



Peter Vivian Daniel
(1784-1860)

Peter Vivian Daniel, an associate justice of the United States Supreme Court, was born at Crow's Nest in Stafford County on April 24, 1784. His parents Travers Daniel and Frances Moncure Daniel were known for their hospitality and played an important role in public affairs. Travers Daniel's grandfather, Raleigh Travers, was a member of the Virginia House of Burgesses.

Peter Vivian Daniel was prepared for college by private tutors. In 1805 he left the College of New Jersey, which is now Princeton University, and returned to Virginia to study law in the Richmond office of Edmund Randolph, the first attorney general of the United States. Daniel was admitted to the Virginia bar in 1808 and returned to Stafford County. Shortly after returning he entered into a conflict with a Fredericksburg businessman, John Seddon. It is thought a political issue sparked the challenge to a duel. Since dueling was prohibited in Virginia, the Daniel-Seddon duel was fought in Maryland. The duel took place and Daniel wounded Seddon, who later died of his wound shortly after returning to Virginia. Duels were prohibited in Maryland as well, however once the duel was over all parties traveled back across the Potomac to Virginia. No crime had been committed in Virginia and no prosecution could take place in Maryland because the participants could not be extradited in those days.

In 1811 Daniel married Lucy Randolph, the daughter of his mentor. He was elected to the Virginia House of Delegates in 1809. In 1812 he was appointed by the House to serve on the Privy Council, an advisory board to the governor. He remained on the council for twenty-three years even after being elected Lieutenant Governor in 1818.

Daniel was strong supporter of President Andrew Jackson and in 1836 the President appointed him as a judge to the U.S. District Court for Eastern Virginia. In 1841 Daniel was nominated to the Supreme Court by President Martin Van Buren. Because this

nomination took place at the end of Van Buren's term, the Whigs in congress tried to block the Democratic appointment. President-elect William Henry Harrison wanted to choose the new justice. Daniel's confirmation by the Senate went through on March 3, 1842, in the last moments of the Van Buren administration.

Throughout his years on the Supreme Court, Daniel maintained a commitment to Jeffersonian government, which valued an agricultural economy and a limited role for government. He adopted a Jacksonian variation which included hostility to banks, corporations and the federal government. A strong believer in states' rights, he supported the right of states to maintain the institution of slavery. He sided with the majority on the *Dred Scott* decision which ruled that African Americans who had been freed since the enactment of the constitution could never be citizens.

Peter Vivian Daniel died May 30, 1860 in Richmond, Virginia. He was preceded in death by his first wife Lucy Nelson Randolph who died in November 1847. His second wife Elizabeth Harris and five children survived him. He was buried at Hollywood Cemetery in Richmond.

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