inoculation , Mason was forced to miss part of the legislature 's spring 1777 session ; in his absence delegates on May 22 elected him to the Continental Congress . Mason , who may have been angry that Lee had not been chosen , refused on the ground that he was needed at home , and did not feel he could resign from the General Assembly without permission from his constituents . Lee was elected in his place .

This did not end the desire of Virginians to send Mason to the Continental Congress . In 1779 , Lee resigned from Congress , expressing the hope that Mason , Wythe , or Jefferson would replace him in Philadelphia . General Washington was frustrated at the reluctance of many talented men to serve in Congress , writing to Benjamin Harrison that the states " should compel their ablest men to attend Congress ... Where is Mason , Wythe , Jefferson , Nicholas , Pendleton , Nelson ? " The general wrote to Mason directly ,

Where are our men of abilities ? Why do they not come forth to serve their Country ? Let this voice my dear Sir call upon you ? Jefferson & others ? do not from a mistaken opinion that we are about to set down under our own Vine and our own fig tree let our heretofore noble struggle end in ignomy .

In spite of Washington 's pleas , Mason remained in Virginia , plagued by illness and heavily occupied , both on the Committee of Safety and elsewhere in defending the Fairfax County area . Most of the legislation Mason introduced in the House of Delegates was war related , often aimed at raising the men or money needed by Congress for Washington 's Continental Army . The new federal and state governments , short on cash , issued paper money . By 1777 , the value of Virginia 's paper money had dropped precipitously , and Mason developed a plan to redeem the notes with a tax on real estate . Due to illness , Mason was three weeks late in arriving at Richmond , to the frustration of Washington , who had faith in Mason 's knowledge of financial affairs . The general wrote to Custis , " It is much to be wished that a remedy could be applied to the depreciation of our Currency ... I know of no person better qualified to do this than Colonel Mason " .

Mason retained his interest in western affairs , hoping in vain to salvage the Ohio Company 's land grant . He , with Jefferson , were among the few delegates to be told of George Rogers Clark 's expedition to secure control of the lands north of the Ohio River . Mason and Jefferson secured legislation authorizing Governor Henry to defend against unspecified western enemies . The expedition was generally successful , and Mason received a report directly from Clark . Mason sought to remove differences between Virginia and other states , and although he felt the settlement of the boundary dispute with Pennsylvania , the Mason @-@ Dixon line (not named for George Mason) was unfavorable to Virginia , in 1780 he voted for it enthusiastically . Also in 1780 , Mason remarried , to Sarah Brent , from a nearby plantation , who had never been married and was 52 years old . It was a marriage of convenience , with the new bride able to take some of the burden of parenting Mason 's many children off his hands .

= = Peace (1781 ? 1786) = =

By the signing of the 1783 Treaty of Paris , life along the Potomac had returned to normal . Among the visits between the elite that returned with peace was one by Madison to Gunston Hall in December 1783 , while returning from Congress in Philadelphia . The 1781 Articles of Confederation had tied the states in a loose bond , and Madison sought a sounder federal structure , seeking the proper balance between federal and state rights . He found Mason willing to consider a federal tax ; Madison had feared the subject might offend his host , and wrote to Jefferson of the evening 's conversation . The same month , Mason spent Christmas at Mount Vernon (the only larger estate than his in Fairfax County) . A fellow houseguest described Mason as " slight in figure , but not tall , and has a grand head and clear gray eyes " . Mason retained his political influence in Virginia , writing Patrick Henry , who had been elected to the House of Delegates , a letter filled with advice as that body 's 1783 session opened .

Mason scuttled efforts to elect him to the House of Delegates in 1784 , writing that sending him to Richmond would be " an oppressive and unjust invasion of my personal liberty " . His refusal disappointed Jefferson , who had hoped that the likelihood that the legislature would consider land legislation would attract Mason to Richmond . The legislature nevertheless appointed Mason a commissioner to negotiate with Maryland over navigation of the Potomac . Mason spent much time on this issue , and reached agreement with Maryland delegates at the meeting in March 1785 known as the Mount Vernon Conference . Although the meeting at Washington 's home came later to be seen as a first step towards the 1787 Constitutional Convention , Mason saw it simply as efforts by two states to resolve differences between them . Mason was appointed to the Annapolis Convention of 1786 , at which representatives of all the states were welcome , but like most delegates did not attend . The sparsely @-@ attended Annapolis meeting called for a conference to consider amendments to the Articles of Confederation .

To deter smuggling , Madison proposed a bill to make Norfolk the state 's only legal port of entry . Five other ports , including Alexandria , were eventually added , but the Port Act proved unpopular despite the support of Washington . Mason , an opponent of the act , accepted election to the House of Delegates in 1786 , and many believed his influence would prove decisive for the repeal effort . Due to illness , Mason did not come to Richmond during the initial session , though he sent a petition , as a private citizen , to the legislature . The Port Act survived , though additional harbors were added as legal entry points .

= = Constitutional convention (1787) = =

= = = Building a constitution = = =

Although the Annapolis Convention saw only about a dozen delegates attend , representing only five states , it called for a meeting to be held in Philadelphia in May 1787 , to devise amendments to the Articles of Confederation which would result in a more durable constitutional arrangement . Accordingly , in December 1786 , the Virginia General Assembly elected seven men as the commonwealth 's delegation : Washington , Mason , Henry , Randolph , Madison , Wythe , and John Blair . Henry declined appointment , and his place was given to Dr. James McClurg . Randolph , who had just been elected governor , sent three notifications of election to Mason , who accepted without any quibbles . The roads were difficult because of spring flooding , and Mason was the last Virginia delegate to arrive , on May 17 , three days after the convention 's scheduled opening . But it was not until May 25 that the convention formally opened , with the arrival of at least one delegate from ten of the twelve states which sent representatives (Rhode Island sent no one) .

The journey to Philadelphia was Mason 's first beyond Virginia and Maryland . According to Josephine T. Pacheco in her article about Mason 's role at Philadelphia , " since Virginia 's leaders regarded [Mason] as a wise , trustworthy man , it is not surprising that they chose him as a member of the Virginia delegation , though they must have been surprised when he accepted the appointment " . Broadwater suggested that Mason went to Philadelphia because he knew the federal congress needed additional power , and because he felt that body could act as a check on

the powers of state legislatures . As the Virginians waited for the other delegates to arrive , they met each day and formulated what became known as the Virginia Plan . They also did some sightseeing , and were presented to Pennsylvania 's president , Benjamin Franklin . Within a week of arrival , Mason was bored with the social events to which the delegates were invited , " I begin to grow tired of the etiquette and nonsense so fashionable in this city " .

Going into the convention , Mason wanted to see a more powerful central government than under the Articles , but not one that would threaten local interests . He feared the more numerous Northern states would dominate the union , and would impose restrictions on trade that would harm Virginia , so he sought a supermajority requirement for navigation acts As was his constant objective , he sought to preserve the liberty he and other free white males enjoyed in Virginia , guarding against the tyranny he and others had decried under British rule . He also sought a balance of powers , seeking thereby to make a durable government ; according to historian Brent Tarter , " Mason designed his home [Gunston Hall] so that no misplaced window or missing support might spoil the effect or threaten to bring down the roof ; he tried to design institutions of government in the same way , so that wicked or unprincipled men could not knock loose any safeguards of liberty " .

Mason had hope , coming into the convention , that it would yield a result that he felt would strengthen the United States . Impressed by the quality of the delegates , Mason expected sound thinking from them , something he did not think he had often encountered in his political career . Still , he felt that the " hopes of all the Union centre [sic] in this Convention " , and wrote to his son George , " the revolt from Great Britain & the Formations of our new Government at that time , were nothing compared with the great Business now before us . "

Mason knew few of the delegates who were not from Virginia or Maryland , but his reputation preceded him . Once delegates representing sufficient states had arrived in Philadelphia by late May , the convention held closed sessions at the Pennsylvania State House (today , Independence Hall) . Washington was elected the convention 's president by unanimous vote , and his tremendous personal prestige as the victorious war general helped legitimize the convention , but also caused him to abstain from debate . Mason had no such need to remain silent , and only four or five delegates spoke as frequently as he did . Though he ended up not signing the constitution , according to Broadwater , Mason won as many convention debates as he lost .

In the early days of the convention , Mason supported much of the Virginia Plan , which was introduced by Randolph on May 29 . This plan would have a popularly @-@ elected lower house which would choose the members of the upper house from lists provided by the states . Most of the delegates had found the weak government under the Articles insufficient , and Randolph proposed that the new federal government should be supreme over the states . Mason agreed that the federal government should be more powerful than the states .

The Virginia Plan , if implemented , would base representation in both houses of the federal legislature on population . This was unsatisfactory to the smaller states . Delaware 's delegates had been instructed to seek an equal vote for each state , and this became the New Jersey Plan , introduced by that state 's governor , William Paterson . The divisions in the convention became apparent in late June , when by a narrow vote , the convention voted that representation in the lower house be based on population , but the motion of Connecticut 's Oliver Ellsworth for each state to have an equal vote in the upper house failed on a tie . With the convention deadlocked , on July 2 , 1787 , a Grand Committee was formed , with one member from each state , to seek a way out . Mason had not taken as strong a position on the legislature as had Madison , and he was appointed to the committee ; Mason and Benjamin Franklin were the most prominent members . The committee met over the convention 's July 4 recess , and proposed what became known as the Great Compromise : a House of Representatives based on population , in which money bills must originate , and a Senate with equal representation for each state . Records do not survive of Mason 's participation in that committee , but the clause requiring money bills to start in the House most likely came from him or was the price of his support , as he had inserted such a clause in the Virginia Constitution , and he defended that clause once convention debate resumed . According to Madison 's notes , Mason urged the convention to adopt the compromise :

However liable the Report [of the Grand Committee] might be to objections , he thought it

preferable to an appeal to the world by the different sides , as had been talked of by some Gentlemen . It could not be more inconvenient to any gentleman to remain absent from his private affairs , than it was for him : but he would bury his bones in this city rather than expose his Country to the Consequences of a dissolution of the Convention without any thing being done .

= = = Road to dissent = = =

By mid @-@ July , as delegates began to move past the stalemate to a framework built upon the Great Compromise , Mason had considerable influence in the convention . North Carolina 's William Blount was unhappy that those from his state " were in Sentiment with Virginia who seemed to take the lead . Madison at their Head tho Randolph and Mason also great " . Mason had failed to carry his proposals that senators must own property and not be in debt to the United States , but successfully argued that the minimum age for service in Congress should be 25 , telling the convention that men younger than that were too immature . Mason was the first to propose that the national seat of government not be in a state capital lest the local legislature be too influential , voted against proposals to base representation on a state 's wealth or taxes paid , and supported regular reapportionment of the House of Representatives .

On August 6 , 1787 , the convention received a tentative draft written by a Committee of Detail chaired by South Carolina 's John Rutledge ; Randolph had represented Virginia . The draft was acceptable to Mason as a basis for discussion , containing such points important to him as the requirement that money bills originate in the House and not be amendable in the Senate . Nevertheless , Mason felt the upper house was too powerful , as it had the powers to make treaties , appoint Supreme Court justices , and adjudicate territorial disputes between the states . The draft lacked provision for a council of revision , something Mason and others considered a serious lack .

The convention spent several weeks in August in debating the powers of Congress . Although Mason was successful in some of his proposals , such as placing the state militias under federal regulation , and a ban on Congress passing an export tax , he lost on some that he deemed crucial . These losses included the convention deciding to allow importation of slaves to continue to at least 1800 (later amended to 1808) and to allow a simple majority to pass navigation acts that might require Virginians to export their tobacco in American @-@ flagged ships , when it might be cheaper to use foreign @-@ flagged vessels . The convention also weakened the requirement that money bills begin in the House and not be subject to amendment in the Senate , eventually striking the latter clause after debate that stretched fitfully over weeks . Despite these defeats , Mason continued to work constructively to build a constitution , serving on another grand committee that considered customs duties and ports .

On August 31 , 1787 , Massachusetts ' Elbridge Gerry spoke against the document as a whole , as did Luther Martin of Maryland . When Gerry moved to postpone consideration of the final document , Mason seconded him , stating , according to Madison , that " he would sooner chop off his right hand than put it to the Constitution as it now stands " Still , Mason did not rule out signing it , saying that he wanted to see how certain matters still before the convention were settled before deciding a final position , whether to sign or ask for a second convention . As the final touches were made to the constitution , Mason and Gerry held meetings in the evening to discuss strategy , bringing in delegates representing states from Connecticut to Georgia .

Mason 's misgivings about the constitution were increased on September 12 , when Gerry proposed and Mason seconded that there be a committee appointed to write a bill of rights , to be part of the text of the constitution . Connecticut 's Roger Sherman noted that the state bills of rights would remain in force , to which Mason responded , " the Laws of the United States are to be paramount [supreme] to State Bills of Rights . " Although Massachusetts abstained in deference to Gerry , the Virginians showed no desire to conciliate Mason in their votes , as the motion failed with no states in favor and ten opposed . Also on September 12 , the Committee on Style , charged with making a polished final draft of the document , reported , and Mason began to list objections on his copy . On the 15th , as the convention continued a clause @-@ by @-@ clause consideration of the draft , Mason , Randolph and Gerry stated they would not sign the constitution .

On the 17th , members of the twelve delegations then present in Philadelphia signed the constitution , except for the three men who had stated they would not . As the document was sent to the Articles of Confederation 's Congress in New York , Mason sent a copy of his objections to Richard Henry Lee , a member of the Congress .

= = Ratification battle = =

Broadwater noted , " given the difficulty of the task he had set for himself , his stubborn independence , and his lack , by 1787 , of any concern for his own political future , it is not surprising that he left Philadelphia at odds with the great majority of his fellow delegates " . Madison recorded that Mason , believing that the convention had given his proposals short shrift in a hurry to complete its work , began his journey back to Virginia " in an exceeding ill humor " . Mason biographer Helen Hill Miller noted that before Mason returned to Gunston Hall , he was injured in body as well as spirit , due to an accident on the road . Word of Mason 's opposition stance had reached Fairfax County even before the convention ended ; most local sentiment was in favor of the document . Washington made a statement urging ratification , but otherwise remained silent , knowing he would almost certainly be the first president . Mason sent Washington a copy of his objections , but the general believed that the only choice was ratification or disaster .

The constitution was to be ratified by state conventions , with nine approvals necessary for it to come into force . In practice , opposition by large states such as New York or Virginia would make it hard for the new government to function . Mason remained a member of the House of Delegates , and in late October 1787 , the legislature called a convention for June 1788 ; in language crafted by John Marshall , it decreed that the Virginia Ratifying Convention would be allowed " free and ample discussion " . Mason was less influential in his final session in the House of Delegates because of his strong opposition to ratification , and his age (61) may also have caused him to be less effective .

As smaller states ratified the constitution in late 1787 and early 1788 , there was an immense quantity of pamphlets and other written matter for and against approval . Most prominent in support were the pamphlets later collected as *The Federalist* , written by Madison and two New Yorkers , Alexander Hamilton and John Jay ; Mason 's objections were widely cited by opponents . Mason had begun his *Objections to this Constitution of Government* in Philadelphia ; in October 1787 , it was published , though without his permission . Madison complained that Mason had gone beyond the reasons for opposing he had stated in convention , but Broadwater suggested the major difference was one of tone , since the written work dismissed as useless the constitution and the proposed federal government . Nevertheless , both Lee and Mason believed that if proper amendments were made , the constitution would be a fine instrument of governance . The *Objections* were widely cited in opposition to ratification , and Mason was criticized for placing his own name on it , at a time when political tracts were signed , if at all , with pen names such as Junius , so that the author 's reputation would not influence the debate . Despite this , Mason 's *Objections* were among the most influential Anti @-@ *Federalist* works , and its opening line , " There is no Declaration of Rights " , likely their most effective slogan .

Virginians were reluctant to believe that greatly respected figures such as Washington and Franklin would be complicit in setting up a tyrannical system . There were broad attacks on Mason ; the *New Haven Gazette* suggested that he had not done much for his country during the war , in marked contrast to Washington . Oliver Ellsworth blamed the Virginia opposition on the Lee family , who had long had tensions with the Washington family , and on " the madness of Mason " . Tarter , in his *American National Biography* article on Mason , wrote that " the rigidity of [Mason 's] views and his increasingly belligerent personality produced an intolerance and intemperance in his behavior that surprised and angered Madison , with whom he had worked closely at the beginning of the convention , and Washington , who privately condemned Mason 's actions during the ratification struggle . "

Mason faced difficulties in being elected to the ratifying convention from Fairfax County , since most freeholders there were *Federalist* , and he was at odds with many in Alexandria over local politics .

The statute governing elections to the convention in Richmond allowed him to seek election elsewhere , and he campaigned for a seat from Stafford County , assuring electors that he did not seek disunion , but rather reform . He spoke against the unamended constitution in strong terms ; George Nicholas , a Federalist friend of Mason , believed that Mason felt he could lead Virginia to gain concessions from the other states , and that he was embittered by the continuing attacks on him . On March 10 , 1788 , Mason finished first in the polls in Stafford County , winning one of its two seats ; he apparently was the only person elected for a constituency in which he did not live . Voter turnout was low , as many in remote areas without newspapers knew little about the constitution . The Federalists were believed to have a slight advantage in elected delegates ; Mason thought that the convention would be unlikely to ratify the document without demanding amendments .

By the time the Richmond convention opened , Randolph had abandoned the Anti @-@ Federalist cause , which damaged efforts by Mason and Henry to co @-@ ordinate with their counterparts in New York . Mason moved that the convention consider the document clause by clause , which may have played into the hands of the Federalists , who feared what the outcome of an immediate vote might be , and who had more able leadership in Richmond , including Marshall and Madison . Nevertheless , Broadwater suggested that as most delegates had declared their views before the election , Mason 's motion made little difference . Henry , far more a foe of a strong federal government than was Mason , took the lead for his side in the debate . Mason spoke several times in the discussion , on topics ranging from the pardon power (which he predicted the president would use corruptly) to the federal judiciary , which he warned would lead to suits in the federal courts by citizens against states where they did not live . John Marshall , a future Chief Justice of the United States , downplayed the concern regarding the judiciary , but Mason would later be proved correct in the case of *Chisholm v. Georgia* (1793) , which led to the passage of the Eleventh Amendment .

The federalists initially did not have a majority , with the balance held by undeclared delegates , mainly from western Virginia (today 's Kentucky) . The Anti @-@ Federalists suffered repeated blows during the convention due to the defection of Randolph and as news came other states had ratified . Mason led a group of Anti @-@ Federalists which drafted amendments : even the Federalists were open to supporting them , though the constitution 's supporters wanted the document drafted in Philadelphia ratified first .

After some of the Kentuckians had declared for ratification , the convention considered a resolution to withhold ratification pending the approval of a declaration of rights . Supported by Mason but opposed by Madison , Light @-@ Horse Harry Lee , Marshall , Nicholas , Randolph and Bushrod Washington , the resolution failed , 88 ? 80 . Mason then voted in the minority as Virginia ratified the constitution on June 25 , 1788 by a vote of 89 ? 79 . Following the ratification vote , Mason served on a committee chaired by George Wythe , charged with compiling a final list of recommended amendments , and Mason 's draft was adopted , but for a few editorial changes . Unreconciled to the result , Mason prepared a fiery written argument , but some felt the tone too harsh and Mason agreed not to publish it .

= = Final years = =

Defeated at Richmond , Mason returned to Gunston Hall , where he devoted himself to family and local affairs , though still keeping up a vigorous correspondence with political leaders . He resigned from the Fairfax County Court after an act passed by the new Congress required officeholders to take an oath to support the constitution , and in 1790 declined a seat in the Senate which had been left vacant by William Grayson 's death , stating that his health would not permit him to serve , even if he had no other objection . The seat went to James Monroe , who had supported Mason 's Anti @-@ Federalist stance , and who had , in 1789 , lost to Madison for a seat in the House of Representatives . Judging by his correspondence , Mason softened his stance towards the new federal government , telling Monroe that the constitution " wisely & Properly directs " that ambassadors be confirmed by the Senate . Although Mason predicted that the amendments to be proposed to the states by the First Congress would be " Milk & Water Propositions " , he displayed "

much Satisfaction " at what became the Bill of Rights (ratified in 1791) and wrote that if his concerns about the federal courts and other matters were addressed , " I could cheerfully put my Hand & Heart to the new Government " .

Washington , who was in 1789 elected the first president , resented Mason 's strong stances against the ratification of the constitution , and these differences destroyed their friendship . Although some sources accept that Mason dined at Mount Vernon on November 2 , 1788 , Peter R. Henriques noted that Washington 's diary states that Mr. George Mason was the guest , and as Washington , elsewhere in his diary , always referred to his former colleague at Philadelphia as Colonel Mason , the visitor was likely George Mason V , the son . Mason always wrote positively of Washington , and the president said nothing publicly , but in a letter referred to Mason as a " quondam friend " who would not recant his position on the constitution because " pride on the one hand , and want of manly candour on the other , will not I am certain let him acknowledge error in his opinions respecting it [the federal government] though conviction should flash on his mind as strongly as a ray of light " . Rutland suggested that the two men were alike in their intolerance of opponents and suspicion of their motives .

Mason had long battled against Alexandria merchants who he felt unfairly dominated the county court , if only because they could more easily get to the courthouse . In 1789 , he drafted legislation to move the courthouse to the center of the county , though it did not pass in his lifetime . In 1798 , the legislature passed an authorizing act , and the courthouse opened in 1801 . Most of those at Gunston Hall , both family and slaves , fell ill during the summer of 1792 , experiencing chills and fever ; when those subsided , Mason caught a chest cold . When Jefferson visited Gunston Hall on October 1 , 1792 , he found Mason , long a martyr to gout , needing a crutch to walk , though still sound in mind and memory . Additional ailments , possibly pneumonia , set in . Less than a week after Jefferson 's visit , on October 7 , George Mason died at Gunston Hall , and was subsequently buried on the estate , within sight of the house he had built and of the Potomac River .

Although Mason 's death attracted little notice , aside from a few mentions in local newspapers , Jefferson mourned " a great loss " . Another future president , Monroe , stated that Mason 's " patriotic virtues thro [ugh] the revolution will ever be remembered by the citizens of this country " .

= = Views on slavery = =

Mason owned many slaves . In Fairfax County , only George Washington owned more , and Mason is not known to have freed any even in his will , in which his slaves were divided among his children . The childless Washington , in his will , ordered his slaves be freed after his wife 's death , and Jefferson manumitted a few slaves , mostly of the Hemings family . According to Broadwater , " In all likelihood , Mason believed , or convinced himself , that he had no options . Mason would have done nothing that might have compromised the financial futures of his nine children . " Peter Wallenstein , in his article about how writers have interpreted Mason , argued that he could have freed some slaves without harming his children 's future , if he had wanted to .

Mason 's biographers and interpreters have long differed about how to present his views on slavery @-@ related issues . A two @-@ volume biography (1892) by Kate Mason Rowland , who Broadwater noted was " a sympathetic white southerner writing during the heyday of Jim Crow " denied that Mason (her ancestor) was " an abolitionist in the modern sense of the term " . She noted that Mason " regretted " that there was slavery and was against the slave trade , but wanted slavery protected in the constitution . In 1919 , Robert C. Mason published a biography of his prominent ancestor and asserted that George Mason " agreed to free his own slaves and was the first known abolitionist " , refusing to sign the constitution , among other reasons because " as it stood then it did not abolish slavery or make preparation for its gradual extinction " . Rutland , writing in 1961 , asserted that in Mason 's final days , " only the coalition [between New England and the Deep South at the Constitutional Convention] in Philadelphia that had bargained away any hope of eliminating slavery left a residue of disgust . " Catherine Drinker Bowen , in her widely read 1966 account of the Constitutional Convention , *Miracle at Philadelphia* , contended that Mason believed slaves to be citizens and was " a fervent abolitionist before the word was coined " .

Others took a more nuanced view . Copland and MacMaster deemed Mason 's views similar to other Virginians of his class : " Mason 's experience with slave labor made him hate slavery but his heavy investment in slave property made it difficult for him to divest himself of a system that he despised " . According to Wallenstein , " whatever his occasional rhetoric , George Mason was ? if one must choose ? proslavery , not antislavery . He acted in behalf of Virginia slaveholders , not Virginia slaves " . Broadwater noted , " Mason consistently voiced his disapproval of slavery . His 1787 attack on slavery echoes a similar speech to the Virginia Convention of 1776 . His conduct was another matter . "

According to Wallenstein , historians and other writers " have had great difficulty coming to grips with Mason in his historical context , and they have jumbled the story in related ways , misleading each other and following each other 's errors " . Some of this is due to conflation of Mason 's views on slavery with that of his desire to ban the African slave trade , which he unquestionably opposed and fought against . His record otherwise is mixed : Virginia banned the importation of slaves from abroad in 1778 , while Mason was in the House of Delegates . In 1782 , after he had returned to Gunston Hall , it enacted legislation that allowed manumission of adult slaves young enough to support themselves (not older than 45) , but a proposal , supported by Mason , to require freed slaves to leave Virginia within a year or be sold at auction , was defeated . Broadwater asserted , " Mason must have shared the fears of Jefferson and countless other whites that whites and free blacks could not live together " .

The contradiction between wanting protection for slave property , while opposing the slave trade , was pointed out by delegates to the Richmond convention such as George Nicholas , a supporter of ratification . Mason stated of slavery , " it is far from being a desirable property . But it will involve us in great difficulties and infelicity to be now deprived of them . "

= = Sites and remembrance = =

There are sites remembering George Mason in Fairfax County . Gunston Hall , donated to the Commonwealth of Virginia by its last private owner , is now " dedicated to the study of George Mason , his home and garden , and life in 18th @-@ century Virginia " . George Mason University , with its main campus adjacent to the city of Fairfax , was formerly George Mason College of the University of Virginia from 1959 until it received its present name in 1972 . A major landmark on the Fairfax campus is a statue of George Mason by Wendy M. Ross , depicted as he presents his first draft of the Virginia Declaration of Rights .

The George Mason Memorial Bridge , part of the 14th Street Bridge , connects Northern Virginia to Washington , D.C. The George Mason Memorial in West Potomac Park in Washington , also with a statue by Ross , was dedicated on April 9 , 2002 .

Mason was honored in 1981 by the United States Postal Service with an 18 @-@ cent Great Americans series postage stamp . A bas @-@ relief of Mason appears in the Chamber of the U.S. House of Representatives as one of 23 honoring great lawmakers . Mason 's image is located above and to the right of the Speaker 's chair ; he and Jefferson are the only Americans recognized .

= = Legacy and historical view = =

According to Miller , " The succession of New World constitutions of which Virginia 's , with Mason as its chief architect , was the first , declared the source of political authority to be the people ... in addition to making clear what a government was entitled to do , most of them were prefaced by a list of individual rights of the citizens ... rights whose maintenance was government 's primary reason for being . Mason wrote the first of these lists . " Diane D. Pikunas , in her article prepared for the bicentennial of the U.S. Bill of Rights , wrote that Mason " made the declaration of rights as his personal crusade " . Tarter deemed Mason " celebrated as a champion of constitutional order and one of the fathers of the Bill of Rights " . Justice Sandra Day O 'Connor agreed , " George Mason 's greatest contribution to present day Constitutional law was his influence on our Bill of Rights " .

Mason 's legacy extended overseas , doing so even in his lifetime , and though he never visited

Europe , his ideals did . Lafayette 's " Declaration of the Rights of Man and of the Citizen " was written in the early days of the French Revolution under the influence of Jefferson , the U.S. Minister to France . According to historian R.R. Palmer , " there was in fact a remarkable parallel between the French Declaration and the Virginia Declaration of 1776 " . Another scholar , Richard Morris , concurred , deeming the resemblance between the two texts " too close to be coincidental " : " the Virginia statesman George Mason might well have instituted an action of plagiarism " .

Donald J. Senese , in the conclusion to the collection of essays on Mason published in 1989 , noted that several factors contributed to Mason 's obscurity in the century after his death . Older than many who served at Philadelphia and came into prominence with the new federal government , Mason died soon after the constitution came into force and displayed no ambition for federal office , declining a seat in the Senate . Mason left no extensive paper trail , no autobiography like Franklin , no diary like Washington or John Adams . Washington left papers collected into 100 volumes ; for Mason , with many documents lost to fire , there are only three . Mason fought on the side that failed , both at Philadelphia and Richmond , leaving him a loser in a history written by winners ? even his speeches to the Constitutional Convention descend through the pen of Madison , a supporter of ratification . After the Richmond convention , he was , according to Senese , " a prophet without honor in his own country " .

The increased scrutiny of Mason which has accompanied his rise from obscurity has meant , according to Tarter , that " his role in the creation of some of the most important texts of American liberty is not as clear as it seems " . Rutland suggested that Mason showed only " belated concern over the personal rights of citizens " . Focusing on Mason 's dissent from the constitution , Miller pointed to the intersectional bargain struck over navigation acts and the slave trade , " Mason lost on both counts , and the double defeat was reflected in his attitude thereafter . " Wallenstein concluded , " the personal and economic interests of Mason 's home state took precedence over a bill of rights " .

Whatever his motivations , Mason proved a forceful advocate for a bill of rights whose Objections helped accomplish his aims . Rutland noted that " from the opening phrase of his Objections to the Bill of Rights that James Madison offered in Congress two years later , the line is so direct that we can say that Mason forced Madison 's hand . Federalist supporters of the Constitution could not overcome the protest caused by Mason 's phrase ' There is no declaration of rights ' . " O 'Connor wrote that though " Mason lost his battle against ratification ... [but] his ideals and political activities have significantly influenced our constitutional jurisprudence . " Wallenstein felt that there is much to be learned from Mason :

A provincial slaveholding tobacco planter took his turn as a revolutionary . In tune with some of the leading intellectual currents of the Western world , he played a central role in drafting a declaration of rights and the 1776 Virginia state constitution . For his own reasons , he fought against ratifying the handiwork of the 1787 Philadelphia convention ... Two centuries later , perhaps we can come to terms with his legacy ? with how far we have come , how much we have gained , whether because of him or despite him , and , too , with how much we may have lost . Surely there is much of Mason that we cherish , wish to keep , and can readily celebrate .