

PATRICK HENRY'S LAST YEARS

by Patrick Daily

The decade of the 1790s was for Patrick Henry his golden years. During this period, Henry crowned his brilliant legal career with magnificent oratory in the British Debts Case, fueling the legendary status that had already encompassed him. In addition, it was a period when Patrick Henry, former Continental Congressman and Revolutionary War Governor, was accorded some of the highest public accolades and attention bestowed upon any U.S. citizen of his time.

Yet that very fame, which Patrick Henry neither sought nor desired, proved detrimental to his memory. It magnified every word Henry spoke or wrote which, when interpreted by friend and adversaries, led to long-term misrepresentations of his true feelings about the state of American government, politics, and society in the 1790s.

Patrick Henry's social life and "retirement" was not a state of idleness or simple recreation. This country's foremost defender of our freedom and liberty never rested. As a private citizen later in life, Henry was deeply involved in educational, social, political, economical, and religious activities having an impact on countless numbers of Americans and, indeed, all Virginians.

Convinced that the importance of Patrick Henry's life cannot be judged without the knowledge and understanding of his twilight years, I wrote *Patrick Henry, the Last Years (1789-1799)*. The extraordinary influence he had on people did not diminish in the 1790s. Henry's ability to inspire and motivate listeners was displayed again and again up to his death. Moreover, he never lost the respect of the

nation's leaders and his countrymen.

In 1786, following his first term as governor, Patrick Henry and his family moved to Prince Edward County, Virginia. Financial difficulties caused by the war, the economic strains of public service, and a growing family had caused his personal finances to suffer. A 1,690-acre estate called Pleasant Grove at a cut-rate price looked most attractive. Although Henry was active politically, the Prince Edward County years (1786-1792) were a time when he felt an obligation to be "very industrious" to "clear myself of debt." Despite bouts of ill health, he ultimately succeeded.

The first few years were difficult. Production on Henry's farm was down, and his law practice was slow to develop due to his legislative commitments. Ultimately a house with one fireplace and no outhouse proved inadequate for a family of eight children, a nephew, and six grandchildren. In October 1792 they moved to Long Island in Campbell County, an estate with more spacious quarters.

Long Island, with a total area of 3,522 acres, derived its name from a 600-acre island in the Staunton River, which was part of the plantation. The two-story, eight-room house overlooking the river valley and beyond was a welcome change. Not all was pleasant initially. In 1793 an infant son died, and a ship carrying Henry's first Long Island tobacco crop to England was hijacked to France. Fortunately it was insured. Eventually, by 1797, the plantation yielded over 17,000 pounds of tobacco, not to mention quantities of corn, wheat, rye, and oats.

Hand in hand with the family's move to Southside Virginia came another chapter in Patrick Henry's life--the successful revival of his law practice. This aspect of his last years ranks with the important achievements of his life.

Henry's mastery of criminal and civil law, combined with his fine-tuned oratory, made his cases virtually insurmountable. Small county courthouses were consistently packed with curious onlookers who wanted to catch a glimpse of the man whose reputation as a mesmerizing speaker had preceded him. Sometimes Henry participated in great civil cases involving leading citizens, such as Carter vs. Carter in 1789. At other times he successfully defended prominent individuals against criminal accusations, such as the sensational Randolph murder trial of 1793. In the midst of "riding the circuit" from 1789-1794, managing his vast land holdings, providing a comfortable living for his large family, and public service as a legislator, Patrick Henry still had time to prepare for and argue one of the most significant cases of international law in American judicial history, the British Debts Case of 1799-1800.

Described by one historian as "genial, folksy, a fiddle-player, and a jester," Patrick Henry's friendly personality helped him to obtain clients. His courtroom success can be credited to his generous endowments of sympathy, imagination, tact, and eloquence, which nearly always swayed both judge and jury. In some of the cases during Henry's later years, his clients were required to hire other counsel for pleadings and, with minimal preparation, Henry

would arrive on the scene simply to argue the case. Being an "orator of nature," and understanding the psychology of juries, this was usually enough. Emphasis here on style should not be misunderstood. When the situation warranted, he would diligently prepare written arguments.

In 1792, the same year as his purchase of Long Island, Henry acquired a tract of land from Joseph Fuqua on the Staunton River in Charlotte County. In March 1794, he purchased Red Hill, the neighboring estate of Richard and Elizabeth Booker and combined the two properties as one.

Closer to Richmond and yet about the same distance as Long Island from Lynchburg, Red Hill was more accessible to the outside world than his other Staunton River plantation. Booker's Road and Cole's Ferry Road, main north-south thoroughfares of the time, passed by Red Hill, allowing for more social contact -- much to the delight of the Henry family. In a September 8, 1794 letter from Long Island to his daughter, Elizabeth, Patrick Henry wrote: "I wish you were here with us to enjoy the agreeable society of your sisters at this place, which is very retired; indeed so much as to disgust Dolly and Sally. But as we go to Red Hill in August for five weeks, they will be relieved from this Solitude, as that is a more public place."

Red Hill's fertile low grounds were extraordinarily productive. In one year alone, 1798, the plantation produced over 20,000 pounds of tobacco. Its paid overseers and sixty-six slaves also tended hundreds of cattle, horses, hogs, and sheep. The main house and accompanying outbuildings were situated on a ridge overlooking the Staunton River valley, as the river flowed out of sight between the hills

of Charlotte and Halifax Counties. From Red Hill the Staunton headed south for about three miles, then pursued a south easterly course through North Carolina and finally into the Atlantic Ocean. To the west could be seen the Blue Ridge Mountains and its lofty Peaks of Otter, about sixty miles away. Flat-bottomed boats, called bateaux, and other vessels could navigate upriver as far as Red Hill, thus adding to the plantation's value for commerce and trading purposes. While Henry sent much of his Red Hill tobacco by wagon to market in Lynchburg, it is also believed that some was now shipped by boat to present-day Boydton and then overland to Richmond and Petersburg where prices for the crop were significantly higher.

Red Hill's setting could be described as a "garden spot" compared to Henry's previous residences. Nevertheless, the main house, a modest one and one-half story frame structure, was undoubtedly crowded for the Henry family.

Entertainment in the Henry household quite naturally revolved around the family's members. According to a grandson, William Wirt Henry, Patrick Henry's love of music seems to have revived. He was described as "fond of entertaining himself and his family with his violin and flute, and often improvising the music." With no formal welcoming ceremony at Red Hill visitors "have not infrequently caught him lying on the floor with a group of little ones climbing over him in every direction, or dancing around him . . . to the tune of his violin, while the only contest seemed to be who could make the most noise."

Family musical talents were not limited to Patrick Henry. His wife Dorothea and their daughters were skilled players on the lute and fortepiano (piano). Red Hill was the site of at

least two weddings during the Patrick Henry years. On June 3, 1795, daughter Dorothea Spotswood Henry married George Dabney Winston, and on July 17, 1798, daughter Martha Catherina Henry married Edward Henry, a cousin.

A devoutly religious man, Patrick Henry read several theological works and re-read the old family Bible during the Red Hill years. Works on the tenets of Christianity by such Church of England divines as Archbishop Tillotson, Bishop Butler, and the Reverend Sherlock were among the volumes in Henry's library. On Sunday evenings he would read one of Sherlock's sermons to his family gathered about him, "after which they all joined in sacred music, while he accompanied them on the violin."

Education was of prime importance to Patrick Henry. He was actively involved in elementary and higher education in Virginia during the latter third of his life. To some schools he extended material aid, and once he introduced an assessment bill in the state legislation which gave taxpayers an option of diverting their taxes toward a new system of public education. Originally a charter member of Hampden-Sydney College, he became active as a trustee from 1789-1792 and donated books to help establish the college's library.

When they came of age, Henry saw to it that his children were properly tutored. At one point Henry arranged for the poet Thomas Campbell to come to America from Scotland but the arrangement fell through. Their actual teacher turned out to be Henry himself. According to three daughters and a grandson, he "wrote poetry beautifully, and often composed with much facility little sonnets adapted to old Scotch songs which he admired for his daughters to sing and play." Sons Patrick and Edward and daughters Elizabeth, Dorothea,

Martha Caterina, and Sarah all composed excellent poetry. Their work survives to this day.

To study law under Patrick Henry was indeed a rare privilege. Not only were those select few privately tutored by an extremely accomplished lawyer, but those of his students who were members of Henry's legal defense team were also treated to unforgettable displays of his oratory. Henry also taught law to his sons William and Edward, his nephews John Christian and Nathaniel West Dandridge, and his grandson Patrick Henry Fontaine. Of these only Edward, who qualified in Virginia as a practicing attorney in 1793, followed Patrick in his profession.

Patrick Henry was a landowner, trader, and speculator of the highest order. His involvement in land investments and plantation acquisitions spanned a period of 32 years from 1768-1799. His purchases were always made with acute business savvy and discrimination. While some of Henry's friends and fellow patriots fell prey to the risks of speculation, Henry's land deals helped him to accomplish at least three goals: (1) to clear himself of debt late in life, (2) to establish a successful plantation farm system, and (3) to provide and inheritance for his children.

Historian Jackson Turner Main studied Virginia tax records for 1787 and 1788 and ranked Patrick Henry among the one hundred wealthiest landowners in Virginia. Turner did not even include Henry's property in North Carolina and Georgia. Indeed, throughout his life Patrick Henry owned at one time or another about 100,000 acres and from 1789 to 1795 was a partner in a western land investment company that claimed and estimated fifteen and one-half million acres.

Patrick Henry's public activities and politi-

cal philosophy during the last decade of his life were shaped by his concerns over the United States Constitution. During the debate over its ratification in Virginia in 1788, Henry attempted to convince proponents that the document conferred too much power on a federal government at the expense of the sovereign rights of the states and the rights and privileges of American citizens. Overruled, Henry returned to the General Assembly, using his influence to ensure election of officials who would press for constitutional amendments and to protect Virginia's state's rights, which he accurately predicted would be infringed upon.

In 1792, Patrick Henry declined reelection to the General Assembly and became an elder statesman, consulted by national leaders, and remaining a dominant figure in Virginia politics until his death in 1799. With the rise of national political parties, Federalists and Republicans attempted to woo Henry's support, either through offers of high position or through intrigue. He remained aloof from such factionalism while continuing to serve as a public watchdog, speaking out against intrusions on American liberties as well as domestic and foreign threats.

Some modern biographers, attempting to explain Patrick Henry's political philosophy during his last years and the course he steered in view of national and international events, suggest that Henry "retired" in 1791, became inactive when his objectives failed, and that his purported "opposition to the government" slackened. Moreover, they have categorized Henry as an anti-Federalist whose political opinions changed at some undetermined point and in the end became a Federalist. Such analyses ignore Patrick Henry's own words, leave too many unanswered questions, and

rely too much on information tainted by the intense political partisanship of that era. In the decade following the ratification of the Constitution of the United States in 1788, Patrick Henry maintained that the old confederation of states had been changed into a consolidated government. He had fought the Constitution in Richmond and lost. Rather than show bitterness, "escape" to the frontier, or become anti-Union, Henry accepted the verdict and worked within the law to achieve amendments in republican fashion. He was forever concerned with civil liberties under the law, and had even predicted the very abuses carried on under the Constitution. But in order to preserve Liberty there had to be law and order. If each state could nullify laws of Congress at pleasure -- as implied by resolutions passed by the legislatures of both Virginia and Kentucky in 1799 -- no union or common defense was assured. Liberty would then be threatened by either anarchy or foreign tyranny.

Patrick Henry's death on June 6, 1799, at Red Hill was a tremendous loss for Virginia and the new nation. He should be remembered not only for his matchless oratory, but for his ceaseless efforts on behalf of individual rights.

(PATRICK DAILY was the executive director of the Red Hill Patrick Henry Memorial from 1977-1988 and is author of Patrick Henry: The Last Years 1789-1799, published by the Descendants' Branch of the Patrick Henry Memorial Foundation. He is presently executive director of the Hickory (N.C.) Landmarks Society.)

[Picture of Henry donated to NFL by coach Philip Wertz (GA).]