

Punctuating Happiness¹

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Introduction:

The second sentence of the Declaration of Independence is arguably its most important; it has at least, in comparison to the other sentences, received inordinate attention. Here it is in full:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

The sentence forms a syllogism. The first three “that” clauses constitute the first premise; the fourth “that” clause is the second premise; and the fifth “that” clause is the conclusion

following from the premises.² Thus, the sentence moves from premises about individual rights and the role of consent-based government in securing them to a conclusion about the right to revolution. The sentence is a good example of the convergence of eighteenth century standards of logic and rhetoric.

Yet in 1823 when William Stone produced an engraving from the signed parchment, an engraving that would eventually become the most commonly reproduced text of the Declaration, he bisected the sentence after “pursuit of happiness,” punctuating it thus and adding a period:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. -- That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed, -- That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

In its complete form, this sentence explains the relationship between individual rights and the value of government as a tool by which we, the people, collectively secure safety and happiness; moreover, it identifies this relationship as a matter of self-evident truth. When interrupted with a period, however, the sentence designates as a matter of self-evident truth only the existence of human equality, as derived from our individual rights to life, liberty, and the

pursuit of happiness. The question of how this sentence is punctuated, in other words, dramatically affects how we interpret the most important expression of American ideals written to date.

The official U.S. National Archives' transcription of the parchment, posted on their website, follows the Stone engraving and prints a period after "pursuit of happiness." In the epilogue of my book, *Our Declaration*, I drew attention to this critical error, as I see it, in the transcription of the parchment. I was not able in those pages to review the entirety of the early textual tradition of the Declaration (1776-1800). The purpose of this article is to complete that work. A comprehensive review of the early textual tradition of the Declaration supports the view that the Stone engraving and the National Archives' transcription err in placing a period after "pursuit of happiness." On the basis of the textual tradition of the Declaration from 1776-1800 and of the three efforts to produce an accurate engraving of the parchment in the decade following the War of 1812, I argue that the National Archives transcription ought to be corrected; that scholars ought to advocate for the use of hyper-spectral imaging to re-visit the question of what is on the parchment; that reliance on the Stone engraving or National Archives transcription as the single "authoritative" text of the Declaration problematically obscures a diverse textual tradition; and that educators ought to present the diversity of traditions for rendering the text of the Declaration to students.³

The Paper Manuscripts

We have eight manuscript versions of the Declaration written out on paper by individuals who participated in its production and adoption: seven by members of the drafting committee,

either Thomas Jefferson or John Adams, and one by Charles Thomson, the secretary to the Continental Congress.

The single Adams manuscript is of a version of the Declaration that pre-dates Continental Congress' editing session on July 2-4, 1776. The six Jefferson manuscripts include one that pre-dates that editing session and has the edits marked on it. This is conventionally known as the "Original Rough Draft." Then we have two of the copies that Jefferson wrote out and circulated to friends in the immediate wake of the adoption of the Declaration; the copies we have had been sent to George Wythe and Richard Henry Lee.⁴ Finally, we have three later copies. Jefferson wrote out a version in his *Notes of Proceedings in Congress, 7 June to 1 Aug. 1776*; this was the basis for a version he sent Madison in 1783 in the lead-up to the drafting of the Constitution. And then there is what is known as the Washburn text. Its dating and provenance have been something of a mystery. In this article I will suggest a date between 1783 and 1791 and probably closer to the later end of that range.

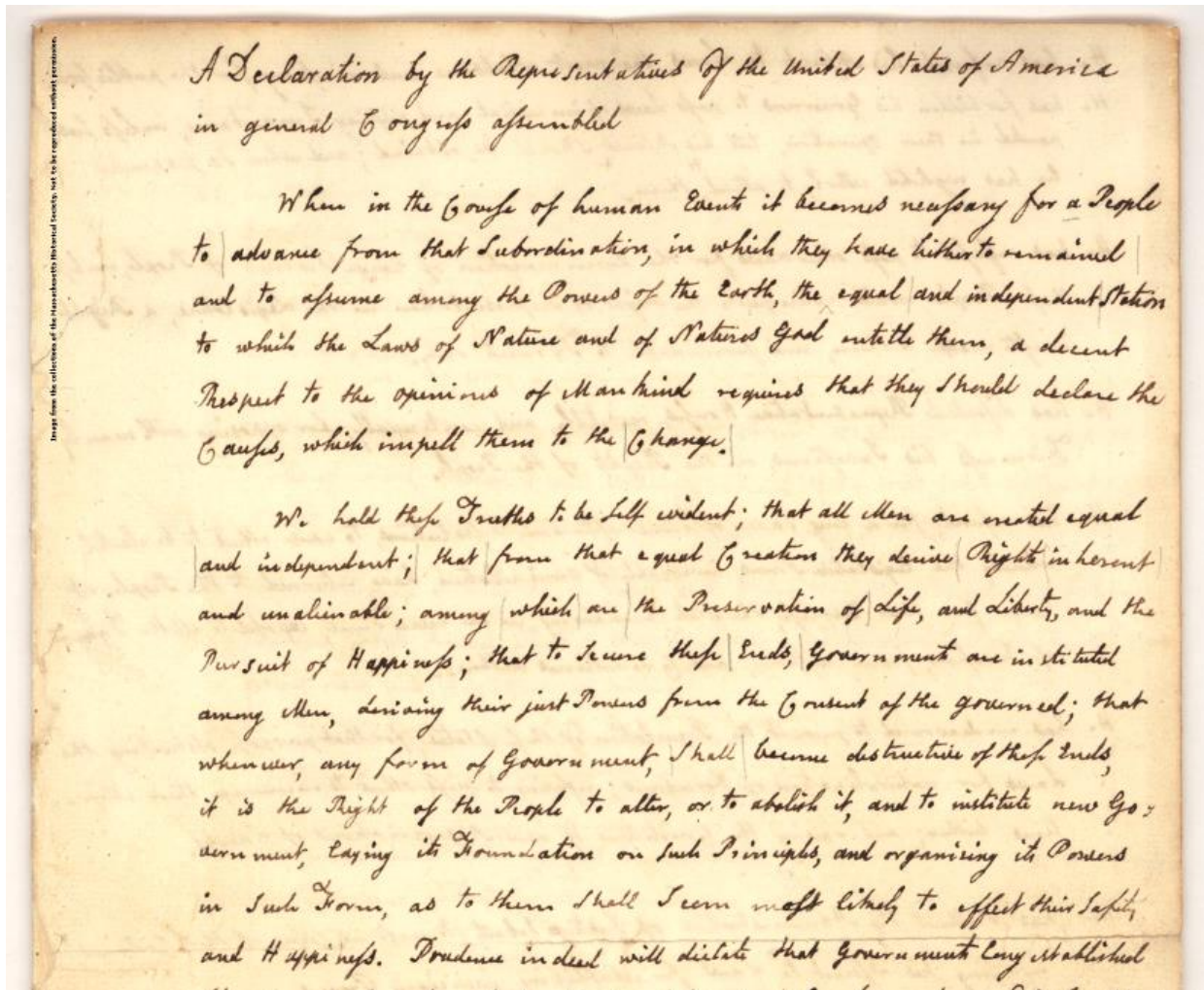
The eighth paper manuscript was written out by Charles Thomson in Continental Congress' Corrected Journal, or authoritative minute book. Thomson generally produced these corrected records contemporaneously to the production of the rough record book, which he produced day to day as the meetings unfolded.⁵ On July 4-6, Thomson generated the rough record copy, pasting Dunlap's broadside in to the book as a placeholder for the text of the Declaration. It is likely that he then proceeded to produce the corrected version in the Corrected Journal. We can date that version to after July 5 and before July 19, the day Congress decided to retitile its declaration as "Unanimous," in response to news, which reached Philadelphia on the 15th, that New York had voted in favor of independence.⁶ The Corrected Journal version does not include this information and so must have been completed before Congress made this decision.

Importantly, on July 17 Jefferson was assigned to the committee to review and correct Congress's record for that summer and to decide what should be published. And on July 19 Congress commissioned the engrossment of the formal parchment, with the work to be done by Timothy Matlack. Thus, when Timothy Matlack undertook to engross the Declaration on parchment, he would have two official copies from which to work: John Dunlap's broadside of July 4-5 and Charles Thomson's copy in Congress's Corrected Record book, reviewed and approved by Thomas Jefferson. Like the Corrected Record, the parchment uses the revised titling for the Declaration ("in Congress assembled" instead of "in general Congress assembled"). The parchment also, for the first time, adds the detail that the declaration was unanimous.

Not one of these paper manuscripts by Adams, Jefferson, or Thomson employs a period after "pursuit of happiness." All of them render the second sentence of the Declaration as a single sentence.⁷ The most important difference in the manuscripts concerns capitalization, a matter of style to which Adams and Jefferson had two different approaches. Adams used capitalization liberally, doing so, it would appear, as a guide to spoken emphasis, including presumably for his own public reading of texts. Jefferson scarcely used capitalization at all, frequently not even capitalizing at the start of sentences.⁸ His own approach to indicating emphases for the sake of public readings was to insert a pattern of diacritical marks to indicate either an emphasis or a pause: he used single, double, triple and quadruple strikes following a word. Those' marks" looked"" something like this"".⁹

Here is how Adams, Jefferson, and Thomson rendered the opening of the Declaration through the end of the second sentence. First, here is Adams:

Insert Figure 1

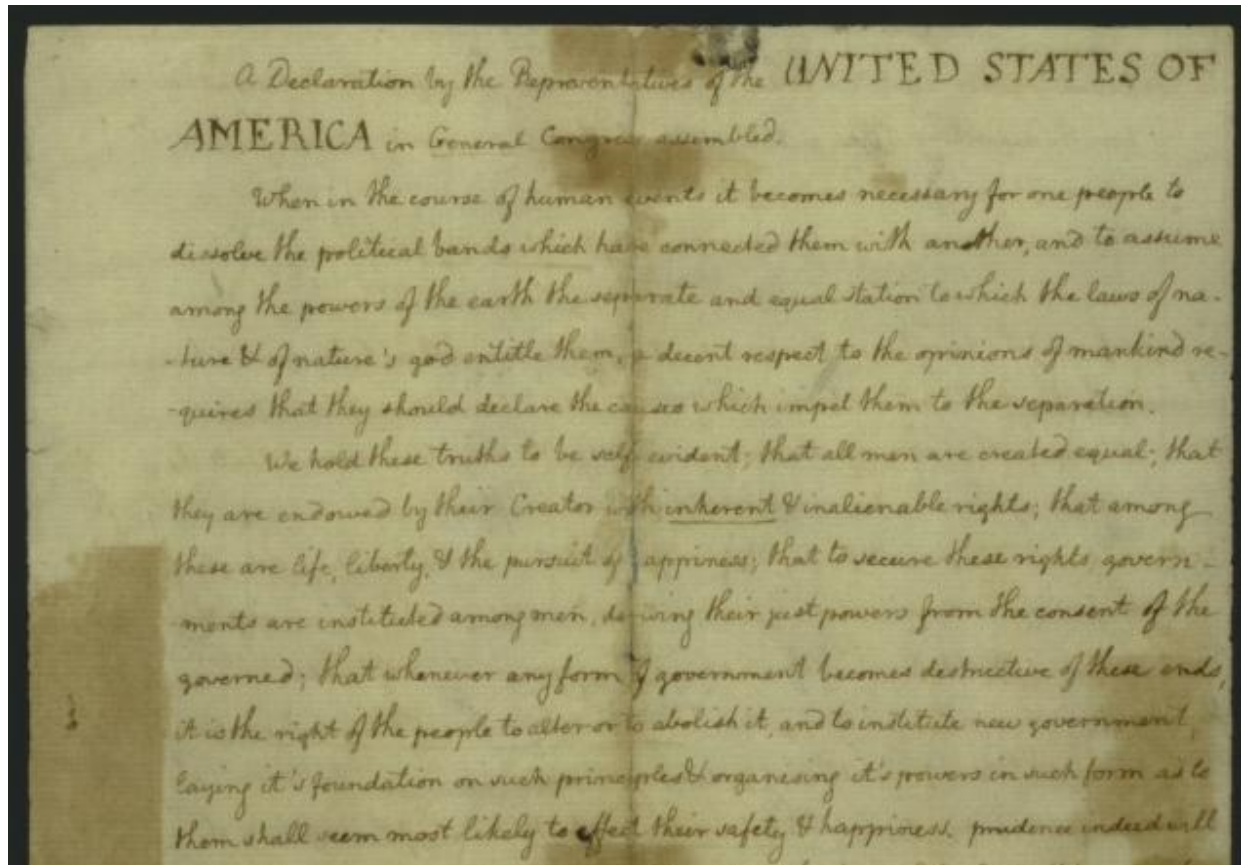


I

(Mass Hist Society)

Here is Jefferson:

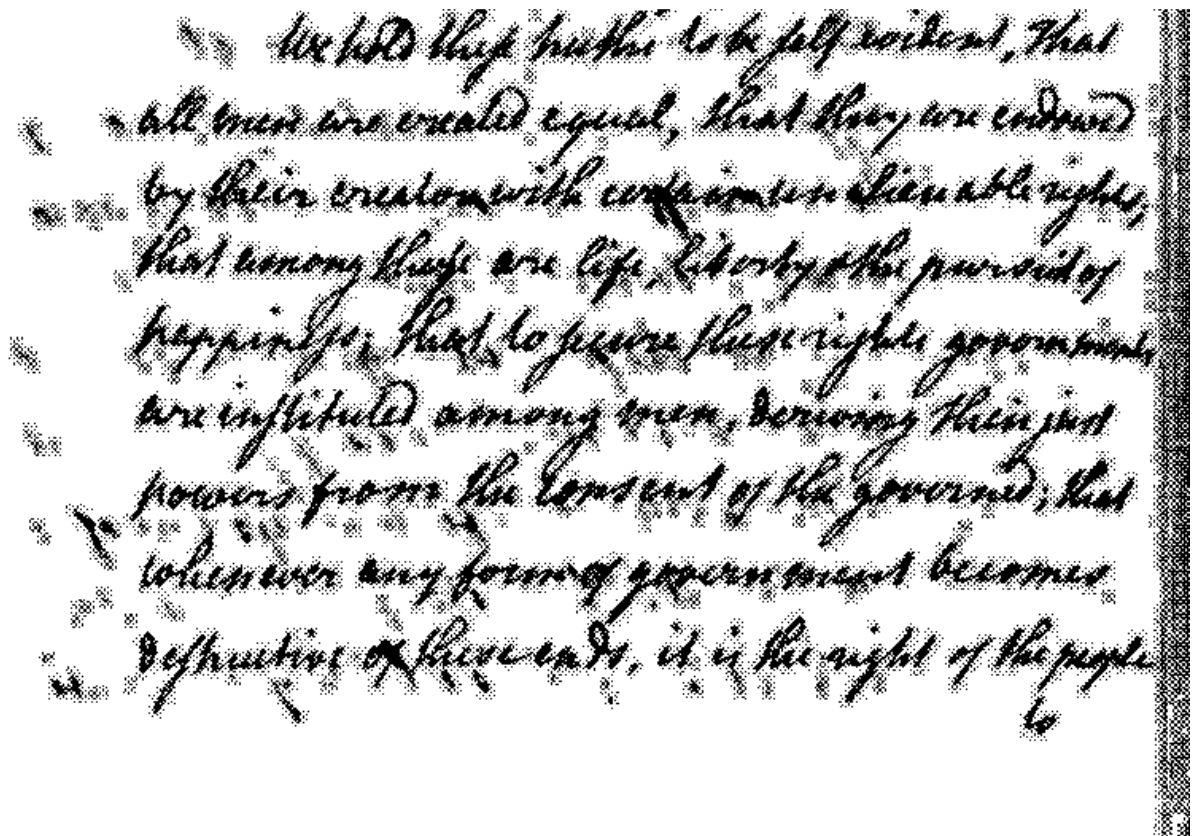
Insert Figure 2



(NYPL, Lee copy)

Here is Charles Thomson:

Insert Figure 3



We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty & the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to

Courtesy Library of Congress, Reproduced in Edward Dumbauld, *The Declaration of Independence: and What It Means Today* (Norman: University of Oklahoma Press, 1950, p. 131).

Finally, here is an example of how Jefferson marked up one section of the Original Rough Draft with his emphasis and breathing marks:¹⁰

Insert Figure 4

in every stage of these oppressions" we have petitioned for redress in the most humble
 terms; our repeated petitions have been answered ^{only} by repeated injuries. a prince
 whose character is thus marked by every act which may define a tyrant, is unfit
 to be the ruler of a ^{free} people [who mean to be free]. future ages will scarce believe
 that the hardiness of one man, ad-ventured within the short compass of twelve years
 to ^{erect} the foundation of broad & undisguised, for tyranny

Detail from the "original Rough draught" of the Declaration of Independence

Those differences in the approach to capitalization constitute something like a genetic fingerprint, indicating which manuscript (Adams's or Jefferson's) was the basis for any given printer's later rendering of the text.¹¹ Importantly, in the one case in which we have concrete evidence that Jefferson reviewed the text, the version in Congress' Corrected Journal, the text follows Jefferson's pattern of capitalization.¹²

As we will see, the two different strategies for conveying emphasis—capitalization vs. diacritical marks—were not relevant only to the manuscript tradition; they left their mark on the print versions of the Declaration too. I will suggest that Jefferson's diacritical marks are the source of the errant period after "pursuit of happiness."

The 1776 Print Tradition in the U.S.

The tradition of American printed texts of the Declaration of Independence begins with the famous “Dunlap broadside” printed by John Dunlap at the behest of the Continental Congress on July 4-5.¹³ Then, there are multiple other broadsides and newspaper editions of the text in July and August of 1776 as well as book and pamphlet editions, with the first book containing the Declaration appearing as early as July 8, 1776. For this article, I reviewed 13 paper broadsides¹⁴; 2 parchment broadsides (including the Matlack parchment); 28 newspaper printings; 2 print publications of the Journals of Congress for 1776 (these are published versions of the Corrected Journal); 22 additional pamphlets/books; and 1 almanac printing.¹⁵ The print tradition visible in these materials has three distinct periods: that of 1776 and the years immediately following; another starting in 1781; and a third starting in 1791. In this section, I’ll discuss the 1776 print tradition.

Importantly, our conventional understanding that the Dunlap broadside stands at the head of the printed tradition needs to be revised. His broadside shares that place with Benjamin Towne’s newspaper printing on July 6, 1776. In fact, Towne scooped Dunlap whose newspaper version of the Declaration did not come out until July 8. Dunlap’s broadside for Congress was distributed through official channels: to the military and to state governments and committees of safety. Thus it was Towne’s newspaper that gave the general public its first glimpse of the text of the Declaration. John Adams, for instance, mailed a copy of this newspaper to Abigail. Significantly, Towne’s version was unauthorized.

After Congress finished its two-day stretch of revision (July 3-4, after approval of the resolution for independence itself on July 2) and voted affirmatively on the final document, they charged a member of the drafting committee with working with Congress’s printer, John Dunlap,

to have an official and attested version printed up for distribution to the military and state governments. Dunlap produced between 200 and 300 copies for July 5. While historians have long thought that Jefferson did this work, it is more likely to have been Adams. We know from Jefferson's daily log book that he went shopping at some point on July 4 to buy thermometers and ladies' gloves.¹⁶ The work in the print shop, however, would have followed immediately from the meeting and gone late into the night. Adams was famous for keeping long hours. We also know that the version that made its way into Dunlap's shop follows Adams's manuscript, not Jefferson's, with regard to capitalization.¹⁷ And Dunlap and Adams had a working relationship. Dunlap had printed Adams's *Some Thoughts on Government* just a few months earlier in April.

It is also important that Adams was the motive force behind the Declaration.¹⁸ Working in collaboration with Richard Henry Lee, he drove the politics that led first to the May 15 resolution to encourage all of the colonies to adopt new government and then to Lee's June 7 resolution for independence. Adams worked the hustings to get Jefferson and himself elected to the committee to draft the Declaration and to get Jefferson elected to the chairmanship of that committee. He, along with Benjamin Franklin, made substantive edits to the document, unlike the other committee members, Roger Sherman and Robert Livingston. Beyond the edits that Julian Boyd identified as his, we can see his fingerprints elsewhere in the text. The list of grievances in the Declaration reflects a grafting of Adams's orientation toward balanced government, as articulated in *Some Thoughts on Government*, onto the list of complaints against the King that Jefferson had been developing since *A Summary View*. And Adams was the prime mover behind the orientation of the Declaration toward the concept of "happiness," instead of property, an orientation that he had been developing over the course of 1775 and 1776 in the

context of his Congressional resolutions as well as his pamphlet, *Some Thoughts*.¹⁹ In other words, Adams was more invested than any other member of Congress in both the political processes leading to the Declaration and in its intellectual content. He was also the kind of workhorse who would have been off to the printer to oversee the final product while Jefferson went shopping.

Yet Adams's work with Dunlap must not have been fully satisfying to Jefferson or to some of his associates because someone slipped Towne a Jefferson manuscript to print and distribute, even though everyone in Congress must have known that Dunlap's broadside would appear in the newspaper as early as July 8. The Towne printing follows Jeffersonian capitalization, but it must have been an unsupervised printing. After all, Congress had made a formal decision for how it wanted the text distributed, and there was no charge to anyone to distribute the text other than through the official channels. We know that John Witherspoon, a signatory of the Declaration, sometimes slipped Towne "intelligence,"²⁰ but it is unclear who might have slipped Towne the manuscript in this instance, possibly in violation of Congress's strictures on confidentiality since his July 6 publication date may well have required Towne to get his hands on the manuscript before the authorized version had been disseminated on July 5. If the printings had been restricted to Congress's authorized versions, we would see a 1776 print tradition consisting exclusively of reproductions of or variants on the Dunlap printing. Instead, we see a tradition with three distinct streams--one that follows Dunlap, one that follows Towne, and one that merges them.

The marks of the difference between the two traditions consist not only in the choice of capitalization--Adams's style of capitalizing the conceptually important nouns vs. Jefferson's style of capitalizing only at the start of sentences. The other mark of difference is how the two

traditions punctuate the phrase “pursuit of happiness.” Dunlap printed a “triplicate dash” (a dash with a width of two letters followed by a space and then a hyphen) after that phrase. Towne printed a period. Towne’s is the first text in the tradition, whether manuscript or print, to use a period at that point in the second sentence. Thus, the first public text of the Declaration—an unauthorized version --broke the all-important syllogism about self-evident truths into two parts, separating the second half about government from its justificatory introduction: “We hold these truths to be self-evident.” How exactly did that period get into the Towne printing? We’ll return to that topic in a moment.

The Dunlap broadside, the Towne newspaper printing, and the Dunlap newspaper printing all made their way quickly into circulation through reproductions in other papers. In those early days of July 1776, Dunlap was reproduced by printers in Philadelphia; Hartford; New York; New Haven; Boston; Salem, Massachusetts; Watertown, Massachusetts; Worcester, Massachusetts; Annapolis, Maryland; and Newport, Rhode Island. (He also published his own newspaper versions, with modest differences from the broadside, not only in Philadelphia but also in Maryland.) Towne was reproduced in Baltimore; New York; Salem, Massachusetts; and Williamsburg, Virginia. One printer, Russell of Salem, Massachusetts, first printed the Towne version and then did a re-print with the Dunlap version. One notes that Dunlap’s networks appear to have operated more to the north, while Towne’s were both less extensive and stretched in a somewhat more southerly direction.

Seventeen subsequent printings follow Dunlap in using only a triplicate dash after “pursuit of happiness.” Eight printings follow Towne and use a period only. In addition, we have fifteen merged versions, printing both the Towne period and the Dunlap dash. Finally, there are two printings that appear to follow an Adams and Jefferson manuscript, respectively.²¹ Like the

manuscripts, these two printings punctuate the second sentence with semi-colons after each clause, including after “pursuit of happiness.”²² Of the seventeen printings that follow Dunlap, ten maintain Adams’ style of capitalization, six switch to the Jeffersonian, and one merges the styles. Of the eight that follow Towne, six also maintain his Jeffersonian style of capitalization, while two printings switch to Adams’ style of capitalization. (See Appendix 1 for the full stemma.)

The argument is sometimes made that the two different patterns of capitalization that characterize the print tradition of the Declaration should not be understood to reflect two different underlying manuscript traditions. The argument is that the Adams style and the Jefferson style each reflects a different conventional option for capitalization and that print shops simply had a house style and re-set whatever text they were printing in that house style.²³ The problem with this argument is that the choice of which capitalization pattern to use for the Declaration was closely connected to the typographical choice about how to punctuate “pursuit of happiness.” There the choices are so eccentric—a triplicate or long dash or a syntax interrupting period—that they could not be a matter of house style. If the choice of capitalization had been simply a matter of house style, as opposed to an effort to stick to an underlying original, we would expect a random distribution of Adams’ and Jeffersonian methods of capitalization in the texts that follow Dunlap’s first broadside or Towne’s first newspaper printing with regard to how to punctuate “happiness.” But we do not get that. Of the twenty-five printings that followed either Dunlap or Towne for punctuation after “pursuit of happiness,” only nine moved away from the capitalization style of the source text. This is strong evidence that printers did not, as some have argued, simply make their own choices, when printing the Declaration, about what styles to use.

In contrast, for the printings that merge the Dunlap tradition of the “dash” and the Towne tradition of the “period,” by printing both after “pursuit of happiness,” we do get a random distribution of capitalization styles. Seven printings use the more conventional capitalization style of Adams, five merge the styles, and three use the more innovative Jeffersonian style. In other words, in this group, seven stick with Adams and convention; eight show influence by Jefferson.

The two final printings, in these early days of rendering the Declaration, both from January 1777, are particularly important to the development of the textual tradition of the Declaration. Both are among the group of printings that combine the Towne period and the Dunlap dash.

In January 1777 while Continental Congress was in Baltimore, Mary Katherine Goddard received the commission to print the final official version of the Declaration for deposit with each state government. This was the first version to print the names of the signatories. Her July 10 *Maryland Journal* newspaper printing had used Towne’s period, and her January 1777 broadside did so again. The link between her printings and Towne’s may perhaps be explained by the fact that Towne had worked early in his career in the print shop of her brother, William Goddard.

The other publication of January 1777 was even more important. The Continental Congress was surprisingly efficient at having its Corrected Journal printed in book form. The first edition of the 1776 Journal came out in January 1777, printed by Robert Aitken.²⁴ Aitken’s text is extraordinary because it purports to be a publication of the Corrected Journal, but he did not in fact exactly reproduce Charles Thomson’s manuscript version. He followed Thomson in using essentially Jeffersonian capitalization (although capitalizing “Earth” and “God” in addition

to Jefferson's "Creator"). But he broke from Thomson when it came to the question of how to punctuate the clause that ended with "pursuit of happiness." Thomson, following Jefferson, had used a semi-colon there. Aitken, instead, printed both the Towne period and the Dunlap triplicate dash, in this instance via a series of three hyphens. Aitken was an associate of both Towne and Dunlap, and it would appear that he merged the most distinctive features of each man's printing in his own rendering of the text for the official Congressional publication.²⁵ By the 1823 edition of the 1776 Journal of Congress, Dunlap's triple dash had dropped out, leaving only Towne's period. In other words, January 1777 saw the launch of an official tradition of printing a period after "pursuit of happiness." But that period appeared, in those two texts from January 1777, thanks to the influence of Benjamin Towne.

This seminal contribution to the textual tradition of the Declaration—the errant period—was made by a printer who came to be seen by the Continental Congress as a traitor. He switched sides, between the Americans and the British, according to which army was occupying Philadelphia. His reputation as a turncoat would do him in professionally, putting him out of business by 1784.²⁶ The most important question, then, about the 1776 print tradition is how the period after "pursuit of happiness" got into Towne's July 6 newspaper printing.

The Mystery of the Towne Period

How then did a period enter into the print tradition, via Towne's newspaper, to break-up the second sentence of the Declaration? My suggestion is that it emerged from confusions provoked for compositors by the unusual diacritical marks that Jefferson added to his texts to provide guidance for his speaking. A fragment of the proof copy for Dunlap's original broadside exists. It contains an unusual set of syntactically inappropriate quotation marks. These quotation

marks were edited out before the final printing. As Julian Boyd, the founding editor of the Jefferson papers, persuasively argued in 1976, these intrusive quotation marks are a trace on the printed text of the handwritten diacriticals in Jefferson's manuscripts.²⁷ Here is how the proof copy looked:

Insert Figure 5



As we have seen above, Jefferson used a system of diacritical marks ranging from a single mark to a quadruple mark to indicate either points of emphasis or lengths of pause (of course, pauses are themselves a form of emphasis). Boyd's diagnosis was that the quotation marks set by the

Note the triplicate diacritical at the end of the first line after an abbreviation for the word “Government.” Particularly interesting is the uneven spacing in Jefferson’s handwritten triplicate mark. Now note how the Dunlap “triplicate dash” renders that sort of uneven spacing:

Insert Figure 7

Life, Liberty, and the Pursuit of Happiness— -That

My suggestion is that Dunlap’s triplicate dash after “pursuit of happiness” captures a triplicate diacritical used by Jefferson to indicate especially heightened emphasis after that key phrase. The double diacriticals that were rendered as quotation marks were removed between the proof and final copy of Dunlap’s first broadside but, on this suggestion, the triplicate diacritical remained. Then, between his broadside and his newspaper printing, Dunlap converted the odd triplicate dash into a more conventional, single long dash, as part of a complete re-setting. In this editorial move, too, the original connection to the diacriticals was obscured.

If this hypothesis is right—that Dunlap’s triple dash was a way of rendering a Jeffersonian diacritical—it leads to an important question: why didn’t whoever was supervising the printing, in all likelihood Adams, edit out that triplicate dash just as the mis-placed “quotation marks” were edited out?

In fact, Adams, like Jefferson, had good reason to want to emphasize the phrase, “pursuit of happiness.” It was probably his single greatest intellectual contribution to the document. Scholars have long asked the question of why the drafters of the Declaration settled on the phrase “life, liberty, and the pursuit of happiness,” instead of the phrase “life, liberty, and property,” which derived from the Lockean tradition and would have been more conventional. The political statements of Virginians such as Jefferson tended to rely on the property concept, which was

used as, among other things, a key term in the defense of slavery. In July 1775 when Jefferson contributed to drafting the “Declaration on the Causes and Necessity of Taking Up Arms,” he included property in his list of core rights: “[T]hey [Parliament] have assumed a right of altering the form of our governments altogether, and of thereby taking away every security for the possession of life or of property” (emphasis added). When, however, John Dickinson edited the Declaration of Causes into its final form, he oriented the argument of the 1775 Declaration around the concept of “the welfare of mankind” instead. In the opening passage of the Declaration of Causes, he establishes a contrast between excessive claims of property in other human beings and government’s proper end, namely the “welfare of mankind.”²⁸ Although Dickinson’s point was an objection to Britain’s colonial power, the resonance of his argument with an abolitionist view is clear. Indeed, Dickinson was the only member of Continental Congress to free his slaves in the period between 1776 and 1786. Within the Continental Congress there appears to have been a debate over whether happiness and welfare or property was the better concept to use for grounding a rights-based political order, and this debate was tied to views about slavery.

Throughout 1775 and 1776 Adams made strenuous arguments on behalf of happiness. He served on the committee that in November 1775 advised New Hampshire to write a constitution for itself and charged the people of New Hampshire to:

establish such a form of government, as, in their judgment, will best produce the happiness of the people, and most effectually secure peace and good order in the province, during the continuance of the present dispute between G[reat] Britain and the colonies. (Emphasis added.)

The sentence underlined above is a first draft for the final clause of the second sentence of the Declaration, which reads:

it is the right of the people to ... institute new government, laying its foundations on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

A week and a half after the committee report on New Hampshire, Adams wrote to Richard Henry Lee to share his thoughts on how the colonies might approach the project of erecting new governments, and in the letter he reprises this language of happiness as the purpose of government. The goal for a colony, he says, is “pulling down Tyrannies, at a single Exertion and erecting Such new Fabricks, as it thinks best calculated to promote its Happiness.”²⁹

Adams then developed the argument in a fuller form in the pamphlet published by John Dunlap as *Some Thoughts on Government* in April 1776. There Adams wrote:

We ought to consider what is the end of government, before we determine which is the best form. Upon this point all speculative politicians will agree, that the happiness of society is the end of government, as all divines and moral philosophers will agree that the happiness of the individual is the end of man. From this principle it will follow, that the form of government which communicates ease, comfort, security, or, in one word, happiness, to the greatest number of persons, and in the greatest degree, is the best.

Man of Massachusetts, Adams never held slaves and considered slavery problematic.³⁰ His effort to make “happiness” the central concept around which to organize thinking about new governments was in part a political battle with the slave faction. As Luke Mayville has argued, Adams was unusual among the founding fathers in being more concerned about the tyranny of the aristocracy than about the tyranny of the majority.³¹

We continue to see the evolution of Adams’ language concerning the “safety and happiness” of the people when on May 15 he won a successful vote for a resolution recommending that all the colonies:

adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general. (Emphasis added.)

Thus, when Jefferson sat down to draft the Declaration, after discussion with a Committee consisting all of northerners other than himself, he had at least two voices in his head: that of George Mason, who had recently drafted the Virginia Declaration of Rights, and that of John Adams with his argument in *Some Thoughts*. As has long been recognized, Mason’s formulation of the rights of man in the Virginia Declaration of Rights is the model for the second sentence of the Declaration of Independence. Jefferson cribbed from Mason’s syllogistic style.³² Mason had, however, followed Adams’ language on safety and happiness. Indeed, Adams’ pamphlet had been distributed aggressively in Virginia by Richard Henry Lee. But Mason had also insisted on including property in the list of “inherent” rights. Here is Mason’s famous formulation:

all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and

liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

In stark contrast to Mason, the Declaration, of course, reads: “We hold these truths to be self-evident, that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness;....” The drafting committee for the Declaration of Independence thus removed the slave-holding Virginians’ commitment to the language of property from this all important second sentence. When the committee of five submitted to Congress a document that relied exclusively on this happiness concept, with the property concept excised from the syllogism about the rights of man, this was, above all others, John Adams’s triumphant victory. It was perhaps also his single greatest contribution to the development of the United States.

It would be no surprise, then, if, in working with the printer on the night of July 4, and in being confronted with the compositor’s efforts to render Jefferson’s diacriticals, Adams would have edited out the obviously problematic smattering of faux quotation marks while also delightedly preserving the elegant and cleverly conceived emphasis after “pursuit of happiness,” his own signal contribution to the Declaration.

This, then, is a plausible explanation for the Dunlap triplicate dash: a compositor set it as a way of rendering a Jeffersonian diacritical whose point was to emphasize the all-important phrase “pursuit of happiness,” a phrase that permitted compromise between slave holders and those who considered slavery problematic; Adams agreed with the value of emphasizing that phrase and left the odd punctuation untouched in his supervision of the printing.

Before we move on to the question of what happened with the Towne printing, where “pursuit of happiness” was punctuated with a period instead of a dash, we need to clarify some of

the important historical consequences that flow from this interpretation of the events surrounding the Dunlap printing. My suggestion entails that two manuscripts, one written out by Adams and one written out by Jefferson emerged from the Congressional editing and approval process.³³ One went to Dunlap and the other to Towne. But, contra the usual view, these versions must not in fact have been fair copies. After all, the copy from which Dunlap printed had Jefferson's diacritical, emphasis marks. There would have been no reason for Jefferson to take the time to mark up a fair copy with such marks after the Congressional discussion. What's more, it's notable that an Adams' manuscript should have had Jefferson's diacriticals. Might Jefferson have marked up two copies with diacriticals, not only Adams's but also one of his own? Each man must have taken a fair copy of the final draft into Congress, with Jefferson having marked up both copies in case he found himself obliged to read from either. Presumably, he read from his own copy, and the official edits got inscribed in the first instance on Adams's copy. This was the copy, then, that went to Dunlap. At some point, Jefferson's copy too got the edits inscribed on it, and this went to Towne.

Now we have to address the composition process in Towne's print shop. No known Jefferson manuscript has a period after "pursuit of happiness" so it beggars the imagination to think that a period got into the Towne printing because Jefferson had written an actual period after "pursuit of happiness." But the diacriticals provide a basis for an explanation. In light of the Dunlap proof copy, we can imagine a manuscript in Towne's case too that had a series of duplicate diacriticals in the opening lines of the Declaration, followed by a triplicate diacritical after "pursuit of happiness." We know that Dunlap's compositor read those double diacriticals as quotation marks. Dunlap's compositor, I argued, then rendered a triple diacritical as a triplicate dash. Given that the double diacriticals looked to their unknowing readers, like quotation marks,

Insert Figure 8

mat. Religi^{on} I h^{ve} considrd y^t it's gr^e ext^e: is plac^d. b^y y^e Constn^t indep^d. & y^e pow^r: & y^e Gen^l. Gov^{mt}.
 I h^{ve} y^e undertakⁿ. on no occⁿ t^e prescribe y^e relig^{ion}: ex^{ac}: suit^{ab}l^e t^e it.
 b^y h^{ve} left y^e as y^e Constn found y^e und^r y^e direct^{ed} & disciplⁱⁿ: & y^e sta^{te}. or ch^{urch}. auth^{or}: ackn^{ow}: b^y y^e sev^{er} relig^{ions}: societies.
 The Aborig^{ines} inhab^{it}: & y^e countr^y. I h^{ve} regard^d wth y^e com^{mon} y^e diff^{er} inq^{uir}ies.
 endow^d wth y^e facult^{ies}. & y^e rights of men, breath^e: an^d lov^e & lib^{erty}: & indep^{endence}.
 Occup^y: a countr^y wth left y^e n^o des^{ire}: b^y t^e b^y und^{er}st^{and}: y^e stor^y & ov^{er}flow^{ing} pop^ulⁿ fr^{om} oth^{er} reg^{ions}. dir^{ect}: its^{el}: on y^e shor^e.
 wth pow^r: t^e divert^e or hab^{it}: t^e contⁱⁿ: ag^{ain}st y^e h^{ve} b^y over^{whelm}: b^y y^e cur^{re} or driv^e: b^y it.
 now red^{uc}: wth lim^{its} t^e nat^{ure}: f^{or} y^e hunter sta^{te}. human^{ity}: inq^{uir}: us t^e teach y^e agric^{ulture}: & y^e domest^{ic}: arts⁺
 t^e encor^{age}: y^e t^e y^e industry wth al^l: c^{ir}: enab^{le}: y^e t^e maint^{ain}: y^e pe^{ople}: in exist^{ence}.
 & t^e prep^{are}: y^e in t^{ime} f^{or} y^e sta^{te}. & soc^{ety}: wth t^e bod^y: conf^{er}: ad^v: y^e imp^{ro}vm^{ent} & y^e men^d & moral^{ity}.
 wth y^e lib^{erty}: furn^{ish}: y^e wth y^e implem^{ent}: of husb^{and}: & h^{and} use: wth plac^e: am^{ong}: y^e in^{hab}: in y^e arts & f^{ine}: necess^{ities}.
 & y^e r^{eco}: wth y^e legis^{lation} & y^e law ag^{ain}st y^e aggress^{ion}: & y^e am^{ong}: ours^{elves}.

My suggestion, then, is that Jefferson's diacriticals, which were meant, for the purposes of speech, to place extra emphasis on "pursuit of happiness" but without ending the sentence there, entered the print tradition as a triplicate dash in Dunlap and as a period in Towne's printing. Dunlap's representation with a "triplicate dash" (a dash the width of two letters followed by a hyphen) was a creative way of rendering the diacriticals while staying true to the

punctuation of the manuscripts. Towne's effort to render the same diacriticals reflected a misunderstanding of Jefferson's unusual marks and introduced a punctuation error that takes the text away from the manuscripts. Given that Towne's version was an unsupervised, unauthorized version, it's unsurprising that the misplaced period was not corrected before the July 6 edition of his newspaper.

There would, in fact, be an effort at correction, but it would come only much later, in the 1780s. We will have to look at the later phases of the print tradition to see it. Prior to that point, Dunlap would come round to Towne's view of what the punctuation should have been and would begin to print the Towne period, as he did in a parchment version of his original broadside, dating between July 10 and July 19, 1776, and in a 1778 publication of the Congress' Corrected Journal, a publication that, as in Aitken's 1777 version of the same text, disregards the punctuation of the manuscript it purports to render.

The 1781 and 1791 Print Traditions

When Congress voted on the Declaration and sent it to Dunlap for printing on July 4, they launched it with this title: "A Declaration by the Representatives of the United States of America in General Congress Assembled." Very soon thereafter they amended the title, deleting the word "General" before "Congress"; then, when word reached Philadelphia that New York had voted in favor of independence, they added the word "Unanimous." By the time the parchment was written, the title was this: "The Unanimous Declaration by the Representatives of the United States of America in Congress Assembled." The heady days of July 1776 yielded only two texts that use the phrase "in Congress assembled": the manuscript written out by Charles Thomson in Congress's Corrected Journal and the parchment written out by Timothy Matlack

and commissioned on July 19. This title enters the print tradition in 1777 with the official publication of Congress' Corrected Journal and then reappears again in 1781, when Congress begins to commission additional book publications of state documents, typically the Declaration, important treaties, and state constitutions. The texts produced in this period appear to rely on Congress's Corrected Journal, not the parchment. The books from 1781 and subsequent years do not merely use the corrected title, which the parchment also has. They also follow the Jeffersonian capitalization of the Corrected Journal. The parchment, in contrast, had a unique pattern of capitalization—halfway between that of Adams and that of Jefferson.

The new effort in 1781 and subsequent years to print a correct version of the Declaration, with reference to the corrected text in Congress's Corrected Journal, did not, however, immediately displace the Towne period. As we have seen, Aitken had used that period in the 1777 edition of the Corrected Journal, which was the first text to render Thomson's manuscript in print form, and Dunlap repeated that printing in 1778. Bailey's printings in 1781 and 1782 both use the Towne period as do further book printings in 1785 and 1786. What could explain the use of the Towne style of punctuating "pursuit of happiness" instead of the Dunlap? Towne had used the Jeffersonian capitalization. Putting aside his period, his version looks much closer to the version in Congress's Corrected Journal than does Dunlap's. This must have given his text a certain kind of authority that supported the continued use of his period. Interestingly, this phase of the print tradition, during which Congress was trying to generate a correct version of the text, is also the period in which Jefferson wrote out a manuscript for Madison, which he did in 1783. There appears to have been some sort of unfolding conversation about what the correct version of the text should be. The version that Jefferson made for Madison did not, of course, have the period.

In 1791, after the adoption of the new Constitution, when Congress commissioned its first compilation of post-ratification state documents, a second effort at achieving a correct text was made. This time the printer was Mathew Carey, a protégé of Benjamin Franklin, who had been a member of the Committee of Five that drafted the Declaration. With Carey's 1791 version, the period is at last gone, and the manuscript tradition of a series of semi-colons after each "that" clause is restored.

Here is Carey's 1791 version, the first official printing after the ratification of the Constitution:

Insert Figure 9

We hold these truths to be self-evident—that all men are created equal;—that they are endowed by their creator with certain unalienable rights;—that among these are life, liberty, and the pursuit of happiness;—that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed;—that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that govern-

Interestingly, though, Carey introduced another innovation in the punctuation. The most stable element of the punctuation of the second sentence in the 1776 print tradition was the use of a comma after "self-evident." The 1777 publication of the Corrected Journal and 1781 round of corrections had shifted that comma to a semi-colon. Now, in 1791, while displacing Towne's period, Carey also placed a dash after "self-evident," printing the sentence thus: "We hold these

truths to be self-evident -- that....” This is a startling innovation with no prior precedent in the print tradition. There is, however, one Jefferson manuscript that could explain it. In the so-called Washburn copy, whose provenance and dating are obscure, Jefferson wrote a colon after self-evident, changing his punctuation to read as follows: “We hold these truths to be self-evident: that....” The colon indicates that what follows--the five “that” clauses--constitutes a connected series, a list, in short. Carey’s dash serves precisely the same purpose.

My suggestion is that what we have come to know as the Washburn manuscript was Jefferson’s effort, in the period between 1783 and 1791, to remind everyone that what follows the words “self-evident,” is a single thought, the syllogism of a complete, if lengthy, sentence. For all the times Jefferson wrote out the text of the Declaration, this is the first text in which he modifies his punctuation of the second sentence. The modification is subtle but meaningful. He replaces the comma after “self-evident” with a colon, making clearer that all that follows the colon constitutes a single, syllogistic list of “self-evident truths.”

Carey’s 1791 printing, in an official text, at last restores the original punctuation. This did not, however, mean that the matter was settled. Not everyone followed Carey. Of the fourteen texts that I have identified that are printed after Carey’s publication and up through 1800, half print the Towne period and half do not. As for Carey’s innovative dash (or a colon) after self-evident, only half of the printings that I’ve identified between 1791 and 1800 use it. What’s more, this group includes both printings that do and printings that don’t print the period after “pursuit of happiness.” In other words, for all the apparent effort to establish an official text in Carey’s compendium of state documents, which was commissioned and authorized by Congress, a diverse textual tradition for the Declaration continued to thrive.

We will return to Carey's text and its significance later, after we've had a chance to look at the situation with the parchment, for it is the mystery text in all of this. On which side of the line did it fall? Was it among those that rendered a period after "pursuit of happiness," or did it use a punctuation method more in keeping with the manuscript tradition?

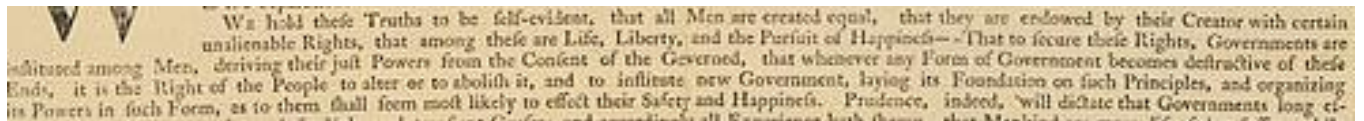
The Parchment

On July 19, Congress asked its secretary to have the text of the Declaration engrossed (or written out in large format) on parchment for the signature of members who had voted for it. Thomson assigned the job to his clerk, Timothy Matlack. We can base this identification on other surviving examples of Matlack's hand.³⁴ As he began, Matlack would have had two official versions to which to refer: the Dunlap broadside and Thomson's version in the Corrected Congressional Record book. Indeed, Matlack's engrossed version had to be "compared" in Congress before it could be approved and signed. While the parchment is far from a perfect copy of the Dunlap text, having a different title, a different style of capitalization, and a different style of punctuation, it is a very good copy of a merger of the Dunlap and the Thomson versions.

It is worth paying close attention to the ways in which the parchment succeeds at combining the representational strategies of the Dunlap broadside and the Thomson manuscript. First of all, the parchment combines their capitalization styles. Leaving aside the start of sentences, Dunlap capitalizes forty-two words in these opening two sentences. Thomson capitalizes two. Matlack capitalizes twenty-one—thus falling nicely at a midpoint between the two source texts and, therefore, midway between Adams and Jefferson also.

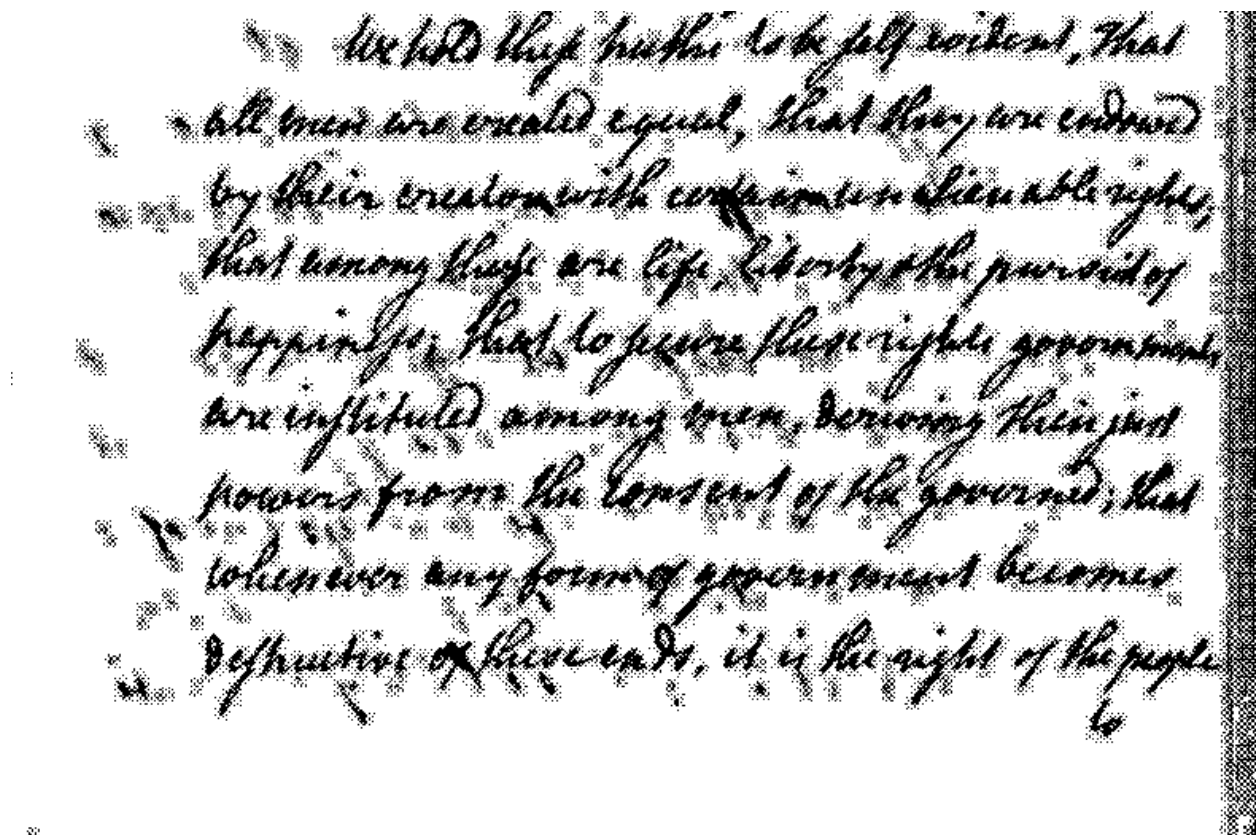
Second, there is the question of how Matlack handled the punctuation after “pursuit of happiness” and “consent of the governed.” Here are the two versions with which his text would have been compared. First, Dunlap:

Insert Figure 10



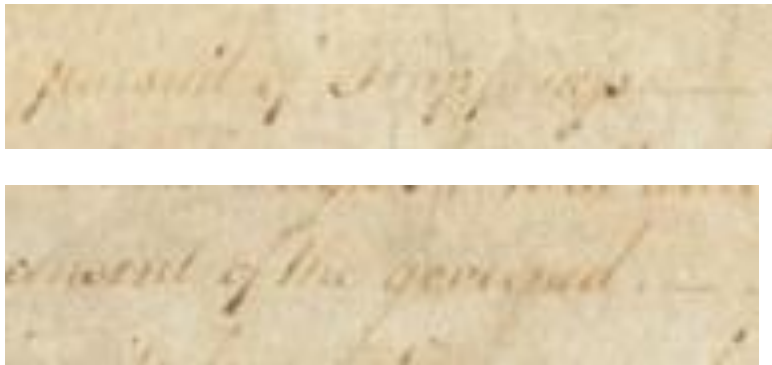
Insert Figure 11

Second, Thomson:



The Dunlap broadside presented the option of a “triplicate dash” after “pursuit of happiness” and a comma after “consent of the governed”; the Thomson manuscript presented the option of a semi-colon after “pursuit of happiness” followed a another semi-colon after “consent of the governed.” Importantly, neither copy with which the parchment would have been compared for accuracy punctuated “pursuit of happiness” with a period. This reduces nearly to nil the likelihood that the parchment would have used a period after “pursuit of happiness.”³⁵ Here is what is still possible to see about what Matlack chose to do:

Insert Figure 12



Both “pursuit of happiness” and “consent of the governed” are followed by dashes of similar length (although the second dash is somewhat shorter than the first). A comma precedes the second dash. The mark after “pursuit of happiness” and before the first dash is very hard to read. Was it a period, as the Stone engraving has it, or a comma like that which precedes the second dash? All the historical and textual evidence points in the direction of a comma, or perhaps a colon. Here is what we know:

1. No manuscript uses a period after “pursuit of happiness.”
2. Neither of the two official copies from July 1776 from which Matlack worked--the Dunlap broadside and Thomson’s manuscript in Continental Congress’s Corrected Journal-- use a period

after “pursuit of happiness.” These are also the documents with which the Matlack parchment would have been compared when it was complete in August of 1776.

3. The period after “pursuit of happiness” enters the tradition through an unauthorized printing by Benjamin Towne.

4. When Mary Katherine Goddard prints a period in an official text in January of 1777, she is reprising the punctuation that she picked up from Towne with her July 10 *Baltimore Journal* newspaper printing of the text.

5. When Aitken prints a period *and* a triplicate dash in an official text in January of 1777, he failed to record correctly the punctuation in the manuscript from which he was working and chose instead to merge the stylistic choices of two of his printing associates.

The two dashes in the parchment are clearly parallel. They are of a similar length that sets them apart from other longer dashes. They mark parallelism in the syntax. These facts, taken together with the surrounding historical and textual evidence, produce a strong likelihood that Matlack also wrote a comma before the dash that follows “pursuit of happiness.” Expert paleographers who look at a high-resolution photo of the parchment provided by the National Archives concur with this reading.³⁶ The mark before the first long dash looks much more like other commas in that sentence than it looks like the period after the previous sentence, after the second sentence itself, or after subsequent sentences. My suggestion, in other words, is that we should transcribe the second sentence of the parchment thus:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness, --- That to secure these rights, Governments are instituted among Men, deriving their just powers from the

consent of the governed, -- That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

As was the case with his treatment of the capitalization differences, this is a stunningly elegant merger of the two pre-existing official versions. Matlack adopts Dunlap's long dash but extends its use by adding a second one after "consent of the governed," the end of the second premise of the syllogism. He thus uses the pair of long dashes to bring out the syllogistic structure of the sentence. As for Thomson's semi-colons, Matlack drew on those too. The comma/dash combination functions syntactically much as Thomson's semi-colons do, but each instance of the comma/dash also places emphasis on the preceding phrase, first, "pursuit of happiness" and, second, "consent of the governed."

Corrected in this way, the transcription better reveals the elegance of Matlack's work. In this sentence, through his stylistic choices, he reconciles the demands of syntax, of logic, and of rhetoric. This is a single sentence, a three-part syllogism, and a rhetorically emphatic introduction of a new governing ideal, the "pursuit of happiness," all rolled into one. In this regard, Matlack's parchment is indeed the finest rendering of the Declaration for it is the only text to effect such a reconciliation of syntax, logic, and rhetoric. While the manuscripts protect syntax and logic, they don't settle stably on a pattern of rhetorical emphasis. Those publications that follow Towne and print a period after "pursuit of happiness" violate both syntax and logic while capturing rhetorical emphasis. And, finally, those texts that follow Dunlap and print only a

dash after “pursuit of happiness” violate the norms of syntactical punctuation, despite preserving logic and rhetorical flourish. Through the contrast of the parchment to all these other texts, Matlack’s genius as an engrosser shines out.³⁷

Beautifully engrossed, the Declaration was compared to Dunlap and Thomson, approved, signed, and put away. The paradox of the parchment is that of all the texts of the Declaration it has been the least accessible. In that regard, it had the least influence on reception of the Declaration in the first fifteen years after the revolution. The Dunlap and Towne printings were far more important. The effort to draw on the parchment for an official text would, however, begin in 1791, and continues to this day.

Representing the Parchment

Given my argument about the most likely transcription of the parchment, what should we make of the period in the Stone engraving?

As of now, in 2014, the parchment of the Declaration is nearly illegible. Importantly, its illegibility is worst at exactly the three places where the Stone engraving punctuates differently from Dunlap and Thomson without any clear syntactical reason: after “Standing Armies”; “enlarging its Boundaries”; and “known rule of warfare.”³⁸ In each of these locations, Stone must have made a guess about the underlying text. This would account for the departure from the control texts. Might Stone’s departure from Dunlap and Thomson after “pursuit of happiness” also have resulted from a problem of illegibility?

An important question, in understanding the history of the representation of the Declaration, then, is just when the text became illegible at those specific spots. Answering this question requires developing a clearer picture of just who saw the parchment when, reported on

it, or tried to represent it. Since 1823 the focus has been on William Stone, who had the parchment with him in his engraving shop for three years, from 1820 to 1823.³⁹ While tradition has it that Stone used a wet copy process to transfer ink from the parchment to his work surface, this has now been refuted by distinguished experts who have identified differences between the Stone engraving and the parchment. Both Seth Kaller, a historic documents dealer and expert, and James McClure, the editor of the Jefferson papers, have identified minute differences.⁴⁰ It is now clear that Stone did not use a wet-transfer process but did his best to represent what he saw, using traditional engraving techniques of copying and/or tracing. It is important, therefore, to know what was available to be seen on the Declaration by the time that he did his work. To this end, it is worth re-covering all of the earlier efforts to represent the parchment.

Two of these efforts are generally recognized as such. In the 1810s, in the wake of the Declaration's near destruction during the War of 1812, two engravers, John Binns and Benjamin Owen Tyler, sought to render authoritative versions of the parchment's text.⁴¹ We'll return to them in a moment.

There are also three other texts (one manuscript and two print versions) that were produced by people who saw the parchment or who spoke to people who had seen it. In 1805 Timothy Pickering produced a manuscript version of the Declaration in which he indicated both what counted "as written by Thomas Jefferson" and what counted "as approved by Congress." His goal was accuracy in that he wanted to distinguish Congress' work from Jefferson's. In his version of the Declaration as approved by Congress, he places a semi-colon after "pursuit of happiness." In his role as Secretary of State (1795-1800) Pickering, along with Thomas McKean, had checked the parchment to confirm the presence of McKean's name on it.⁴² We don't know how closely Pickering looked at the rest of the parchment, but we do at least know that in 1805

someone who had seen the parchment and who was concerned about accuracy did not employ a period after “pursuit of happiness.”

In addition, two printed versions have features that suggest that they were produced with reference to the actual parchment. The first of these is, once again, the 1791 post-ratification compendium of state documents commissioned by Congress and printed by Mathew Carey. The second of these is a 1799 text commissioned by the state of Virginia and printed by Meriwether Jones and John Dixon in a run of 5,000 with “directions to distribute the same among the People for their Consideration.” The purpose of this distribution was, among other reasons, to strengthen opposition in the state to Adams’s Alien and Sedition Acts.

These two printed texts are each distinguished by a feature that otherwise exists only in the parchment. Each punctuates the second sentence of the Declaration with a repeated series of semi-colon dash combinations. Thus, as we have seen, Carey (p. 158) punctuates thus:

Insert Figure 13

We hold these truths to be self-evident—that all men are created equal;—that they are endowed by their creator with certain unalienable rights;—that among these are life, liberty, and the pursuit of happiness;—that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed;—that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that govern-

And Dixon and Jones (p. 3) punctuate thus:

Insert Figure 14

We hold these truths to be self evident—that all men are created equal;—that they are endowed by their creator with certain unalienable rights; —that among these are life, liberty, and the pursuit of happiness;—that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that govern-

Each employs the semi-colon/long dash combination in a slightly different pattern than the parchment does. The parchment uses a comma/long dash pattern after the first and second premise of the syllogism. Carey uses four such sets instead of two, in order to employ the semi-colon/long dash at the end of each “that” clause. Thus, he extends the analogy of the comma/long dash to a semi-colon by deploying it at each point that the manuscript tradition deploys a semi-colon. Jones and Dixon in contrast use the semi-colon/long dash combination three times, after each of the first three “that” clauses. Thus, they use it to punctuate only the first premise of the syllogism. There is no source for this unusual style of punctuation (the semi-colon dash combination) other than the parchment. The idea that Carey and Jones/Dixon might have independently invented this very odd form of punctuation has little plausibility. Both printers therefore appear to have done their work with reference to the parchment. They do not appear

themselves to have seen the parchment but to have been told about its most distinctive stylistic feature by someone who had seen it but who couldn't quite remember where the comma/dash (or semi-colon/dash) combinations were used in the second sentence.

Given that the Jones-Dixon text was circulated by the state government of Virginia in 1799 in the run-up to the electoral contest between Adams and Jefferson and as part of the campaign against Adams and the Alien and Sedition Act, one can't help but wonder whether Jefferson was behind the effort. Was this publication a rebuke of an erstwhile ally by the chair of the Declaration's drafting committee? If Jefferson was behind this printing, or somehow involved in it, then we also know who the eyewitness to the parchment was who ensured that the semi-colon/long dash combination got into the Jones-Dixon printing.

These two publications are quite possibly our earliest renderings of the parchment. They indicate a clear understanding that the function of the long dashes in the parchment of the Declaration is to indicate semi-colon like pauses, not sentence-ending periods. Taking these two printings together with the 1805 Pickering manuscript, we can see that the three earliest representations of the Declaration likely to have been produced with reference to the parchment do not employ a period after "pursuit of happiness." Thus, just as the parchment's parents—the Dunlap and Thomson manuscript—do not show the period, neither do the parchment's firstborn direct offspring. Again, this reduces very nearly to nil the likelihood that the parchment itself would have employed a period after "pursuit of happiness."

The two engravings from the 1810s add to this picture mainly by showing how illegible the text must have become by 1818 when the first of the engravings came out. The printers were faithful copiers of the punctuation of their predecessors, and there is no reason to think the engravers would have employed a lower standard, especially since the value of their product

rested on their claims of accuracy. Both Tyler and Binns sought and secured attestation to the accuracy of their work, Tyler in 1818 from Richard Rush, acting Secretary of State and son of signer Benjamin Rush, and Binns, in 1819 from John Quincy Adams, Secretary of State and son, of course, of John Adams.⁴³ Rush, in his attestation, noted the effects “of the hand of time” on the parchment.⁴⁴ Yet all three of the engravings of the Declaration--Tyler, Binns, and Stone--punctuate the second sentence of the Declaration differently. This would surely not have been the case if the text had been easy to read.

Tyler punctuates thus:

We hold these truths to be self-evident: that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. -- That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form, a to them shall seem most likely to effect their safety and happiness.

Tyler’s punctuation, in other words, clearly gets the parchment wrong. The clear errors are the colon after “self-evident” and the period without an accompanying dash after “consent of the governed.” In a high resolution photo, the parchment visibly has a comma after “self-evident” and a comma accompanied by a dash after “consent of the governed.”

Binns' punctuation, too, makes errors. He punctuates thus:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. -- That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. -- That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundations on such principles and organizing its powers in such form, a to them shall seem most likely to effect their safety and happiness.

Binns's notable error is, as with Tyler, the period after "consent of the governed"; again, in a high resolution photo of the parchment, that phrase is visibly followed by a comma. In other words, as revealed by modern technology, both engravers have turned what was originally a comma into a period. Might they have done the same thing after "pursuit of happiness"? We cannot rule that out.

If we look at the four locations where the Stone engraving punctuates differently from the source texts, Dunlap and Thomson, we find further confirmation that those divergences may have stemmed from the illegibility confronting Stone. Binns and Tyler both use a comma after "Standing Armies," as Dunlap and Thomson do. For "enlarging its boundaries," Tyler uses a comma, like Dunlap and Thomson, but Binns does not. For "known rule of warfare" Tyler and Binns both line up with Stone, but this is a very strange bit of punctuation, grammatically

erroneous even by the standards of the time as used. Binns, Tyler, and Stone all get right the parchment's punctuation of "We, therefore, the Representatives," which continues to be clear and legible today. In other words, the locations where the engravings diverge are precisely the locations that are now obviously most illegible. They must have already been of problematic legibility then.

William Stone was better politically positioned than Tyler and Binns, and he was able to keep the parchment in his office for three years as he worked on it. Presumably he relied on the instruments of magnification available at the time or devices like a camera oscura and arrangements of mirrors. Thus, unlike the two earlier engravers who did not have equivalent access to the parchment, Stone gets the punctuation right after "consent of the governed." He renders a comma followed by a dash, which is just what is still visible on the parchment when viewed in a high resolution photo. He does, however, render the mark between "pursuit of happiness" and its own emphatic dash as a period. Perhaps, facing an illegible text, he turned to an edition of the official publication of the Continental Congress's Corrected Journal to help him determine what he was seeing. This text, as we have seen, prints a period. Clearly, working to the best of his ability, whether he relied on the official publications or not, what Stone saw on the parchment after "pursuit of happiness" was a period. But was a period actually there, or was it instead a faded comma or even a faded colon? We now have a clear historical record for judging that likelihood.

Here is what we knew before considering representations of the parchment:

1. No manuscript uses a period after "pursuit of happiness."

2. Neither of the two official copies from July 1776--the Dunlap broadside and Thomson's manuscript in the Continental Congress's Corrected Journal-- uses a period after "pursuit of happiness." These are the documents from which Matlack worked and against which his parchment would have been compared when it was complete in August of 1776.
3. The period after "pursuit of happiness" enters the tradition through Benjamin Towne's unauthorized printing.
4. When Mary Katherine Goddard prints a period in an official text in January of 1777, she is reprising the punctuation that she picked up from Towne with her July 10 newspaper printing of the text.
5. When Aitken prints a period *and* a triplicate dash in an official text in January of 1777, he failed to record correctly the punctuation in the manuscript from which he was working and chose instead to merge the stylistic choices of two of his printing associates. The existence of this publication has obscured the punctuation used in the manuscript version of the Corrected Journal for all future generations.
6. The visual and syntactical parallelism of the dashes on the parchment after "pursuit of happiness" and "consent of the governed," are evidence in a favor of parallelism, too, for the mark that precedes the dash.
7. The judgment of expert paleographers reviewing a high-resolution photograph is that the mark after "pursuit of happiness" does look more like other commas in the parchment than like other periods.

Here are the additional facts we can add to the record now that we have considered representations of the Declaration made with reference to the parchment:

8. The earliest texts made with reference to the parchment--the Carey book, the Jones and Dixon book, and the Pickering manuscript--do not employ a period after "pursuit of happiness."
9. The three engravings made in the wake of the war of 1812 all punctuate the second sentence of the Declaration differently; this is good evidence that the parchment was already significantly illegible to the naked eye by this point in time.
10. We know for a fact that, in an immediately following clause, two of those three engravers mistakenly render a comma as a period. Thus, we can see that it was possible in the 1810s to make the mistake of reading a period on the parchment when one should have read a comma.

On the basis of these facts, the following is the most likely scenario for the parchment: Matlack followed the manuscript tradition and the two official Congressional texts of the Declaration that were available to him and punctuated "pursuit of happiness" in a fashion that indicated a semi-colon, namely with a comma or a colon and a long dash. The three texts produced with reference to the parchment between 1791 and 1805 were made when it was still possible to read its punctuation. Yet the comma after "pursuit of happiness" had faded enough by 1820 when Stone began work that, despite all his care, he read a period where he should have read a comma or, perhaps, a colon. Similarly, Tyler and Binns mis-read a comma (or colon) for a period, just as they both did just one clause further on in the sentence. Stone did a better job than they did—successfully identifying the comma after "consent of the governed"-- thanks to the luxury of time with the parchment and, presumably, magnification or other modes of assistance. Ultimately, Stone made an honest mistake because of the bad shape in which he found the parchment.⁴⁵

It would be tempting to leave the matter of the erroneous period in the Stone engraving here. Yet there is one more thing to say. There is a high probability that the parchment of the Declaration has not been clearly legible since sometime between 1805, when Pickering wrote out his version, and 1817, when Tyler started his engraving. Yet new technologies--in particular, hyper-spectral imaging--make the text legible once again. Since the parchment has not in fact been read in so long, and since we now have a tool with which we could once more actually read it, should we not perhaps attempt to do so? We might create one more rendering of the parchment, this time an image made through our own era's advance on magnification, hyper-spectral imaging. Thus we might continue to expand the diverse tradition of representations of the Declaration of Independence.

Punctuating Happiness

Danielle Allen

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Print Editions of the Declaration 1776-1800

See Appendix 1.

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¹ I thank Bill Mayer of the National Archives for this title. I also thank Barbara Oberg, Jim McClure, and Heather Wolfe as well as Bill Mayer and his colleagues at the National Archives and staff at the Masschusetts Historical Society, the Library of Congress, and the American Philosophical Society for help that has gone above and beyond.

² Allen 2014, chs. 25, 27-28.

³ This article also corrects two errors in my book. In the book, I identify Charles Thomson's manuscript version in Continental Congress' corrected minute book as having been completed after the production of the parchment. In this article, I argue that it was completed before the production of the parchment. In addition, in my book, I attribute the errant period to Mary Katherine Goddard, and her January 1777 printing of the Declaration. In fact, the errant period should be attributed to Benjamin Towne and his newspaper printing of July 6, 1776.

⁴ Boyd 1943.

⁵ See W. C. Ford and H. Putnam, "Prefatory Note," *Journals of the Continental Congress*.
[http://memory.loc.gov/cgi-bin/query/r?ammem/hlaw:@field\(DOCID+@lit\(jc0023\)\)](http://memory.loc.gov/cgi-bin/query/r?ammem/hlaw:@field(DOCID+@lit(jc0023))):

⁶ pace Allen 2014.

⁷ The Original Rough Draft (Jefferson), Richard Henry Lee manuscript (Jefferson), Cassius Lee manuscript (Jefferson), Adams manuscript, Thompson manuscript all punctuate the sentence with a semi-colon after each "that" clause. The Notes on Proceedings and Madison copy that follows it punctuate the sentence as one sentence but appear to employ a colon after "pursuit of happiness," while using a "semi-colon" at the end of each of the other "that" clauses. The Washburn copy (Jefferson) clearly uses colons after each "that" clause.

⁸ For a thorough review of capitalization in Adams and Jefferson, see Robert A. Siegel Galleries and Seth Kaller, Inc., "The Declaration of Independence: the First Newspaper Printing," Catalog, June 25, 2013.

⁹ Boyd 1976 and Jay Fliegelman 1993.

¹⁰ Boyd 1976.

¹¹ In the text below, I address the argument, which is sometimes made, that the two different patterns of capitalization that characterize the tradition of printings of the Declaration should not be understood to reflect two different underlying manuscript traditions.

¹² Also, importantly, we have evidence that printers followed the style of capitalization in the Congressional manuscripts with which they were working. This was the case with Dunlap's work on the Articles of Confederation. He received a first draft, in the hand of John Dickinson, with the "old-fashioned" use of capitalizations for nouns and printed it thus on July 14, 1776. Then, he printed the second draft on August 20, 1776, in the "new style"

without capitalized nouns (the style preferred by Jefferson), following a manuscript in the new style presented to him by Congress. See Wendorf 2014, pp 318-319, 318n27, and 319n28.

¹³ In addition to his first broadside, he printed a second and somewhat modified version of it on parchment. This parchment text, which is held by the American Philosophical Society, does include the period after “pursuit of happiness,” although the original broadside does not. It has not yet been possible to date this parchment copy precisely, although a date between July 10 and July 19 seems likely.

¹⁴ There are two more broadsides, which I have not yet been able to view, one in the New York Historical Society and one in the Boston Public Library.

¹⁵ For the most part, these items are catalogued in *Early American Imprints and Early American Newspapers*, with some further additions coming from other collections. A few are not available online, however. Thus, the versions of the Declaration that appear in the *Pennsylvania Gazette*, *New York Packet*, and *Maryland Gazette* are not included in *Early American Newspapers*. Pauline Maier writes, without indicating the source, “The Declaration appeared in the *Pennsylvania Evening Post* on July 6, in the *Pennsylvanischer Staatsbote*—in German—on the 9th, and in no fewer than thirty other American newspapers before the month was over.” Maier, Pauline (2012-02-15). *American Scripture: Making the Declaration of Independence* (Vintage) (Kindle Locations 3342-3344). Knopf Doubleday Publishing Group. Kindle Edition. Seth Kaller, Inc., keeps a census of 1776 printings of the Declaration. As of October 2014, his census shows 30 newspaper printings. The two additional printings include one (Alexander Purdie, *Virginia Gazette*, July 19) which publishes only an extract beginning from “In every stage of these oppressions”) and one that I have not yet been able to find a copy of (Charleston: Robert Wells and Son, *The South Carolina and American General Gazette*, Aug 14). The census, which is regularly updated, is available at <https://www.sethkaller.com/dec-chrono/>. This count is surely still incomplete because there are undoubtedly additional materials in private hands.

¹⁶ “seven pairs of ladies’ gloves and a thermometer”: Meacham, Jon (2012-11-13). *Thomas Jefferson: The Art of Power* (p. 106). Random House Publishing Group. Kindle Edition.

¹⁷ See n. 11.

¹⁸ Allen 2014.

¹⁹ Allen 2014.

²⁰ Isaiah Thomas, *The History of Printing in America*, vol. 1, p. 264-266; 410-414.

²¹ Two of these were printed by John Carter of Providence, Rhode Island. The other was printed by Alexander Purdie of Williamsburg, Virginia. The Purdie publication, July 26, 1776, was late enough that it could indeed have been made from one of the copies that Jefferson sent back to friends in Virginia. Carter’s 1776 printing ran in his newspaper on July 13, 1776, so an Adams manuscript must have reached him in the first week after the adoption of the Declaration. Carter then does a second printing in 1798 that seems to flow from a Jefferson manuscript.

²² This is a tally of forty-two items, included three further printings by Dunlap. I have included his additional printings in this review because of each of them was slightly different from his first broadside. In his two newspaper printings (dating July 8 and July 9, 1776), he stuck with his dash and modestly modified the capitalization by slightly reducing the use of capitals but in different ways in the two printings. In a parchment printing (dated between July 10 and July 19, 1776), he follows the original capitalization but also adds the Towne period alongside his own dash. In other words, each of his additional printings also reflects a choice about which original style—his own or Towne’s—to follow.

²³ As Richard Wendorf (2014) has shown, the founding era was in fact characterized by a debate over whether to use an “old-fashioned” English style in which every noun is capitalized or a “modern” style without those internal capitalizations of nouns. By 1785 most printers had settled on the modern style, but in 1776 the choice was still under dispute.

²⁴ In 1778 Dunlap printed a second edition of the 1776 Journal with an identical text for the Declaration.

²⁵ Isaiah Thomas, *The History of Printing in America*, vol. 1, p. 264-266; 410-414.

²⁶ Isaiah Thomas, *The History of Printing in America*, vol. 1, p. 264-266; 410-414. See also Robert A. Siegel Galleries and Seth Kaller, Inc., “The Declaration of Independence: the First Newspaper Printing,” Catalog, June 25, 2013.

²⁷ Boyd 1976; cf. Fliegelman 1993.

²⁸ Referring to Britain’s possession of the colonies, he wrote: “If it was possible for men, who exercise their reason to believe, that the divine Author of our existence intended a part of the human race to hold an absolute property in, and an unbounded power over others, marked out by his infinite goodness and wisdom, as the objects of a legal domination never rightfully resistible, however severe and oppressive, the inhabitants of these colonies might at least require from the parliament of Great-Britain some evidence, that this dreadful authority over them, has been granted to that body. But a reverence for our Creator, principles of humanity, and the dictates of common sense, must convince all those who reflect upon the subject, that government was instituted to promote the welfare of mankind, and ought to be administered for the attainment of that end.” (Emphasis added.)

²⁹ John Adams to Richard Henry Lee, Nov. 15, 1776, *Letters to Delegates of Congress*, Library of Congress website.

³⁰ “John Adams , by contrast, had neither debts nor slaves and all his life abhorred the idea of either.” McCullough, David (2001-05-22). John Adams (No Series) (Kindle Location 1942). Simon & Schuster. Kindle Edition.

³¹ Luke Mayville, “Fear of the Few: John Adams and the Power Elite,” *Social Science Research Network Paper* database: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2301109. Accessed Sep. 30, 2014.

³² **A DECLARATION OF RIGHTS** made by the representatives of the good people of Virginia, assembled in full and free convention which rights do pertain to them and their posterity, as the basis and foundation of government .

Section 1. That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

Section 2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants and at all times amenable to them.

Section 3. That government is, or ought to be, instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety and is most effectually secured against the danger of maladministration. And that, when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal. (Emphasis added.)

³³ Seth Kaller agrees. See Robert A. Siegel Galleries and Seth Kaller, Inc., “The Declaration of Independence: the First Newspaper Printing,” Catalog, June 25, 2013.

³⁴ Allen 2014, 70.

³⁵ Indeed, if one leaves the punctuation after “pursuit of happiness” out of the equation, of the 179 punctuation marks in the Declaration, Matlack follows his source texts in all but four instances. Three of those instances occur at exactly the points where the parchment is most illegible: after “Standing Armies”; “enlarging its Boundaries”; and “known rule of warfare.” The fourth is a clear instance of a correction that has no impact on the meaning of the sentence. It occurs in the phrase “We, therefore, the Representatives....” Thomson did not use commas before or after “therefore” and Dunlap used only the first comma. Thus, Matlack adds the second comma, a very simple correction of an error rather than a meaning-altering change of punctuation. In other words, there is no precedent anywhere else in the Declaration for a change of the punctuation away from the source texts of significance equivalent to that which would be entailed by the addition of a period after “pursuit of happiness.” See Hazelton 1906, pp. 319, 322, 326, and 338.

³⁶ Memo from H. Wolfe, Curator of Manuscripts at the Folger Library, to B. Mayer, June 25, 2014 and from J. McClure, Editor of Jefferson papers, to D. Allen, June 26, 2014. On file with author.

³⁷ My reading of the textual tradition thus leads to a very different analysis of the parchment from Carl Becker’s famous view: “The capitalization and punctuation, following neither previous copies, nor reason, nor the custom of any age known to man, is one of the irremediable evils of life to be accepted with becoming resignation.”

³⁸ See note 35.

³⁹ Catherine Nicholson, “The Stone Engraving: Icon of the Declaration,” *Prologue Magazine*, Fall 2003, vol. 35, no. 3.

⁴⁰ Kaller, for instance, points out the following about the capital “T” that starts the title of the Declaration at the head of the engraving: “The engrossed manuscript also has a heart-shaped, scalloped flourish (photographically enhanced below) joining the final calligraphic element to the top of the “T,” whereas the Stone copperplate, vellum, and paper facsimiles have a rounded flourish without the dip. (p. 19).” Seth Kaller, Inc., “America’s National Treasure: the Declaration of Independence & William J. Stone’s Official Facsimile”; James P. McClure, memo to D. Allen, 6.26.14, on file with author. See also <https://www.sethkaller.com/item/502-The-Declaration-of-Independence-First-Facsimile,-Printed-by-William-J.-Stone>

⁴¹ Their engravings were then also the basis of a contemporaneous print and engraving by, respectively, William Woodruff and Eleazar Huntington. See Kaller, “America’s National Treasure,” p. 15.

⁴² Letter T. McKean to J. Adams, January, 1814. McKean was present to vote for Independence on July 2nd, but not to sign on August 2nd. He is thought to have been given the opportunity to sign in 1781. Consequently, his name is on the parchment but not on the early printings (e.g. the Goddard 1777) that reproduce the names. He claims to have worked with Pickering to confirm that his name was indeed on the parchment.

⁴³ Catherine Nicholson, “The Stone Engraving: Icon of the Declaration,” *Prologue Magazine*, Fall 2003, vol. 35, no. 3.

⁴⁴ Id.

⁴⁵ John Adams and Thomas Jefferson both received copies of Stone’s engraving in 1823, three years before their deaths. Adams was nearly 90; Jefferson nearly 80. They were two of only three living signatories of the text at that time. (The third was Charles Carroll of Carrollton.) Both had failing eyesight.

“Adams’s eye troubles through much of his life may have been caused by a disease known as thyrotoxicosis. See John Ferling and Lewis E. Braverman, ‘John Adams’s Health Reconsidered,’ *William and Mary Quarterly*, Jan. 1998.” McCullough, David (2001-05-22). *John Adams*. (Kindle Locations 13419-13421). Simon & Schuster. Kindle Edition.

“[Jefferson’s] eyesight was excellent at a distance, but he relied on glasses for reading, especially at night.” Ellis, Joseph J. (1998-11-19). *American Sphinx* (Vintage) (p. 229). Knopf Doubleday Publishing Group. Kindle Edition.