The prominent Colonial Virginia statesman George Wythe (pronounced “with”) had a strange morning ritual, which he faithfully carried out into his 80s: After waking up at 5 a.m., he made his way to an outdoor shower stall where he soaked himself with a bucket of freezing well water. His student William Munford said, “Many a time have I heard him catching his breath and almost shouting with the shock. When he entered the breakfast room his face would be in a glow, and all his nerves were fully braced.”
It was with a similar spirit of discipline and order that the brilliant, largely self-taught Wythe became one of early America’s finest legal scholars and teachers. A vocal Patriot leader in Virginia, he signed the Declaration of Independence and served as a delegate to the Continental Congress.

Wythe was widely admired by other Founding Fathers, including George Washington, who advised colleagues confused by a legal point to simply: “Ask George Wythe.” Thomas Jefferson wrote, “No man ever left behind him a character more venerated than George Wythe … he might truly be called the Cato of his country.”

Even John Adams, who didn’t particularly care for Southerners, according to Bruce Chadwick in I Am Murdered: George Wythe, Thomas Jefferson and the Killing That Shocked a New Nation (John Wiley and Sons, 2009), became friends with Wythe. He called him “a lawyer of high rank at the bar, a great scholar, a most indefatigable man and a staunch Virginian.”

He was honored by older and younger generations alike. “Searching for a title for the distinguished octogenarian, who was still as feisty as ever, someone had nicknamed him the ‘American Aristides’ after Aristides the Just, the greatly respected ancient Athenian soldier and statesman. An intelligent man who spoke five languages, the judge had earned the nickname with his well-rounded sophistication,” writes Chadwick.

After a long life of such achievement, Wythe’s painful and drawn-out death, likely after being poisoned by a relative, is placed in even sharper relief. Though the crime went officially unsolved, Wythe died believing he knew who murdered him—but not before getting his own form of revenge.

An Early Start to a Learned Life

George Wythe was born in 1726 in Chesterville, Va., (now Hampton, Va.) to Thomas Wythe, a successful farmer, and Margaret Walker Wythe, a well-educated and well-read woman for her time. Wythe descended from a long line of Quakers, some of whom were early opponents of slavery. After his father’s early death, Wythe’s mother tutored him, instilling a love of learning and helping him master Latin and Greek. He probably attended school in Williamsburg before he began reading law with his uncle Stephen Dewey in Prince George County.

The 20-year-old Wythe was admitted to the bar in 1746, and he started his legal practice in Elizabeth City County. Later he practiced with the prominent lawyer Zachary Lewis and married Lewis’ daughter Ann in 1747. She died in August of the following year.

Colonial Legislator, Law Professor And Beloved Mentor

The young widower moved back to Williamsburg, where he was appointed clerk to two powerful committees of the House of Burgesses, Virginia’s democratically elected legislative assembly. Thus started his long résumé as a Colonial representative: He served as one of Williamsburg’s aldermen, acted as Colonial attorney general for a time, and served as a delegate and a clerk in Virginia’s House of Burgesses from the mid-1750s until 1775.

In 1755, he married Elizabeth Taliaferro (pronounced “Tolliver”), the daughter of Williamsburg planter and architect Richard Taliaferro. The couple lived in a home that Wythe’s father-in-law built, now known as the George Wythe House. (See page 40.) Their only child died in infancy.

In 1768 he became mayor of Williamsburg and was appointed to the board of the College of William and Mary. In 1779, Wythe accepted an appointment as the college’s professor of law, becoming the nation’s first law professor in an institution for higher learning.

Wythe accepted law students as boarders in his home and treated them as sons. During his teaching tenure at William and Mary, he mentored young law scholars such as Thomas Jefferson, St. George Tucker, James Monroe and John Marshall, who later became chief justice of the United States and established the doctrine of judicial review in the landmark case Marbury vs. Madison.

Jefferson, who served as his law clerk for five years, called Wythe, “my faithful and beloved mentor in youth, and my most affectionate friend through life.” Henry Clay, a law student he taught later in life, shared with Wythe an aversion to slavery. While Wythe had been born into a slaveholding society, it was likely his Quaker roots that compelled him to work to abolish the practice throughout his long legislative and judicial career.
“Chancellor Wythe seized the opportunity of one of his cases to try to cripple the institution of slavery,” writes Colonial Williamsburg in its online biography of Wythe. "He ruled that Virginia's Declaration of Rights—written by [George] Mason and adopted in 1776—including African-Americans among the ‘all men’ born free and equally independent. ‘They should,’ Wythe said, ‘be considered free until proven otherwise.’"

Wythe's ruling did not make it through appeals. Wythe freed some of his slaves during his lifetime, taught at least two to read and freed the rest in his will.

Vocal Supporter of Revolution

Wythe was an early opponent of the Stamp Act, and in 1764, the experienced legislator drafted a remonstrance to the House of Commons protesting the tax.

When the Revolution began, Wythe volunteered to serve in the army but, at 50, he was too old. He served the Patriot cause in other ways—as a delegate to Continental Congress from 1775 through 1776, and as a signer of the Declaration of Independence in 1776. He was absent from the meeting the day most signed the document, but his fellow Virginia delegates left a space so that his signature would appear first.

He also collaborated with Jefferson, Mason, Thomas Ludwell Lee and Edmund Pendleton on a three-year project to revise Virginia’s legal code and rewrite outdated Colonial laws. Wythe was one of two members of the committee who designed the seal of Virginia to feature the motto, “Sic Semper Tyrannis,” or “Thus Ever to Tyrants.”

Wythe resigned from the College of William and Mary in 1789, and he accepted an appointment as judge of Virginia’s Court of Chancery in Richmond in 1791. He didn’t want to give up teaching, so he founded a private law school.

A Painful End to a Life of Generosity

Now a familiar sight on the streets of Richmond, the much-admired Wythe began the morning of May 25, 1806, like any other: After his shower ritual, he was brought a breakfast of eggs, toast and coffee by Lydia Broadnax, a freed black woman who remained in the household as a paid employee.

Later that morning, Wythe fell ill with intense abdominal pains, diarrhea and vomiting. Broadnax and 16-year-old Michael Brown, a free black who lived in the house as another of Wythe’s protégés, also were struck by the same illness.

Richmond’s best doctors initially believed they were suffering from cholera, dismissing Wythe’s claim that he had been poisoned. But Broadnax, herself desperately ill, insisted that she saw Wythe’s grandnephew, the 18-year-old George Wythe Sweeney, put some kind of powder into the morning coffee after he drank his cup, then saw him toss evidence—a small piece of white paper—into the fire.

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UNLIKE MANY OF HIS PEERS who lived outside the city, Wythe’s principal residence was in Williamsburg. His two-story brick residence was designed in the mid-1750s by his father-in-law, the builder and planter Richard Taliaferro.

The royal governor, Francis Fauquier, lived two doors away from Wythe. The two men often dined together along with William Small, professor of natural philosophy at the College of William and Mary, and Wythe’s law clerk, Thomas Jefferson.

According to Hugh Howard in Houses of the Founding Fathers: The Men Who Made America and the Way They Lived (Artisan, 2007), “Fauquier held weekly concerts, in which he himself would often play, and guests at his table enjoyed discussions of literature, architecture, and in particular, scientific observations ... Jefferson later recalled those evenings as filled with ‘more good sense, more rational and philosophical conversations, than in my life beside.’”

Later, the home sheltered Revolutionaries. In 1776, Jefferson stayed there while serving as a Virginia General Assembly delegate. It served as General George Washington’s headquarters just before the Siege of Yorktown, and French General Rochambeau made the home his headquarters after the Yorktown victory. (See story on Rochambeau on page 36.)

In 1779, Taliaferro’s will gave the Wythes use of the property for life, and the couple ended up living in the house for more than 30 years. Elizabeth died in 1787, and George moved to Richmond in 1791.

In 1926, the Reverend Dr. W.A.R. Goodwin used it as a headquarters office during the restoration of the town’s historic area. Colonial Williamsburg obtained the property in 1938.
On June 1, Brown died. As the 80-year-old Wythe lay in agony, he made another terrible discovery: Sweeney had been forging checks against his accounts to cover large gambling debts.

Impulsive, reckless and always in trouble, Sweeney already had been caught stealing Wythe’s books to repay debts. While Wythe’s will was written in favor of Sweeney, the ne’er-do-well knew it also included a generous bequest to Brown. Believing Sweeney intended to kill Brown and him to inherit the entire estate, Wythe revised his will, disinheriting his grandnephew.

On June 5, Wythe cried out, “I am murdered.” He died three days later. Broadnax lived, but her eyesight was permanently damaged.

Remembering a Devoted Public Servant

A grand jury indicted Sweeney for murder, and a sensational trial began. According to Chadwick, the prosecution’s case was weakened by several factors—an autopsy didn’t use common tests for arsenic poisoning, physicians gave conflicting testimony, and under Virginia law, black witnesses, whether enslaved or free, were not allowed to testify against a white person in court.

With only circumstantial evidence against him, Sweeney was acquitted of the charge of murder. He was found guilty of check forgery, but after that conviction was overruled on appeal, he moved to Tennessee. There Sweeney was jailed for stealing a horse, but no other records remain of his life.

According to Chadwick, Wythe’s was “the biggest funeral in the history of Virginia up to that time (George Washington’s 1799 funeral had been a private service at Mount Vernon).” Thousands crowded the streets to watch the procession move toward Richmond’s St. John’s Church, where Wythe was to be buried. Former student Munford gave a lengthy and emotional eulogy detailing his mentor’s life of devoted service and patriotism—surprising the audience by ending with an angry denunciation of Wythe’s ungrateful and, most believed, murderous grandnephew.

Despite the sad coda to his life, Wythe’s long list of contributions—as a legal scholar, devoted mentor to young law students and advocate of Patriot ideals—helped a new nation establish its own legal traditions. 💫