

**MEMOIR OF JOHN HOWE PEYTON, IN
SKETCHES BY HIS CONTEMPORARIES,
TOGETHER WITH SOME OF HIS PUBLIC
AND PRIVATE LETTERS, ETC., ALSO A
SKETCH OF ANN M. PEYTON**

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Peyton John Lewis

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COMPILED BY

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MEMOIR

- OF -

JOHN HOWE PEYTON.

John Howe Peyton, who acquired so much fame as a lawyer, statesman and orator, was descended from Henry Peyton, of "Acquia", Westmoreland county, Va., the first of the Peytons to leave England for Virginia, which he did about the year 1644. Henry Peyton died at his home "Acquia", in Westmoreland county, 1659. We learn from the National Cyclopedia of Biography that from the period of their settlement in Virginia to the present day, 250 years, the family has been "prolific of men full of gallantry and public spirit, of thrifty habits, hospitable, charitable and generous, whose lives have been useful and blameless, and whose characters were without blemish". The grandson of the first emigrant, or Henry Peyton the third, who removed to Stafford county, left among other issue, a son, John Peyton, of Stony Hill, Stafford, who was the grandfather of John H. Peyton, and is described as a man of "undeviating rectitude of conduct, of unshaken constancy in friendship, active in benevolence and pure in his habits."

John Peyton left by his second wife a son, John Rowze Peyton, of Stony Hill, Stafford county, who served seven

years in the Revolutionary Army and acquired by his dauntless valor and faithful discharge of duty, the sobriquet of the "hero boy of 1776". He was a man of strong convictions, probably of strong prejudices, and enforced his views in newspaper articles, showing marked ability as a thinker and writer. His son, John Howe Peyton, the subject of this sketch, was born at Stony Hill, April 27th, 1778, and died at Montgomery Hall, near Staunton, Augusta county, Va., April 3rd, 1847. And it may be truly said that no one was more loved, more honored or more mourned by those who knew him best.

When a boy attending a country school near his birth place, young John Howe Peyton was conspicuous for the beauty and intelligence of his countenance, the comeliness of his person, the quaintness of his humor, the vivacity of his spirits, and the pungency of his wit. The lad was fond of outdoor sports and all athletic exercises, in which he engaged daily, thus in good time developing his strength and securing for life a sound mind in a sound body. These pastimes, however, did not interfere with his studies, to which he devoted himself for years assiduously. And he succeeded so well, in both mental and physical exercises, that it was commonly said of him, that he was a boy who seemed to have come from the hand of nature, formed and destined to do extensive good, and to excel in every pursuit. So superior was he generally to his young companions that he was, before twelve years of age, pointed out as one who already gave evidence of his future abilities. When only sixteen years of age, he had grown into a young man of remarkable strength of body and vigor of mind, was full of pluck and spirit, and had acquired no small stock of learning. His father determined to send him to the North for further education. Accordingly he was entered at Nassau Hall Princeton Univer-

sity. N. J., in 1794, then, as now, one of the most famous seats of learning in the country, and much patronized by Southerners. His previous training prepared him well for the University, where he quickly took and kept a leading place till his graduation as A. M. in 1797.

At Princeton he continued, as may be surmised, diligent in his studies, and while going through the usual scholastic routine engaged in an extensive private course of philosophical, metaphysical, historical and general reading. His thirst for knowledge was insatiable, and he kept up this habit in after years, and to give his family a taste for literature was in the habit of reading aloud to his children of evenings the plays of Shakespeare, the writings of Addison, Swift, Johnson, Goldsmith and other standard authors. He also attended the debates in the Whig Society, (an association of young collegians, formed for mutual improvement,) where he won distinction as a speaker and debater. He was singularly free from the usual vices of youth and that sensuality and egotism, which is the source of so many miseries. In consequence of his high standing as a scholar, orator and man—and no young man was more noted for his exemplary habits, straightforward conduct and nice sense of honor—he was held in great respect in the University, alike by professors, tutors and fellow students. But he never showed the slightest consciousness of his endowments or discovered any vanity at the extent and variety of his attainments, and the impression they made on others, but enjoyed his success with propriety and good sense. He made many friends at Princeton, and if they were not afterwards of service to him, they were certainly a comfort. His object then, as ever afterwards, was not to shine, for ambition was not his failing, but he was incited by a thirst for knowledge and a desire for excellence. Having secured high

academical honors, which are the laudable objects of any young man's generous ambition, by taking his A. M. degree, he returned to Virginia in 1797, immediately thereafter commenced, and in due time completed his legal education, and in 1799 entered on the law practice. Judge R. C. L. Moncure, President of the Supreme Court of Appeals of Virginia, says of him in his private journal: "He took a position on being admitted to the bar, which brought him immediate and continued popularity as a lawyer, a pleader and a scholar." His progress was indeed rapid, and he soon proved to be acute, deep, cautious, methodical and persevering, with extraordinary administrative ability; and was noted for his personal magnetism, his animal spirits and social powers, as well as his forensic abilities.

At this time he was six feet two inches high, of strong, lithe and vigorous frame, weighing about 180 pounds. His manners were affable and engaging, and were characterized by dignity and grace. He was fond of conversation, and his conversation was animated and instructive. He always, indeed, spoke with so much point that he appeared superior to others of his age in wisdom and understanding. To his solid attainments and well-bred and polished manners he joined a generous heart, virtuous principles and a chivalric sense of honor. These gifts and accomplishments soon inspired all who knew him with respect and esteem, and this admiration was due to none of those artifices so common with "people's men," or of that subserviency which so often leads to popularity, and which contra-distinguishes the man without principle, who wants office, from the man of principle whom office wants. It was also discovered that he was broad and liberal in his views and opinions on politics and religion, and indeed on all social questions—was free from cant and hypocrisy,

and was without any of that duplicity in youth which is the forerunner of perfidy in old age. Toward all men he was charitable, and did not require them to see things as he saw them; he allowed of a difference of opinion without treating a man as a heretic in religion, or a knave and traitor in politics because he sought to serve God or his country by a different course or policy from himself. He not only respected but venerated all men who were loyal to truth. His influence was consequently very great and was soon enhanced by the discovery that he was a man of stern and uncompromising integrity and inflexible firmness, or unlimited courage, a courage which extended to rashness, a man who could not be moved from the path of duty by "fear, favor or affection," and we may add that he went through a long, eventful and trying life without suspicion of any kind of vice. He was soon looked up to as a person not only of eminent merit but exalted character, who would, if the occasion arose, become a hero, ready and able to defend the rights of the people and the liberties of his country. Early in the century 1802-3 he was commissioned captain of a volunteer company of cavalry and drilled his command, composed of young gentlemen of Stafford and Spottsylvania counties over the country from Acquia Creek to Fredericksburg, and the annals of British Field sports were never illustrated by more daring feats of horsemanship, the clearing of fences, gates, hedges and ditches, than were performed by these Virginian riders.

In 1804 he married Susan, daughter of William Strother Madison, a niece of the Right Rev. James Madison, Bishop of Virginia, and relative of President Madison, by whom he left an only son, the late Col. William M. Peyton, of Roanoke, who was himself a man of gifted intellect and extensive acquirements, of upright and honorable character, who acquired as a

public speaker and member of the House of Delegates of Virginia, a distinguished reputation for ability and statesmanship. We anticipate events in order to state that after losing his wife by her untimely death, he married in 1821 Ann Montgomery Lewis, a daughter of the old Revolutionary hero, Major John Lewis of the Sweet Springs; by his wife Mary, a daughter of the gallant Col. William Preston, of Smithfield, Montgomery county, who was wounded at the battle of Guilford, from the effects of which he died years afterward. By his second marriage he left ten children. In 1806 he was elected to the House of Delegates. This gave him little or no pleasure, as he preferred the profession but he served several years, up to 1810 on public grounds. Though there was not much scope in the House for his powers, he took an active part in all business and in the debates, and such was his political sagacity, his indomitable energy and his vehement eloquence, that he had almost unrivaled power over his hearers and soon became a leader, inspiring his followers with enthusiastic love and admiration, and was regarded by them, if not by both sides of the Chamber, as the ablest man in the House and the equal of any in the State. At that period he was as remarkable for his wise and prudent counsels as for his invincible eloquence.

During the session of 1809-10 Mr. Peyton made the celebrated report as to an amendment of the Constitution of the United States, which is appended to this sketch.

Staunton was early in the century a no inconsiderable town, and to lawyer and litigant alike the most important point west of the Blue Ridge Mountains, because the seat of the superior courts of law and chancery—the jurisdiction of the chancery court extending over the whole western part of the State. This fact caused many able and learned lawyers to make it their home, among the most prominent were