"The Father of His Country": Peyton Randolph and the Definition of Liberty in Colonial Virginia

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“THE FATHER OF HIS COUNTRY”: PEYTON RANDOLPH AND THE DEFINITION OF LIBERTY IN COLONIAL VIRGINIA

A thesis submitted in partial fulfillment of the Requirements for the degree of Bachelor of Arts with Honors in History from the College of William and Mary in Virginia,

by

Julianne E. Sicklesteel

Accepted for ________________

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ABSTRACT

Peyton Randolph was born in 1721 and served as a pivotal leader in the movement toward independence in Virginia, until his untimely death in 1775. The work attempts to negotiate Randolph’s reconciliation of his traditional ideology with his role as a leader in a revolution that addressed social inequality while striving for colonial liberty. As attorney general of Virginia, member and Speaker of the House of Burgesses, and eventually first President of the Continental Congress, Peyton Randolph straddled the divide between elite rule and popular revolution. Politically, Randolph utilized the significant respect he commanded to lead a revolution that combined his reverence for tradition with his capacity to appeal to a variety of social classes; this ability helped to make the Revolution in Virginia both plausible and popular. In social matters, Randolph desired to establish an English society in Virginia, even when that desire ironically brought him into conflict with authorities in London. Over time, as the clash with Great Britain intensified, Randolph began to subjugate his concerns of local hierarchy to the greater cause of American liberty.
ACKNOWLEDGEMENTS

In completing this work, I owe an immeasurable amount of gratitude to a great number of people. Firstly, my adviser, Professor Julie Richter who read through countless chapters, answered all of my very obscure and ever-multiplying questions, and who has helped me to remember to enjoy the project. With her encouragement, my research skills, scholarship, and writing abilities have been bettered beyond recognition. I have learned a great deal from this experience and I credit her entirely. Secondly, I must thank my parents who have always respected my desire to write on Peyton Randolph, have listened to my thoughts on him throughout the year, and have provided me with the steadfast encouragement to see through with the thesis. Thirdly, I’d like to thank the members of my committee, Professor Paul Mapp of the History Department and Professor Terry Meyers of the English Department who waded through the entire thesis in order to discuss it with me. Also, I would like to thank all of my friends here at the College, and Will, who journeyed down this scholastic endeavor with me. Finally, it is only fitting that I pay tribute to the “good old Speaker” without whose remarkable insight and unflinching leadership I would have neither a thesis, nor a nation.¹ Thank you.

DEDICATION

I dedicate this thesis to my parents, without whose unwavering support and guidance (and indulgent trips to Williamsburg as a child) this work would have been neither begun nor finished. Thank you both.
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CHAPTER I

PEYTON RANDOLPH’S EARLY YEARS: THE FOUNDATIONS OF POWER

It cannot be said that Peyton Randolph rose from an obscure background to become one of Virginia’s most prominent, respected, and admired politicians of the colonial era. Quite the opposite was in fact true: in 1721, Peyton Randolph was born into a family which helped govern Virginia ever since its arrival in the colony in the mid-seventeenth century. Before his instinctual leadership ability, intelligence, kindness, or legislative skills could even be known, one could be certain that Peyton Randolph of Williamsburg was destined to be a leader of Virginians and a man who would help shape the future of what would ultimately, after his untimely death, become the United States of America. While invested in maintaining Virginia’s social hierarchy, Peyton Randolph was a consummate politician whose ideology evolved over the years. Utilizing the respect he commanded, Randolph reconciled his reverence for moderation and desire to uphold the ideological and philosophical liberty of the colonists with his ability to appeal the cause to the lower classes which made the Revolution plausible, popular, and broad-based.

The story of Peyton Randolph began, and ultimately ended, in Williamsburg Virginia, which served as the capital of the colony throughout his lifetime. Virginia contained the greatest monetary bounty within its vast and seemingly boundless

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frontiers. Slavery was prevalent in Virginia; in rural areas around Williamsburg, there came to be more enslaved African-American inhabitants than free white colonists during Peyton Randolph’s life. The home in which Randolph spent his youth and where he and his wife Betty (née Harrison) Randolph would spend their married lives, was located in the middle of the town, not far from the Powder Magazine, the Governor’s Palace, or the Market Square. Peyton Randolph lived only a short stroll from his alma mater, the College of William and Mary, and a slightly longer distance from the capitol building where he would arguably make his most significant impact in Virginia. For entertainment, discussion, and even unofficial political assemblies, Randolph ventured to the Raleigh Tavern which conveniently split the distance between his home and the Capitol.

Long before Peyton Randolph set foot in the capitol building, or even attended William and Mary, his father, Sir John Randolph, was a venerable social and political member of the city of Williamsburg and the colony as a whole. Sir John was born in 1693, the same year as the College of William and Mary, an institution which would play a significant role in the life of the father and the son as both would attend the College and serve as its delegate in the House of Burgesses. Sir John Randolph’s success in the political realm came to stretch far beyond the borders of his native colony. In fact, Sir John traveled across the Atlantic on colonial business, in 1728 and 1732, during his short

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3 Billings, Selby, and Tate, Colonial Virginia, 279 and 204-5.

life. The first voyage was on behalf of his alma mater. During this visit to the imperial capital, Randolph attempted to straighten-out problems in the collection of British taxes on tobacco, which provided a portion of the College of William and Mary’s operating budget, when the British government handled the collection and the transfer of the money to the College effectively. Randolph was not able to ameliorate the funding issues, but he was successful in securing the College’s right to govern itself, even sailing back to Virginia with the physical Charter of the College in 1729.

Having been at least partially successful in his first trip, John Randolph left Virginia once more for Britain, in 1732. On this journey, Randolph acted on the authority of the House of Burgesses for whom he was to streamline the tobacco trade process with England to make it more favorable to the colonists. Under the present system, many Virginians feared that there was too much leniency with the enforcement of taxation. These inconsistencies and lack of effective governmental supervision, the Virginians feared, could result in dishonest handling of their tobacco by merchants when their cash crop was in transit from Virginia to England. Similar to Randolph’s trip in 1728, the 1732 voyage was unsuccessful. However, it was on this second journey that John Randolph became a knight owing to the gratitude of British Prime Minister Robert Walpole. Unlike Parliament, Prime Minister Walpole was in favor of changing the

5 Reardon, *Peyton Randolph*, 4.
6 Ibid.
8 Reardon, *Peyton Randolph*, 4.
9 Ibid.
taxation process for Virginia tobacco and hoped to remunerate John Randolph for his attempt at reforming the system during his time in England. No other man of his colony was knighted before the American Revolution and it was a significant distinction in the 18th-century Williamsburg.

Upon his homecoming, in an oddly parallel situation to that which would involve his son Peyton some thirty years later, Sir John Randolph was elected Speaker of the House of Burgesses in 1734 due to the corruption of the previous Speaker. During his second election for Speaker in 1736, though, Sir John initially faced a challenger in the form of John Robinson, the latter declined the honor because he did not wish to challenge Sir John for the position, as he respected Randolph as a senior Burgess, and a knight. The politically ambitious John Robinson did not have long to wait to claim the Speaker’s chair because Randolph’s tenure lasted just three years; on February 27, 1736/7, Sir John Randolph passed away. With his death, Sir John left behind his wife and his four children. Lady Susannah Randolph was a woman who was certainly capable of surviving on her own.

Peyton Randolph’s mother, Lady Susannah (née Beverley) Randolph, came from a distinguished line of seventeenth-century Virginians and the union between Susannah
and John further enhanced the Randolph legacy of wealth and power. Lady Susannah’s parents, Peter Beverley and his wife, Elizabeth (née Peyton) Beverley, were Virginia gentry and though she was a woman, Lady Susannah stood to inherit a great deal of land upon her father’s death. Political power in Virginia seemed to surround Lady Susannah Randolph; her father, husband, and son would all ultimately serve as Speaker of the House of Burgesses. After the passing of her husband, Lady Susannah lived with Peyton Randolph and his wife until she died, probably in the 1750s.

It was into this world of wealth and prominence that Peyton Randolph was born in 1721. Peyton Randolph was one of a large family born to Sir John and Lady Susannah between 1719 and 1727. Peyton Randolph followed his older brother Beverley, though his status as the second son was relevant in birth order, not in social, economic, or political standing in later life. Randolph also had two younger siblings, Mary and John. Randolph’s first name, Peyton, was Lady Susannah’s mother’s maiden name. Though there seem to remain no detailed documentary records of Peyton Randolph’s youth, it is safe to say that Randolph lived a life of luxury as he trained to become a

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15 Cowden “The Randolphs of Turkey Island,” 528-9.
16 Ibid., 529.
17 Ibid.
18 Ibid., 556; one of Lady Susannah’s slaves, Yarrow, was baptized on July 1, 1754 at Bruton Parish Church. After that, Lady Susannah disappears from the public record. Bruton Parish Birth and Baptism Record, Bruton Parish Church, Williamsburg, Virginia.
19 Ibid., 529 and Reardon, Peyton Randolph, 3.
20 Cowden, “The Randolphs of Turkey Island,” 529 and 557.
21 Ibid., 529.
22 Ibid., 528 and 579.
leader of the colony, like his father, Sir John.\textsuperscript{23} One should not assume, however, that Randolph’s upbringing, no matter what he would believe in later life or the privileges of his upbringing, was one of strict conventionality. In fact, the will of his father, Sir John, provides an interesting insight into the mind of a man who had his own, alternative opinions of the Established Church of the colony.\textsuperscript{24} Though it is difficult to determine how much of this unorthodoxy Sir John conveyed to his young son, Peyton’s early life, and later defense of some unorthodox religious ideas and rejection of the political establishment, may have been influenced by the respect of free thought in his home as a child.

Peyton Randolph began his formal education at the College of William and Mary in his hometown of Williamsburg probably before he had reached the age of thirteen.\textsuperscript{25} Just a few years after his entry into the College, in 1736/7, when Peyton was around 15, Sir John lost his battle with an ongoing illness.\textsuperscript{26} Sir John’s will made a point to pass his entire collection of books to his son Peyton as evidence of the father’s hope that his son would follow in his footsteps and become a lawyer.\textsuperscript{27} Sir John’s will endowed Peyton Randolph, after the passing of Lady Susannah, with, “houses and lots in Williamsburg

\textsuperscript{23} Ibid., 579.

\textsuperscript{24} Reardon, \textit{Peyton Randolph}, 3. In his will, Sir John defended his relationship to the Church. He wrote, “But whereas I have been reproached by many people especially the clergy in the article of religion and have by the freedom and sincerity of my discourses drawn upon me names very familiar to blind zealots such as deist heretic and schismatic and gained the ill will or perhaps the hatred of some few I think it necessary in the first place to vindicate my memory from all harsh and unbrotherly censure of this kind and to give this last testimony of my faith.” Thereupon, Sir John launched into a defense of his Christianity. “The Will of Sir John Randolph,” \textit{Virginia Magazine of History and Biography}, vol. 3 (1928): 376.

\textsuperscript{25} Cowden, “The Randolphs of Turkey Island,” 529.

\textsuperscript{26} Ibid. 554.

\textsuperscript{27} “Will of Sir John Randolph,” 378.
and at the college landing and the said plantation and lands lying near or adjoining to the town upon Archers hope creek…and my household servants and slaves and slaves belonging to the said plantation and other the premises before given to my wife during her life…” along with some more property “in Martin’s hundred in the county of James City.”

With the death of his father, Peyton Randolph inherited the home in which he would eventually spend the rest of his life.

In his will, Sir John’s entrusted his son Peyton with a strong sense of duty to, and responsibility in, the well-being of the Randolph family, though Peyton was not the eldest son. Sir John chose to require “that all money outstanding and due to me be placed out at interested upon such securities as my executor shall approve…” Though Peyton’s older brother, Beverley would be “of age” before Peyton, his father wrote that he would “appoint the interest arising from such loan to be appled [sic] to the better maintenance and education of my children until my son Peyton comes of age,” when, presumably, Peyton would be able to manage this business for the family. Peyton Randolph was the second son, but upon his death, it seems that Sir John passed the majority of his patriarchal power to Peyton, rather than his eldest son, Beverley. This decision suggests that young Peyton displayed a capacity to be trust-worthy and deserving of responsibility (traits which would be attributed to him by many of his acquaintances as an adult) even at a very young age, and at the expense of his older brother. Sir John gave his eldest son Beverley his lands in Gloucester County which Sir John awkwardly designated in his will


29 Ibid., 379.

30 Ibid.
as “all the rest of my estate both real and personal” which he had not already divided up in the document.  

Peyton Randolph was able to continue this trend of success and live up to Sir John’s expectations shortly after his father’s untimely death. Upon his graduation from the only college in his native colony of Virginia, Peyton Randolph journeyed across the Atlantic to study law at Middle Temple where he began on October 13, 1739. Randolph enjoyed a privilege which eluded even many of Virginia’s elite; to study in England was to come close to the ideal of much of colonial life during the mid-18th century: to be English. The decision to send Peyton abroad exemplified “the continuing belief that an English education was the only way sons could attain the learning and polish appropriate to their rank and status.” Much like Oxford, The Inns of Court was segmented into four different “collegiate houses.” Peyton’s father, Sir John, studied at a different house, Gray’s Inn, for his legal certification. While in England, Randolph may have lived with John Hanbury, a well-known British merchant with significant ties to the colonies in North America. Hanbury would become an influential figure in

31 Ibid., 378; Cowden, “The Randolphs of Turkey Island,” 557.


33 Emory Evans, A Topping People (Charlottesville: University of Virginia Press, 2009), 139.

34 Ibid.

Randolph’s life and that of the royal government of the colony of Virginia in later, and more turbulent, years leading up to the Revolution.36

Little is known about Peyton Randolph’s years at Middle Temple, though it must have been a fairly leisurely time for Randolph given the nature of study at the Inns. Students were expected to attend infrequent lectures and to observe the political and judicial environment of London, though one can imagine that not all of Randolph’s free time was dispensed in studiously observing the sessions of Parliament.37 One very significant political event, however, could not have escaped the notice of young Randolph. Toward the end of Randolph’s time in London in 1742, Sir Robert Walpole, the long-reigning Prime Minister, left office after a series of political and diplomatic failures.38 In a letter to Randolph written October 6, 1742, John Custis IV responded to Randolph’s thoughts on this change of leadership by writing, “you are very kind in telling me…of the strange turn of affairs in [Engl]and; such overgrown great ministers are very subject to falls, as ancient as well as modern history…”39 Though Randolph witnessed the demise of the man Custis called “overgrown,” the Walpolean political theory of the age, that of moderation and an aversion to bellicose action, seems to have influenced Peyton Randolph far beyond his years in England.40

36 Taylor Stoermer, email message to Julie Richter, November 9, 2010.

37 Personal communication from Taylor Stoermer. March 18, 2011.


40 Langford, The Eighteenth Century 1688-1815, 115; personal communication from Taylor Stoermer, March 18, 2011.
Not all of Peyton Randolph’s time in England was spent in the ease of the causal learning atmosphere however. In a letter to Randolph, written in 1741, Custis informed the young Virginian that

nothing could rejoice me more than to hear you had mastered the small Pox; that fatall distemper to our Country folks, I no ways doubt but you will answer the best opinion any one can have of you, <and hope you live> and make a right use of <th> your precious time not only for your own pleasure and satisfaction but for the honor of your Country and the good of mankind in Generall…

Indeed, Randolph would follow Custis’s advice. After surviving his encounter with the often-fatal illness, Peyton Randolph completed his studies at Middle Temple in 1742/3, passed the bar, and went home to Virginia to utilize his newly advanced education.

Having completed his legal training in the British Empire’s capital city and already a member of one of Virginia’s leading families, Peyton Randolph must have been an eligible colonial bachelor. Not surprisingly, Randolph was able to secure the hand of an extraordinarily eligible Virginia gentry woman to be his wife. While his father, Sir John’s, marriage to his mother, of the Beverley family, was certainly advantageous, Peyton’s union added another member of colonial “royalty” to the family lineage. Peyton Randolph’s chosen wife, Elizabeth Harrison, known as Betty, was the granddaughter of

When comparing the different personalities of Peyton Randolph and his brother, John, it is interesting to note how their experiences in England may have shaped their future political opinions. While Peyton did witness the downfall of a formerly-poplar minister, John’s experience was significantly more turbulent. Throughout 1745 and 1746, during John’s time in London, Charles Edward Stuart, the grandson of the ousted James II, stormed through England attempting to sack London and retake the throne for his historic family. “Bonnie Prince Charlie’s” ultimate demise showed both the frailty of revolt and the celebration of London upon learning of their secured safety. (Encyclopaedia Britannica, online., s.v. “Charles Edward: the Young Pretender.” http://www.britannica.com/EBchecked/topic/107328/Charles-Edward-the-Young-Pretender; personal communication from Taylor Stomer, March 18, 2011)


42 Reardon, Peyton Randolph, 5.
Robert “King” Carter, and came from a colonial line even more distinguished than her future husband’s.\textsuperscript{43} Elizabeth’s parents, Benjamin Harrison and Anne (née Carter) Harrison, had lived at Berkeley Plantation, not far from the city of Williamsburg on the James River in Charles City County, though her father was dead prior to the marriage.\textsuperscript{44} Elizabeth Harrison was, by all accounts, talented, self-assured, and charming.\textsuperscript{45} Married at a slightly more advanced age for colonial couples, Mr. and Mrs. Peyton Randolph seem to have gotten along extremely well. Like Peyton’s parents, who were slightly more mature when they began their life together, at the age of twenty-five, Peyton Randolph was two years older than his new bride when they were married on March 8, 1745/6.\textsuperscript{46} The relationship between Betty and Peyton Randolph appears to have been a truly successful union which exemplified a matching of spouses, due to luck or intent, based not only upon economic concerns, but also on compatibility.\textsuperscript{47} According to the November 29, 1776 edition of the \textit{Virginia Gazette} that memorialized the interment of Speaker Peyton Randolph beneath the chapel at the College, the Randolphins “were, when united, a perfect pattern of friendship, complacency, and love. No wonder, then, when

\textsuperscript{43} Cowden, “The Randolphs of Turkey Island,” 584.

\textsuperscript{44} Ibid.

\textsuperscript{45} Ibid., 585-86.

\textsuperscript{46} Evans, \textit{A Topping People}, 127; Cowden, “The Randolphs of Turkey Island,” 584.

separated, that the survivor should deeply bewail her irreparable loss.”

Although Betty and Peyton Randolph had no children, their home in Williamsburg was certainly never empty as they entertained many elite guests and hosted Betty’s siblings while they attended the College of William and Mary. Peyton’s nephew, Edmund Randolph, was a frequent visitor. Mr. and Mrs. Randolph were also in the constant presence of the twenty-seven African-Americans who ultimately lived on the Peyton Randolph estate as human property.

Throughout their lives, Betty and Peyton Randolph each had a “personal slave” who helped them with their daily tasks; these people were named Eve and Johnny. Johnny would have been both well-dressed and literate; these were distinctions which befitted him and sufficiently equipped him to be Peyton Randolph’s valet. The Randolphs chose to send at least three of their slaves, Roger, Sam, and Aggy, to the Bray School in Williamsburg which educated African-Americans. It is likely that the Randolphs intended this education to equip the slave to be able to help them with tasks more efficiently, such as reading lists or recipes. Without the forced work of the men and

48 Virginia Gazette, Purdie, ed., 29 November 1776; According to the Oxford English Dictionary online, complacency is likely to have meant “The fact or state of being pleased with a thing or person; tranquil pleasure or satisfaction in something or some one.”

49 Cowden, “The Randolphs of Turkey Island,” 585.


51 Ibid., 47-48.

52 Ibid., 47. Both Johnny and Eve ultimately fled the Randolph property in Williamsburg; Johnny did so shortly after Randolph’s death when he was given to Peyton’s nephew, Edmund Randolph. Eve did so after the start of the American Revolution. Ibid., 48.

women who farmed the Randolphs’ plantations, drove their carriages, cooked food for themselves and their guests, cleaned their home, and cared for their physical needs, Peyton and Betty could not have lived lives of luxury. Peyton Randolph’s devotion to political endeavors came at the expense of the coerced toil of his enslaved laborers.

With his marriage and home life settled, Peyton Randolph moved into the public sphere. In eighteenth-century Williamsburg, it was the obligation of the men of the gentry to serve the colony in a civic office of some form, and Peyton Randolph proved himself ready to live up to that task. As historian Emory Evans wrote about the leading men of Virginia at the end of Sir John’s reign as Speaker of the House of Burgesses, “their political power is evident at all levels of Virginia society” and “the basis of this power was wealth.” Peyton Randolph certainly began his career in colonial politics with plenty of the aforementioned resources owing to the generous bequest he received in his father’s will.

In addition to the essential funds which permitted Randolph the free time to stand for public office and remain a gentleman, he had made some extraordinarily influential friends who eagerly assisted him in his rise to power. John Hanbury, the Londoner with whom Peyton probably stayed during his time at Middle Temple, quickly reappeared in Randolph’s life to help him with his political career in Virginia. With a great deal of maneuvering and calling in of favors, Hanbury assisted Randolph in securing the job as


55 Evans, A Topping People, 90.

attorney general of the colony of Virginia in 1748 at the tender age of 26. Thus it was with an English education and a large amount of assistance from the mother country that Randolph began his career in Virginia politics. Ironically, the idea of England would ultimately influence his political ideology though the advancement of his political fortunes rested on the demolition of that connection.

Peyton Randolph’s career in public service did not end with his appointment as the attorney general of Virginia. More significantly for the remainder of Randolph’s political life, his hometown of Williamsburg selected Randolph as their delegate to the House of Burgesses in 1748. He served as the capital’s delegate until the following year. Beginning in 1749, Randolph took a short break from the House of Burgesses until 1752 when he was again elected, this time from his alma mater, the College of William and Mary, which had its own delegate to the House of Burgesses in the colonial period.

Now that Peyton Randolph was emerging into the Virginia political world, he seems to have decided that it was necessary that his home reflect his rising social status. To achieve this end, Randolph added onto his Williamsburg house in 1755, probably immediately after his mother, Lady Susannah, passed away and Randolph took full ownership of the home in which he had lived his entire life. A simple face-lift of the property would not be sufficient for Peyton Randolph. While the original construction of

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57 Cowden, “The Randolphs of Turkey Island,” 587. Some sources claim that Randolph actually became attorney general as early as 1744 (Cowden, “The Randolphs of Turkey Island,” 587) and John Reardon, Peyton Randolph, 76 note 1 to Chapter I.

58 Cowden, “The Randolphs of Turkey Island,” 594.


the house had positioned the main entrance toward the west, Randolph now shifted the entire design of the structure to the south toward Market Square and eventually the James City County courthouse which was no small architectural feat.\textsuperscript{61} As Willie Graham and Mark R. Wenger wrote,

> Clearly Peyton Randolph wanted to create a more regular and imposing house—some fitting expression of his social and political attainment. It was important, moreover, that this new house address the town in a manner appropriate to ‘Mr. Attorney’s’ place in the scheme of things. As a result, Randolph doubled the size of his house and turned it southward so as to present an expansive, nearly symmetrical face to the most important civic space in Williamsburg. In doing this, he made his house a part of the square—a landmark—a piece of the town’s public landscape.\textsuperscript{62}

With his appointment as attorney general and his election to the House of Burgesses, Peyton Randolph became a force to be reckoned with in Virginia politics from the end of the 1740s onward. Just like his home, Peyton Randolph himself was becoming a venerable “part of the square—a landmark—a piece of the town’s public landscape” in Williamsburg.\textsuperscript{63} As the eighteenth century reached its mid-point, Attorney General Peyton Randolph was undeniably wealthy, influential, educated, and elite. Yet Randolph would bring to that substantial pedigree a degree of prudence, competence, restraint, effort, and elegance which would cement his reputation.

\textsuperscript{61} Ibid., 23.

\textsuperscript{62} Ibid., 24.

\textsuperscript{63} Ibid.
CHAPTER II

“MY OLD ADVERSARY”: PEYTON RANDOLPH AND DISSENT IN VIRGINIA

Peyton Randolph’s nearly simultaneous appointment as attorney general of Virginia and a member of the House of Burgesses of the colony very early in his career would not be without conflict. In fact, though he was still a very young man, Randolph’s life would begin to have huge ramifications on an imperial scale in the early 1750s, much like his father, Sir John, had been 20 years before, with a voyage to England.  

On December 25, 1753, the ship transporting Reverend Samuel Davies, the renowned advocate for the Presbyterian dissenters in Virginia, reached England. Having acutely observed the disadvantaged situation of his fellow Presbyterians in Virginia due to the staunch opposition of the leaders of colony who advocated the Established Church, Davies attempted to circumvent the Virginia authorities and obtain assistance from the English government. While in London, Davies met with an unexpected, and in his mind, unpleasant, surprise. On March 4, 1754, Reverend Davies recorded in his diary that he “Spent the Evening at Mr. Mauduit’s in Conversation upon the Case of the Dissenters in Virginia. I find Peyton Randolph Esquire, my old Adversary, is now in London; and will no doubt oppose whatever is done in Favour of the Dissenters in Hanover.”

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2 Reardon, Peyton Randolph, 4-5.


4 Pilcher, The Reverend Samuel Davies Abroad, 79.
Davies’ information was quite correct. Peyton Randolph and his wife were in London, yet Randolph’s purpose for being in the empire’s bustling capital was not related to his on-going Virginia feud with the Presbyterian minister.⁵ Like Davies, Peyton Randolph was fighting for colonial rights; Randolph was on official business for the Virginia House of Burgesses, in which he also served as a member. Members of the House of Burgesses sent Peyton Randolph to contest the “Pistole Fee” which had recently been enacted by Robert Dinwiddie, the new lieutenant governor of Virginia.⁶ Peyton Randolph’s decisions between 1750 and 1755, surrounding his voyage to England, resulted from his desire to maintain the social structure. Randolph came to believe that the hierarchy protected all Virginians, though his maintenance of this social structure brought him into direct conflict with the imperial establishment.⁷ During this period, the attorney general began to develop a dual consciousness which respected the English way of life, but desired to uphold what he saw as British tradition, even if it meant going against the royal government in London. Randolph’s 1754 trip to England would help to define the thirty-two-year-old’s understanding of not only Anglo-colonial relations, but also matters within the colony of Virginia.

In the years leading up to Peyton Randolph’s trip to England on behalf of the Burgesses, the political scene in colonial Virginia was in a transition. With the 1751 arrival of Robert Dinwiddie, Virginia’s new royal lieutenant governor, the relationship between the imperial representative and the Virginia elite had changed drastically. One of

⁵ Cowden, “The Randolphs of Turkey Island,” 586.
⁶ Billings, Selby, and Tate, Colonial Virginia, 256-7.
⁷ Isaac The Transformation of Virginia, 152.
Dinwiddie’s first actions upon landing in the colony was to insist that a government mark, costing a pistole, be required to be attached to all applications for real property in Virginia. In British currency, a pistole’s value amounted to 18s. 6d. While this amount was tiny compared to the cost of the large tracts of land these men purchased, it was by no means an insignificant fee. The lieutenant governor’s goal was to increase royal revenue and to streamline the entire process of acquiring new land; however, the colonists were furious. Land requests that the colonists had submitted before Dinwiddie’s arrival could, with the addition of this requirement, cost a potentially significant amount of money. Perhaps more importantly, the colonists saw this “fee” as a “tax” which, to them, was a violation of their status as imperial subjects.

The battle quickly began between Dinwiddie and the legislative leaders of Virginia, who strongly opposed this new measure as an affront to the treatment they deserved as British citizens. Making absolutely no progress with the determined lieutenant governor on repealing the fee, the Burgesses took significantly more drastic measures to protect their interests. The Burgesses passed a series of “Addresses” to be presented to the King’s Privy Council in England and decided that the message should be delivered in Great Britain, in person, and by a Virginian colonist.

On Saturday, December 15, 1753, the House of Burgesses took action. The Burgesses passed a Resolution stating Peyton Randolph “be appointed Agent to negotiate

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8 Billings, Selby, and Tate Colonial Virginia, 256.

9 Ibid., 256-7.

10 Ibid.

the Affairs of this Colony, in Great-Britain, and that the sum of 2500£. be paid to him out of the Money in the Hands of the Treasurer to defray his Expences [sic] and as a Reward for his Trouble in taking so long a Voyage.\textsuperscript{12} This large monetary sum displays the significance the Burgesses placed on Randolph’s trip, though the issue of this money which the Burgesses chose to allot for Randolph’s voyage would reverberate during the following year. Since it was clear that the Burgesses were willing to dedicate significant amounts of money to finance Randolph’s voyage, Lieutenant Governor Dinwiddie suspected that the Virginia legislature was feigning poverty when he asked for money to support gubernatorial initiatives.\textsuperscript{13} In a February 9, 1754 letter to James Abercrombie, who later became the British commander in the French and Indian War, Dinwiddie wrote that he suspected that the Burgesses possessed greater funds than they claimed, based on how much they had given to Randolph for his trip. Dinwiddie was also upset that the Burgesses had promised to give Randolph money “for Life” in the event that he lost his position as attorney general. While Dinwiddie was clearly ranting in anger and personal offense at the Burgesses’ budgetary deceit, he did note the extreme importance which the colonial assembly placed on Randolph’s voyage based on the way in which they arranged their finances.\textsuperscript{14} The Burgesses may have been tight with financing things the lieutenant governor wanted, yet they were clearly earnest about sending Randolph to England to take the protest to the king.


\textsuperscript{14} Governor Dinwiddie to James Abercrombie, esquire. February, 9, 1754 in R.A. Brock, ed., \textit{The Official Records of Robert Dinwiddie} (Richmond: Virginia Historical Society, 1883), 72. “However, tho’ the Co’try is poor as they say in their Address and reasons, yet they give him [Randolph] L2500, and in case he loose his [present office,] L300 for Life, or 3000, and [L]200 Per Ann. To an Agent that he may appoint; these are no Marks of Poverty.”
The Burgesses were willing to entrust their chosen representative with not only a large sum of money, but also a very significant duty. Their choice of this agent could not have been taken lightly. However, the selection of a Virginian to deliver this message to the Privy Council appears to have been a foregone conclusion. In reflecting on the decision, Peyton Randolph’s nephew, Edmund Randolph, recalled there was not a controversy when Edmund wrote “The House of burgesses revolted against an extortion hitherto unknown and dispatched Peyton Randolph, the then Attorney-General, to impress its iniquity and unconstitutionality upon the mind of his Majesty.”

The Journals of the House of Burgesses included no debate on this topic, presumably because there was none. The motivation for sending Randolph seems to be his elevated position in the colonial society and government, though Randolph himself jeopardized, and eventually lost his attorney generalship for the honor.

However, the lieutenant governor was certain that the Burgesses’ selection of Peyton Randolph as their representative had been far from random. In fact, Dinwiddie was convinced that the Virginia Assembly selected Randolph because of the attorney general’s personal grudge against him and the lieutenant governor was outraged at the perceived affront. On March 12, 1754, in a letter to prominent English businessman John Hanbury, the British merchant with whom Peyton Randolph most likely lived while studying law in England and who had helped secure Randolph’s position as attorney general, Lieutenant Governor Dinwiddie lamented that the Burgess’ “Motive for this

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17 Reardon, *Peyton Randolph*, 10-11.
Step, I suppose was, believing him to be my Enemy, and that he w’d go great Lengths to hurt me. If so, poor People, I pity their Ignorance and narrow, ill-natur’d Spirits.”

While Dinwiddie appears adamant, this sentiment may have been his own personal rationale as opposed to a real consideration by the Burgesses. Dinwiddie’s lack of consideration for the intended audience of his letter, a close friend of Attorney General Randolph, displays his idea that the colonists did not have much power or influence beyond their own colony of Virginia. It was probably Peyton Randolph’s legal education in London which “gave him a position of prominence in Virginia’s somewhat ill-defined legal community” that accounted for the decision of the Burgesses to send him more so than a hatred of Dinwiddie.

The personal conflict between Randolph and Dinwiddie resulted in more than mutual suspicion and distrust. In response to Peyton Randolph’s decision to go to London as the Burgesses had requested, Dinwiddie “was wounded to the soul, and personal revenge was his weapon. He superseded Peyton Randolph from the office of Attorney-General, and appointed George Wythe in his room…” Randolph’s fellow Williamsburg gentleman, George Wythe, accepted the appointment as attorney general, but had every intention of stepping down when the recently deposed attorney general arrived home to claim his office. Dinwiddie’s official rationale behind firing Randolph was that he believed Randolph was no longer a suitable servant of the king having agreed

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21 Ibid.
to argue against the lieutenant governor, who served as the king’s representative in the colony, during his time in England.\textsuperscript{22}

Opposed to Lieutenant Governor Dinwiddie yet again, the members of the House of Burgesses hoped to ensure Peyton Randolph’s retention of his post as attorney general though he was going to England, on their orders, to do work contrary to the crown. The members who had elected Randolph appear to have had great faith in him, as they proved with their willingness to finance his long voyage. In addition, the Burgesses did not want Randolph to lose his important post in the colony because of his eagerness to defend colonial rights. Lieutenant Governor Dinwiddie, incensed by the situation, berated the Burgesses’ attempt to assist Peyton Randolph to keep his post. In a February 9, 1754 letter to James Abercrombie, Lieutenant Governor Dinwiddie, having already fired Randolph as attorney general, wrote that he obtained a copy of the House of Burgesses’ “address to the King.” In these documents, Lieutenant Governor Dinwiddie was horrified to discover that the set of recommendations and addresses included, “A third Address is praying His M’y that their Agent, the Att’o Gen’l, may keep his Office, w’ch surely from his conduct he does not deserve that Indulgence, or do I think it possible he can have any Friends to support him after the irregular Steps he took.”\textsuperscript{23} Dinwiddie seems to have understood the extent of the Burgesses’ loyalty to the attorney general and the lengths to which the General Assembly was willing to go to protest his initiatives; the governor’s anger appears to have been at the insolent measures of the House and at their steadfast support of someone who he believed detested him.

\textsuperscript{22} Reardon, \textit{Peyton Randolph}, 10-11.

By the beginning of 1754, having lost his post as attorney general of Virginia for siding with the House of Burgesses against the lieutenant governor, Peyton Randolph was on his way to England to argue Virginia’s case in front of the Privy Council. As Richard Bland wrote, “liberty and property are like those precious Vessels whose soundness is destroyed by the least flaw and whose use is lost by the smallest hole.” In fact, these were the motivation for Randolph’s voyage to England. However, Randolph’s trip would not be wholly consumed with issues of money. As noted by the Reverend Samuel Davies, it was not only lawful taxation regulations which Randolph discovered to be under attack while he was in England; Peyton Randolph’s journey on behalf of the Burgesses soon became entangled with a web of religious conflict which extended from Virginia all the way across the ocean.

Long before Peyton Randolph sailed for England in 1754, the religious landscape of Virginia began to change. Virginia was, at least in name and origin, a colony which supported the Established Church in multitude of ways. The Church of England was established in the Old Dominion and its governance was bound up in the reality of everyday life in the colony. The men who ruled the church presided over the colony and the actions of the Church in Virginia clearly defined the relationship. As historian Rhys Issac wrote, “the words and forms of action at church clearly asserted the hierarchical nature of things, confirming definitions of authority within the rural community

24 Billings, Selby, Tate, *Colonial Virginia*, 257.


27 Ibid., 64-5.
itself...” In fact, the Established Church helped to cement the social organization of Virginia; its “vestry” even handled social welfare in their parish.

However, in the ten years prior to Randolph’s 1754 voyage to England, the number of Presbyterian “dissenters” in Virginia had increased rapidly. This growth of Presbyterian adherents was driven by two things. First, there were an increasing number of conversions resulting from growing experiential religious feeling in Virginia. Also, the governor who had served prior to Dinwiddie, Sir William Gooch, had encouraged the immigration of Ulster Scots from Pennsylvania to the frontier regions of Virginia to serve as a buffer zone between the English in Virginia and the Indians on the border of British territory. Thus, Presbyterians were growing in number and prominence in Virginia, though colonial law still required their continued presence at services of the Established Church. However, by 1754, the Presbyterians had started to struggle against the Established Church of England and had begun agitating for the right to worship in Virginia.

As attorney general, Peyton Randolph had not supported the government’s distribution of “licenses” to Presbyterian ministers which would have allowed them to conduct their worship legally. Although Parliament had passed an Act of Tolerance in 1689 which protected Englishmen who chose not to worship in the Established Church in England, the attorney general maintained that while the law was clearly viable in England, 

\[\text{\footnotesize \text{\textsuperscript{28} Ibid.}}\]
\[\text{\footnotesize \text{\textsuperscript{29} Ibid., 65.}}\]
\[\text{\footnotesize \text{\textsuperscript{30} Billings, Selby, Tate, Colonial Virginia, 276-277; Isaac, The Transformation of Virginia, 150-151.}}\]
\[\text{\footnotesize \text{\textsuperscript{31} Isaac, The Transformation of Virginia, 58, 148.}}\]
\[\text{\footnotesize \text{\textsuperscript{32} Ibid., 148-51.}}\]
it did not mandate that the Virginian colonists to allow Presbyterians the liberties they
demanded. Randolph had summarized his rationale behind his opposition to permitting
the registration of Presbyterian dissenting preachers in the colony in a 1750 letter to
fellow Virginian Thomas Lee. Randolph thought

there ought not to be more than one House licensed for one Preacher...[since] the People within the Bounds of a Country, will
sufficiently employ a Preacher, and it will give great Encouragement to
fall off f[ro]m the established Church if they [the preachers] are
permitted to range and raise Contributions over the whole
Country...Besides it tends to sow Dissention & Confusion among the
People & can only be calculated to put Money into the Pocket of the
Teacher, whose Interest does not deserve so much Respect.34

Randolph’s concern seemed to be for the people of Virginia who, he feared, could fall
under the wrong influence. For the sake of colonial unity and county and parish security,
Peyton Randolph preferred the hierarchical and traditional English establishment.
Randolph appears to have believed in the English structure which was reinforced by the
Established Church, even though the actual British government itself allowed freer
worship.

Peyton Randolph clearly objected to the unrestrained worship of Presbyterians as
a threat to Virginian society. Not surprisingly, this ideology had already led the attorney
general into conflict with the Presbyterian minister, the Reverend Samuel Davies. Peyton
Randolph’s first confrontation with the Reverend Samuel Davies took place in 1750, four
years before the attorney general’s pivotal trip to England.35 The issue at hand in 1750
had been whether the aforementioned 1689 Parliamentary Act of Toleration could be

33 Pilcher, Samuel Davies, 120-1.
34 Isaac, The Transformation of Virginia, 152.
35 Pilcher, Samuel Davies. 121.
utilized by the dissenters on Randolph’s side of the Atlantic. Reverend Davies and Peyton Randolph had debated the issue in front of the Virginia’s upper house of the legislature, the Council. As attorney general, Peyton Randolph had presented the case against Davies; although Randolph “delivered a speech of great legal learning,” the Presbyterian minister’s response was certainly unexpected, and perhaps unprecedented. In his Sketches of Virginia, the nineteenth-century historian William Henry Foote summarized the interaction and its effect on Randolph’s previously spotless reputation:

> When Davies rose to reply there was a general titter through the court. His very first remark, however, discovered so intimate an acquaintance with the law on the subject, that marks of surprise were manifest on every countenance. In a short time the lawyers present began to whisper—the Attorney General has met his match to-day, at any rate. The general sentiment among the members of the bar, as expressed in the hearing of Captain Morton, was—‘there is a most excellent lawyer spoiled.’

While this debate did result in Randolph’s accepting, to some extent, the validity of the Act of Toleration as it concerned the dissenters in Virginia, the attorney general did not surrender his desire to stop the unchecked spread of Presbyterianism. This was one issue even the dueling Lieutenant Governor Dinwiddie and Peyton Randolph could agree upon; in 1752, Dinwiddie also wanted Davies to keep his Presbyterianism out in the western parts of Virginia. Working along these philosophical lines, Attorney General Peyton Randolph “could not be prevailed upon to put a favourable construction upon the law, and continued, for years, to throw obstacles in the way of the Presbyterians.

36 Ibid., 120-1.

37 William Henry Foote, Sketches of Virginia, 2d ed. M. E. Bratcher (Richmond, Virginia: John Knox Press, 1850) 293-4

38 Pilcher, Samuel Davies, 121-2.

39 Ibid., 133.
obtaining license for meeting-houses.”

Similar to Dinwiddie’s sentiments, Randolph’s objection had become especially firm “especially when the petition came from neighborhoods originally settled by other than colonies of Presbyterians.”

Randolph had apparently seen the alteration of the religion in non-Ulster Scot counties as utter corruption of English virtue in Virginia.

When Peyton Randolph journeyed to England in 1754, he believed that the fact Presbyterians could preach legally did not mean that, as attorney general, he would allow it happen easily. To Peyton Randolph, a key problem with Davies’ argument was that this Presbyterian minister desired certifications for an increasingly large number of churches and gathering places. Randolph was willing to let the Presbyterians worship, but he “would have the Dissenters limited to a small number, some thought with the Bishop of London, that one place of preaching was all that a dissenter in Mr. Davies’ situation could ask for: and of consequence, that the number of Mr. Davies places of preaching should be lessened rather than increased.”

Having been ironically forced by the English, as Randolph saw the situation, to let the Presbyterians chip away at the Established Church’s social structure of the colony, he would confine them as much as possible so that they could not have free reign to assail adherents of the Established Church with conversion attempts.

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40 Foote, Sketches of Virginia, 171.

41 Ibid.

42 Pilcher, Samuel Davies, 120-1.

43 Foote, Sketches of Virginia, 171; Pilcher, Samuel Davies, 121-2

44 Pilcher, Samuel Davies, 122.
Leaving the religiously conflicted colony behind, and with the rights of the House of Burgesses in the Pistole Fee controversy coming to the forefront of his thoughts, Peyton Randolph returned to England in early 1754.\textsuperscript{45} The issue for which Peyton Randolph was in London, the Pistole Fee, began its trial in the midst of the British winter. On January 31, 1754, the king’s Privy Council read the letter from the Virginian lieutenant governor which spelled out Dinwiddie’s rationale behind applying and maintaining the continued requirement of the now infamous Pistole Fee.\textsuperscript{46} On February 28 1754, Peyton Randolph attended the meeting of the Privy Council where attorneys for Virginia presented the colonists’ objections to the Pistole Fee.\textsuperscript{47} The summary of the Privy Council record stated that the Burgesses found the Pistole Fee to be contrary to His Majestys Instructions, and those of His Royal Predecessors, and an express Violation of the Declaration of His late Majesty King William in Council, the 9th of September 1689; And representing, that this demand is not only unusual and Oppressive, to His Majesty's Subjects there, but very detrimental to His Majesty's Interest, And therefore humbly beseeching His Majesty, that He would be graciously pleased, by His Royal and Paternal Interposition, to relieve them from the payment of this Demand, which they have the greater reason to Hope for, as their Ancestors have established an Ample Fund for the support and maintenance of His Majesty's there. \textsuperscript{48}

While this objection seems extremely conservative given the American Revolution which came two decades later, this was a decisive message from the colonial leaders. This presentation to the Privy Council was the initial introduction of the Virginians’ concerns


\textsuperscript{47} Ibid., 234.

\textsuperscript{48} Ibid.
with the Pistole Fee, but the issue was not officially debated in front of the Council until June 18, 1754.\textsuperscript{49}

In the intervening months between Randolph’s arrival in England and the hearing of the Privy Council that summer, the issue of dissent in Virginia arose yet again. While the 1750 decision that the Act of Toleration was in fact relevant in Virginia had changed the dynamics of the licensing debate, the conflict persisted. Since arriving in England, Samuel Davies had been busily occupied with the plight of the Virginia dissenters. In early 1754, Davies had sought the counsel of a group of men who did not adhere to the Church of England who had assembled to help the Presbyterian to negotiate his religious situation in Virginia. These men had “advised him that the Toleration Act was not written in such a way that it could apply to Virginia. Reportedly, the only part of the law operative in the colony was that which exempted dissenters from attendance at Anglican services.” But, his fellow dissenters told Davies to take the issue to George II as his best chance of redress.\textsuperscript{50}

Just under two weeks after discovering Randolph’s presence in England, on March 14, 1754, Samuel Davies lamented the former attorney general’s appearance in London once again. Davies recorded in his journal that

Yesterday I drew up a Petition for the Dissenters in Virginia, and carried it to Dr. Avery to correct. The Death of Mr. Pelham, the Project of sending a Bishop over to America, and the Confusions between the Governour and Assembly in Virginia, and Mr. Randolph, my old Adversary being now in London, are all great obstructions at present to the Relief of my oppressed people. And the Committee on these

\textsuperscript{49} Greene, “The Case of The Pistole Fee,” 403.

\textsuperscript{50} Pilcher, \textit{Samuel Davies}, 150.
Accounts think this a very improper Time to make any Applications in their Favour.\textsuperscript{51}

While the presence of Randolph clearly disheartened Reverend Davies, it did not deter him entirely. About a month later after the aforementioned entry, on April 7, 1754, Davies recorded that he “sent a Petition to Virginia, at the Direction of the Committee, to be subscribed by the Dissenters there, and transmitted to be presented to the King in Council.”\textsuperscript{52} Although no one is aware of what happened to Reverend Davies’ petition, it became increasingly clear to this minister that the situation of the Presbyterians could not be solved by him alone in the current political climate. In fact, shortly after his trip to England, Davies abandoned his Virginia endeavors in favor of his work for the College of New Jersey.\textsuperscript{53}

The social and political situation of dissenters in Virginia was not resolved during the coincidental appearance of Samuel Davies and Peyton Randolph in London in 1754. In fact, the religious situation continued to be undefined in the colony and was not ultimately codified in Virginia prior to the American Revolution. As Rhys Isaac wrote, “Although official attempts to restrict the Presbyterians seem to have been abandoned after 1759, no formal ruling was made in their favor…”\textsuperscript{54} The Presbyterians were not the last dissenters to face discrimination and persecution by the Virginian establishment. The shift in elite concern appears to have shifted from the Presbyterians to the Baptists, who

\textsuperscript{51} Pilcher, \textit{The Reverend Samuel Davies Abroad}, 82-3.

\textsuperscript{52} Ibid., 85.

\textsuperscript{53} Pilcher, \textit{Samuel Davies}, 135 and 151-2.

\textsuperscript{54} Isaac, 153.
“had to face yet more intense harassment.”\textsuperscript{55} This was far in the future, however, and in 1754, Peyton Randolph remained in England.

Though the feud between Reverend Davies and Peyton Randolph was both fervent and long-lived, Peyton Randolph may not have even known of Samuel Davies’ presence in London in the summer of 1754. The reason for Peyton Randolph’s trip, the issue of the Pistole Fee, was far from settled and it is likely that he devoted his energies to this matter. On June 18, 1754, Peyton Randolph was once more before the Privy Council to witness the debate over the Pistole Fee.\textsuperscript{56} Unfortunately for Randolph, once the debate began, a large portion of the argument hinged upon the validity of his trip to London on behalf of the Virginia House of Burgesses. Alexander Hume Campbell, the opposing council, berated the impertinence of the colonial assembly and even Peyton Randolph personally. Campbell declared that the House of Burgesses “hath authorized the Attorney General to appoint an Agent, and allow him £200, p[er] Annum, in order, to be perpetually teizing [sic] your Lordships.”\textsuperscript{57} In fact, Campbell continued, “This little Assembly, this puny House of Burgesses have boldly dared to do, what the House of Commons in England never presumed to Attempt.”\textsuperscript{58}

Campbell even accused Peyton Randolph himself of personally accepting a bribe from his own House of Burgesses. Campbell claimed that by paying Randolph with House of Burgesses funds, “the publick Money is ordered out of the hands of the King’s Officer; out of the King’s revenue, to bribe a King’s Officer to swerve from his duty to

\textsuperscript{55} Ibid.

\textsuperscript{56} Greene, “The Case of the Pistole Fee,” 403.

\textsuperscript{57} Ibid., 411.

\textsuperscript{58} Ibid.
the King, to oppose the King’s Governor acting under the King’s Instruction.”59 The
time which Randolph had been allotted by the Burgesses was mentioned at the end of
the proceedings by John Carteret, Earl Granville, when he threatened Randolph that
“Whatever the House of Assembly may apprehend, we shall look upon that Money as
part of the Revenue of the Crown, and if the Treasurer shou’d pay you, He will be liable
to an Action from the Governor.”60

Alexander Forrester, attorney for the Virginia House of Burgesses, defended
Peyton Randolph’s presence at the proceedings as an advocate for the colonies.61 Though
Randolph was appointed by the Burgesses while he was still a royal office holder,
Forrester aimed for a more liberal interpretation of this action. Forrester claimed that the
selection of Peyton Randolph “shews that great Felicity of this Reign when the King’s
nearest Servant is delegated by the People, and thought the properest Person to maintain
their Rights and Priviledges [sic] against a Governor, who has abused the Authority,
which He has been intrusted.”62 It is unlikely that Alexander Forrester had extended
personal acquaintance with Randolph; however, Forrester made the argument that the
Virginia attorney general’s coming to England to agitate for the colony meant that the
people saw royal office holders, the representatives of the king, as approachable and
concerned about their rights. If it is indeed a statement on Randolph’s personal
qualifications, it is indeed high praise that Randolph could serve as an effective
intercessor between the king and his people.

59 Ibid., 410.
60 Ibid., 422.
61 Ibid., 403-4.
62 Ibid., 416.
In the end, the final judgment by the Privy Council in the case of the Pistole Fee concluded that the Governor should take a Fee upon every Patent, containing 100 Acres or upwards of Lands below the Alleghany Mountains; that all Lands beyond the Alleghany Mountains should be granted out upon the usual Fees; that no one Person should take up more than 1000 Acres; and that all patents lying in the Office before the 17th April 1752, should be passed upon the usual Fees. With this decision, not only the Virginians were relieved from a much of the application of the fees, but also Lieutenant Governor Dinwiddie did not feel wronged by the Privy Council. As historian Thad W. Tate wrote, “in keeping with the new tone of imperial policy, however, the Crown officials avoided the surrender as a matter of right of a power claimed by an imperial official, and Virginians were quick to recall the controversy when they became embroiled in the larger one that broke out a decade later.” The situation eventually resolved itself for Peyton Randolph politically as well. The Board of Trade forced Lieutenant Governor Dinwiddie to reappoint Peyton Randolph the attorney general of Virginia.

With the Pistole Fee situation settled in England, Peyton Randolph’s mission was complete and at the end of 1754, he sailed again for Virginia. While the French and Indian War was becoming a serious threat to Virginia security, the seemingly minor issue of Randolph’s payment for his trip remained problematic in the House of Burgesses. In fact, Lieutenant Governor Dinwiddie upheld Lord Granville’s desire to prevent Randolph

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63 Ibid., 422.
64 Billings, Selby, and Tate, Colonial Virginia, 257.
65 Reardon, Peyton Randolph, 14.
66 Ibid.
from receiving his allotted payment. Although the specter of French invasion loomed from the West, the colonial government in Virginia came to a standstill because of the deadlock between Dinwiddie and the Burgesses. The very issue of giving Peyton Randolph compensation for his voyage to England continued to drag down the relations between the lieutenant governor and the Assembly. Dinwiddie complained that the political strife between himself and the colonial Virginians prevented him from executing his imperial duty to defend the colony against the French. The lieutenant governor lamented that the pistole incident, which was the root cause of all of the problems “was Prior to any Direct’s in regard to the Encroachm’ts of the French on our Frontiers, it c’d not be any Foundat’n for the Ho. of Burgesses not giving due Obedience to his M’y’s’s [Majesty’s] Com’ds [Commands] for a mutual Suppy ag’st the common Enemy.” In fact, the lieutenant governor protested, that he “never had so troublesome [a] duty to perform” as trying to simultaneously negotiate an imperial war and a colonial political stalemate.

The members of the House of Burgesses apparently knew that Lieutenant Governor Dinwiddie had deep concerns about securing adequate provisions for the French and Indian War effort. In a maneuver of manipulation, the Burgesses attempted to obtain the money to pay back Peyton Randolph for his voyage by having adding it onto a funding and provisions measure for the French and Indian War. Dinwiddie himself “took much Pains to acquaint them of the Inconsistency of the rider, and how far it appeared to

67 Ibid., 16.
68 Ibid., 16; Robert Dinwiddie to James Abercromby, April 26th, 1754 in Brock ed., The Official Records of Robert Dinwiddie, 137.
69 Reardon, Peyton Randolph, 16.
70 Robert Dinwiddie to James Abercromby, April 26th, 1754 in Brock ed., The Official Records of Robert Dinwiddie, 137.
me unconstitutional, but to no Purpose; they are determined not to pass the Vote of Supply without it.” After this maneuvering, however, the upper house of the Virginia legislature did not pass the Burgesses’ bill with the “rider” concerning Randolph anyway.  

    After all the political fireworks, Peyton Randolph ultimately received his money shortly after returning home. Eventually, in 1754, “the Council approved Treasurer Robinson’s accounts containing an item to pay Randolph the £2500 promised him by the Burgesses the previous December for serving as agent.” With the money situation decided, the political stalemate in Virginia began to improve and the focus of the lieutenant governor and the council could return to the ongoing imperial war.

    While the funding issue in Williamsburg was resolved in 1754, the French and Indian War continued to rage hundreds of miles away on Virginia’s western border. In late spring 1755, Peyton Randolph established a regiment of the leading men of the Old Dominion to move against the French on Virginia’s Western border. In a letter to George Washington, Randolph wrote that “Some public spirited Gentlemen have done me the honor to fix upon me as their leader, till we can come to the place where you command.” Randolph claimed there would “be about three [sic] hundred” in his


72 Greene, “The Case of the Pistole Fee,” 405.

73 Ibid.

74 Reardon, Peyton Randolph, 17.

party.\textsuperscript{76} In this war, regardless of his problems with British policy against Virginia, Peyton Randolph was actively engaged in supporting the empire.

With the massive imperial clash initially favoring the French, the desire to dedicate their full devotion to the war effort was somewhat low among the American colonists.\textsuperscript{77} Yet again, the Reverend Samuel Davies appeared in Peyton Randolph’s life, or so it appears. Early in the conflict, Davies had helped to improve Virginia’s lagging war enthusiasm by preaching a series of sermons to motivate the colonists.\textsuperscript{78} Some people believed that his actions helped Virginians to accept Presbyterians, though this appears to be untrue.\textsuperscript{79} However, that myth is also tied up in the idea that Peyton Randolph was actually merely copying Davies’ notion of encouraging imperial support when Randolph gathered his elite troops. As historian Rhys Isaac wrote,

\begin{quote}
When Peyton Randolph finally raised a company of gentlemen volunteers and marched them to the frontier in order to set an example for the common people, we may be sure that he was attempting to offset rather than to emulate the actions of the volunteer companies from Louisa and Hanover counties, whose Christian piety Presbyterian preachers had so pointedly contrasted with the shortcomings of recruits from traditional Anglican society.\textsuperscript{80}
\end{quote}

It seems that Peyton Randolph hoped to demonstrate to the Presbyterians that the followers of what the attorney general saw as the true English culture could stand up for the empire just as well as the dissenters. Randolph did not copy the actions of Davies. Randolph’s desire to preserve and earn respect for the English establishment extended far

\begin{footnotesize}
\textsuperscript{76} Ibid.

\textsuperscript{77} Isaac, \textit{The Transformation of Virginia}, 154.

\textsuperscript{78} Ibid.

\textsuperscript{79} Ibid.

\textsuperscript{80} Ibid.
\end{footnotesize}
beyond philosophical and ideological battles; the attorney general was willing to lead troops to defend the validity of his way of life.

Years after Peyton Randolph’s 1754 trip to England and his 1755 raising of his gentry troops, his cousin Thomas Jefferson remembered that, as attorney general, Randolph “considered himself equally charged with the rights of the colony as with those of the crown…”81 Peyton Randolph’s journey to England seems to have been the first time that the young attorney general actively negotiated his ideological conflict between king and county. On his voyage, in the European capital where Randolph had received a legal education two decades before, he was berated and chided as an embezzler and a radical by the Second Earl Granville among other ranking nobles. But Peyton Randolph came home to Virginia a hero.82 As Peyton Randolph’s nephew, Edmund Randolph, wrote in retrospect, “The House of Burgesses were as bold as the time would permit. Their opposition would have been folly had a resort to force constituted a part of it: to know when to complain with truth, and how to complain with dignity, was the characteristic of watchful patriots, and ample for the only end which could then be projected”83

Peyton Randolph adopted a method of dual consciousness with regard to British authority during the years surrounding his trip to England. Randolph idolized the British way of life and was very clearly willing to support and literally defend it, to the best of his ability. Randolph took the idea of British liberty very seriously, but his liberality did

81 Paul Leicester Ford ed. The Writings of Thomas Jefferson. vol. 12 (New York: GP Putnam’s Sons, 1905), 32.
82 Greene, “The Case of The Pistole Fee,” 422.
83 Conway, Omitted Chapters of History Disclosed in the Life and Papers of Edmund Randolph, 10.
not permeate his worldview. In Peyton Randolph’s idea of liberty, Virginia had the right to defend itself to the crown when colonists felt the government was abusing them, yet Virginia’s inhabitants did not have the right to choose their own religion. Though Randolph violated imperial protocol by going to England to argue against the Pistole Fee, the attorney general felt he was seeking redress, within the bounds of his rights as an Englishman, against a legitimate grievance. When dissenters asked for the right to worship outside of the Established Church in Virginia, Randolph saw this as a violation of the social structure of Virginia. In Randolph’s view, this transgression of religious unity harmed the entire population of Virginia by weakening its social ties, and, as a result, he refused to acquiesce easily to the new freedoms of worship during the 1750s.

Subsequently, Peyton Randolph did not have much respect for instructions from the legitimate government in Great Britain which violated his idea of colonial freedom or destabilized the maintenance of social hierarchy and religious solidarity in Virginia. When the British told Attorney General Randolph that the 1689 Act of Toleration could be used by dissenters in Virginia, Randolph refused to make it easy for Presbyterians to break down the religious unity of the colony; he may have believed that he was creating an English system truer to the definition of the English society than its parent. Randolph’s 1754 conflicts with the imperial establishment in Britain and his attempt to check the power of Presbyterian dissenters in his native colony resulted from his desire to cement an English organization in Virginia. While Peyton Randolph worked within the English framework and supported its application in the colonies, his actions showed a desire to promote freedom for those he concluded had the right to exercise it. Randolph attempted to create a firm hierarchy which he apparently believed best protected
Virginians, and their rights, even when it meant violating the explicit instructions of the crown.
CHAPTER III
HIERARCHY, REMONSTRANCE, AND THE BEGINNINGS OF THE REVOLUTION: RANDOLPH’S ROLE IN CRAFTING VIRGINIA’S RESPONSE TO THE STAMP ACT

Peyton Randolph’s cousin, Thomas Jefferson, characterized the attorney general as “a most excellent man; and none was ever more beloved and respected by his friends. Somewhat cold and coy towards strangers, but of the sweetest affability when ripened into acquaintance. Of attic pleasantry in conversation, always good humored and conciliatory.”1 While Jefferson claimed that Peyton Randolph possessed “a sound and logical head, he was well read in the law; and his opinions, when consulted, were highly regarded, presenting always a learned and sound view of the subject,” it seems that the attorney general did not often put these ideas into action for personal gain during his career as a lawyer in Williamsburg.2

This lack of initiative in the private sector was, in Jefferson’s reasoning, due to the fact that Peyton Randolph displayed, in the study of law, “generally, too, a listlessness to go into its thorough development; for being heavy and inert in body, he was rather too indolent and careless for business, which occasioned him to get a smaller proportion of it at the bar than his abilities would otherwise have commanded.”3 While Randolph’s financial security as the legatee of a significant portion of Sir John Randolph’s property meant that he did not need to dedicate his constant attention to his legal business,

1 Ford, The Writings of Thomas Jefferson, XII, 31.
2 Ibid.
3 Ibid. According to the OED Online, in the early 19th century when Jefferson wrote this observation, “indolent” meant “Of persons, their disposition, action, etc.: Averse to toil or exertion; slothful, lazy, idle.” According to the same source, “careless” could have meant a variety of things, including, “Free from care, anxiety, or apprehension” or “Unconcerned; not caring or troubling oneself; not solicitous, regardless; having no care of, about, or †to”
Jefferson wrote that “after his appointment as Attorney-General, he did not seem to court, nor scarcely to welcome, business.” After 1748 when he first entered the public realm as attorney general of Virginia, Peyton Randolph’s focus was the political affairs of his colony, rather than his personal promotion in the legal field for profit. According to Jefferson, not only did Peyton Randolph cease to look for new clients to represent, but he also rejected many of those who appealed to him in favor of devoting his time to the workings of the colonial government, at a significantly lesser financial return for himself.

While apparently setting his law business aside in favor of politics, Peyton Randolph faced a great deal of work in the lower house of the Virginia legislature once he arrived back from England in 1754. In fact, Randolph returned to Virginia, and to the House of Burgesses, just in time to organize Virginia’s role in the French and Indian War which was still only in its infancy when he arrived home. Before Peyton Randolph went to England on business for the Burgesses, he had, under the tutelage of the then-Speaker, John Robinson, become the acclaimed new member of that legislative body. During his tenure as Speaker, John Robinson was, according to historian T.H. Breen, “the most powerful man in Virginia, royal governors not excluded.” Peyton Randolph’s quick rise to power began when the Burgesses selected Randolph to help “draw up an Address to the Governor,” though he was young, inexperienced, and serving in his first sitting of the

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4 Ibid., 31-2.
5 Billings, Selby, Tate, *Colonial Virginia*, 264.
6 Reardon, *Peyton Randolph*, 8.
7 Ibid.; Breen, *Tobacco Culture*, 103-4.
Burgesses. The day after this honor, Robinson selected Randolph to serve on both the Committee of Privileges and Elections and the Committee of Propositions and Grievances.

Upon Peyton Randolph’s return to Virginia, he resumed his role as a significant, trusted delegate of the legislative body, and, importantly, right-hand man to Speaker Robinson. It is no small wonder that Randolph became less interested in his law practice as his cousin noted; his duties in the House were staggering. Before 1762, Randolph worked his way through the committee hierarchy of the House of Burgesses. He became the head of the Committee of the Courts of Justice, the Committee of Privileges and Elections, and the Committee of Propositions and Grievances, and when necessary, even the Committee of the Whole House for private discussion.

The extent of Peyton Randolph’s political clout became evident in the spring of 1764 as word of the impending Stamp Act made its way across the Atlantic to Williamsburg. The debate over Virginia’s reaction to the Stamp Act put Peyton Randolph in an awkward position. As attorney general, Peyton Randolph had aspired to make into reality his concept of English liberty, in America. Yet, the interactions between the colonies and the empire would put that idea of liberty in stark contrast with

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10 Reardon, *Peyton Randolph*, 16, 8.

11 Ibid., 16.

12 Billings, Selby, Tate, *Colonial Virginia*, 291.
the reality of the state of affairs in the British Empire in the wake of the French and Indian War.

The Virginia House of Burgesses learned of the beginnings of this massive shift in imperial policy concerning the North American colonies through correspondence with their contact in England, Edward Montague. Montague, a graduate of Middle Temple like Peyton Randolph, had been chosen by the House of Burgesses in 1759 to serve their interests in England and keep them abreast of information relating to colonial affairs.

On July 28, 1764, the clerk of the House of Burgesses described the manner in which the delegates would respond to Montague in a letter which had yet to be written. The delegates hoped to express in this letter that,

the parliament seem so determined to carry their Intentions of taxing the Colonies at pleasure into Execution. That to prevent a precedent of being taxed in this unconstitutional manner, it is supposed the Legislature of this Country would rather agree to lay on themselves any reasonable Apportionment of the Sum intended to be raised in the Colonies, and that he be desired if possible to get this Matter postponed 'till the Com. can furnish him with the Sentiments of the General Assembly thereon, which is to meet the 30th of Octr next.

As a result of the letters which the House had received from Montague and a one recently arrived from the lower house of the Massachusetts Assembly, the House of Burgesses began to feel that their rights and liberties as Englishmen were being infringed upon.

13 Ibid.


15 “Proceedings of the Virginia Committee of Correspondence, 1759-'67 (Continued)” The Virginia Magazine of History and Biography, Vol. 12, No. 1 (Jul., 1904), 7; “That Virginia, who we may venture to say without boasting, has been second to none of the neighbouring Colonies in any Instance of Duty & Affection to her gracious Sovereign & Mother Country, was equally entitled to every Benefit indulged to others; we thought must in Justice have been own'd & confess'd by all.” Ibid., 8.

16 Reardon, Peyton Randolph, 19.
Thus, the delegates decided that the situation was dire enough that they should write the King and Parliament in hopes of gaining some form of redress before the Stamp Act could even be enacted by the imperial government.\(^{17}\) While the Burgesses were simultaneously aware of the passage of the Sugar Act, the delegates of lower house of Virginia viewed it as an unchangeable *fait accompli*, unlike the looming Stamp Act.\(^{18}\)

The House of Burgesses elected to take proactive measures to try to prevent the proposed Stamp Act. The delegates decided that the best course of action was to write three separate letters: one to the king, one to the House of Commons, and one to the House of Lords.\(^{19}\) In these letters the delegates would logically lay-out their concerns about the Stamp Act in hopes of obtaining redress from the government.\(^{20}\) The Burgesses selected several prominent men of their number, including Peyton Randolph and his influential brother-in-law, Benjamin Harrison, to craft these letters.\(^{21}\) According to Thomas Jefferson, Peyton Randolph himself wrote the address to George III.\(^{22}\) Randolph played an active role in drafting these attempts remonstrances in spite of the fact that,

> during the month preceding their passage Peyton Randolph, while serving on the committee that framed the protests, had in his capacity as attorney general readily supplied Governor Fauquier with a list of the kinds of legal


\(^{18}\) Billings, Selby, Tate *Colonial Virginia*, 293.


writs and forms customarily used in Virginia, so that he might forward it for the use of officials who were drafting the stamp legislation.\(^{23}\)

This idiosyncratic dichotomy of duty and rebellion is a notable example of Thomas Jefferson’s claim that as attorney general, Randolph “considered himself equally charged with the rights of the colony as well as with those of the crown.”\(^{24}\) While Randolph protested the actions of the royal government, he continued to fulfill his duties to the king as required by his role as Virginia’s attorney general. That said, while Randolph opposed the Stamp Act, he believed in protesting within the framework of the established government by sending letters to the king and Parliament as a civil way to express the distress of Virginians. Similar to his experience in England, Peyton Randolph seemed to have thought he was finding a liberty in Virginia which located the true essence of the meaning of British freedom, regardless of the commands of the crown. Randolph believed in respecting the hierarchy which the colony inherited from England and was in no mood to unnecessarily upset his king in order to further the demands of Virginia.

Though Peyton Randolph did not see the remonstrances to the king and Parliament to be too radical, Parliament did. In fact, Parliament would not even read these remonstrances “partly on the grounds that they called into question the authority of Parliament but also on the strength of a general custom against hearing petitions on

\(^{23}\) Billings, Selby, Tate, *Colonial Virginia*. 294.

money bills.” Without regard for the concerns of the Virginians, the British legislature approved the Stamp Act on March 22, 1765.

While Virginians knew that the Stamp Act had become law in England, the House of Burgesses had not yet received a response from Parliament or the king to their letters of remonstrance, owing to the amount of travel time between England and her colonies. For some members of the House of Burgesses, however, sending letters detailing their complaints over the Stamp Act was not sufficient to express how deeply they felt Parliament was violating their rights as Englishmen. Freshman Burgesses Patrick Henry of Louisa County and his supporters, who represented regions of Virginia more remote than the capital of Peyton Randolph and his elite and influential colleagues in the Burgesses, decided to make their vexation official. The Resolves they proposed would state, much more strongly, the problems that Virginians had with the Stamp Act.

The idea of reiterating the sentiments which he and his colleagues had just dispatched to the king and Parliament did not sit well with Peyton Randolph. Owing to his belief in the appropriateness of the petitions which had already been sent to Parliament, when Peyton Randolph discovered the impending presentation of Patrick Henry’s so-called Stamp Act Resolutions, he seemed to have considered them

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25 Billings, Selby, Tate, Colonial Virginia, 296.

26 Ibid.


28 Billings, Selby, Tate, Colonial Virginia, 298, 301.

unnecessary, repetitive, and provocative.\textsuperscript{30} As Peyton Randolph often served as the head of the House of Burgesses when it was functioning as a Committee of the Whole, he would, ironically, moderate discussion during the political wrangling over Henry’s Resolutions.\textsuperscript{31} In this role, Randolph would serve as the temporary Speaker of the House when John Robinson stepped aside; this was both a position of power and one which would provide him with valuable experience later in his political career.

Infuriated by the impropriety of the proposed Resolutions, Attorney General Peyton Randolph stood, with his considerable clout, firmly against them. As Thomas Jefferson wrote, “It was on the ground of these papers that those gentlemen opposed the famous resolutions of Mr. Henry in 1765, to wit, that the principles of these resolutions had been asserted and maintained in the address and memorials of the year before, to which an answer was yet to be expected.”\textsuperscript{32} Regardless of that fact, on May 29, 1765, Patrick Henry proposed his Stamp Act Resolutions to the House of Burgesses, which was functioning as a Committee of the Whole, with Peyton Randolph serving as moderator.\textsuperscript{33}

During the ensuing debate, “those gentlemen” to whom Jefferson referred, who stood in staunch opposition to Henry’s restating those objections which they had already made, not surprisingly, included Peyton Randolph’s mentor, the aging Speaker John Robinson. During Patrick Henry’s vehement speech in defense of his resolutions, Henry claimed, according to the later writings of Peyton Randolph’s nephew, Edmund

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\textsuperscript{30} Ibid.
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\textsuperscript{31} Reardon, \textit{Peyton Randolph}, 16 and 21-22.
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\textsuperscript{32} Thomas Jefferson to Joseph Delaplaine. July 26, 1816 in Ford, \textit{The Writings of Thomas Jefferson} XII, 30.
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\textsuperscript{33} H. R. McIlwaine, ed., \textit{Journals of the House of Burgesses} 1761-1765, pp. 359-60.
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Randolph, that “'Caesar,' cried he [Henry], 'had his Brutus; Charles the first his
Cromwell; and George the third—' ‘Treason, sir” exclaimed the Speaker, to which Henry
instantly replied, “and George the third, may he never have either.”34 While there has
been heated debate over Henry’s response to Speaker Robinson’s call of “Treason,” it
was certainly Speaker Robinson who was responsible for yelling amidst Henry’s bold
claims.35 One can imagine that Peyton Randolph had similar feelings concerning the
impropriety of the remarks, though he did not loudly voice his thoughts during Henry’s
speech as his mentor did. While Randolph had worked to write the letter the king
attempting to gain the repeal of the Stamp Act thus expressing similar feelings to those
Henry extolled so bombastically in the House, Randolph was reserved, cautious, and
studied in his decisions. In addition to being a crown employee, a role which he seems to
have highly valued, Randolph guarded colonial liberty while simultaneously esteeming
English society, culture, hierarchy, and courtesy, the last of which he was unwilling to
blatantly offend by addressing the king and Parliament in such a manner.

Over Peyton Randolph, Speaker John Robinson, and their allies’ clear objections,
and although many of the Burgesses were not even present in Williamsburg to vote on
the issue, all except for the last two of Patrick Henry’s Stamp Act Resolves ultimately

Documents (Charlottesville: The University Press of Virginia for The Virginia Historical Society, 1970),
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35 David Alan Williams, “The Phantom Governorship of John Robinson, Sr., 1749” The Virginia Magazine
of History and Biography 68, no. 1, (Jan. 1960), 104. Cites Robinson as yelling “Treason! Treason!”;
Billings, Selby, Tate, Colonial Virginia, “The apocryphal version of that dramatic moment concluded with
Henry looking his hearers in the eye and, after suggesting that George might profit from their example,
declaring, 'If this be treason, make the most of it!’ A contemporary account left by a French traveler who
happened to be in Williamsburg and attended the debate, reported Henry as having immediately backed
down, begging the pardon of his audience and declaring himself as loyal a servant of the king as any he
had,” 299.
passed the House of Burgesses on the following day, May 30, 1765. The vote was excruciatingly close; Thomas Jefferson remembered nearly half a century later that,

And that the sixth [actually fifth] was the one passed by the House, by a majority of a single vote, and expunged from the journals the next day. I was standing at the door of communication between the house and lobby during the debates and vote, and well remember, that after the numbers on the division were told, and declared from the chair, Peyton Randolph (then Attorney General) came out at the door where I was standing and exclaimed, “By God, I would have given one hundred guineas for a single vote.” For one vote would have divided the house, and Robinson was in the chair, who he knew would have negatived [sic] the resolution.

Randolph’s wish did ultimately come true. Once some of the members of the impassioned pro-Henry faction had left the capital, “the remaining members voted to rescind one resolution so that the official journals of the House recorded only four, omitting in particular the two strongest from the original list.” This small easing of the Resolutions must have soothed Peyton Randolph’s angst slightly; however, it is unlikely that it completely absolved Patrick Henry of impropriety in Attorney General Peyton Randolph’s mind. The royal governor was disappointed as well, though probably significantly more than Peyton Randolph; on Saturday, June 1, 1765, as a result of the scandalous Resolves of Patrick Henry and his allies, Governor Francis Fauquier “was pleased to dissolve the Assembly.”


38 Billings, Selby, Tate, Colonial Virginia, 298.

The tension between Peyton Randolph and Patrick Henry resulted from significant differences in their political ideologies; Randolph and Henry came from two diverse political groups in mid-century Virginia.\textsuperscript{40} One main point of contention between the two factions was that,

“Henry and his backers, on the other hand, were not simply new men from the upcountry sections of the colony who had only recently been brought actively into provincial politics. They were men for whom the empire was more remote: if their acquaintance with provincial politics was recent, that with imperial politic was still more slight.”\textsuperscript{41}

While Peyton Randolph had close personal friends across the Atlantic who had assisted him in securing the position as attorney general, Patrick Henry and his followers “were more likely to deal with resident factors at Scottish stores in their own neighborhoods and in a relationship based more on suspicion than on longtime confidence.”\textsuperscript{42} Peyton Randolph, as he had already shown with his cautious dealings within the empire, still valued the imperial connection and Virginia as part of the British Empire. Randolph certainly had concerns about the way England was treating the colonies in 1765, but that did not mean that he was willing to approve of Patrick Henry and his followers, whom Randolph probably saw as upstarts who did not understand the implications of their actions.

In this conflict over the Stamp Act, the tension in Peyton Randolph’s ideological life became apparent. Displayed in the political debate was a clash between both factions in Virginia and between Randolph and the greater idea of the empire. Peyton Randolph’s

\textsuperscript{40} Billings, Selby, Tate, \textit{Colonial Virginia}, 300-303.

\textsuperscript{41} Ibid., 301.

\textsuperscript{42} Ibid.
idea of the British Empire was one in which remonstrances were rewarded. That was no longer the case in 1765; neither the king nor Parliament even read his carefully-worded petition. Randolph’s idea of Virginia was one in which he and his well-educated, elite, conservative colleagues ruled the House of Burgesses; apparently Virginia had entered a new political era.43

In probably the first substantial instance in his life, Peyton Randolph experienced defeat.44 The attorney general and his allies had been bested by a group of delegates who held a world-view which was, in many significant ways, fundamentally different from their own.45 While perhaps the easiest conclusion to draw from this situation would be that Peyton Randolph had become an icon of a by-gone era and a man on whose career the sun was setting, quite the opposite was in fact true. Regardless of Peyton Randolph’s ultimate political loss in the debate over the Stamp Act, in 1765 Randolph stood on the precipice of inheriting the highest political honor Virginia had to offer.

43 Ibid., 300-303.
44 Ibid., 300.
45 Ibid.
CHAPTER IV
TWO SCANDALS, THE FALLOUT, AND PEYTON RANDOLPH’S POPULARITY

Not long after negotiating the Stamp Act Crisis, Peyton Randolph would be dragged into two scandals which were decidedly more local to his hometown of Williamsburg. Randolph’s choices in both of the controversies displayed his complex ideology of social hierarchy, his capacity to tactfully negotiate controversy, his ability to lead effectively, and the remarkable respect he commanded in Virginia. The first of these situations was the charge of misuse of government funds levied against John Robinson, Peyton Randolph’s political mentor, after Speaker Robinson’s death in 1766. The latter was the scandal, six years later in 1772, involving a conversation held at Peyton Randolph’s dining room table, concerning statements about Christianity made by the controversial minister, and College of William and Mary professor, the Reverend Samuel Henley. Peyton Randolph’s ability to save his reputation after the downfall of his mentor and his defense of free speech for Bruton Parish’s rector show Randolph to be a man whose popularity, impeccable reputation, and rarely-disputed influence in Williamsburg could seemingly weather any storm.

On May 11, 1766, Peyton Randolph’s mentor, the Virginian who had most greatly advanced his career in public service, died in the colonial capital of Williamsburg. Upon his passing, John Robinson “had been almost 30 years Speaker of the Burgesses,” filling the role after the death of Peyton’s father, the late Sir John Randolph.¹ Though the first news of Robinson’s passing extolled “his death as a calamity to be lamented by the

¹ Virginia Gazette, Purdie and Dixon, eds., May 16, 1766.
unfortunate and indigent who were wont to be relieved and cherished by his humanity and liberality,” it was in fact John Robinson’s elite colonial colleagues who had benefited the most from the Speaker’s “liberality.” John Robinson was both the Speaker of the House of Burgesses and treasurer of the colony since, at that time, the two positions were held by the same man. Robinson, during his lengthy tenure as Speaker and treasurer of the colony of Virginia, had the duty of disposing of the printed money which was being pumped into Virginia by the government in an attempt to stabilize the economy during the French and Indian War.

Even during his lifetime, Speaker Robinson had been accused of exactly the “mismanaging” in which his legacy was now embattled; yet Robinson had, according to Edmund Randolph, “met the charge with an air of magnanimity and defense and appointed his very enemies to investigate it.” Although that legislative committee cleared him of charges prior to his death, “immediately on his decease a suspicion stalked abroad, and a large deficit was ascertained in the treasury.” It had been Robinson’s duty to destroy the paper money when its usefulness during the French and Indian War had expired. However, rather than faithfully executing that task, Speaker Robinson used the bills as his own personal fund from which he doled out to his gentry cohorts to win, or

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2 Ibid.; Billings, Selby, Tate, *Colonial Virginia*, 310.

3 Billings, Selby, Tate, *Colonial Virginia*, 310.

4 Ibid.


6 Ibid.

7 Billings, Selby, Tate, *Colonial Virginia*, 310.
reward, their support. Robinson had apparently misappropriated nearly £10,000 of the colony’s money. This large quantity of money could not disappear without a massive public scandal.

According to Edmund Randolph, “the death of John Robinson, the speaker of the House of Burgesses and the treasurer of the colony, produced great agitation” in the colony. Needless to say, the Robinson scandal reflected miserably upon the political faction of the former Speaker, the elite of Virginia, and even the leadership of the House of Burgesses, groups which all included Peyton Randolph. While Peyton Randolph was closely associated with Robinson, though, the attorney general was not personally implicated in accepting the illegal funds from John Robinson. While Peyton Randolph, like most members of the eighteenth-century Virginia gentry, did eventually spend beyond his means during his lifetime, he was known to have been more reasonable than many of his elite contemporaries. Given the unadulterated respect in which residents of Williamsburg held Peyton Randolph until, and after, his death, it is difficult to believe that he was at all involved in such a scheme.

8 Ibid.
9 Ibid.
10 Edmund Randolph, History of Virginia, 173.
11 Billings, Selby, Tate, 310 claims that “Although Robinson had not benefited personally, the list of leading Virginians who had received at least small amounts was lengthy.” It seems hard to believe that, since this “list” was clearly made public, Peyton Randolph could have been elected Speaker in its wake. Nowhere, in any of my research, have I seen reference to Peyton Randolph possessing any of the tainted money.
12 Evans, A Topping People, 133. Thomas Jefferson also noted his cousin’s fiscal soundness: “He was liberal in his expenses but correct also, so as not to be involved in pecuniary embarrassments; and with a heart always open to the amiable sensibilities of our nature, he did as many good acts as could have been done with his fortune, without injuriously impairing his means of continuing them.” Thomas Jefferson to Joseph Delaplaine, July 26, 1816 in Ford, The Writings of Thomas Jefferson, XII, 32.
This “chasm in the public coffers,” as Edmund Randolph later deemed it, caused by Robinson’s dishonesty, would have a surprising lack of impact on Peyton Randolph’s political life. The attorney general was the heir-presumptive to the speakership as well as the position of treasurer, but it now became clear that many of the delegates of the Burgesses would not allow the possession of those two offices by the same man as a result of the late Speaker Robinson’s abuse of power. However, their distrust of the combination of the two offices did not translate into a dislike of Peyton Randolph as holder of the speakership. Although Peyton Randolph and his allies wished to retain the connection between the positions and see him elected as Speaker and treasurer, it was not to be.

On November 11, 1766, Archibald Cary nominated Peyton Randolph for Speaker of the House of Burgesses “as a Gentleman fully qualified to execute that important Trust.” Richard Henry Lee proposed Richard Bland as the opposing man for the post; the delegates voted and the men of the House of Burgesses elected Peyton Randolph the Speaker of the house. Randolph’s new role of Speaker did not come entwined with the role of treasurer of the colony, as he had hoped. This role would be filled by Robert

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14 Billings, Selby, and Tate, *Colonial Virginia*, 310.

15 Ibid.


17 Ibid. The role of speaker of the House of Burgesses ended Peyton Randolph’s long tenure as the king’s attorney in colony of Virginia. However, the illustrious Randolph family did not surrender control of the position. John Randolph, Peyton’s younger brother, assumed the prestigious role with Peyton’s retirement from it. (Billings, Selby, Tate, *Colonial Virginia*, 313)
Carter Nicholas. While Robert Carter Nicholas was a cousin of Mrs. Peyton Randolph, Betty Harrison, since both were grandchildren of Robert “King” Carter, the selection of Nicholas for the role of treasurer was not an ideal choice in the opinion of Peyton Randolph. While Robert Carter Nicholas and Randolph shared an over-arching political orthodoxy, they were often in private competition for power in Williamsburg. The main difference was the two men’s choices of political cohorts; Peyton Randolph allied himself with the “representative” faction, whereas Nicholas fell in with the “responsible” politicians. The former group “were pragmatic politicians, whose primary emphasis was upon accommodation, moderation, deliberation, and control,” whereas the latter tended to practice a strict adherence to their own idealistic principles.

While Peyton Randolph did not obtain the position of treasurer of the colony, his role as Speaker of the House of Burgesses was one of immense responsibility and influence. As historian Jack P. Greene wrote,

seated on a raised podium in front of the House, he determined what matters would be brought before the House at what time, regulated debate, and appointed the members to all committees, including the influential heads of the House’s five standing committees on privileges and elections, petitions and grievances, courts of justice, trade, and religion.

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18 Billings, Selby, and Tate, Colonial Virginia, 311.
19 Isaac, The Transformation of Virginia, 216n; Cowden, “The Randolphs of Turkey Island,” 584.
20 Billings, Selby, and Tate, Colonial Virginia, 310.
21 Ibid., 310, 313
24 Ibid.
Though Peyton Randolph surely respected the decisions of his mentor John Robinson and the way that the former Speaker had organized and led the House of Burgesses, the new Speaker made substantial changes in the way he used the powers he gained with his position. In fact, “Randolph further increased the size of the standing committees and, more important, sprinkled the major assignments among a greater number of members, with the result that the number of men at both levels of power increased slightly.”

Although Randolph clearly had an immense desire to preserve hierarchy and structure in Virginia, he seems to have demonstrated a willingness to allow a greater number of voices to be heard in the House than the previous Speaker. These changes, along with his capacity to lead effectively, made Peyton Randolph one of the most respected men in Williamsburg, and even the colony as a whole.

While Peyton Randolph had come out of the Robinson scandal with only the loss of the treasurership, it had been an unfortunate crisis in the public relations of not only the “representative” faction but also the Virginia elite as a whole, and certainly those who fell into each of the two groups, particularly Speaker Peyton Randolph. However, “they had passed through their dark night of despair, had perhaps learned a few lessons for the future, and had survived.” It seems that this survival of the political respectability of the Speaker could most likely be attested to the popularity of Peyton Randolph; it would have been natural for Randolph to fall from glory with the evidence of the criminality of his mentor, yet that was certainly not what occurred in 1766. Peyton Randolph’s ability to weather this political and social storm, so soon after his defeat during the Stamp Act

26 Billings, Selby, Tate, Colonial Virginia, 314.
Crisis just the previous year, shows the extreme respect and popularity which Randolph wielded in Williamsburg. While the Speaker was perhaps more conservative than some of his colleagues, the people of Williamsburg, and his fellow Virginians, must have believed that Randolph had their best interest at heart. This was the success of, what historian Rhys Isaac called, “his capacity to dominate politics in the paternalistic mode—learned in a long apprenticeship to Speaker Robinson.”

With John Robinson now deceased, Peyton Randolph stepped up to claim the political helm of Virginia which he held completely in his own right by showing his ability to put his mentor’s demise in the past and move the colony forward. Randolph retained some aspects of Robinson’s reign. Edmund Pendleton remembered, years later, that “my small stock of knowledge in that way [Parliamentary Procedure] I caught from Mr. [John] Robinson and Mr. [Peyton] Randolph…” With his inheritance of the Speaker’s chair, Peyton Randolph both continued the political attitudes and traditions of John Randolph, such as a sense of decorum and moderation, while simultaneously allowing more Virginians to participate in the legislative debate.

Peyton Randolph’s acquisition of this political role was an immense personal triumph for the former attorney general. He had reached the height of power in colonial Virginia. Rhys Isaac wrote that “Peyton Randolph, Williamsburg’s representative, Speaker of the House of Burgesses, and President of the Continental Congress, had certainly transcended local and provincial forms of authority, yet his manners and outlook epitomized him as a ‘liberal’ Virginia gentleman in the traditional style—a

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clubman at ease with persons of all ranks.” In the eighteenth-century meaning of the world “liberal,” Randolph would have been able to easily condescend, and thus give due respect, to the lower classes while being ideologically, and sometimes monetarily, generous. Several years after he became Speaker, however, amidst all of the imperial scandal that was rocking the Atlantic World during the 1770s, local problems would continue to interfere in Peyton Randolph’s personal life, even his status as a “liberal” Virginia gentleman.

Randolph’s alma mater, the College of William and Mary, obtained a new professor, Samuel Henley, who immigrated to Virginia from England in 1770. Reverend Henley had obtained this job, similar to the way in which Peyton Randolph acquired the attorney generalship, with the assistance of respectable and socially elevated allies in England, in Henley’s case, the Bishop of London, Richard Terrick, who was also the Chancellor of the College of William and Mary. Upon his arrival in Williamsburg, the Reverend Henley found an intellectual climate which he deemed to be conducive to progressive thought and the minister began making controversial statements about the nature of Christianity. This may have been due to the fact that, as historian Rhys Isaac wrote, “in the younger set and among those like Peyton Randolph of the older generation

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30 The success of that political model can be seen in Jack P. Greene’s statement that “Most remaining evidence, however, indicates that deference and respect, not envy and resentment or fear and obsequiousness, were the conventional attitudes of the rest of Virginia society toward the gentry.” Greene, “Society, Ideology, and Politics,” 264.


who liked to patronize liberal new ideas, Henley found misleading assurance that he could speak freely without creating alarm.”34 While Peyton Randolph had, in his actions, proven himself to be a conservative in his religious and political views, specifically when the maintenance of religious values helped to maintain Virginia’s social hierarchy, as they applied to the colony and the empire as a whole, it seems he was very apt to allow for the free flowing nature of modern notions, particularly at his private home in Williamsburg. Peyton Randolph was not alone in his admiration of the young clergyman; Henley “won the friendship of such men as George Wythe…and Thomas Jefferson, and was an admired teacher of James Madison, Edmund Randolph, James Monroe, and Jefferson’s younger brother Randolph Jefferson.”35

However, while Reverend Henley did acquire some very important allies, not all of the Williamsburg gentry were in agreement with Speaker Randolph on the manner in which a minister of the Church of England should conduct himself. In the spring of 1773, several years after his arrival in Williamsburg, Henley’s name was proposed as a candidate for rector of Bruton Parish Church; Peyton Randolph’s old nemesis, Treasurer Robert Carter Nicholas, determined to stand in Henley’s way.36 According to Rhys Isaac, “Nicholas had alleged in opposition to the appointment of the Reverend Mr. Samuel Henley, the acting rector, both that he was an avowed enemy of the forms of the Church of England as by law established in Virginia, and that he maintained heterodox opinions


derogating the divinity of the Savoir.”

Though Peyton Randolph and Robert Carter Nicholas did agree on some political points, their adversarial relationship would become central to the debate over the status of Reverend Henley.

On June 12 of that year, Peyton Randolph made his way over to Bruton Parish to witness the hearing by the vestry as to whether Henley would be appointed as rector. Peyton Randolph was far from jovial on this day; the reason for his visit was to defend statements that Henley had made at Randolph’s home. These comments were now the subject of a heated debate, fueled by the accusations of Robert Carter Nicholas that Henley was unfit to be rector of Bruton Parish. In fact, “Peyton Randolph’s anger at the violation of the sanctity of his hospitality enables us to gain for a moment a more certain view of his posture in the cultural combat that had been joined.” The root cause of Randolph’s presence at this vestry meeting was probably two-fold; the Speaker liked Henley as a friend and wanted to advance his career, and secondly, and probably more significantly, Randolph felt he had been personally offended and his honor as a host had been violated.

It is somewhat out-of-character at first glance that Speaker Randolph would defend Samuel Henley so vehemently since the reverend was one of “two [of the] most prominent spokesmen for a free toleration of dissenters from the established Church of

37 Ibid., 209.
38 Ibid.
39 Ibid.
40 Ibid., 231.
England.” The opposition to the allowance of dissent in Virginia was a position on which Peyton Randolph had been, twenty years earlier, very willing to take an extremely strong stance. Thus it seems bizarre that he would protect the free speech rights of a man so inclined. While Randolph opposed dissenters because they tore at the hierarchical fabric of Virginia, it seems that Randolph valued the ability of his guests to speak freely at his home more than what they were actually saying. This may have been somewhat based in a class distinction, as Rhys Isaac observed when he characterized Randolph as belonging to a group “who liked to *patronize* liberal new ideas.”

The debate raged on and even infiltrated the press of Williamsburg, and the strained relationship between the Speaker of the House of Burgesses and treasurer of Virginia could not be avoided, even in public discourse. On February 24, 1774, Treasurer Robert Carter Nicholas took up the entire first page of the *Virginia Gazette*, and a good portion of the second page, with an enraged rant addressed directly to Reverend Samuel Henley. Nicholas even went so far as to mention “Colonel Richard Bland, who was first called upon, declared that he remembered well, *as it made a deep Impression in his Mind*, that, in a Conversation with the Speaker and you, some considerable Time past, upon the Divine Perfections, the DIVINITY OF OUR SAVIOR was mentioned…” The statement that the conversation was “with the Speaker” seems somewhat unnecessary and perhaps Nicholas meant to implicate Randolph as a part of this heretical scheme, as Nicholas saw Henley’s potential elevation to be.

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41 Ibid., 235.

42 Ibid., 218. Italics mine.

43 *Virginia Gazette*, Purdie and Dixon, eds., February 24, 1774.
Though the Bruton Parish vestry did not ultimately select Reverend Henley to be their rector, “his frustrated ambition was fed in October 1773, when the governor, the earl of Dunmore, either from sympathy with his opinions, or, more probably, out of consideration for the Randolph interest, named him preacher to the General Court.”  

Randolph’s relationship with Samuel Henley ultimately declined and ended as, with the coming of the American Revolution, the British-born reverend took a stand as an ardent loyalist and fled Virginia in 1775 with Governor Dunmore.  

Peyton Randolph’s defense of Reverend Henley, similar to his controversial status as a protégé of former Speaker John Robinson, showed Randolph’s capacity to weather political and ideological storms in his colony with relative ease. While the removal of the position of treasurer from his grasp must have been hurtful to his pride, Randolph’s negotiation of that crisis displayed his ability to obtain and retain power and respect. The office for which the Burgesses selected Randolph allowed him an incredible amount of control over the political functioning of the House of Burgesses. Though Reverend Henley did not achieve his goal of the Bruton Parish rectorship, it seems that Randolph’s interest in the young man was ultimately rewarded by the royal governor. Peyton Randolph’s influence and power in Williamsburg were almost unchallenged by the 1770s. In fact, though the Speaker had undergone a series of struggles, his reputation had remained untarnished and his role as a colonial leader would soon have ramifications far beyond the borders of Virginia.


CHAPTER V
RUMBLINGS OF REVOLUTION

In 1769, with the passing of Lieutenant Governor Francis Fauquier, his replacement, Norborne Berkeley, baron de Botetourt, sailed from England to Williamsburg to assume the role of the king’s representative in the colony.1 As was the tradition in Virginia, on May 8, 1769, the governor, Lord Botetourt called for the election of a new assembly whom he charged to select a Speaker from among their number.2 Once again, Burgess Archibald Cary “proposed the Gentleman, whose eminent Virtues, and known Abilities, qualified him for, and recommended him to, that important Trust, which he discharged with universal Approbation the last General Assembly.”3 With this appropriate and well-deserved praise, Peyton Randolph began a new phase as Speaker of the House of Burgesses.4

Prior to Randolph’s renewal of his role as the leader of the House of Burgesses, the imperial struggle had begun to move to the forefront of the Speaker’s political and social life. In 1767, Charles Townsend introduced the legislation which came to be known as the Townsend Acts; the fact that these newly-implemented taxes served no other purpose than to raise money for the crown was particularly upsetting to the Virginia colonists, especially to the delegates in the House of Burgesses.5 Though the new

1 Billings, Selby, and Tate, Colonial Virginia, 316.
3 Ibid.
4 Ibid., 188.
5 Billings, Selby and Tate, Colonial Virginia, 314.
Townsend Acts did not necessarily amount to a crippling financial burden to the Virginia planters, including Speaker Randolph, the implementation of this legislation provided evidence of the crown’s increasingly problematic shift in imperial policy toward the North American colonies. Virginia and her sister colonies began to feel that the crown was using them, and their wealth, incorrectly and illegally, as a source of funds for the imperial government. The two main issues concerning the Virginia legislators by 1767 were land and taxation. At the end of the French and Indian War, the British had drawn an imagery line down the Appalachian Mountains and forbade colonists to purchase land beyond it. While the Proclamation Line of 1763 did not effectively prevent colonists from moving into the West, it did prevent them from obtaining the land legally and thus thwarted the great Virginia gentry’s tradition of land speculation.6 Blocked from this means of both claiming land and making money, elite Virginians believed the crown had stolen property that rightly belonged to them.7 Virginians even viewed this Proclamation as a tax in kind, owing to the fact that one aspect of the government’s motivation had been to avoid spending large amounts of crown funds fighting the Native Americans, which they had just finished with the end of the French and Indian War in 1763.8 This notion of containing the colonial settlement was further encouraged by the Cherokee

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7 Ibid., 8.

8 Ibid., 6.
seizure of Fort Loudoun in 1760 and later Pontiac’s Rebellion, an Indian uprising during which Indian attacks entered the territory of modern-day Virginia earlier in 1763.9

Though the colonists had staved off the Sugar Act and the Stamp Act before the 1767 Townsend Acts, the trend in increasing taxation alarmed them. Enraged by this ongoing alteration in crown policy, North American colonists began to take a firmer stand on resisting what they viewed as abuse by the king and Parliament. In the traditional response to the royal governor’s calling to order the opening session of the new House of Burgesses in 1769, Peyton Randolph veered from the usual address made by the Speaker to the governor at the beginning of the new General Assembly. In fact, Peyton Randolph, the steadfast pillar of Virginia tradition, altered the historic speech very significantly. Upon his first election as Speaker in 1766 during the lieutenant governorship of Fauquier, Peyton Randolph had, non-controversially, “petitioned the Governor that they might enjoy their ancient Rights and Privileges, such as Freedom of Speech and Debate, Exemptions from Arrests, and Protections for their Estates; and lastly, for himself, that no Mistakes of his might be imputed to the House.”10

However, upon Lord Botetourt’s arrival in Virginia as the new governor three years later, Peyton Randolph’s feelings toward the relationship between the governor and the legislature had changed significantly. Randolph, in 1769, informed the governor that he, as Speaker, did “lay claim to all of their ancient Rights and Privileges, particularly a Freedom of Speech and Debate, Exemption from Arrests, and Protection for their Estates;

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9 Anderson, Crucible of War, 461 and 463; Holton, Forced Founders, 6-7.

and, lastly, for himself, requested that his Errors might not be imputed to the House.\textsuperscript{11}

The connotative separation between “request” and “lay claim” was both wide and indeed very indicative of the political feeling of the House, and specifically its Speaker, in 1769. That Peyton Randolph would make such a significant, and intentional, alteration to this opening speech, while addressing a newly-arrived English baron, demonstrates how Randolph’s ideology on the subject of appropriate remonstrance had begun to change as he became entangled, along with his colony and his fellow colonial leaders, in an increasingly-heated imperial struggle.

Immediately after Peyton Randolph informed the governor of his “claim” for the rights of the Assembly, the Speaker returned to the House of Burgesses to preside over the new session. Speaker Randolph then informed the delegates that he, during his previous term, had contacted the Speakers of the assemblies in the other colonies and they had written back to him on the subject of the changes in imperial policy.\textsuperscript{12} Randolph then allowed “that the said Letters do lie upon the Table, to be perused by the Members of the House.”\textsuperscript{13} The significance of this ongoing correspondence among the legislative leaders of the thirteen colonies would soon be easily visible to the entire group of Burgesses, if it was not already.

In fact, on May 16, 1769, the delegates of the House of Burgesses took an unprecedented step in seeking the acknowledgement of their rights by the king. The Burgesses resolved themselves into a Committee of the Whole to discuss the

\textsuperscript{11} Ibid., 188.
\textsuperscript{12} Ibid., 189.
\textsuperscript{13} Ibid., 190.
controversial response to the Townsend Acts. For this less formal discussion, Peyton Randolph left the Speaker’s chair. With Randolph now able to participate in the debate, the delegates devised a series of four points. This list of rights and grievances would thereafter be known throughout the North American colonies, and posterity, as the “Virginia Resolves.”\footnote{Ibid., 214-215.} The Resolves were firstly, “that the sole Right of imposing Taxes on the Inhabitants of this his Majesty’s Colony and Dominion of Virginia, is now and hath ever been, legally and constitutionally vetted in the House of Burgesses.”\footnote{Ibid., 214.} Secondly, that the colonists had the right “to Petition their Sovereign for Redress of Grievances;” thirdly, that colonists should not be taken out of their native colony and brought back to England for trial; and fourthly, that they be tried only “by the ancient and long established Course of Proceeding.”\footnote{Ibid.} The Burgesses attempted to cushion their remonstrances by assuring the king that it was a “humble, dutiful and loyal Address,” but this group took a bold step when it required its clerk to record a request that Virginia Speaker Peyton Randolph “do transmit, without Delay, to the Speakers of the several houses of Assembly, on this Continent, a Copy of the Resolutions now agreed to by this House, requesting their Concurrence therein.”\footnote{Ibid., 214-215.} The implicit idea that the other colonies would agree suggests the universal abhorrence to the Townsend Acts in North America.

The following day, May 17, 1769, the members of the Burgesses penned “an address to be presented to his Majesty” which lamented the plight of the colonies in prose,
rather than the list-style form of Resolves. The decision to contact the king directly, in addition to the already-voted upon determination to send a series of letters throughout the North American colonies complaining of royal conduct, can only have eased Lord Botetourt’s decision to dissolve the proceedings of House of Burgesses that same day.

The Burgesses could do nothing about the governor’s censure, but they also refused to end their conversation. Thus, “with the greatest Order and Decorum,” the delegates marched down Duke of Gloucester Street to the Raleigh Tavern, whereupon they continued their discussion. Without one dissenter, the disbanded House reelected “late Speaker” Randolph and decided that “a regular Association should be formed.” When they reconvened the following day, the committee which had met to decide the specifics of the Association presented its plan. The main purpose of this plan was to swear to each other “that they will not at any Time hereafter, directly or indirectly import, or cause to be imported, any Manner of Goods, Merchandise, or Manufactures, which are, or shall thereafter be taxed by Act of Parliament, for the purpose of raising a Revenue in America.” Interestingly, this Association also halted the importation of slaves, while the Townsend Acts remained in effect. Speaker Peyton Randolph, appropriately, was

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18 Ibid., 215-6.
19 Ibid., 218.
20 Ibid., xxxix.
21 Ibid., xxxix-xl.
22 Ibid., xli.
23 Ibid.
the first to sign the document. Ultimately, this Association of 1769 was unsuccessful, in part because people who refused to participate faced no real consequence.

Though the governor disbanded the legislature in May 1769 and Randolph was technically the leader of an extra-legal assembly, he continued to execute his duties to the crown. On July 6, 1769, the Virginia Gazette, reported that, “On Saturday last, PEYTON RANDOLPH, Esq; late Speaker to the Hon. House of Burgesses, set out for New York, to be present at settling the boundary between that province and the Jersies, he being one of commissioners appointed by his Majesty for that purpose.” Randolph broke up his long trip in Philadelphia, where, he most likely obtained a good sense of the attitudes of the rest of the colonial world concerning the situation surrounding the crown and the Townsend Acts. Upon arriving in New York, however, Randolph was not able to remain as long as he had intended. In fact, Lord Botetourt recalled the Assembly, Randolph was reelected as the delegate from Williamsburg, whereupon “the gentlemen of the town met at the Raleigh, where an elegant entertainment was prepared at their joint expense, as proof of their esteem and approbation of his conduct.” Randolph rushed back to Virginia, arriving in Williamsburg on September 27, 1769.

24 Ibid., xlii.
26 Virginia Gazette, Purdie and Dixon, eds., July 6, 1769.
27 Reardon, Peyton Randolph, 35-6; Virginia Gazette, Purdie and Dixon, eds., August 10, 1769.
29 Virginia Gazette, Purdie and Dixon, eds., September 28, 1769, supplement.
During this session, which extended into early 1770, the Burgesses decided to form another Association in order to protest the one tax which remained after the revocation of the Townsend Acts: tea. Once again, Peyton Randolph’s name topped the list of subscribers to the Association. Yet, this second attempt at an association also failed to gain full support of the colony. While this Association of 1770 went farther by establishing “county committees of enforcement,” with the repeal of most of the Townsend Acts by 1770, Virginians were losing interest in resisting the crown in such a way. Thus, too, this Association failed.

By 1771, the tension between the crown and Virginia seemed to slowly cease as the larger imperial conflict temporarily eased and the need for outright colonial resistance lessened. The governorship of John Murray, fourth earl of Dunmore, to replace the deceased Lord Botetourt, coincided with this new age of calm within the realm, though Lord Dunmore was, from the start, not nearly as affable toward Virginians as Lord Botetourt had been. This relative tranquility within the empire would be short-lived in the life of Peyton Randolph.

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33 Ibid.

34 Billings, Selby, and Tate, *Colonial Virginia*, 321, 323.

35 Ibid, 321
CHAPTER VI

“THE FATHER OF HIS COUNTRY”: PEYTON RANDOLPH EMERGES ONTO THE IMPERIAL STAGE

Large-scale imperial crisis reached Williamsburg yet again late in 1773. As of May 10, 1773, the new Tea Act began regulating colonial tea imports. The Tea Act allowed the East India Company to sell its product to American colonists at a far lower rate than any other company could possibly achieve. However, the levy on tea, which had survived the repeal of the Townsend Acts, continued to be in effect. In the colonists’ opinion, the Tea Act forced them to pay the remaining Townsend Act tax, to which they strongly objected. Shortly before Christmas, on December 16, 1773, a group of Bostonians, dressed as Native Americans, threw thousands of pounds of tea into the Boston Harbor to protest what they viewed as a monopoly which undercut their right to avoid taxation. With this protest, the tensions between the colonists and crown came roaring back into Speaker Peyton Randolph’s life. The crown retaliated quickly against Massachusetts Bay, informing Bostonians to pay back the price or suffer under a series of repressive laws, the Coercive Acts, which were known as the Intolerable Acts throughout North America.

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1 *Virginia Gazette*, Pinkney, ed., June 1, 1775.
3 Billings, Selby, and Tate, *Colonial Virginia*, 326-327.
4 Ibid., 327.
5 Ibid.
The *Virginia Gazette* of May 19, 1774 carried the news of the passage of the “BOSTON BILL” to Williamsburg.\(^6\) The Virginia House of Burgesses responded to the passage of the Intolerable Acts against Boston in a fairly sedate display of solidarity. The delegates opted to devote June 1, 1774, the day of the implementation of the Coercive Acts, “as a day of Fasting, Humiliation, and Prayer,” in support of the residents of Boston.\(^7\) Aware that their royal governor might object to even this show of support for Boston, the delegates of the Burgesses selected Robert Carter Nicholas, who was, according to Edmund Randolph, though well-known for his religious fervor, “no less zealous than themselves against the attempt to starve thousands of the American people into a subservience to the ministry.”\(^8\) Yet, even this act of remonstrance by the delegates went too far for Lord Dunmore who, on May 26, 1774, dissolved the Assembly.\(^9\) Although the day of remembrance for Massachusetts was not an official government holiday in the colony, June 1 “was obeyed throughout Virginia with such rigor and scruples as to interdict the tasting of food between the rising and setting sun. With the remembrance of the king, horror was associated; and in churches as well as in the circles of social conversation, he seemed to stalk like the archenemy of mankind.”\(^10\)

In fact, Lord Dunmore’s disbanding of the Assembly, in an attempt to undermine what he deemed an act “conceived in such Terms as reflect highly upon his Majesty and the Parliament of Great Britain,” was anything but successful. While the Burgesses had

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\(^6\) *Virginia Gazette*, Purdie and Dixon, eds., May 19, 1774.


originally selected merely the day of remembrance as their protest, the delegates were angry with Lord Dunmore’s disbanding of the Assembly and now reconvened at the Raleigh Tavern, led by Peyton Randolph, to take stronger measures.\(^{11}\) In a third effort, on May 27, 1774, the Burgesses attempted an Association; this time, they would reject all tea coming into the colony from England.\(^{12}\) The delegates even required that the Committee of Correspondence, of course also headed by Peyton Randolph, write to the other colonies concerning Virginia’s acceptance of their request to meet with the collection of the North American colonies at what would come to be the First Continental Congress.\(^{13}\) This was clearly urgent business for the former burgess; one of these letters had just been sent from Philadelphia the previous week, on May 21, 1774.\(^{14}\) The disbanded Assembly, led by their Speaker, further decided to lay the groundwork for the First Virginia Convention, which was to precede the Continental Congress and convene in the capital city in August, 1774.\(^{15}\) The forthcoming Convention would serve many functions, one of which would be to select Virginia’s delegates to the Continental Congress in Philadelphia.\(^{16}\)

On May 28, 1774, the Virginia Committee of Correspondence, with Peyton Randolph as its astute leader, responded to the letter which would finally bring Speaker Randolph onto the colonial-wide stage. The committee wrote its sister committee in the


\(^{13}\) Ibid., xiv.

\(^{14}\) Ibid., 146-147.

\(^{15}\) Edmund Randolph, *History of Virginia*, 204 and 204n.

\(^{16}\) Billings, Selby, and Tate, *Colonial Virginia*, 330-331.
colony of Maryland that, “The Propriety of appointing Deputies from the several Colonies of British America to meet annually in general Congress, appears to be a measure extremely important and extensively useful, as it tends so effectually to obtain the Wisdom of the Whole, in every Case of General Concern.”

If it had not already happened, with this letter, Peyton Randolph’s delicate balance between duty to the crown and protection of the rights of Virginia tipped in decisive favor of the latter. While Peyton Randolph surely still valued the social hierarchy in place in Virginia, his respect for the structure of the British Empire was dissolving. The threats which the crown had made against colonial liberty reached a point where Peyton Randolph could no longer respect the imperial hierarchy. Though a colonist, Peyton Randolph was willing to defend the rights of Virginia and the liberty of its colonists, even if that meant disobeying the commands of the crown and attending an illegal assembly of all of the British colonies in North America. In a few short weeks, Randolph would be elected as a delegate from Virginia to journey to Philadelphia where he served as the leader of yet another extra-legal colonial assembly. But this time, the ramifications of his choice would assist in the creation of a new nation.

However, siding with the colonies against Parliament and the king was not necessarily a Randolph family trait. In fact, Peyton’s younger brother, John, wrote and published, in July 1774, just before the Speaker presided over the First Virginia Convention, an informational treatise called, *Considerations on the Present State of*...

Though Attorney General John Randolph did not attach his name as the writer, Virginians were aware of his authorship. In this scathing tract, Randolph, appealed to the “Publick,” of Virginia, but clarified that “When I mention the Publick, I mean to include only the rational Part of it. The ignorant Vulgar are as unfit to judge of the Modes, as they are unable to manage the Reins, of Government.”

Though clearly separating himself from Peyton in many aspects, in a few ways, John painted himself as similar to his brother, in out-look by writing, “The Author of this little Performance was born, and educated, in Virginia. He was nurtured in the mixed Principles of Obedience and Freedom, as they stand ingrafted [sic] in the English Constitution.”

While both brothers shared a respect for the law of England, and that of the North American colonies, the implications of this belief resulted in opposing stances on the imperial crisis. John Randolph’s political conservatism was strong enough to necessitate an invalidation of the burgeoning “patriot” principles, rather than to his brother’s loyalty to the British Constitution, which convinced Peyton that the imperial government was abusing the colonists’ rights. John assured the reader that “I hope that the Want of Affection to my Country will not be imputed to me because my Aim is to recommend Moderation. My Wish is, that America may be restored to the same Situation in which it

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19 Ibid.


21 Ibid.

22 Ibid., 207.
was when his present Majesty ascended the Imperial Throne of his Royal Ancestors.” If not in agreement in the general tone or argument of John’s principles, Peyton must surely have agreed with the idea and desire to prevent crisis or even war. Though we cannot know Peyton Randolph’s opinion of his brother’s cry for conservatism, a rebuke of John Randolph’s anti-patriot sentiments was made in the Virginia Gazette the following month by none other than Peyton Randolph’s longtime enemy, though fellow moderate patriot, Robert Carter Nicholas.

Peyton Randolph, on the other hand, continued his loyalty to the cause of colonial rights. In fact, his nephew, Edmund Randolph, remembered when Thomas Jefferson’s A Summary View of the Rights of British America premiered at his uncle’s house. Jefferson could not travel from Charlottesville to Williamsburg for the Virginia Convention, so he “forwarded by express for the consideration of its members a series of resolutions” on paper to his cousin, Peyton Randolph. Edmund Randolph wrote that, “I distinctly recollect the applause bestowed on the most of them when they were read to a large company at the house of Peyton Randolph, to whom they were addressed.” Randolph’s Williamsburg home was becoming a gathering place for patriot leaders.

In continuation of that view, and regardless of his younger brother’s obvious and public disdain for his political actions and opinions, Peyton Randolph chaired the sessions

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23 Ibid., 218.
24 Scribner, Forming Thunderclouds and the First Convention, 257.
25 Billings, Selby, and Tate, Colonial Virginia, 331; Edmund Randolph, History of Virginia, 204-5.
26 Edmund Randolph, History of Virginia, 205.
of the First Virginia Convention that opened in Williamsburg on August 1 of 1774.\(^\text{27}\) The delegates to the convention elected to expand the capacity of the Association they had formed against the importation of tea, earlier that year, to include all products from the mother country as of November 1 of the same year. The Virginians were extremely hesitant to halt their shipments of money-making goods, especially their tobacco, across the Atlantic, but voted to do so in August of the following year if the relationship with the crown was still strained.\(^\text{28}\)

After establishing the Association of 1774, this group turned to one of its main purposes, the election of Virginia’s delegates to the Continental Congress to be held in Philadelphia in September 1774. As Edmund Randolph recalled,

Some of the tickets on the ballot assigned reasons for the choice expressed in them. These were that [Peyton] Randolph should preside in Congress, that [Richard Henry] Lee and [Patrick] Henry should display the different kinds of eloquence for which they were renowned, that [George] Washington should command the army, if an army should be raised, that [Richard] Bland should open the treasures of ancient colonial learning, that [Peyton’s brother-in-law Benjamin] Harrison should utter plain truths, and that [Edmund] Pendleton should be the penman for business. Perhaps characters were never better discriminated.\(^\text{29}\)

It must be remembered, however, that the Instructions for the Deputies created by the Virginia Convention very explicitly wished that their delegates to Philadelphia would “express, in the first Place, our Faith and true Allegiance to his Majesty King George the

\(^{27}\text{Virginia Gazette, Purdie and Dixon, eds., August 4, 1774; Billings, Selby and Tate, Colonial Virginia, 330.}\)

\(^{28}\text{Billings, Selby, and Tate, Colonial Virginia, 330; Holton, Forced Founders, 120.}\)

\(^{29}\text{Edmund Randolph, History of Virginia, 206.}\)
Third, our lawful and rightful Sovereign…”  

Peyton Randolph’s support of the Convention in Virginia and the Congress in Philadelphia can be better understood in light of the fact that, though the instructions went on to make more radical claims, they did preface it with a conservative gesture. This Congress, Randolph seems to have believed, would be fighting for the rights of the colonies in a reserved and appropriate manner, not sending haphazard and disrespectful protests to the King, which Randolph always believed to be ill-advised. If the gestures of the assembly had been more radical, Peyton Randolph might have objected, as he did to the abrasive Stamp Act Resolves.

Although Peyton Randolph was selected as the most adept leader Virginia was sending to the Congress in Philadelphia, the Speaker’s health was failing. In fact, on August 6, 1774, the Virginia Association passed a resolution relating to the powers of the leader of their assembly. It was “Resolved, that the Moderator of this Meeting, and, in Case of his Death, ROBERT CARTER NICHOLAS, Esquire, be empowered, on any future Occasion, that may in his Opinion require it, to convene the several Delegates of this Colony…” to another convention. The selection of the treasurer, with whom Randolph shared such a mutual dislike, cannot have been the choice the Speaker would have made for his hypothetical replacement, but the existence of an alternate moderator who would carry on the work of the Convention, and indeed in a manner not unlike Randolph’s own, must have provided him some comfort.

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Peyton Randolph’s health did not stop him from attending the First Continental Congress. Randolph’s feelings on the eve of his trip, must have been somewhat mixed.

On September 1, 1774, the *Virginia Gazette* declared

The Members of the GRAND AMERICAN CONGRESS, from this Province, are to set out for the City of Philadelphia tomorrow. There is great Reason to hope that the united Wisdom of this Continent, in that august Assembly, will suggest a Plan for settling the present unhappy Disputes between two Parts of a great Empire, to the Honor and Satisfaction of both. Should it fail in this, it is probable that the natural Enemies of the English Nation, while Americans are exercising their martial Genius in Defence [sic] of their most important Rights, will improve the Opportunity of sinking Great Britain into the Pit of Slavery which itself has digged for the Colonies.33

If any statements, other than those made by the Speaker himself, could have summed up the feelings of Peyton Randolph on such a monumental occasion, it may well have been these. Careful to guard against treason and slow to move to harmful action, yet ever-mindedful of the rights of British North America, and the gentry therein, Peyton Randolph must have hoped to resolve the issues between crown and colonies. Yet, as his leadership of a growing number of extra-legal assemblies showed, Randolph was willing to make his protest heard loudly, though respectfully, by the crown and Parliament.

Peyton Randolph arrived in Philadelphia for the opening of the Continental Congress on Friday, September 2, 1774.34 That night, Randolph and several of the other delegates from Virginia met the renowned Massachusetts politician, John Adams.35

Adams described Peyton Randolph as “a large, well looking man” and wrote in his diary

33 *Virginia Gazette*, Purdie and Dixon, eds., September 1, 1774, supplement.


that “These Gentlemen of Virginia appear to be the most spirited and consistent, of any.”36 Studying Peyton Randolph in the microcosm of Virginia, it is difficult to see him as one who could ever be “the most spirited,” yet it seems that Peyton Randolph was the leader of a group of fiery delegates from the colony of Virginia.37

The following Monday, September 5, 1774, John Adams recorded in his diary that during the opening of the sessions of the First Continental Congress,

Then Mr. Lynch [of South Carolina] arose, and said there was a gentleman present who had presided with great dignity over a very respectable society, greatly to the advantage of America, and he therefore proposed that the Honourable Peyton Randolph, Esquire, one of the delegates from Virginia, and the late Speaker of their House of Burgesses, should be appointed Chairman, and he doubted not it would be unanimous.38

Mr. Lynch was quite correct; Peyton Randolph now found himself, without opposition, presiding over a collection of representatives from throughout North America.39 Of course the honor of serving a President of the Continental Congress paid its due diligence to Randolph’s status as the leader of the delegation from the largest and most prosperous colony, but it was more than region of origin which made Randolph the ideal leader for the Congress. Speaker, now “President,” Randolph was reserved, educated, implacable, experienced, genteel, and well-liked. He had even corresponded with several of the delegates prior to the Congress, including Connecticut delegate Silas Deane who, after

36Burnett, Letters of the Members of the Continental Congress I, 2.


38 Burnett, Letters of the Members of the Continental Congress I, 7.

39 Ibid.
meeting Randolph described, him as “our worthy President, may be rising of sixty, of
noble appearance, and presides with dignity.”

On the first full day of his presidency, Peyton Randolph called upon Reverend
Duché of Boston and obtained his consent to function as the chaplain of the Congress.
Though Samuel Adams had recommended the Reverend Duché, Peyton Randolph cannot
have objected to his selection of an “Episcopal clergyman” as the choice of the
Congress.

While Peyton Randolph, yet again, sat in the President’s chair and was thus
prevented from showing significant emotion or allegiance during the debates of the
Congress, the two main legislative achievements of the Congress were the Suffolk
Resolves and Continental Association. The Suffolk Resolves were, according to
historian John Selby, “a bristling declaration which Samuel Adams introduced that the
punitive acts directed against Boston ought to be resisted with violence if enforced.” It
is difficult to believe that Peyton Randolph would have been entirely comfortable with
the implication of force at this stage of 1774, but one can only assume he went along with
it either due to his belief in it or for the sake of unanimity. The Continental Association
was a nonimportation agreement based on that of Virginia’s of earlier in 1774, but this
time applied to all of the colonies. Peyton Randolph most likely supported this measure


on the basis of its similarity to the Virginia measure which had been discussed at his home. 44

Though Randolph was most likely enjoying his time in Philadelphia, his leadership was soon needed back in Williamsburg. On October 23, 1774, Peyton Randolph departed Philadelphia for Williamsburg, leaving Henry Middleton as moderator of the Congress in Philadelphia. 45 Randolph was under the impression that he was needed for a session of the House of Burgesses, but upon returning to Virginia, he discovered that Lord Dunmore had postponed the session. 46

The delaying of the Burgesses did not prevent Randolph from serving in other legislative capacities in the colony. During the intermission between Congress and the meeting of the Burgesses, on February 3, 1775, Williamsburg’s voters “unanimously made choice of the Hon. PEYTON RANDOLPH, Esq; to represent them at the ensuing General Convention to be held in the town of Richmond.” 47

Thus, in March, 1775, Peyton Randolph appeared, this time in Richmond rather than Williamsburg, for the Second Virginia Convention, whereupon he was elected “President.” 48 In typical Randolph form, he “recommended it to the Convention to proceed in the deliberation & discussion of the several important Matters which would come before them with that prudence and decency and Order which had distinguished

44 Edmund Randolph, History of Virginia, 205.
45 Virginia Gazette, Purdie and Dixon, eds., October 27, 1774 ; Reardon, Peyton Randolph, 53.
46 Reardon, Peyton Randolph, 53-55.
47 Virginia Gazette, Purdie, ed., February 3, 1775, supplement.
their conduct on all former Occasions...” Yet again, on March 27, 1775, the Virginia Convention worried about the health of its president. On that day, they elected Randolph’s young cousin, Thomas Jefferson to replace Peyton Randolph at the Continental Congress in Philadelphia, “in case of the non-attendance of the said Peyton Randolph, Esquire.”

The fact that the Convention had chosen candidates to the next Continental Congress in Philadelphia did not please the royal governor. In fact, on March 28, 1775, Governor Dunmore issued a Proclamation “to require all Magistrates and other Officers to use their utmost Endeavours to prevent any such Appointments of Deputies [to the Continental Congress], and to exhort all Persons whatever within this Government to desist from such unjustifiable Proceedings, so highly displeasing to his Majesty.” Ultimately, Dunmore was extremely unsuccessful, as delegates, including Peyton Randolph, were selected by the Convention to return to Philadelphia. In fact, Peyton Randolph received more votes than every other Virginian nominated to serve the colony in Congress; the closest contender was future American president George Washington, with one fewer vote than Speaker Randolph.

While Randolph’s trip to Philadelphia approached, a crisis dragged Peyton Randolph into a colonial scandal of monumental importance which occurred within view of his Williamsburg home. On the morning of April 21, 1775, Lord Dunmore

49 Ibid.


51 Virginia Gazette, Pinkney, ed., March 30, 1775.

commanded British sailors to seize the contents of the arsenal of the Williamsburg Powder Magazine for fear the patriots would take it for their use against the crown.\footnote{Billings, Selby, and Tate, \textit{Colonial Virginia}, 342; Holton, \textit{Forced Founders}, 143.}

According to Speaker Randolph himself, “The Inhabitants were so much exasperated that they flew to their Arms; This incensed the Governor a good deal and from every thing we can learn was the principal Reason why his Answer was not more explicit and favourable.”\footnote{“Peyton Randolph to Mann Page Jr., Lewis Willis, and Benjamin Grymes, Jr. Esquires,” in \textit{The Breaking Storm and the Third Convention, 1775}, eds. Robert L. Scribner and Brent Tarter, vol. 3 of \textit{Revolutionary Virginia, The Road to Independence}, (Charlottesville: The Univeristy Press of Virginia for Virginia Independence Bicentennial Commission, 1977), 64.} Part of the reason for the colonists’ anger resulted from the circulating stories that a slave revolt was imminent. Without the powder from the magazine, white colonists would be unable to defend themselves.\footnote{Holton, \textit{Forced Founders}, 144.}

Hearing this news, Williamsburg inhabitants formed a veritable mob. Peyton Randolph, Robert Carter Nicholas and other Williamsburg leaders had calmed the inhabitants and persuaded them that, rather than besieging the Governor’s Palace, Randolph and Nicholas, with several others, would talk to Lord Dunmore. Upon gaining an audience with the royal governor, the men attempted to persuade him to give the gunpowder back. Though they were unsuccessful with the governor, Randolph and the others did convince the mob to return to their homes.\footnote{Selby, \textit{Revolution in Virginia}, 1-2; Holton, \textit{Forced Founders}, 144.}

Randolph explained the situation that “So far as we can Judge from a Comparison of all Circumstances, The Governor considers his Honor as at Stake; he thinks that he acted for the best and will not be \textit{compell’d} to what we have abundant Reason to believe
he would cheerfully do, were he left to himself.” Randolph seemed to be allowing some leniency in the patriotic emotions of the colonists and trying to calm the recipients of his letter. The Speaker was very clear in his objective that, “By pursuing this Course [of peace] we foresee no Hazard or even inconvenience that can ensue; whereas we are apprehensive, and this we think on good Grounds, that violent measures may produce effects, which God only know the consequences of.” Here Peyton Randolph’s moderation shows through: his clear head, his balanced opinion, and even his empathy for the actions of the opposition all display facets of his character which must have been seen as particularly desirable in a leader of discontent. However, Randolph’s desire to calm the anxious colonists willing to storm Williamsburg might have been a result of the events of April 22, 1775, the day after the gunpowder incident. On that day Lord Dunmore sent a “message for Peyton Randolph, the speaker of the House of Burgesses: If any senior British official was harmed, Dunmore ‘would declare freedom to the slaves and reduce the City of Wmsburg [sic] to ashes.’”

In light of this statement, which Dunmore repeated a week later on April 28, it makes sense that Randolph wrote so many letters trying to prevent militia from attacking Williamsburg. Some of the militia aborted their missions before reaching Williamsburg,

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57 “Peyton Randolph to Mann Page Jr., Lewis Willis, and Benjamin Grymes, Jr. Esquires,” in Robert L. Scribner and Brent Tarter, eds., The Breaking Storm and the Third Convention, 1775, 64.

58 Ibid.

59 Holton, Forced Founders, 144-145.

60 Ibid., 145

61 Ibid., 147.
but the one led by Randolph’s enemy, Patrick Henry, continued their march until they were ultimately dissuaded and turned back.\textsuperscript{62}

The same day, April 28, 1775, the \textit{Virginia Gazette} published a supplement containing a letter claiming that General Gage possessed “a blank commission to try and execute such of them [‘rebels’] as he can get a hold of.”\textsuperscript{63} The list included Peyton Randolph.\textsuperscript{64} In light of Dunmore’s threats and the drama surrounding the magazine, this must have seemed extremely believable to Williamsburg residents. Just after learning this information, on April 29, Randolph departed once more to serve as a delegate to the Continental Congress.\textsuperscript{65}

During his journey to Pennsylvania, or perhaps upon his arrival in Philadelphia, Peyton Randolph must have learned of the Battle of Lexington and Concord which had taken place on April 19, 1775 in Massachusetts.\textsuperscript{66} Randolph was yet again selected as President of this, the Second Continental Congress, but his time in Philadelphia presiding over the discussion was short-lived.\textsuperscript{67} The time he did spend at the Congress consisted mostly of dealing with the ramifications of the battles in Massachusetts and deciding how

\textsuperscript{62} Ibid., 147-8.

\textsuperscript{63} \textit{Virginia Gazette}, Pinkney, ed., April 28, 1775, supplement.

\textsuperscript{64} Ibid.

\textsuperscript{65} \textit{Virginia Gazette}, Purdie, ed., April 21, 1775.

\textsuperscript{66} \textit{Virginia Gazette}, Pinkney, ed., May 4, 1775.

\textsuperscript{67} \textit{Journals of the Continental Congress}, (September 5, 1774-January 1, 1776), 1880. vol. 1., unnumbered page. May 10, 1775. Accessed April 2, 2011. http://infoweb.newsbank.com/sw-search/we/Evans/?p_product=EAIX&p_theme=ei&nbid=F65K4B4UHMjMTQ0MjEzMS4yODk2NjoxOj00EyOC4yMzkuNDMuMjUy&p_action=doc&p_queryname=1&p_docref=v2:0F2B1FCB879B0999B@EAIX-0F30154E126394A0@38750-1034661C846ACC60@68
the colonies should respond. Learning that Lord Dunmore was calling the Burgesses into session, Randolph left Philadelphia on May 24, yet again, in order to return to Williamsburg by June 1. In his absence, the Continental Congress chose John Hancock of Massachusetts to fill Randolph’s role and preside over the sessions.

Upon his arrival back in Virginia, Randolph was escorted to his home by mounted and walking militia. The *Virginia Gazette* recorded that “The pleasing deportment of the Speaker, on account of his peculiar honour done him, animated, in the highest degree, every person that attended; and on Tuesday, about 5 o’clock in the afternoon, the whole body arrived here, surrounding the FATHER of his COUNTRY, whom they attended to his house, amidst repeated acclamations, and then respectfully retired.” The fact that Randolph is referred to as “the FATHER of his COUNTRY,” while probably the first reference to any patriot leader in such a capacity, is also significant in its choice of pronoun. Peyton Randolph had, in many ways, served as the founder of “his” country. He would not be satisfied with any kind of disorganized, ramshackle collection of patriots; Speaker, and President, Randolph gave order to what would have been a very disordered, and even objectionable to many moderates, revolution in the making. Randolph’s idea of colonial liberty was an intellectual and social space in which hierarchy and respect still prevailed, yet where liberty and personal choice were gaining an increasing amount of respect ideologically, and in practice.

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68 Cowden, “The Randolphs of Turkey Island,” 642; Reardon, *Peyton Randolph*, 61.

69 *Journals of the Continental Congress*, Wednesday, May 24, 1775, 58.

70 Ibid., 58-59.

71 *Virginia Gazette*, Pinkney, ed., June 1, 1775.
Peyton Randolph had to come back to Virginia from Philadelphia because the Burgesses was called into session by Lord Dunmore for June 1, 1775. On the first day of the new House of Burgesses, naturally, Peyton Randolph was yet again selected as Speaker. In addition to his responsibility of presiding over the House of Burgesses, on June 23, 1775, Peyton Randolph summoned a large group of Williamsburg residents to “the courthouse…to consider of the expedience of stationing a number of men here for the public safety, as well as to assist the citizens in their nightly watches, to guard against any surprise from our enemies,” thereupon the assembled group decided “to invite down, from a number of counties, to the amount of 250 men, who are expected in a very few days.”

A massive shift had occurred in the mind of Peyton Randolph. Between when he left for Philadelphia in April and his return to Williamsburg at the end of May, Randolph’s idea of resistance had increased ten-fold; clearly he did not trust Governor Dunmore. Of course, this decision was more defensive than offensive, but the stationing of militia in Williamsburg certainly displayed his belief that the stakes were raised, and he was willing to meet them. This physical action was indicative of Randolph’s mental state at this point; he was willing to defend Virginia and her rights to the extent that resistance did not further endanger the colonists. He must have believed that Lord Dunmore would take further action to endanger colonial rights, if given the opportunity by Williamsburg’s lack of defenses.

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73 Ibid., 174.
74 *Virginia Gazette*, Purdie, ed., June 30, 1775, supplement.
Randolph’s tireless, unceasing devotion to the cause of Virginia and the colonies as a whole continued when, on June 26, 1775 Randolph called for the Third Convention in Richmond and, in somewhat of a formality, when the Convention met on July 17, 1775, “The honorable Peyton Randolph, Esq: was unanimously elected President of this Convention…”\(^{75}\) In that Convention, Randolph was yet again elected, on August 11, 1775, with the greatest number of votes, to serve as one of Virginia’s delegates at the Continental Congress.\(^{76}\) However, on August 16, 1775, about a month into his tenure as President of this Third Virginia Convention, the delegates elected to relieve Randolph of his duty so that he could rest a while before journeying, yet again, to Philadelphia after “It being observed with much Concern that the President was indisposed.”\(^{77}\) The delegates “resolved that the Thanks of this Convention be presented to his honor the President for his unremitted Attention to the important Interests of this Country & his unwearied Application to, and able faithful & impartial Discharge of the Duties of his Office…”\(^{78}\) Randolph’s vacancy was filled by none other than Robert Carter Nicholas.\(^{79}\)

In fact, in 1775, the claim that Randolph had displayed “able faithful & impartial Discharge” as president was extremely true. On August 14, 1775, the Convention received a letter from the Virginia Baptist Association requesting that their soldiers who had volunteered to fight for the patriot cause be able to worship with a pastor of their

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\(^{78}\) Ibid.

denomination. They hoped this would please the delegates, as the Association was “conscious of their [the delegates’] strong Attachment to American Liberty, as well as their soundness in the Principles of the Christian Religion, and great usefulness in the work of the Ministry…” This was a correct assessment. The day before Randolph’s illness forced him to travel back to Williamsburg to rest, the Third Virginia Convention granted the request. While one does not know Randolph’s personal thoughts on the subject, it is easy to imagine that his ideology had changed since his battle with Reverend Davies in the 1750s. The gradual transition was visible in his defense of Reverend Henley’s freedom to entertain unorthodox ideas earlier in the 1770s. In light of the larger problems within the empire in 1775, Randolph may have been willing to subordinate some aspects of his social ideology for the sake of the larger sense of colonial liberty which was at stake.

Peyton Randolph may have become more open to the idea of religious toleration than he had been during his trip to England in the early 1750s, but there had been no evolution of patriotic liberal feeling for his younger brother, John Randolph. The same edition of the Virginia Gazette which had carried the news of Robert Carter Nicholas’ ascension to the presidency of the Convention also delivered the public notification of how the years of imperial conflict were dividing the Randolph family. On that day, John Randolph, the author of Considerations on the Present State of Virginia, informed the


colony that he “intend[ed] to leave the colony for a few months.” The fact that John Randolph named Peyton as the first executor of his property offers minimal insight into the fraternal relationship at this point. Perhaps the brothers were in fact on civil terms, or maybe Peyton was willing to handle his brother’s estate to save the family name and aid his nephew, Edmund, a patriot with whom Peyton was very close.

Peyton Randolph left Williamsburg the last week of August, 1775 in order to return, yet again, to the Continental Congress in Philadelphia. During their time in Philadelphia, Betty and Peyton Randolph lived with Benjamin Randolph, along with Peyton’s cousin, Thomas Jefferson. Peyton Randolph’s return to the statehouse did not, to the shock of many, cause the current President of the Congress, John Hancock, to remove himself from the chair in favor of the elderly Virginian. This time outside of the presiding chair, so rare in Speaker Peyton Randolph’s later years, served as a time when he engaged in the quotidian procedures of the Congress. While one may assume Randolph’s valuable opinion was certainly consulted even when he was serving as president, most likely after-hours, now, in September and October of 1775, Randolph was on the floor of the Continental Congress with the majority of the delegates.

Randolph’s weeks in Philadelphia were spent not only in legislative assembly and but also informal meetings and social dinners. On October 22, 1775, a Sunday night,

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83 Ibid.
84 Virginia Gazette, Purdie, ed., September 1, 1775.
85 Reardon, Peyton Randolph, 67.
86 Ibid.
87 Ibid., 68
Peyton Randolph went to dinner at the home of Mr. Hills. Suddenly, Peyton Randolph became violently ill. According to Samuel Ward, Randolph’s fellow delegate at the Congress, in a letter to his brother, Henry Ward, “soon after Dinner he was taken with a choking & one Side of his Face was distorted & about eight He expired.”

Virginia delegate, Richard Henry Lee, wrote to General George Washington on October 23, the day after the Speaker’s death, to inform Washington that Peyton Randolph “was taken during the course of dinner with the dead palsey, and at 9 oClock at night died without a groan—Thus has American liberty lost a powerful Advocate, and human nature a sincere friend.”

There was nothing that could be done to save Peyton Randolph; “our good old Speaker” was dead at the age of 54. Though Richard Henry Lee was often more radical and sometimes even vehemently opposed to Peyton Randolph and his style of leadership, his declaring Randolph “a powerful Advocate” for “American Liberty” seemed to suggest his admiration for the steadfast leadership of the late president. In the end, Lee remembered Randolph as a colonial-wide advocate; a leader who had valued the rights of the American colonists above all else, even, seemingly, those of his own colony.

According to Samuel Ward, “The Congress determined yesterday to go into mourning (as permitted by our Association) appointed a Comee. to wait on Mr. Duchee & request him to preach a funeral Sermon & the Comee. to give all proper Directions in concert with his Friends & Lady for the funeral Service & We shall all walk as

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88 Letters of delegates to Congress, 1774-1789, vol. 2, September 1775-December 1775


90 Ibid.
Peyton Randolph’s funeral was held on October 24, 1775. After a considerably large funeral procession, President Randolph’s body was laid to rest at Christ Church in Philadelphia “till it can be conveyed to Virginia.” The shock of the loss must have been terrible for Betty Randolph, who was forced to return to her Williamsburg home which she had shared with her husband for thirty years.

It took several days for the tragic news to reach Randolph’s hometown of Williamsburg. The story of Speaker Randolph’s death did not appear in the Virginia Gazette until November 10 when it extolled Randolph as “a gentleman who possessed the virtues of humanity in an eminent degree, and joining with them the soundest judgment [sic], was the delight of his friends in private life, and a most valuable member of society, having long filled, and with great ability and integrity discharged the most honourable public trusts. To the truth of this, his family, his friends, and his country bear mournful testimony.” This news was reprinted the following day, in the Dixon and Hunter Gazette, followed by a poem in honor of the late Speaker which lamented his death having “deprived/America of a firm Patriot.”

Peyton Randolph’s memory would not be soon forgotten in Virginia. Just over a week before the signing of the Declaration of Independence in Philadelphia, in 1776, Norfolk residents gathered to elect a mayor. In celebration, the assembled men made several toasts. After toasting “The Hon. Thomas Nelson, esq; President of Virginia,”

91 October 24, 1775 Samuel Ward to Henry Ward, in Letters of delegates to Congress, 1774-1789, II.
92 Virginia Gazette, Dixon and Hunter, eds., November 11, 1775.
93 Ibid.
95 Virginia Gazette, Dixon and Hunter, eds., November 11, 1775. This poem is printed immediately next to an advertisement auctioning all of John Randolph’s property.
they decided to make just one more toast before acknowledging their “present delegates.”
That toast was to “The memory of Peyton Randolph, esq; our late worthy Recorder, and friend to America.”96

A few months later, Edmund Randolph arrived in Williamsburg, having journeyed home from Philadelphia to escort the coffin of his uncle, Peyton Randolph. The Speaker’s funeral was held on November 26, 1776. The funeral procession made its way through Williamsburg, “attended by the worshipful brotherhood of Freemasons, both Houses of Assembly, a number of other gentlemen, and the inhabitants of this city” until the group reached the chapel at Randolph’s alma mater, the College of William and Mary. The *Virginia Gazette* recorded that, “The oration being ended, the body was deposited in the vault, when every spectator payed their last tribute of tears to the memory of their departed and much honoured friend ---may we add, to whom he was a father, an able counselor, and one of their firmest patriots.”97 As a “father,” Isaac’s idea that Randolph displayed a “capacity to dominate politics in the paternalistic mode—learned in a long apprenticeship to Speaker Robinson” seemed to come to fruition.98 Peyton Randolph had served as “a father” to Williamsburg’s inhabitants in his half-century as a resident; he had led them in easy times and difficult ones, fought for their best interests, and defended them against impending physical threats. Though Randolph had no biological children, the people of Williamsburg, and indeed the collection of the American colonies, valued his guidance and leadership. Randolph helped to create the new nation and to shape it in his moderate image.

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96 *Virginia Gazette*, Purdie, ed., July 12, 1776.


In the years leading up to the American Revolution, Speaker Peyton Randolph was a pivotal and essential, leader in Virginia’s transition to independence. Randolph’s dual consciousness as an elite, English-educated gentleman and as a popular leader of Virginians enabled him to successfully navigate the widening gap between Great Britain and her colonies. As time passed, Speaker Randolph’s idea of liberty grew; it had begun as a narrowly-defined elite group in Virginia in the 1750s, incorporated more planters during his time as Speaker, expanded to include a greater number Virginians through religious tolerance in the Third Virginia Convention, and ultimately encompassed the entire collection of British colonies in North America, though there is no evidence to show that he included his African-American slaves in this new freedom.

Although Peyton Randolph did not live to cast his vote on independence, the Speaker managed to come to terms with the gradual disintegration of Virginia’s colonial relationship with England, regardless of the fact he had worked so tirelessly to preserve its social structure in his younger years. Presumably, Randolph continued to respect many aspects of hierarchy in his later life, though he subordinated those desires to those of colonial independence from Great Britain. Based on Randolph’s unwavering devotion to colonial liberty and the high respect in which patriot leaders held him before and after his death, one imagines that Peyton Randolph, like his brother-in-law, Benjamin Harrison would have added his signature to the Declaration of Independence in 1776. Without Randolph’s cautious leadership, Virginia’s struggle against imperial oppression may have ended very differently, “which God only know the consequences of.”

99 “Peyton Randolph to Mann Page Jr., Lewis Willis, and Benjamin Grymes, Jr. Esquires,” in Robert L. Scribner and Brent Tarter, eds., The Breaking Storm and the Third Convention, 1775, 64.
Critical Bibliographic Note

Unfortunately for historians, Peyton Randolph was a man who preferred active leadership to penning pamphlets and diaries. Randolph’s only twentieth-century biographer quoted the Speaker as writing, “I must own, I don’t like the business of writing, not from idleness neither, but because I had rather read the productions of any man’s brain than those of my own.”

For those of us who would appreciate those “productions,” assembling a biography of Peyton Randolph is a task of collection and organizing the facts of his life, the statements others made about him, his reputation in Williamsburg and throughout the colonies, and the actions he took as a politician in Virginia, from which to analyze his decisions. This entailed using a wide variety of sources, from Ph.D. dissertations to detailed reports of Randolph’s time in front of the Privy Council, and anywhere in-between. In attempting to assemble a picture of this elusive figure, even a one sentence entry in a diary is significant. The majority of my primary sources, such as the Virginia Gazette and the Journals of the House of Burgesses, help to narrow down Randolph’s whereabouts and detail his political activity. The main secondary sources I used was Colonial Virginia—A History by Warren Billings, John Selby, and Thad Tate which proved extremely helpful at filling in the many gaps in Peyton Randolph’s life. The one existing biography of Randolph, Peyton Randolph 1721-1775: One Who Presided, was consulted, though cited only when another source was unclear or unavailable.

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100 Peyton Randolph to Landon Carter, 13 January, 1773, Charles F. Jenkins Collection, Old Congress, Historical Society of Pennsylvania in Reardon, in Peyton Randolph, xii.
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