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History
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Public Life of Peyton Randolph

History 318

Dr. R.C. McDanel

I have neither given nor
received aid on this paper.

S. Barney

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D.A.B.

Outline

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Peyton Randolph

Peyton Randolph, speaker of the House of Burgesses and President of the First Continental Congress, was born in Williamsburg, Virginia in 1721. His father, Sir John Randolph, was a prominent man in colonial Virginia, having been Speaker of the House of Burgesses (1736), and recorder of the city of Norfolk. It was while visiting England in 1730 to get a new charter for William and Mary College that he was knighted for his services to the crown.¹

Young Randolph decided to follow his father's footsteps and become a lawyer. Accordingly, he entered William and Mary College, and after graduation, went to England where he studied law at the Inner Temple.² Returning from London in 1743, he set up practice in Williamsburg and soon had a good trade. In 1748 he entered the House of Burgesses as a delegate from Williamsburg, in the same year he was appointed King's attorney for the colony.

At the time of his appointment, the colony was under the rule of Governor Gooch, and the relations

1. National Cyclopedia of American Biography, V. 2, p. 115.

2. Ibid.

between the colony and England were on a fairly firm basis.³ However, in 1751, Robert Dinwiddie was appointed Governor, and a new era in the relations between the colonies and parent country began. Dinwiddie was well received when he first came to Virginia, but his disapproval of certain acts which Gooch had allowed soon aroused the anger of the House of Burgesses.⁴

The dispute between Dinwiddie and the House flamed into open war when the Governor attempted to levy a tax of one pistole, (a Spanish coin worth about \$4.00), upon the recording of deeds to land and also to collect back quit-rents. Dinwiddie contended that people would get grants to settle lands owned by the crown in distant parts of the colonies, settle on them, raise crops, etc; but never record the deeds. By not recording the deeds no rents were paid on the land, since they were supposedly the property of the crown. To the Governor this was fraud, and he determined to collect the back taxes which were due.⁵ The House of Burgesses, on the other hand, roused stern opposition to this measure, and

3. Brock, Official Records of Robert Dinwiddie, V. 3 P. 14.

4. Ibid.

5. Ibid., 363.

drew up a petition to the king in order to have it revoked. The mission was entrusted to Randolph, and in 1754, he sailed for England to appear before the Board of Trade and present his case.⁶ For taking part in this affair, Gov. Dinwiddie dismissed Randolph as Attorney General, and appointed George Wythe in his place.

(Wythe only held the job while Randolph was in England and he resigned as soon as his friend returned.)⁷ The Attorney General was also promised 2,500 pounds for his work abroad, a fact which made Dinwiddie angry since the House of Burgesses had just voted down a bill appropriating money to carry on the war between the English and French raging at that time.⁸

Randolph's trip turned out to be a victory for the Governor. The Board of trade decided to turn down the petition for the revocation of the pistole fee, but compromised on their decision. It was decided not to levy a fee to record deeds of less than 100 acres, and that land which lay west of the mountains was also to be recorded free. Persons, who were given land before

6. Ibid.

7. National Cyclopedia of American Biography, p. 115-16.

8. Brock, Op. Cit. p. 72.

April 22, 1752, ^{the} ~~and~~ fact being recorded in the Home Secretary's Office, were to be registered tax free, and no back quit-rents collected, while all land given at a later date was to be taxed.⁹ The Board of Trade also recommended that Governor Dinwiddie reappoint Randolph as Attorney General in order to satisfy the colony.¹⁰

As to the 2,500 pounds promised Randolph for the completion of his mission, it is very doubtful if it were ever paid. Due to the fall of Fort Necessity on July 4, 1754, the Virginia Assembly was called together to vote a large sum of money for the prosecution of the War. A bill, raising 20,000 pounds by means of a poll tax, was drawn up, and proceeded smoothly through the House until August 31 when a rider saying that the 2,500 pounds voted to Randolph be paid out of the money raised, ^{was added.} The House passed the bill, but it was defeated by the Assembly when Governor Dinwiddie let it be known that he would veto the bill if it passed. Accordingly, even though the situation on the frontier was serious, the whole bill fell through.¹¹

Governor Dinwiddie immediately offered a compromise

9. Ibid., p. 363.

10. Ibid., p. 365.

11. Journals of House of Burgesses-1752-55, pp. XIX, XX.

solution, saying that if the House passed an appropriation bill without the rider, he would sign an act to pay Randolph the £,500 pounds provided the act would not go into effect until the King agreed to it. This settlement was turned down, and Dinwiddie prorogued the Assembly.¹² During the time from the failure of the appropriation bill and the return of Randolph from England in 1755, the House under Speaker Robinson made peace with the Governor. The Governor had his way, and all Randolph received for his trip was a vote of thanks and reelection by Williamsburg to his seat in the Assembly.¹³

With the annihilation of Braddock's army by the French and Indians, the colonies were thrown into an uproar. The House of Burgesses passed several appropriation bills seeking to raise more men for the army, and build forts in western Virginia in order to check the oncoming enemy whom they thought would strike any day.¹⁴ In order to show their loyalty to the crown, one hundred members of the House, with Randolph as their commander, decided to band together, and paying their own expenses,

12. Ibid., p. XX.

13. Ibid., p. XXII.

14. Ibid., p. XXVI.

march to the aid of the militia.¹⁵ Since most of the members of this expedition were brought up in ease, the rigors of army life did not appeal to them, and the commander of the militia was embarrassed with their presence. However, the volunteers met no enemy, and they returned home at the end of the campaign, little worse for wear, but highly held in public esteem.¹⁶

In order to pay for the forts and other expenses of war, the colony of Virginia was authorized to issue interest bearing notes signed by two persons designated by the House. Randolph had been named in various acts as one of the cosigners. When he became head of the volunteers, the House made other arrangements for the signing of the notes in an act entitled "An act for granting protection to certain persons and for other purposes therein mentioned."¹⁷ This act also encouraged formation of volunteer companies such as Randolph headed by granting the volunteers certain privileges. Due to the conditions of the time the House decided to make twenty-five members a quorum representing the eighty-four members at that session.¹⁸

15. Ibid.

16. Ford, Writings of Thomas Jefferson, V. X, p. 58.

17. Journals of House of Burgesses, 1752-55, p. XXVI.

18. Ibid., XXVII.

When the assembly met in April 1757, Governor Dinwiddie after reporting that the finances of the colony were in bad shape and that money was needed to pay the soldiers and to carry on the work of war, let it be known that he was contemplating retiring on account of his health. This last news made the House, which had fought against many of his measures more sympathetic towards him, and accordingly, it passed many of the appropriation bills he desired. The House of Burgesses, however, to show it still had authority, refused to vote to send supplies to the army unless the governor raised the embargo placed on shipping by Lord London commander of England's forces in America. Governor Dinwiddie, who opposed the embargo wrote to England and succeeded in having it raised.¹⁹

Dinwiddie left Virginia in January 1758, and was succeeded by Governor Fauquier.²⁰ A committee consisting of Richard Henry Lee, Thomas Lee, Randolph, (the Attorney General), Landon Carter, Bland and Thompson Mason was empowered to draw up a resolution expressing confidence in the new governor, and hoping that his relations with the colonies would be cordial.²¹ This showed that the

19. Ibid., XXIX.

20. Ibid., XXIX.

21. Ibid., 1758-61, p.5.

most powerful men in Virginia at that time were willing to obey the King, although a few years later, with the passage of the Stamp Act, the first real seeds of independence began to sprout. However, in order not to have a disagreement between the assembly and Governor as arose during the dispute on the pistole fee, the House of Burgesses passed an act appointing an agent for the whole colony of Virginia whose duty it was to represent the colony before the Board of Trade in England.²²

Governor Fauquier was a diplomat of the first degree. He realized that a spirit of independence was growing in the colony, and did his utmost to put it out. His relations with the House of Burgesses were always courteous, and it was only after the Stamp Act had been passed over his warning to Pitt not to overtax the colonies, that their relations became seriously strained.²³

The French and Indian War ended in 1763, resulting in an overwhelming victory for England. As a result, the British became masters of the American Continent, and the French driven out for good. The American colonies were looking forward towards a period of peace and prosperity, but in this they were sadly mistaken. The English were looking for a new source of revenue to pay

22. Ibid., XVII.

23. Ibid., XIX.

the cost of the war, and, naturally, they turned to their best colony for aid.²⁴

At first the Navigation Acts, which in effect stated that all goods coming into America must be brought in on English bottoms, were strengthened and rigorously enforced. This was done to stamp out the smuggling of goods by the colonists in their own boats and to raise revenue. In England, Lord Grenville wanted to have the original charters of the colonies changed so that they would not have so much authority, thought better of it and let the matter drop. Reports that Grenville was changing the charter started to circulate in the colonies, and the spirit of independence which was smouldering because hotter.²⁵

England desired to maintain a standing army in the colonies, and she decided that the colonies should pay for its upkeep.²⁶ In the Declaratory Resolves, passed in March 1764, the doctrine of Parliament taxing the colonies was laid down. As a result of this act, protests were held in Virginia, and Peyton Randolph, Landon Carter, Richard Bland and George Wythe were empowered

24. Ibid., LIV.

25. Ibid.

26. Ibid.

to draw up a protest. The Virginia Memorials, as this measure was called, protested the passage of taxes without the consent of the colonies. A professed loyalty to the king was written in at the end of the petition.²⁷

Grenville took no heed of the protest, and, in February 1765, introduced the Stamp Act to Parliament which subsequently passed it. The prime minister reasoned that since a standing army was to be kept in the colonies the latter should help pay for it. Also England's debt from the war was 140,000,000 pounds while that of the colonies was only 800,000 pounds. The colonies paid England only 75,000 pounds a year in taxes and Grenville wanted more than that.²⁸

At first, the House of Burgesses and the colonists in Virginia seemed to take the Stamp Act without protest; but Patrick Henry, who saw in the act not only the chance of Britain to get money to maintain an army in the new country, but also a chance to use the tax as a source of revenue for her own benefit, introduced a series of resolutions calling for the repeal of the act into the House of Burgesses. The conservative House

27. Eckenrode, Revolution In Virginia, p. 15.

28. Journals of House of Burgesses, p. LVIII.

of Burgesses with Randolph, Pendleton, Nickolas and Wythe opposing the resolutions, (not because they favored the Stamp Act, but because they favored a different method (petition the King) of repeal), fought Henry with all its power but lost.²⁹ It is to be noted that all these men became active in the American Revolution later on.

In 1766, John Robinson, speaker of the House of Burgesses, died, and Randolph was elected in his place.³⁰ He held this position to his death in 1775. Up until the time of his election, the new speaker had been very active in the affairs of the colony. He had served on many committees including that of defense of frontiers,³¹ the committee to transport the neutral French to England,³² and that of examining the notes of the colony twice a year, and making a report on the financial conditions of the colony.³³

Previous to his election it had been the custom of combining the offices of Speaker of the House with that of treasurer of the colony. The purpose of this

29. Eckenrode, Op. Cit., p. 17-18.

30. Ford, Op. Cit., p. 587.

31. Hening's Statutes at Large, V.VI, p. 437.

32. Ibid., V.VII, p.32.

33. Ibid., p. 353.

was to give the speaker a chance to have an income during his term of office. The House of Burgesses did not pay the Speaker as such, but he drew a commission from certain Treasury transactions. Speaker Robinson, however, took advantage of his position as Treasurer and defrauded the colony of a large amount of money. In order not to have that happen again, the House decided to create two separate offices for the colony.³⁴ Randolph was offered the job of treasurer but he refused, since the treasurer would not be allowed to sit as a member of the House.³⁵ So that the Speaker might devote his full time to his duties, and since the division of the offices had taken away his income, the House voted to pay the Speaker 500 pounds,³⁶ later 625 pounds,³⁷ a year for his work. As Randolph was Speaker, he naturally resigned his job as Attorney General, and he also retired from active practice.³⁸

Due to the wholesale opposition of all the colonies and not wishing to send troops to put down any disturbances, the ministry decided to repeal the Stamp Act. However, the mother country did not give up the idea of taxing the colonies, and in its place substi-

34. Journal of House of Burgesses, 1769-72, p. XIV, XVI.

35. Ibid., p. XV. 36. Hening, Op. Cit., p. 210.

37. Ibid., p. 394. 38. Ford, Op. Cit., p. 58.

tuted the Townsend Acts of 1769. The English claimed that the acts regulated shipping and commerce, and therefore were an "external" control, while the colonists insisted that the taxes interfered with domestic affairs and were an "internal" control; and, therefore were unlawful. Since the repeal of the Stamp Act, the colonists, had seen that the Parliament would back down against force and threats, and so they determined to use them again to gain their ends.³⁹

Massachusetts was the first colony to pass resolutions against the Townsend Acts, and it was quickly followed by acts passed by Virginia giving them moral support.⁴⁰ Lord Botetount, who was governor, asked the House to reconsider its acts, and when the House refused he dissolved it on May 17, 1769. The members of the House adjourned to a private home in Williamsburg, and there performed what is generally considered the first act of the revolution.⁴¹

Randolph was elected Moderator of the group which was to be known as the Association. The purpose of the organization was to introduce a boycott of British goods in the colony until the tax laws were lifted.⁴²

39. Eckenrode, Op. Cit., pp. 27-28

40. Journal of House of Burgesses, 1769-72, p. IX.

41. Ibid., 1765-69, XXXVIII. 42. Ibid., XXXIX.

In order to see that provisions of the Association were carried out, a committee of five men was appointed in each Virginia county with the purpose of publishing names and trying those who violated the agreement.⁴³

Events went quietly in the House of Burgesses Sessions of 1671-72. Randolph still held his position as speaker,^{and} at this time, his most pressing problem was to help keep the currency of ^{the} Colony on a sound basis. Conterfeiting was being practiced in the west, and it was the assembly's duty to see that it was stopped. Randolph and J.R. Nicholas, the Treasurer, suggested to Dunmore that special police should be used to break up the racket. This advice was followed, and the currency of the colony came back on a firmer stand.⁴⁴

In the session of 1773, things began to happen. The radicals under Henry, Jefferson, R.H. Lee, T.L. Lee, and Carr suggested that a committee of correspondence be appointed, the purpose of which was to correspond with other colonies and see if they all couldn't get together to settle their problems with England.⁴⁵ The resolution was passed by the House and Randolph, Bland, Nicholas, Pendleton, B. Harrison, Jefferson, Patrick Henry and Carr were appointed to it.⁴⁶

43. Eckenrode, Op. Cit., 29.

44. Journal of House of Burgesses, 1773-76, pp. IX-XI.

45. Ibid., XI-XII. 46. Eckenrode, Op. Cit., p. 32.

The famous Boston Tea Party took place in 1774 and as a result the Boston Port Bill calling for the closure of Boston Harbor in June 1, 1774, was put into effect. When news of this bill reached Virginia, the House of Burgesses was aroused, and passed a resolution to hold a fast day in Virginia the day the harbor was closed. As a result of this, Lord Denmore provoked the assembly.⁴⁶

Instead of going home the members of the assembly met at Williamsburg tavern, and, after electing Randolph as their chairman, proceeded to draw up a protest to be sent to all the colonies. In effect, this protest stated that the East Indian Company products should be boycotted, and that a meeting should be arranged between all the colonies as soon as possible for the purpose of discussing their common problems and interests. This meeting should be held at least once a year, and Philadelphia was chosen as the spot to meet because of its central location. The petition did not go so far as to boycott all English goods, but it stated that unless the unconstitutional taxes were raised all English merchants would be boycotted.⁴⁷ The Assembly

46. Journals of House of Burgesses, 1773-76, ppXIII-XV.

47. Ibid., XIV-XV.

called for new elections from the counties for a convention to be held in August to discuss the colonial affairs.⁴⁸

Most of the delegates elected to the August convention were members of the old House of Burgesses. Randolph was elected Moderator, and the convention, without the consent of the Governor, proceeded to act as a legal assembly. This in reality was the first Virginia Convention, and the real start of the revolution in that state. The delegates drew up a stricter non-intercourse code, and then proceeded to elect representatives, among whom were Patrick Henry, Randolph, Pendleton, Thomas Jefferson, Washington, R.H. Lee, and Benjamin Harrison as representatives to the Continental Congress.⁴⁹

Lord Dunmore,, seeing that the assembly would not obey him and fearing a revolt any day, moved fifteen barrels of powder from Williamsburg. His excuse was that the magazine was being repaired and that the powder would be returned at a later date. This excuse did not satisfy the crowd and only the intervention of Randolph asking that they remain calm prevented a riot.⁵⁰

48. Eckenrode, Op. Cit., p. 34.

49. Ibid., p. 35.

50. Journals of House of Burgesses, 1772-75, XVIII.

The first meeting of the Continental Congress was held in August, 1774. Randolph, who was the leader of the Virginia delegates was elected president unanimously and took his seat at once.⁵¹ Much was accomplished at the first convention in the way of an economic boycott of English goods. A Continental Association, a larger and more widespread use of the old Virginia Association, was put into effect in the hope that a mass boycott of English goods by the colonies would force the mother country to change her tactics.⁵² The Continental Association was an attempt for peace and it was only through mutual miscalculation that war came as a result.⁵³

A rumor had reached the congress that General Gage was constructing forts in the Boston Area. In order to ascertain the true facts, Randolph wrote Gage a letter advising him to stop work or that a revolution will result.⁵⁴ Gage wrote back saying that nothing was wrong in Boston, and that he was doing his best in order to affect a reconciliation with the people.⁵⁵ Randolph also sent a petition to George III stating the colonies grievances and asking relief. No answer was received.⁵⁶

51. Journals of Continental Congress, V.I, p. 14.

52. Eckenrode, Op. Cit., p. 37. 53. Ibid., p. 40.

54. Journals of Continental Congress, V.I, p. 61.

55. Ibid., pp 114-15. 56. Ibid., p. 117.

When the Continental Congress met in 1775, Randolph was again elected President of that body. The same members of the Virginia delegation were present except Patrick Henry who was detained.⁵⁶ Randolph, however, did not remain in Philadelphia long. Governor Dunmore, on receiving Lord North's conciliatory proposals, called the General Assembly of Virginia to order, and Randolph resigned as President of the Congress in order to attend. He was succeeded by John Hancock.⁵⁷

Randolph wanted Virginia's answers to be in the same tone and spirit as the body he had just left and he assigned Thomas Jefferson to draw up the resolutions. After they were drawn up, the speaker guided them through the House with very little trouble except from a few timid members. The replies sent to England, the House adjourned, and Randolph returned to Philadelphia for the third time.⁵⁸ Because of his health Jefferson was named as his alternate.⁵⁹

With his return to Philadelphia, Randolph took up where he left off. He was appointed to several committees, among them being the committee to consider

56. Ibid., VII, p. 12. 57. Ibid., p. 58.

58. Ford, Op. Cit., V. X, p. 59.

59. Journals of Continental Congress, V. II, p. 402.

the state of trade and the American Colonies and to report on it later;⁶⁰ and the committee to find ways and ~~and~~ means to regulate saltpetre.⁶¹ His last official act was to report favorably on a secret weapon invented by a Captain McPherson, for destroying ships in Boston Harbor.⁶²

On October 29, (1776), Randolph was stricken by apoplexy and died.⁶³ The Congress adjourned out of respect, and went into mourning for one month. The entire body attended rites for him in Philadelphia, and then sent his body to Virginia for burial. His Virginia funeral was attended by the House of Burgesses, the Governor and a host of friends, admirers and curious persons. Randolph was buried in a vault beneath the chapel of William and Mary next to his father.⁶⁴

Besides his interest in the House of Burgesses, Randolph had many other diversions. He had a very good library, was Grand Master of the Williamsburg Masons, and belonged to many clubs.⁶⁵ Randolph was married to Elizabeth Harrison, and although they had

60. Ibid., V. III, p. 259. 61. Ibid., p. 296. 62. Ibid., 301.

63. "James Mercer", William and Mary Quarterly, V. ~~XXV~~, p. 204.

64. Journal of Continental Congress, V. III, pp. 302-03.

65. "Williamsburg Lodge of Masons," William and Mary Quarterly, V. ~~XXV~~, p. 147.

no children, they had a good home life. His wife survived him and she and a nephew, Edmund Randolph, received the bulk of his estate which, though not large, was enough to keep her in comfort.⁶⁶

As for a summation of Randolph, there is not much to say. At his death he was only about fifty-four years old, and, if he had lived, there is no doubt that Randolph would have become one of the foremost leaders of post-revolutionary America.

Randolph was a man well read in law, and a person whose opinions were often asked and highly esteemed. He was a very large and inert man and this fact caused him to get less business than he could have ordinarily obtained. Randolph was well read and up to date on all political affairs. While in office, he endeavored to carry out the duties to the best of his abilities, and his work was rarely criticized.⁶⁷ A good example of his work and philosophy can be found in the Fredericksburg Resolutions of 1775, in which he laid down the principles of freedom later to be incorporated into the Declaration of Independence.⁶⁸

66. "Will of Peyton Randolph, Esquire," Virginia Historical Magazine, V. XIX, January 1911, p. 87.

67. Ford, Op. Cit., pp. 59-60.

68. "Descendents of Joseph Herndon," Virginia Historical Magazine, V. XI, July, 1903, p. 99.