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"Exciting the Rabble to Riots and Mobbing": Community, Public Rituals, and Popular Disturbances in Eighteenth-Century Virginia

Kristan J. Crawford

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"Exciting the Rabble to Riots and Mobbing":

Community, Public Rituals, and Popular
Disturbances in Eighteenth-Century Virginia

(TITLE)

BY

Kristan J. Crawford

THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF

Master of Arts in History

IN THE GRADUATE SCHOOL, EASTERN ILLINOIS UNIVERSITY
CHARLESTON, ILLINOIS

1995
YEAR

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**"EXCITING THE RABBLE TO RIOTS AND MOBING":
COMMUNITY, PUBLIC RITUALS, AND POPULAR
DISTURBANCES IN EIGHTEENTH-CENTURY VIRGINIA**

**A Thesis Submitted to
The Faculty of the History Department
In Candidacy for the Degree of
Master of History
Department of History**

**By
Kristan J. Crawford**

Charleston, IL

August 1, 1995

Abstract

"'Exciting the Rabble to Riots and Mobbing':
Community, Public Rituals, and Popular Disturbances
in Eighteenth-Century Virginia"

Kristan J. Crawford

Throughout the eighteenth century, Virginia's populace acted in ways which reinforced the communal will. A deep rationality underlay popular action. While eighteenth-century contemporaries did not view it this way, historians must not view the mob as unruly. This thesis delineates the social laws displayed in the communal actions of pre-revolutionary Virginia, whether labeled by the elite as orderly or disorderly.

The *Virginia Gazette* and other sources during the quarter century before the Stamp Act show a society actively and publicly displaying communal and hierarchical values. Fairs reinforced the hierarchy through festive social interaction. Royal celebrations allowed the elite and populace to express communal as well as monarchical loyalty. Courthouse gatherings, more than any other social occasion, unified the community. Even contested elections, when resolved, often reinforced the hierarchical, yet consensual, community.

While society was not without tensions before 1765, disturbances increased when the Whig elite attempted to limit the British government's political and economic influence. The Whig elite organized petitions and

demonstrations against the Stamp Act, government agents, and merchants willing to conduct business under the new imperial laws. The Townshend Act further divided the Virginian elite into Patriots and Loyalists. Also in 1768 and 1769 an inoculation crisis divided the elite along the same lines. The inoculation riots were a product of both elite manipulation and customary beliefs.

The populace responded to these incidents by attempting to maintain community. While the root cause was Whig elite organization against British governmental officers or merchants, the forms taken in mob action and the victims chosen for public humiliation were distinctly popular: tar and feathering, ducking, burning in effigy, carting. Most "riots" were clearly orderly. Those people singled out by the mob for correction or humiliation either promoted individual (not community) interests or were viewed as community outsiders.

The implications of this study extend beyond 1775. Gordon S. Wood argues that the American Revolution was a radical social revolution. The evidence from colonial Virginia does suggest a breakdown of the consensual community view among the elite well before 1775. But this breakdown did not extend to the popular level. An analysis of popular rituals reveals the popular *mentalité*. Foremost in the popular eighteenth-century Virginia mind was the maintenance of community. Disorderly popular actions reinforced social stability and order.

Dedicated to

Marietta, John, Brad, Greg, Cary, Victoria, and Jordan

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Introduction

Throughout eighteenth-century Virginia, the populace acted in ways which reinforced the communal will. Alfred F. Young notes how historians have analyzed "the function of custom and tradition and the role they play in popular consciousness and popular movements."¹ As European historians Martin Ingram and Natalie Zemon Davis explore, during times of crisis, the populace tended to reinforce the community consensus through public displays of ritual.² Hence, in crowd actions of eighteenth century Virginia, the white populace engaged in small politics, designed to maintain community hierarchy and consensus. In this manner, the populace was politicized, but only at the local level. While blacks participated in Nathaniel Bacon's Rebellion of 1676, whites dominated virtually all Virginian crowd actions. Thus, this thesis focuses upon white popular actions.

Historians often attribute an elite political voice to the populace. Paul A. Gilje argues that the lower orders

¹Alfred F. Young, "English Plebeian Culture and Eighteenth-Century American Radicalism," in *The Origins of Anglo-American Radicalism*, ed. Margaret C. Jacob and James R. Jacob (New Jersey: Humanities Press International, Inc., 1984), 189.

²Martin Ingram, "Ridings, Rough Music and the 'Reform of Popular Culture' in Early Modern England," *Past and Present* 105 (November 1984), 79-113; Natalie Zemon Davis, "The Reasons of Misrule: Youth Groups and *Charivaris* in Sixteenth-Century France," *Past and Present* 50 (1971), 41-75; Peter Burke, *Popular Culture in Early Modern Europe* (New York: Harper and Row, 1978).

became heavily politicized and reshaped elite Whig ideology during the 1760s and 1770s in colonial America.³ Tim Harris, an historian who looks at the overtly political actions of the London mob, contends, as does Gilje, that those who engaged in crowd activity were not only the ruled, but also involved in aspects of ruling. While he would argue that popular disturbances reveal the peoples' political voice, he does admit that mob actions worked because they drew upon traditional forms and rituals that preceded any particular political crisis. For example, many political demonstrations drew upon the same ritual as a *charivari*--a ritual directed against sexual miscreants within the community.⁴ In eighteenth-century Virginia, the populace did interact with the elite. They did respond to Whig attempts to mobilize them. However, the populace was not primarily motivated by elite political agitation resulting from the imperial crisis. These historians neglect the small politics of the rioters themselves.

One historian who does address small politics is E.P. Thompson. Thompson, the most influential historian of popular customary action and the English mob, focuses on the economic aspect of the crowd. He shows that a number of seemingly

³Paul A. Gilje, *The Road to Mobocracy: A Popular Disorder in New York City, 1763-1834*. (Chapel Hill: The University of North Carolina Press, 1987), 40, 44.

⁴Tim Harris, *London Crowds in the Reign of Charles II* (Cambridge: Cambridge University Press, 1987).

anarchic popular actions such as food riots or rough music reveal a coherent and meaningful *mentalité*. Thompson's most relevant contribution for the study of colonial America is to reveal the moral economy of the populace. The moral economy concept suggests there is a rationality in mob actions that is not a market rationality. Rebellious and seemingly disorderly actions were actually in defence of perceived customary rights and were directed against elites who sought private gain at the expense of the community.⁵ The moral economy is political in the local sense of small politics. These rituals and riots need to be considered as stemming from a basic popular *mentalité*, in and of itself, and not in opposition to capitalism.

The moral economy ideal was a stable community. In the colonies, Rhys Isaac focuses on Virginia's stable society, in which both subsistence and highly commercial (tobacco) farmers defined themselves through religion. In a separate article, he does discuss popular activities just before the Revolution but does not emphasize mob disorder or riotous events. Instead, his work focuses on a stable local society centered on courthouse culture. This courthouse culture was important to Virginia because agrarian county communities, rather than towns of which there were few, defined Virginia society. Isaac and other historians show how appointment to various

⁵E. P. Thompson, *Customs in Common: Studies in Traditional Popular Culture* (New York: The New Press, 1993), 185-351.

offices in the county courts, such as justices of the peace, sheriffs, and county clerks, was the first step to a political career. Above the county courts was election to the House of Burgesses, the lower assembly of Virginia's government which met in Williamsburg. While the electorate was rather large and elections often unruly, political rule was essentially an elite literary and legal culture.⁶

Elite/popular interaction was an important aspect of eighteenth-century Virginia, and an understanding of this relationship is important when discussing Virginia's crowds. In colonial Virginia, the overstudied gentry, though they defined many of Virginia's values, were no more than 2-5% of the population. Yeoman farmers, artisans, and tradesmen composed a large middle group, and landless overseers and agricultural laborers comprised "an apparently smaller lower rank." The tension between acquiescence to gentry rule and gentry political values and the continued dominance of the predominantly oral culture of the other two groups, which can

⁶Rhys Isaac, *The Transformation of Virginia: 1740-1790* (Chapel Hill: The University of North Carolina Press, 1982); Rhys Isaac, "Dramatizing the Ideology of Revolution: Popular Mobilization in Virginia, 1774 to 1776," *William and Mary Quarterly* 33 (July 1976), 357-85; Lucille Griffith, *Virginia House of Burgesses, 1750-1774* (Northport, AL: Colonial Press, 1963); Carl Bridenbaugh, *Seat of Empire: The Political Role of Eighteenth-Century Williamsburg* (Williamsburg: Colonial Williamsburg, 1958); John G. Kolp, "The Dynamics of Electoral Competition in Pre-Revolutionary Virginia," *William and Mary Quarterly* XLIX (October 1992), 652-74; A.G. Roeber, *Faithful Magistrates and Republican Lawyers: Creators of Virginia Legal Culture, 1680-1810* (Chapel Hill: The University of North Carolina Press, 1981).

be called the populace, defined Virginia's popular culture.⁷ The lowest rank of white inhabitants was smaller because black slaves formed the bottom of Virginia's social pyramid. By 1660, slaves were used more than indentured servants and, by the end of the eighteenth century, Virginia was home to 40% of the slaves in the nation. Slave society, however, did not define all of Virginia society. Slaves worked primarily on the Tidewater plantations, and were owned by the literate gentry. A large portion of the smaller land owners were illiterate. Literacy distinguished a ruling class from the populace.⁸ While much work remains to be done on black participation or non-participation in popular rituals and mob actions, this thesis focuses on interactions among white Virginians. As Bertram Wyatt-Brown points out, "what mattered most to [white southerners] was the interchanges of whites among themselves."⁹

Social historians must work through literate, and therefore elite, sources to provide the populace with a voice.

⁷Jack P. Greene, "Society, Ideology, and Politics: An Analysis of the Political Culture of Mid-Eighteenth-Century Virginia," in *Society, Freedom and Conscience: The American Revolution in Virginia, Massachusetts, and New York*, ed. Richard M. Jellison (New York: W.W. Norton and Co., 1976), 14-76, esp. 17, 44.

⁸Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W.W. Norton and Co., 1975), esp. 5, 373.

⁹Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), xii.

Elite distortion and biases must not be discounted. How do literary sources reveal an oral culture? This thesis uses a number of contemporary printed and manuscript sources (since printed): the journals of the House of Burgesses, Council records, diaries, and even one unpublished play written in Virginia. While these sources are clearly written by and intended for the elite, they often comment on popular actions and rituals. It is through these literary sources that I attempt to give a voice to the voiceless. The central source is the *Virginia Gazette*, at periods actually two rival newspapers of the same name. Obviously, this too is a literary source. But it is especially valuable because its articles document divisions among the Virginia elite and naturally comment extensively on the newsworthy: public ceremonies and riots.

This thesis examines popular actions in eighteenth-century Virginia. Through an analysis of fairs, court days, and royal celebrations, the first chapter argues that incidents of elite/popular interaction, before 1765, reveal a unified society. The relative absence of divisions among the elite reinforced the popular communal ideal. In 1765, however, the political crisis with Britain divided the Virginia elite. This crisis prompted the patriot elite to initiate disturbances against loyalists and those willing to acquiesce to British rule. As the second chapter argues, the threat to the community consensus prompted popular

participation in these disturbances. But popular actions can be interpreted in terms of the communal ideal that was operative before 1765 more than in terms of an elite politicized populace. Two riots at the height of the imperial crisis in 1768 and 1769 are especially well documented and are analyzed in chapter three. These riots were prompted by attempted inoculation against smallpox. Though this might seem apolitical and unrelated to the imperial crisis, Whig elites used the occasion to define themselves in opposition to loyalists. Elite/popular interaction in the inoculation riots once again shows a tension between elite manipulation and popular *mentalité*. This thesis attempts to address the central problem of what makes crowds act within the specific historical context of eighteenth-century Virginia.

Chapter I.

Community Revealed:

The Meaning of Fairs, Court Days, and Royal Celebrations

Eighteenth-century Virginia was an early modern European society. Community overshadowed individual interests. Low literacy levels and agricultural lifestyles contributed to the predominance of an oral culture, in which face-to-face encounters and ritualistic actions provided the basis of communal solidarity.¹ As in England, Virginia's social hierarchy required each inhabitant to express either deference or condescension to each person encountered within the society.² Prior to the beginning of the imperial crisis in 1765, Virginia's county communities, although stratified, remained as cohesive as those in England. Traditional relationships created what Rhys Isaac termed, the "community

¹Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: The University of North Carolina Press, 1982), 125.

²David Hackett Fischer noted how deference, or the "culture of subordination," was the "psychological cement" of the hierarchical system. He also discussed condescension: "To condescend in the seventeenth and eighteenth centuries was to treat an inferior with kindness, decency and respect." David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York: Oxford University Press, 1989), 384, 385-7; Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 63.

pecking-order."³ Knowledge and acceptance of one's place in society allowed the community to settle grievances peacefully. Despite some tensions before 1765, the populace interacted in ways which reinforced the communal will and created a unified society.

Some historians prefer to emphasize the individual over the community. Edmund S. Morgan discusses how the atomistic nature of frontier Virginia contributed to the central American paradox, namely, how slavery and freedom coexisted in colonial Virginia, "the one supporting the other." Other historians incorporate Darrett B. Rutman's "network analysis" approach, which argues that people associate in orderly groups: networks formed by landform, distance, technology, or social topography. These communities, or "small worlds," James R. Perry suggests, "provided cohesion" in colonial Virginia society.⁴ But as Morgan's thesis seems to suggest that American exceptionalism and, thus, the Revolution was inevitable, while the approach of Perry and Rutman would imply that the Revolution never happened, a third approach

³Rhys Isaac, "Dramatizing the Ideology of Revolution: Popular Mobilization in Virginia, 1774 to 1776," *William and Mary Quarterly* 33 (July 1976): 363.

⁴Edmund S. Morgan, *American Slavery, American Freedom; The Ordeal of Colonial Virginia* (New York: W.W. Norton and Co., 1975), 6; Darrett B. Rutman and Anita H. Rutman, *Small Worlds, Large Questions: Explorations in Early American Social History, 1660-1850* (Charlottesville: University Press of Virginia, 1994), 40-1; James R. Perry, *The Formation of a Society on Virginia's Eastern Shore, 1615-1655* (Chapel Hill: The University of North Carolina Press, 1990), 7.

suggesting a change from a consensual society to one based on conflict would be in order.

Before 1765, communal action integrated a gentlemanly elite and an agrarian populace. Three social activities particularly displayed communal solidarity: fairs and festivals, courthouse gatherings, and royal celebrations. These activities enabled the inhabitants of the county community to interact, and, despite seeming disorder, strengthen communal relationships.

The fairs and festivals that occurred regularly in eighteenth century Virginia allowed for communal relationships to develop. Virginia's colonial legislature repeatedly established fair days in various counties and individual towns, including Fredericksburg, Richmond, Suffolk, Newcastle, and Alexandria.⁵ The Fredericksburg Fair, held biannually from 1738, was perhaps the most successful fair during this period. In 1774, the Scottish indentured servant, John Harrower, disembarked from his Atlantic voyage and encountered "a great number of Gentlemen and Ladies driving into Town it being an anuall Fair day."⁶ The *Virginia Gazette* also

⁵William W. Hening, *The Statutes at Large; Being A Collection of all the Laws of Virginia, from the First Session of the Legislature, in the Year 1619* (Richmond, Va.) V, 82-3; *The Journals of the House of Burgesses*, 18 April 1747; *ibid.*, 17 December 1748; *ibid.*, 29 February 1752; hereafter cited as: JHB.

⁶Hening, *Statutes*, V, 82-3; Edward Miles Riley, ed. *The Journal of John Harrower: An Indentured Servant in the Colony of Virginia, 1773-1776* (New York: Holt, Rinehart and Winston, Inc., 1963), 40.

advertised this fair in 1745, 1746, 1751, 1752, and 1755.⁷ The longevity of the Fredericksburg fair attests to its popularity. Furthermore, the establishment of other fairs during this period shows the social desire for communal interaction and, because they were often held at county seats, also reinforced the "county community." As Harrower's mention of "a number of Genteel Company as well as others" during the May 1774 fair⁸ suggests, all ranks interacted at the annual fairs.

The fair's function was more social than economic. Festivals, some lasting for days, engaged all ranks of the community and provided an opportunity to escape the planting drudgery that accompanied a rural society. Although fairs provided the means to auction "to the highest Bidders, ...several tracts of land," this act proved inconsequential compared to the other festivities.⁹ For instance, the St. Andrews Day Festival had "Horse Races, and several other Diversions," and included prizes for the best wrestler and runner.¹⁰ Harrower recounted how "Puppet shows, roape dancings &c" ended a week of horse racing in

⁷*Virginia Gazette* (Parks) 16 May 1745; 5 September 1745; 20 March 1746; 4 June 1746; 25 April 1751; (Hunter) 30 April 1752; 9 May 1755.

⁸Riley, ed., *John Harrower*, 45. (emphasis added)

⁹*Virginia Gazette* (Parks) 16 May 1745.

¹⁰*Ibid.*, 30 September 1737.

Fredericksburg.¹¹ In 1752, a "Company of Comedians from the new theatre in Williamsburg" intended to proceed to Fredericksburg, "to play during the Continuance of the June Fair."¹² These festive respites allowed society to actively engage in a community order.

Williamsburg's atypical fair in December 1739 appealed only to the elite, and hence, demonstrates a failed attempt at communal interaction. The *Virginia Gazette* advertised this fair: "for the Buying and Selling of Horses, Cattle, Hogs, Sheep, &c and all sorts of Goods, Wares and Merchandizes. And it is assur'd that good Encouragement will be given to Persons who shall bring such Things to the Fair for sale." The *Gazettes* next issue stated that this fair was "to encourage trade and promote commerce." The advertisement continued: "But as this Intention, like many others that are new and uncommon, has not met with the desired Success, for want of sufficient Tryal and Experiment," the "Gentlemen and other Inhabitants" of Williamsburg, by "voluntary contribution," raised money "to be appropriated in such a Manner, and to such uses, as shall seem most conducive to the desired end." The proprietors then offered a bounty to the person who brought the most horses, sheep and hogs to the fair. They also

¹¹Riley, ed., *John Harrower*, 65.

¹²*Virginia Gazette* (Hunter) 30 April 1752.

offered prizes for a running race.¹³

Nevertheless, the Williamsburg fair failed because the intent of this fair was business-related and not community oriented. The *Gazette* claimed that "If there had been more timely Notice of the Encouragement intended to be given to those who brought Horses, Cattle, Hogs, &c to the Fair, it is generally believed we should have had great Numbers brought in." This statement seems peculiar since the public received two weeks prior notice of this particular fair through the public medium of the colony's only newspaper. There was another reason that adequately explains this fairs dismal turnout. The *Gazette* continued: "The extraordinary Benefits of Fairs in England, and even in several Places on this continent, both to *Buyers and Sellers*, is so well known, that there needs no Argument in its Favour." The "Buyers and Sellers" of animals targeted a select group within the community. This fair failed because it lacked the festive entertainments which allowed the community to gather and interact in personal and intimate ways. While this review ended optimistically: "its [sic] not doubted but it [the fair] will in a few Years be brought to great Perfection, if zealously promoted by the Gentlemen and other Lovers of their Country's Interest,"¹⁴ the "Country's Interest" was not, in

¹³*Virginia Gazette* (Parks) 23 November 1739; *ibid.*, 30 November 1739.

¹⁴*Ibid.*, 7 December 1739. (emphasis added)

fact, representative of the community.

Closely associated to these recreational social gatherings were festive activities at the county courthouse. Located at the county's geographical center, the courthouse served these localized communities in various ways. Its centralized location allowed for communal access, and this provided an unequalled means for social interaction.¹⁵ This interaction enabled the community "to define social rank, mutual obligation, and shared values."¹⁶ Courthouse gatherings thus demanded the acceptance of one's place in the social continuum and reinforced the social hierarchy. Hence, the courthouse served as a unifying force within the community.

The *Virginia Gazette* typically advertised the various activities that occurred at the courthouse. For instance, the public sale of land, schooners, and tobacco at the Hanover, Essex, and Westmoreland courthouses, respectively, illustrates the courthouses diverse role.¹⁷ In addition, horse races, sometimes with a "purse of 30 pistoles," cockfighting, and

¹⁵Thomas Bender, *Community and Social Change in America* (New Brunswick, N.J.: Rutgers University Press, 1978), 70-71; A. G. Roeber, *Faithful Magistrates and Republican Lawyers: Creators of Virginia Legal Culture, 1680-1810* (Chapel Hill: The University of North Carolina Press, 1981), 78-9.

¹⁶*Ibid.*, 74.

¹⁷*Virginia Gazette* (Parks) 11 August 1738; *ibid.*, 6 June 1745; *ibid.*, 4 June 1746.

other gaming activities occurred regularly.¹⁸ Philip Vickers Fithian, a northern tutor to planter Robert Carter's children, described a horse race at Richmond Courthouse in his journal. Interestingly, Fithian wrote that "The Assembly was remarkably numerous; beyond my expectation and exceeding [sic] polite in general."¹⁹ Perhaps racing crowds were more genteel and polite than others. But gaming competition did not disrupt the social order. The crossing, but not levelling, of social ranks helped unify the traditional society.

The county government reigned supreme in colonial Virginia. Even though the governor appointed most county officials, if the county government disapproved of his choice, it could bring local governance to a standstill. The county government, which consisted of the justices of the peace, the sheriff, the county clerk and the coroner, effectively ruled the county community. This instrument proved central to maintaining law and order since the central government, located at Williamsburg, had little contact with the common person. Except for the clerk, appointed by the colony's Secretary, the county court recommended individuals to the governor who then commissioned them. As the county court days enabled the county government to implement laws, collect

¹⁸Ibid.

¹⁹Hunter Dickinson Farish, *Journal and Letters of Philip Vickers Fithian, 1773-1774: A Plantation Tutor of the Old Dominion* (Williamsburg: Colonial Williamsburg, Inc., 1943), 32.

taxes, and sentence criminals, the governor's powers within the locality proved minimal. Thus, the county government, while subject to colonial law, enjoyed virtual autonomy within the Virginia legal system.²⁰

The functions of the court stabilized the community. As the final arbiter of the law within the community, the county court served all individuals, especially when it dealt with the ever-present land disputes. As a result of the court's power, its importance remained unquestioned. Ultimately, it decided the acceptable and unacceptable behavior of the county inhabitants.²¹

Courts created what has been called in English history "county communities." The convenient location of the courthouse and the monthly court meetings created an opportunity for private business transactions.²² Moreover, nearby ordinaries, or taverns, also provided an atmosphere for business and social exchanges. Lightning in Sussex County allowed a rare glimpse into the social setting of a court day, when, in the evening of a court day, it "struck near the end of the court house of that county," and killed two horses and three hogs. Present were "upwards of an hundred people in and

²⁰Lucille Griffith, *Virginia House of Burgesses, 1750-1774* (Northport, Al.: Colonial Press, 1963), 4-5; Charles S. Sydnor, *American Revolutionaries in the Making: Political Practices in Washington's Virginia* (New York: The Free Press, 1952), 77-8.

²¹Isaac, *Transformation*, 88-94.

²²Sydnor, *American Revolutionaries*, 79.

about the ordinary, within thirty yards of where the mischief was done." Ehren Horn, the man who owned the horses, "was indemnified upon the spot, by the generous contribution of the Gentlemen who attended the Court."²³ The large gathering at the ordinary suggests a festive ending to the court day. The monetary contribution Horn received suggests both that he was a horse trader who had intended to sell his horses during the day, and that the "Gentlemen" who paid him were of a higher social rank and able to compensate the injured party.²⁴ The gentlemen reinforced their social position by relieving a community member in distress. This promoted communal solidarity, just as the activities at the ordinary did.

Burgess elections perhaps best displayed the dichotomous festive/solemn role of the county courthouse. These occasions particularly revealed the importance of face-to-face interaction. Burgess contenders had to prove their ability to serve their community by providing drink and entertainment. Such solemn ritual was central to the oral-based society.

An excellent contemporary source that provides insight into the communal interaction that occurred during burgess elections is Robert Munford's *The Candidates; or, The Humours of a Virginia Election*, written circa 1770. This three act farcical play focuses on *Wou'dbe*, a gentleman seeking re-election. Three new candidates, *Sir John Toddy*, *Mr.*

²³*Virginia Gazette* (Rind) 4 August 1768.

²⁴Isaac, *Transformation*, 90.

strutabout, and *Mr. Smallhopes*, also seek election because *Worthy*, a past Burgess along with *Wou'dbe*, refuses to run. The play revolves around the escapades of these three new contenders attempting to sway the freeholders' opinions in their respective favor. As the play's author was himself a Burgess from 1765-1775, historians consider this satirical account an accurate, albeit exaggerated, description of the election process in eighteenth-century Virginia.²⁵ *The Candidates* is worth analyzing to test whether the playwright thought of pre-revolutionary Virginia elections as consensual or conflictual.

The treating of freeholders comprises a major theme of *The Candidates*. A race-field provides the setting for the second act, where the county freeholders anxiously await the four candidates' arrival. One freeholder asks: "We are very dry here; Mr. Guzzle, where's your friend Sir John, and Mr. Wou'dbe? they are to treat to-day, I hear." The candidates soon join the festivities and as the day progressed the freeholders became increasingly intoxicated. *Wou'dbe* even chastises *Guzzle*, who serves as *Sir John Toddy's* lackey: "It would be ungrateful in you, Mr. Guzzle, not to speak in favour of Sir John; for you have stored away many gallons of his liquor in that belly of you's." Alcoholic beverages were not

²⁵Jay B. Hubbell and Douglas Adair, "Robert Munford's *The Candidates*," *William And Mary Quarterly* V (April 1948): 217-18, 220-21. Munford's play conveniently follows this brief introductory essay, and all references to his work are from this version.

the only means of treating, however. *Wou'dbe* states: "Tomorrow being the day of election, I have invited most of the principal freeholders to breakfast with me, in their way to the court-house." Not surprisingly, alcohol made an appearance at this morning event. *Mr. Julip*, a Justice, ordered a servant to bring him "the spirit" because his chocolate drink needed "a little lacing to make it admirable."²⁶ Munford, at least, saw elections as constructing a jovial sort of order.

Did such a view of festive elections have a basis in reality? Community treating occurred regularly, despite a 1705 law which prevented Burgess candidates from treating, promising money, or showing preference to any freeholder "in order to be elected... to serve in the General Assembly."²⁷ Regardless of the law but according to the bills presented to the House of Burgesses and also the number of contested elections which dealt with this issue, treating continued. In Lunenburg County on 29 March 1756, the issue of treating emerged in a contested election. When Matthew Marrable complained of Thomas Nash's "undue Election and Return," county officials sought to determine whether Nash or "his Agents" gave "any Treats, or Entertainments, . . . to the Freeholders of the said County, after the writ for electing

²⁶Munford, *The Candidates*, 241, 243, 252, 255.

²⁷Hening, *Statutes*, III, 243.

Burgesses . . . was issued."²⁸ The case culminated in May, when the House of Burgesses' Committee of Privileges and Elections reached a verdict. Because this committee believed Nash innocent, it upheld his election. But more importantly, the lengthy case provides an interesting account of the Virginia society.²⁹

The election committee in 1756 focused on the issue of treating *during* the poll. At first, Mr. Nash, "at a race where many Freeholders were present," cautioned a fellow candidate, Mr. Embry, "not to spend any Thing, as the Writ was out, and [Nash] did not spend any Thing himself." Mr. Nash, when told by a freeholder that "he would call for some Punch," replied that "it should be at [the freeholder's] own Expense" because Nash was a candidate for a Burgess seat. The freeholder expected a drink at this public gathering because the custom was ingrained upon society.³⁰ Mr. Nash probably refused because a fellow candidate was present.

A discussion of the ordinary throughout this particular case shows its importance. A man named Bacon, who tended bar

²⁸The governor signed election writs at least forty days prior to the proposed meeting of the General Assembly. The colony's secretary then sent the appropriate writ to each county sheriff, who in turn sent copies to the county minister. Each Sunday until the election, the minister publicized the upcoming event after his church service. Hening, *Statutes*, III, 236-7.

²⁹JHB, 29 March 1756, 344; 7 May 1767, 456-7.

³⁰Ibid.; Sydnor, *American Revolutionaries in the Making*, 57.

at the ordinary, "was applied to for Liquor by the Voters." Bacon delivered the liquor during the poll, and charged it "to the Candidate in whose Name it was demanded." After the poll closed, Bacon tried to collect. "Mr. Nash asked him by whose Orders it was delivered, for if it was not by his Orders, he would not pay for it." Bacon replied that he had no orders, "but depended on his [Nash's] Honor: Upon which Mr. Nash paid for what was charged to him." Another candidate, Mr. Embry, also paid. Mr. Marrable, however, refused to pay for more than a small quantity of rum to give to some people "who were preparing a Barbacue," even though his and Embry's bar accounts were the largest. Nash's vindication came when the Committee of Privileges and Elections announced that "it doth not appear that Mr. Nash was privy or consenting thereto" to treating.³¹ Thus Nash respected the law, but provided for his community and upheld a code of honor, nevertheless.

As Bertram Wyatt-Brown points out, treating was not simple bribery. It was "rather the demand of male constituents that the office-seeker thereby prove his manhood, indifference to heavy financial loss, and claim to the respect of those accepting his bounty."³² It also acted as a way for the community members to accept publicly their social rank. If the worthy candidate expected selection, the populace expected treating from the community's better-sort. Hence,

³¹JHB, 7 May 1757, p. 456-7.

³²Wyatt-Brown, *Southern Honor*, 337.

Wou'dbe stated in *The Candidates*, "...it surely is the duty of every man who has abilities to serve his country, to take up the burden, and bear it with patience." But he also asks, "Must I again be subject to the humours of a fickle crowd?"³³ The famous diarist Landon Carter claimed that he lost his re-election bid because he did not "familiarize" himself "among the people."³⁴ Obviously, he neglected his expected and anticipated duties. Election day combined festival with respect toward the local authorities. Polling ritual reinforced the community's social order which in turn, reinforced social stability.

The election usually began mid-morning. From the court house doorway, the county sheriff publicly announced the opening of the poll, and the voters then entered to cast their vote(s).³⁵ Behind a bench at the front of the room sat the sheriff, the appointed election clerks with record books, and the candidates. When the freeholder voted, he took an oath in front of the bench, which verified his status as a county

³³Munford, *The Candidates*, 252, 231.

³⁴Jack P Greene, *The Diary of Colonel Landon Carter of Sabine Hall, 1752-1778* (Charlottesville: The University Press of Virginia, 1965), 1:7.

³⁵General elections, in which each freeholder cast two votes, occurred when the governor dissolved the assembly and called for new elections. By-elections, in which each freeholder cast only one vote, occurred to replace "burgesses whose service had been terminated by death, resignation, or disqualification." John G. Kolp, "The Dynamics of Electoral Competition in Pre-Revolutionary Virginia," *William and Mary Quarterly* XLIX (October 1992): 655.

freeholder, a requirement which after 1736 meant he owned either one hundred acres of unimproved land or twenty-five acres with a house. The sheriff then asked how he voted, and the clerk appointed to the appropriate candidate duly recorded his response. The candidate then rose from behind the bench and thanked the freeholder for his vote. This continued until the sheriff determined that all available freeholders voted. Upon his decision, he announced three times, again from the court house entrance, that the polling verged on closing. In *The Candidates*, the sheriff stated, "Gentlemen freeholders, come into court, and give your votes, or the polling will be closed." It was a last attempt to encourage voting. Finally, the tallied returns proclaimed the winner. The sheriff "returned the burgesses," with a public announcement to the crowd, and a written form sent to Williamsburg. The day ended at the ordinary.³⁶

The ceremony that accompanied the elections made this day an important and solemn occasion. The freeholder placed his trust in the candidate and acknowledged the candidates natural ability to rule over him. The candidate accepted his constituents faith, and publicly thanked him for his vote. After the freeholders elected *Worthy* their Burgess, for

³⁶Hening, *Statutes*, IV, 475-8; Sydnor, *American Revolutionaries*, 27-8; Griffith, *Virginia House of Burgesses*, 60-2; Richard L. Morton, *Colonial Virginia*, vol II, *Westward Expansion and Prelude to Revolution, 1710-1763* (Chapel Hill: The University of North Carolina Press, 1960), 718-20; Munford, *The Candidates*, 257.

instance, he formally addressed the crowd: "Gentlemen, I'm much obliged to you for the signal proof you have given me to-day of your regard. You may depend upon it, that I shall endeavour faithfully to discharge the trust you have reposed in me."³⁷ The entire election ritual reinforced the communities social hierarchy. The sheriff represented the law, the candidate represented the deference due to a person of higher social rank, and the freeholder represented the condescension due to the common man. Together, each partook in a central role within the community.

Of course, all this drink, honor, and inequality did not produce a completely pacific society. Disorderly "riots," or "tumults," plagued some Burgess elections. The 1742 Orange County election appeared wrought with problems. As soon as the poll opened at noon, several men "throng'd into the Court-house in a riotous Manner, and made such a Disturbance, that the Sheriff and Candidates were obliged to go out of the Court-house, 'til the house was clear'd." After the sheriff restored order, he readmitted the candidates and the polling resumed. But as a precautionary measure, "in order to let the Voters pass in and out quietly," he appointed an under-sheriff and another man "with drawn Swords across the [courthouse] Doors." However, a John Rucker believed his honor threatened, and "threw the Under-Sheriff and another Person headlong out of the Doors; . . . and seized the Under-Sheriff's Sword with

³⁷Ibid.

both his Hands." Even within this tumult, however, order was reinforced. The displaced under-sheriff, "was rescued by the By-standers," which suggests that the community did not sanction Rucker's behavior. Rucker's actions only temporarily disrupted the election process. Towards evening, the other guard left his post, "and immediately the People throng'd into the Court-house in a drunken riotous Manner, one of them jumping upon the Clerk's Table, and dancing among the Papers, so that the sheriff was unable to clear the Bar, or the Clerk's to take the Poll." The House of Burgesses' Committee of Privileges and Elections determined that "John Rucker did, before and during the Time of the Election, give several large Bowls of Punch amongst the People, crying out for those Persons who intended to vote for Mr. Slaughter, to come and drink of his Punch." Furthermore, Rucker stood at the courthouse doors and prevented the supporters of another candidate from entering. Later, Rucker "confessed he had won several Pistoles, upon Mr. Slaughter's being elected the first Burgess."³⁸

This incident illustrates, as do other similar "riotously and unlawfully" conducted elections, that the community was capable of violence. However, the outlandish behavior displayed by one individual and his cohorts overstepped communal acceptance. This explains both the sheriff's appointing of guards at the courthouse entrance and the by-

³⁸JHB, 4 June 1742, 50-1.

standers aid to the under-sheriff. This disturbance reinforced the communal order because the community rejected Rucker's personal interests. His behavior violated accepted communal standards. Likewise, those who "throng'd into the court-house in a riotous Manner" when the poll opened also transgressed communal acceptance. The disorder displayed on this occasion perfectly exemplifies the community's need for order. When disorder appeared, the community acted quickly to prevent its escalation.

Locals used ties to the royal throne as a unifying force within Virginia society. From its establishment in 1736, the *Virginia Gazette* regularly mentioned the celebrations which accompanied King George II's birthday. The 30 October 1739 celebration at Williamsburg, for example, began when the inhabitants displayed the flag at the Capital. At noon, the "Great Guns" at the Governor's house "were thrice discharged," and in the evening, "the Governor's House, the College, Several Gentlemen's, and other Houses, were beautifully illuminated." The evening ended with a ball at the Governor's house, "And the Night was concluded with great Demonstrations of Joy, Suitable to the happy occasion, and agreeable to the distinguished Loyalty of this colony in general, to His Majesty, and His Illustrious Family." In all, His Majesty's birthday "was observed with great Decency and respect."³⁹ Other birthday celebrations included the King's ships and

³⁹Ibid., 26 October 1739.

forts "proclaim[ing] their Loyalty from the mouths of their cannon."⁴⁰ The public rituals of displaying flags, firing guns and illuminating houses expressed community based on a common loyalty to the king. No popular disturbances correspond with these public rituals before 1765.

When George II's wife, the "most Gracious Queen Caroline," died in 1738, the town of Williamsburg displayed its flag "Half Mast high" and fired minute guns in respect to her memory.⁴¹ Again, these public demonstrations allowed the Virginia populace to express its loyalty to the monarchy. Even more descriptive was the colonial celebratory procession surrounding the defeat of the Scottish Jacobite forces in 1746.

The Borough of Norfolk jubilantly rejoiced upon the defeat of Charles Edward Stuart, the Young Pretender to the English throne, by George II's son, the duke of Cumberland.⁴² The Norfolk celebration consisted of a full-sized effigy of the Pretender in Highland dress and a procession which contained three drummers, a piper, three violins and six men wearing inscribed sashes and carrying long rods. A man dressed as a nurse carried a warming-pan complete with a child "peeping out of it." Six men, two by two, followed the cart

⁴⁰Ibid., 27 October 1738.

⁴¹Ibid., 24 March 1738.

⁴²William W. Willcox and Walter L. Arnstein, *The Age of Aristocracy, 1688 to 1830* (Lexington: D. C. Heath and Co., 1988), 119-20.

holding the effigy, and finally, "A vast Crowd of People of the Town and Country" marched behind the procession. The procession ended at approximately one o'clock in the town center, the courthouse. An erected gibbet provided the backdrop as "his Pretendship was immediately exhalted, to the general View and Satisfaction of the Spectators." Liquor poured freely during the afternoon's festivities and royal toasts and twenty-one gun salutes filled the air. The evening saw the "Town beautifully illuminated." The day culminated when a "large Bonfire was kindled round the Gibbet and . . . the Effigie dropt into the Flames." This act elicited "loud Huzza's, and Acclamations of Joy . . ." A ball capped the day's celebration.⁴³

This ritualistic celebration involved the populace as well as the elite. Both expressed allegiance to the Hanoverian succession. This procession drew on popular culture. It closely resembled the shaming ritual of the *charivari*, replete with "rough music" and cross-dressing.⁴⁴ The warming-pan symbolized the belief that James II's wife feigned pregnancy and that she never actually gave birth to James III. The belief at the time revolved around the warming-pan and how it was used to smuggle an infant boy into

⁴³*Virginia Gazette*, 24 July 1746.

⁴⁴David Underdown, *Revel, Riot and Rebellion: Popular Politics and Culture in England, 1603-1660* (New York: Oxford University Press, 1985), 100-101.

the Queen's bedchamber in 1688.⁴⁵ Thus, James III's son, the rebel Stuart Pretender, or Bonnie Prince Charlie (represented in the Norfolk procession wearing Scottish clothes), was a bastard's son. The cross-dressing male "nurse" represented a world turned upside down. This pretender to the throne was obviously an outcast who did not fit within British society, hence, this procession lampooned his claim to the throne and publicly celebrated his defeat.

Celebrations of this momentous event were not confined to the Borough of Norfolk. "The Gentlemen of Hanover County" desired to follow "the Example of Williamsburg, Norfolk, Suffolk, and other Places, in expressing their Joy and Loyalty, on Occasion of the Defeat of the Rebels in Scotland." To this end, they raised money for "Publick Entertainment" and provided (liquored?) punch to the populace. A bonfire and window illuminations ended the evening, and according to the *Virginia Gazette*, "all was conducted with Decency and good Order."⁴⁶ Like elections, treating, and court day festivities, these expressions of "joy and loyalty," might have been engineered by the elite. But they were public and enabled the populace to gather in a common cause. Instances such as these unified the inhabitants and even established

⁴⁵Rachel J. Weil, "The Politics of Legitimacy: Women and the Warming-Pan Scandal," in *The Revolution of 1688-1689, Changing Perspectives*, ed. Lois G. Schworer (New York: Cambridge University Press, 1992), 65-67.

⁴⁶*Virginia Gazette*, 21 August 1746.

collective interests.

Before the imperial crisis began in 1765, the traditional Virginia society interacted in ways which reinforced the communal will. Although tensions existed, each individual subordinated his or her personal interests to the collective good. The social hierarchy that characterized this society proved essential because it provided communal order. Other historians have emphasized that when the imperial crisis interrupted that hierarchy, social disorder intensified and popular disturbances increased. But, as the writing of *The Candidates* suggests, consensus and community remained an important part of white popular culture in Virginia, perhaps through the Revolution itself.

Chapter II.

Community in Conflict: Elite

Division and Popular Values

During the Imperial Crisis

Before 1765, Virginia's elite and popular interaction promoted social unity. Fairs, court days, and royal celebrations unified the community. Although tensions existed in this hierarchical society, community interests overrode private interests. The populace strove to reinforce the communal will. To the populace, then, community interaction created social solidarity.

By 1765, however, Virginia's elite began to divide into radical and conservative camps. The end of the French and Indian War marked the beginning of a series of restrictive measures in Britain's colonial policy,¹ and as the political

¹Some historians disagree with this traditional view. Jack P. Greene argues that Britain's colonial policy changed during the late 1740s, under the restrictive policies of Mantagu Dunk, Earl of Halifax, appointed President of the Board of Trade in 1748. The catalyst for this change, Greene contends, was the extensive demographic growth of the American colonies after 1713 (the year of the Treaty of Utrecht ending the War of Spanish Succession). This rapid growth threatened Britain and resulted in both the realization that the colonies were crucial to the economic and strategic welfare of Britain, and the fear that the colonists might try to achieve independence. Hence, Greene views Halifax's policies as the turning point in British and colonial relations. Another historian, J. M. Bumsted, believes the writings of Britain's imperial reformers during the 1750s served as a central antecedent to Britain's colonial policy after 1760. Jack P. Greene, "An Uneasy Connection: An Analysis of the

crisis escalated, the Whig elite, or those who refused to acquiesce to British policies, became more radical. The Whig elite to fomented disturbances after 1765. Virginia's elite split in response to the new political crisis.

At the popular level, the threat to the community's consensus prompted popular participation in the elite initiated disturbances during the imperial crisis. The populace responded not directly to Whig or patriot agitation about the imperial crisis and its political effects (as did the elite), but rather to the threat to community consensus. This is evident in two ways. First, within the disturbances, the populace interacted with the Whig elite in a traditional manner. This shows the importance of communal cohesiveness and traditional hierarchy among the populace. Second, through the use of popular ritual, the common man proved he did not serve as the elites' puppet, manipulated by his social superiors' ideological war with Britain. Instead, his actions directed shame against those guilty of unacceptable community behavior.

To repeat, those involved with disturbances had differing motives. On one hand, the elite directed their actions against the ideological threat Britain posed to their liberty,

Preconditions of the American Revolution," in *Essays on the American Revolution*, eds. Stephen G. Kurtz and James H. Hutson (Chapel Hill: The University of North Carolina Press, 1973), 32-80; J. M. Bumsted, "'Things in the Womb of Time': Ideas of American Independence, 1633 to 1763," *William and Mary Quarterly* 31 (October 1974): 536.

while, on the other hand, the populace revolted against those who broke the visible communal consensus. The imperial crisis affected society at a popular level in a manner far different than at the elite level. Paradoxically, while the populace participated in rituals for reasons far different than the elite, these disturbances helped maintain communal order. As before 1765, the populace endeavored to promote communal cohesion.

This chapter is divided into three sections: first, a brief description of the imperial crisis and the elites response to it at the county level; second, a narrative of the popular disturbances during the crisis with an emphasis on the elite initiation of these disturbances; and third, an analysis, using the disturbances, of how the imperial crisis affected the populace. At the popular level, the maintenance of communal cohesion remained as paramount as before this period.

Literacy divided the "elite" and "populace". No more than 25 percent of Virginia's adults could sign their name.² Thus, the majority of Virginia's inhabitants could be classified as those who left few written records, or who historians call the "inarticulate." These were the people unable to afford an education, whose class and economic status prevented their betterment. However, both Philip Vickers Fithian and John Harrower, while literate, were not members of

²Isaac, "Dramatizing the Ideology of Revolution," 362.

the elite. One must also consider the traditional social hierarchy when attempting to categorize Virginia's inhabitants into elite and popular groups. Virginia's fluid society allowed men of means or exceptional abilities to be welcomed into the gentry rank. Industrious immigrants or yeoman farmers, therefore, could assimilate into the gentry through marriage or economic improvement. Even so, the gentry remained a small proportion of Virginia's society. More numerous was the middle rank, which consisted of less affluent planters, professional men, yeoman farmers, rural artisans, and tradesmen. This group comprised the bulk of Virginia's white population. Those less fortunate, such as landless overseers, agricultural laborers, and recently released indentured servants, were of an even lower rank. The traditional society, coupled with low literacy rates, created a vast populace of the inarticulate.³

The elite used the *Virginia Gazette* as a vehicle to discover and express political opinions. Those who read this colonial newspaper, with its fine print, Latin quotations, continental references, and long polemical exchanges, were from Virginia's ruling elite. Furthermore, frequent references to the "vulgar" or "lower class" people illustrates

³Jack P. Greene, "Society, Ideology, and Politics: An Analysis of the Political Culture of Mid-Eighteenth Century Virginia," in *Society, Freedom, and Conscience: The American Revolution in Virginia, Massachusetts, and New York*, ed. Richard M. Jellison (New York: W. W. Norton and Co., 1976), 15-17.

the restrictive audience of the paper's authors. That a year's subscription cost a week's wages for a common laborer only reinforces the elite readership. The Gazette serves as an excellent means to view the elite response to the imperial crisis.⁴

The imperial crisis began when King George III assented to the Stamp Act on 22 March, 1765. Effective on November 1, this act contained fifty-five resolutions which outlined the items subject to taxation, and included all papers relative to court, shipping, and land transactions. It also taxed diplomas, licenses, contracts, playing cards, dice, pamphlets, newspapers, and almanacs, among other items. The Stamp Act affected all Virginians, but those most agitated were the local elites who served or conducted business at the courts, and the wealthy merchants, who needed stamped paper for their shipping enterprises.⁵ For instance, just weeks before the act was to be effective, the Justices of Westmoreland County

⁴Isaac, "Dramatizing the Ideology of Revolution," 369; William Priestley Black, "The *Virginia Gazette*, 1766-1774: Beginnings of an Indigenous Literature" (Ph.D. diss., Duke University, 1971), 17; Robert M. Weir, "The Role of the Newspaper Press in the Southern Colonies on the Eve of the Revolution: An Interpretation," in *The Press and the American Revolution*, eds. Bernard Bailyn and John B. Hench (Worcester: American Antiquarian Society, 1980), 132-3, 113.

⁵Edmund S. Morgan and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* (New York: Collier Books, 1953), 96, 240; JHB, 1761-1765, lix-lxiv; Peter Shaw, *American Patriots and the Rituals of Revolution* (Cambridge, Mass.: Harvard University Press, 1981), 230; The Morgans' discuss the prominent role the merchants and lawyers played during the Stamp Act crisis. See Morgan and Morgan, *The Stamp Act Crisis*, chapter's IX and XI.

sent to the *Pennsylvania Gazette* a brief letter which stated, in essence, their decision "to decline Acting in that Capacity" for fear of contributing to ". . . the Destruction of our Country's most essential Rights and Liberties."⁶ The Northampton Court used a different approach. The county clerk, Griffin Stith, issued to the *Virginia Gazette* a letter which represented "the Clerk and other Officers of this Court." They declared the Stamp Act unconstitutional, claiming that it "did not bind, affect, or concern the inhabitants of this colony, . . ." Furthermore, this letter included a statement which allowed the court officers to execute their business without using stamped paper and "without incurring any penalties."⁷

Some of the elite expressed their political opinions to the *Virginia Gazette*. The younger, more radical members of

⁶At this time, Virginia's Public Printer, Joseph Royle, edited the only edition of the *Virginia Gazette*. He held views sympathetic to the British Government, which surely explains why the Westmoreland Justices sent their announcement to the neighboring colony. The *Pennsylvania Gazette* published the justice's resignations on 31 October 1765. Quoted from William J. Van Shreeven, comp., *Revolutionary Virginia: The Road to Independence*, vol. 1, *Forming Thunderclouds and the First Convention, 1763-1774*, ed. Robert L. Scribner (Charlottesville: University Press of Virginia, 1973), 19, 20. The stamps were pieces of vellum, parchment, or paper upon which the correct denomination of the stamp was embossed. These stamped sheets were available for purchase from the colonies stamp distributor. Dice and playing cards were packaged in stamped paper, and in the latter case, one card per deck was embossed. Walter H. Conser, Jr., "The Stamp Act Resistance," in *Resistance, Politics, and the American Struggle for Independence, 1765-1775*, ed. Walter H. Conser, Jr., et al. (Boulder, Co: Lynne Rienner Publishers, 1986), 28.

⁷*Virginia Gazette* (Purdie) 21 March 1766.

the House of Burgesses vehemently disliked the Stamp Act,⁸ but of course, they were not alone in their negative response to it. A letter signed *Northamptoniensis* stated: "Whoever has had the effrontery to assert that the Par_____t of Br_t_n can, or have constitutionally taxed America, and that Americans have no right to oppose the Stamp Act, is an advocate for passive obedience, and an enemy to the country [i.e. Virginia]."⁹ Another letter, signed under the pseudonym "Algernon Sydney," explained: "As free men, and as Britons, we have an undoubted right to our liberty and property. A submission to the Stamp Law would have deprived us of our liberty and property." Algernon Sidney was a seventeenth-century English radical who adhered to "country" ideology. Important to American patriots, the pseudonym's use implies someone who upheld civil liberties and advocated resistance to

⁸In response to the Stamp Act, the Burgesses petitioned the King for redress and sent a memorial and remonstrance to the Houses of Lords and Commons, respectively. On 30 May of the following year, a first term burgess, Patrick Henry, proposed on the burgess floor six radical resolutions which dealt directly with the act. Five of these resolutions successfully passed. Shortly thereafter, the more conservative burgesses succeeded in rescinding the fifth resolve, which gave the General Assembly of Virginia the "only and sole exclusive Right to lay Taxes . . . upon the inhabitants of this Colony." It further stated that anyone other than the General Assembly who attempted to institute a tax "has a manifest Tendency to destroy British as well as American Freedom." Hence, four of Henry's resolves actually remain in the House of Burgesses Journals. *JHB*, 18 December 1764, 302-4; *Ibid.*, 30 May 1765, 360; Quote from Van Shreeven, comp., *Revolutionary Virginia*, 16, 18; Conser, "The Stamp Act Resistance," 29-30.

⁹*Virginia Gazette* (Purdie) 4 April 1766.

tyrants.¹⁰ When news of the repeal became official in early June 1766, the *Virginia Gazette* prominently displayed Governor Henry Fauquier's repeal announcement on the front page. Immediately following was the Declaratory Act, which upheld Parliament's right to "bind the colonies" in all cases whatsoever.¹¹

Even more troubling than the Declaratory Act to the colonial elite was the Townshend Revenue Act of 1767. Two items particularly angered the elite: first, the establishment of a Board of Customs Commissioners and, second, a moderate tea tax. Nonimportation associations soon formed in various counties. Although repealed in 1770, the Townshend Act continued to cause consternation among Virginia's elite due to the retention of the tea tax. On 22 June 1770, a revived nonimportation association which consisted of "the Gentlemen of the House of Burgesses, and the Body of Merchants," penned a more radical document to enforce the rules of the new association. This document stipulated that every county was to chose a committee of five, "authorized to publish the names of such signers of the association as shall violate their

¹⁰Ibid., 30 May 1766; Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge: Harvard University Press, 1967), 34.

¹¹*Virginia Gazette* (Purdie) 13 June 1766.

agreement; . . . "12 Public ostracism from the community surely followed. Public action reached new heights by 1773.

As the crisis approached its climax, the Whig elite mobilized society by enacting political measures designed to refute British authority. When the House of Burgesses established an intercolonial Committee of Correspondence in March 1773,¹³ the escalation in tactics helped unify Virginia's Whig elite to the other colonies. So it came as no surprise that upon the institution of the Coercive Acts in early 1774 in response to Boston's "Tea Party" of late 1773 that the Burgesses rallied to Massachusetts support. They issued a proclamation designating June 1 a day of fasting and prayer.¹⁴ Philip Vickers Fithian recorded how "the melancholy aspect of American Affairs at present," prompted the resolve. He noted that his county minister, Parson Smith, intended to observe the day.¹⁵ On June 1, John Harrower

¹²As with the Stamp Act, the Burgesses petitioned the British Government for redress. See *JHB*, 14 April 1768, 165-71; Van Shreeven comp., *Revolutionary Virginia*, 53, 80; Leslie J. Thomas, "The Nonconsumption and Nonimportation Movement Against the Townshend Acts, 1767-1770," in *Resistance, Politics, and the American Struggle*, 150-1, 166.

¹³The framer's designed this act in order "to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament, . . . and to keep up and maintain a correspondence and communication with our sister colonies, . . ." *JHB*, 12 March 1773, 28-9.

¹⁴*Virginia Gazette*, (Purdie and Dixon) 26 May 1774; This proclamation occasioned the dissolution of the Burgesses. See *JHB*, 26 May 1774, 132.

¹⁵Farish, *Philip Vickers Fithian*, 147.

recounted: "This day there was prayers in all the Churches in Virginia on Accot. of the disagreement at present betwixt great Brittain and her Colonies in North America." A few weeks later, he wrote in a letter: "As for tea there is none drunk by any in this Government since 1st. June last." He continued: "and I'm afraid if the Parliament do not give it over it will cause a total revolt as all the North Americans are determined to stand by one another, and resolute on it that they will not submit."¹⁶ That an indentured servant addressed these issues shows how extensively the elite political response to the imperial crisis percolated down into Virginia's society by 1774.

Although Virginia's Whig elite appeared unified against Britain, disagreement between counties arose at an August 1 Convention in Williamsburg. In June and July, the inhabitants of the various counties gathered to discuss their grievances and decide on what action to take. The *Virginia Gazettes* during this two month period published the counties resolutions.¹⁷ These resolutions were contradictory. For instance, landlocked Albemarle County wanted "an immediate stop to all imports from Great Britain . . . and to all exports thereto . . . ," while Middlesex County on the Rappahannock River found "an unlimited Non-exportation and

¹⁶Riley, *John Harrower*, 44, 56.

¹⁷Merrill Jensen, *The Founding of a Nation: A History of the American Revolution, 1763-1776* (New York: Oxford University Press, 1968), 475-77.

Non-importation Scheme . . . impracticable."¹⁸ The county resolutions represented the political and economic interests of the elite within the county communities. By the time of the August Convention, the delegates at least reached one compromise: the appointment of a committee representative of Virginia to attend the First Continental Congress.¹⁹

The local elite directly confronted the imperial crisis. Westmoreland and Northampton counties uniformly opposed the Stamp Act; county associations formed against the Townshend Act; committees of five within each county enforced the associations' rules through the threat of social ostracism; the observance of the June 1774 day of fasting and prayer. These examples illustrate how the local elite responded to Britain's changed definition of authority.

Though there were many disturbances in Virginia between 1765 and 1775, the period from 1765-67 was especially volatile because it was then that the elite divided into radical and conservative factions. Local Whig elites engineered popular disturbances against those who respected Britain's political policies.

¹⁸*Virginia Gazette* (Rind) 4 August 1774; *Virginia Gazette* (Purdie and Dixon) 21 July 1774.

¹⁹Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison and Edmund Pendleton comprised this committee. For the Virginia Association's contents, see Conser, ed., *Resistance, Politics, and the American Struggle*, Appendix D, 539-44; Quoted from *Ibid.*, 543.

One disturbance clearly represents the elite division due to the imperial crisis. A member of an influential Virginia family and a former Burgess, George Mercer accepted King George III's commission as Virginia's Stamp Agent.²⁰ He accepted this appointment while visiting Ireland, and he returned from his voyage just two days before the Stamp Act was to take effect. Yet a month before his return, Richard Henry Lee of Westmoreland County had instigated an effigy burning of Mercer. Lee was born into one of the tidewater's most prominent gentry families. Timed to coincide with the County Court meeting, Lee publicly tried, condemned to death, and hanged effigies of Mercer and Prime Minister George Grenville, the man who proposed the Stamp Act. Placards adorned both effigy's necks. Mercer's read: "Money is my God," and Grenville's read: "the infamous projector of American slavery." According to the *Maryland Gazette*, Lee provided Mercer's "last words and dying Speech"²¹ to the assembled crowd. "I hope, . . . that I shall gain your Credit, when I assure you, that I now die convinced of the

²⁰The King appointed one Stamp Agent for each colony. This agent was responsible for distributing stamped paper throughout the colony. John C. Matthews, "Two Men on a Tax: Richard Henry Lee, Archibald Ritchie, and the Stamp Act," in *The Old Dominion: Essays for Thomas Perkins Abernethy*, ed. Darrett B. Rutman (Charlottesville: The University Press of Virginia, 1964), 100.

²¹Peter Shaw discusses how eighteenth-century dying speeches, "which typically confessed a crime and warned others to avoid wrongdoings," evolved from the "dying speeches" of the condemned sold at Puritan New England hangings. Shaw, *The Rituals of Revolution*, 10.

Equity of your Sentence, and to the Propriety of my punishment." Lee, speaking for Mercer, continued: "For it is true that with my Paricidal Hands, I have endeavored to fasten Chains of Slavery on this my native Country; although like the tenderest and best of Mothers, she has long fostered and powerfully supported me." The last line of the "dying speech" reveals what Lee considered Mercer's true problem: "But it was the inordinate love of Gold which led me away from Honour, Virtue and Patriotism."²² As apparant by this Whig rhetoric, Lee viewed Mercer's "Paricidal Hands" fastening "Chains of Slavery" upon his fellow countrymen as a threat to the emerging belief of colonial independence. With both virtue and independence threatened, it naturally followed that liberty would also end in demise.²³

Upon Mercer's arrival in Virginia, a group of people met him and demanded his resignation as Stamp distributor.²⁴ "The mercantile people were all assembled as usual," Fauquier reported to the Board of Trade. "This Concourse of people I should call a Mob, did I not know that it was chiefly if not altogether composed of Gentlemen of property in the Colony

²²Jenson, *The Founding of a Nation*, 199; Matthews, "Two Men on a Tax," 98, 100; *Maryland Gazette* of 17 October 1765, quoted from *Ibid.*, 100-01.

²³Greene, "Society, Ideology, and Politics," 52-4.

²⁴Morgan and Morgan, *The Stamp Act Crisis*, 200-01; Carl Bridenbaugh, *Seat of Empire: The Political Role of Eighteenth-Century Williamsburg* (Williamsburg: Colonial Williamsburg, 1958), 64.

some of them at the Head of their Respective Counties, . . .

"²⁵ Mercer stated that he would give a reply at 10 a.m. on Friday (the day the Stamp Act was to take effect), but this did not placate the crowd. They followed Mercer to a coffee house, where the Governor, men of the Council, and other gentlemen were assembled.²⁶ Finally, "the leading men of the crowd" sent messages to Mercer and demanded a quicker answer. Governor Fauquier reported that "After some little time, a Cry was heard 'let us rush in'." Yet the threat of violence dissipated when Fauquier approached the mob; they "immediately fell back."²⁷ However, the crowd's intimidation worked. Mercer agreed to answer whether he would serve as the colony's Stamp distributor at five o'clock the next day. Even this answer did not disperse the crowd, so Fauquier took Mercer and "walked side by side through the thickest of the people who did not molest us; tho' there was some little murmurs." Fauquier reported: "I believe I saved him from being insulted at least."²⁸

²⁵George Reece, ed., *The Official Papers of Francis Fauquier, Lieutenant Governor of Virginia, 1758-1768* vol. III, 1764-1768 (Charlottesville: The University Press of Virginia, 1980), 1292.

²⁶*Virginia Gazette* (Rind) 25 October 1765.

²⁷Fauquier wrote to the Board of Trade: "If your Lordships will not accuse me of Vanity I would say that I believe this to be partly owing to the Respect they bore to my Character, and partly to the Love they bore to my person." Reece, *Francis Fauquier*, 1292.

²⁸*Ibid.*, 1292-3.

Mercer kept his promise and addressed "a vast number of Gentlemen, among them all the principal trading people in the colony" at the courthouse the following day. He agreed to refuse his commission: "I will not, directly or indirectly, by myself or deputies, proceed in the execution of the act until I receive further orders from England, and not then without the assent of the General Assembly of this colony . . ." ²⁹ The elite accomplished what they wanted; they upheld their liberty by forcing Mercer's resignation. Furthermore, the stamped papers remained aboard one of His Majesty's ships. To the elite, the threat of having to use the hated stamps no longer remained. British infringement on colonial rights prompted this patriotic response.

Another incident pertaining to the Stamp Act which illustrates the elite division focused on Archibald Ritchie, a wealthy Scottish merchant who announced before the Richmond County Court his intention to use stamped paper to clear out the crops in his warehouse.³⁰ Shortly after Ritchie's announcement, some gentlemen, "Enraged at the said Ritchie's matchless Impudence, . . . and alarmed at the dangerous consequences, that such an iniquitous Practice might be productive of to the Liberty of their Country, if the other

²⁹*Virginia Gazette* (Rind) 25 October 1765; Reece, *Francis Fauquier*, 1293.

³⁰Matthews, "Two Men on a Tax," 104; Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of an Opposition to Britain, 1765-1776* (New York: Alfred A. Knopf, 1972), 73.

Merchants should pursue so pernicious an Example," met as an association to determine how to handle Ritchie.³¹ This committee prepared a declaration to be signed by Ritchie, and made an oath that if he refused to sign, "his Person should be taken and stripped naked to his waist, tied to the Tail of a Cart, and drawn to the public Pillary, where he should be fixed for one Hour." The committee also decided that if Ritchie still refused to sign the Association's document, further punishment would occur, "as should seem Expedient to the Friends of Liberty." The next day, the group confronted Ritchie.³²

The crowd intimidated Ritchie into reading aloud and then signing the declaration, which stated that he would not use stamped paper. According to the *Virginia Gazette*, this occasion proved quite solemn: "The Whole was conducted with so much Decency and Discretion, that not a single Man ever attempted to introduce Drunkenness, Noise, or Licentiousness, amongst them."³³ The large gathering sufficiently forced Ritchie's recantation. To the elite, Ritchie's violation of the maintenance of liberty caused the confrontation.

³¹*Virginia Gazette* (Rind) 16 May 1766; The Association, comprised of 115 men from 10 counties, signed six resolutions. For the Westmoreland Associations' Resolutions in Defiance of the Stamp Act, see Van Shreeven, comp., *Revolutionary Virginia*, 22-6.

³²*Virginia Gazette* (Rind) 16 May 1766.

³³*Ibid.*

The elite also directed what may be the most violent action against one individual. In the Spring of 1766, the captain of a Norfolk vessel, William Smith, wrote a letter to the captain of a British sloop, Jeremiah Morgan. Smith related a harrowing experience to Morgan, in which some merchants accused Smith of informing Morgan that another Norfolk ship had smuggled goods. Smith, the accused customs informer, received a tar and feathering.³⁴ Similar to the other disturbances, the county elite participated in his punishment. "[T]hey bound my hands, and tied me behind a Cart and Mr. Maximilian Calvert Mayor of the Town instead of suppressing the insult encouraged it, and threw stones at me himself" The mob took Smith to the county wharf where his ordeal truly began. He stated that the participants, "bedaubed my Body and face all over with Tar and afterwards threw feathers upon me, then they put me upon a Ducking Stool and threw rotten Eggs and stones at me;" The mob then carted Smith through town until they came to his sloop. They threatened the same fate to Captain Morgan if he presented himself. Someone ordered Smith on the ducking stool, but a gentleman proved the voice of reason by implying that "they would suffer for it." The mob's last action almost killed Smith; they threw his tarred and feathered body off the wharf. Unable to swim, a passing boat fortunately rescued him. But

³⁴Jensen, *The Founding of a Nation*, 301; Pauline Maier, "Popular Uprisings and Civil Authority in Eighteenth-Century America," *William and Mary Quarterly* XXVII (January 1970): 11.

his experience remained ingrained upon him physically: "I have now almost lost the sight of my Eyes, and the use of my Limbs."³⁵ Smith's punishment satisfied the elite, who viewed Smith's crime as intolerable. His disregard for the Whig elite decision to conduct business without the stamped paper created friction. His actions could not pass unanswered.

When the British sea captain, Jeremiah Morgan (to whom William Smith had recounted his tar and feathering), concocted "a bloody riotous plan . . . to impress seamen, without consulting the Mayor, or any other magistrates," the Whig elite responded quickly. A 1697 law forbade captains and commanders from impressing local residents without the permission of the colonial governors. A revised 1708 Act, while outlawing American impressment, nevertheless remained ambiguous. As a result, impressment continued and the colonial society rejected its validity. By the time of Morgan's impressment, imperial relations were in a deteriorating state, and the British infraction against colonial freedom and rights prompted the elite participation in this riot.³⁶ The impressment began when thirty British seamen, after drinking a "cheerful glass," forced some of the

³⁵Morgan forwarded Smith's letter to Governor Fauquier: "Herewith I send you a Copy of a Letter wrote to me by an Innocent Man." Reece, *Francis Fauquier*, 1351-2.

³⁶*Virginia Gazette*, (Purdie and Dixon) 1 October 1767; Jesse Lemisch, "Jack Tar in the Streets: Merchant Seamen in the Politics of Revolutionary America," *William and Mary Quarterly* 25 (July 1968): 385-6.

Norfolk inhabitants to open their doors "instantly, or they would break them down," and then proceeded to take the impressed men back to their ship. A hue and cry by the night watchman aroused the town: "a riot by man of war's men, with Captain Morgan at their head."³⁷ With town drums beating, some magistrates, including Paul Loyal, proceeded to the wharf to "settle the matter amicably." Loyal confronted Morgan, who drew a sword and made "several passes" at Loyal. The account of this disturbance, written by Norfolk Mayor George Abyvon to the *Virginia Gazette*, is tinged with humor. "[B]ut such were the effects of fear, and such will always be the effects of panick when it seizes the heart of a paltroon," Abyvon stated, "that the passes and lunges he made were so widely distant that Mr Loyal thinks if he had been an elephant of an overgrown size Morgan might possibly have hit his head or his tail." Morgan eventually retreated back to his sloop and recruited several sailors as an escort. Morgan, "(like a cock that fights best on his own dunghill) pulled up fresh courage, . . . flourished his sword [at Loyal], and abused him and every magistrate in town." The Mayor restored the peace after Morgan flung himself into a small boat "and rowed off to the man of war like a lusty fellow." Abyvon recounted that "there being no other boat to pursue the flying hero, . . . things

³⁷*Virginia Gazette* (Purdie and Dixon) 1 October 1767; Pauline Maier states: "[T]he power of government depended traditionally upon institutions like the 'hue and cry,' by which the community in general rose to apprehend felons." Maier, "Popular Uprisings," 19.

were soon amienably settled." The magistrates jailed ten British sailors.³⁸ The Whig elite responded to Morgan's usurpation of colonial rights.

Naturally, Captain Morgan's account to Governor Fauquier of the same disturbance differed substantially. He refuted the impressment accusation, stating instead that he intended to find deserters. He further stated that the only houses he accosted were "either a Publick House or a Bawdy House." After the watchman sounded the hue and cry, Morgan pulled his sword in self-defence and retreated to his ship. "[T]o my great surprize I heard a Mr. Pawl Loyal & a Mr. Maxn. Calvert two noted Rioters calling out to the Mob come let us board her [the *Hornet*] and that in the presence of the Mayor who was also at the head of the Mob."³⁹ Morgan's pinpointing of the local elites participation and, indeed, their role in leading the mob, is not surprising. But why did the Whig elite encourage popular revolt?

Colonial Whigs manipulated the mob to legitimize their political behavior. Although both Whigs and Tories feared mob action (believing it led to anarchy and social disorder), the more radical Whigs found the mob to be an effective tool for

³⁸*Virginia Gazette* (Purdie and Dixon) 1 October 1767.

³⁹As a final insult to the town of Norfolk, Morgan forwarded to Fauquier a copy of a letter he wrote to the Mayor: "Captain Morgans Compliments to the Mayor and Corporation of Norfolk he is obliged to them for the ill treatment they give his people as it will teach his Men to stick by their Officers when ever they go upon duty again." Reece, *Francis Fauquier*, 1500-03; Quoted from *Ibid.*, 1503.

resistance. The elite tolerated mob actions when directed against tyranny because they believed that the people would rise only after protracted abuse.⁴⁰ But the fear of losing control of the mob and the seeming disorder surrounding mob actions proved useful to those elite who were willing to utilize such means to gain their ends. The elite initiated and supervised mob action. Thus, at one level, the mob was the instrument of Whig law.⁴¹

The Whigs wanted popular support. To this end, they knowingly manipulated traditional popular symbols in an attempt to appeal to the populace. For instance, the effigy burnings spearheaded by Richard Henry Lee dated back (at least) to the Catholic Guy Fawkes' failed plot to blow up Parliament in 1605. The populace commemorated this day with effigy processions, bonfires, and revelry.⁴² And when the Westmoreland Association wanted to threaten Archibald Ritchie, they chose the public and popular shaming ritual of carting him to the pillory if he refused to sign their non-exportation

⁴⁰Maier, *From Resistance to Revolution*, 39; Paul A. Gilje, *The Road to Mobocracy: Popular Disorder in New York City, 1763-1834* (Chapel Hill: The University of North Carolina Press, 1987), 39, 44, 8; Pauline Maier, "The Charleston Mob and the Evolution of Popular Politics in Revolutionary South Carolina, 1765-1784," *Perspectives in American History IV* (1970): 174.

⁴¹John Phillip Reid, *In a Defiant Stance: The Conditions of Law in Massachusetts Bay, The Irish Comparison, and the Coming of the American Revolution* (University Park: The Pennsylvania State University Press, 1977), 74.

⁴²Gilje, *The Road to Mobocracy*, 25; Shaw, *The Rituals of Revolution*, 207.

agreement. Elite control over the mob expressed itself in the "decent" and "discrete" behavior of the crowd.⁴³ As Pauline Maier states, "Whiggism tempered the use of violence in the colonies."⁴⁴

Through their initiation of disturbances, the Whigs expressed their ideology to the populace in a visible manner. Their initiation, participation, and manipulation of disturbances allowed the Whig elite to create a visible community consensus. As evident within the disturbances, the populace strove to uphold this consensus through traditional social interaction- similar to that at fairs, court days, and royal celebrations. This reinforced the traditional society and provided social cohesion between the elite and populace.

Clearly, the populace participated in the disturbance Richard Henry Lee initiated against George Mercer. Lee addressed a vast crowd at the effigy hanging; he staged this "trial" during the county's busiest time of the year, the meeting of the General Court. Before an assembly of people from all social strata, Lee expressed his Whig views. A "Concourse of people" gathered upon Mercer's arrival in Virginia, and the crowd constantly increased as Mercer made his way through town. When he reached the coffeehouse where the affluent gentlemen of the colony were relaxing, the crowd further increased and "insisted on a more speedy and

⁴³Virginia Gazette (Rind) 16 May 1766.

⁴⁴Maier, *From Resistance to Revolution*, 28.

satisfactory answer, declaring they would not disperse without one."⁴⁵ Yet Governor Fauquier safely escorted Mercer home, and the next day, Mercer addressed a large group at the capital. Fauquier recounted how a large number of people presented themselves at this time due to messengers spreading the word throughout adjacent counties. In addition to the "Gentlemen of property" and the "Merchants of the Country," the populace actively engaged themselves in these crowd actions.⁴⁶

The populace also interacted with the elite during the other disturbances. A crowd, "to the Amount of Four Hundred," confronted Archibald Ritchie and forced him to sign the association's declaration.⁴⁷ The accused customs informer, William Smith, continuously referred to an ambiguous "they," the implication being that the lower-orders assisted the elite in his trying ordeal.⁴⁸ Finally, after Jeremiah Morgan heard the watchman sound the hue and cry, he stated that he saw "Whites & Blacks all arm'd" advancing towards him. Whether this statement is true or not (Mayor George Abyvon's account to the *Virginia Gazette* states, "every one left his house unarmed"), in Morgan's estimation, the mob proved so extensive

⁴⁵*Virginia Gazette* (Rind) 25 October 1765.

⁴⁶Matthews, "Two Men on a Tax," 102-3; *Virginia Gazette* (Rind) 25 October 1765; Reece, *Francis Fauquier*, 1293, 1292; *Virginia Gazette* (Purdie and Dixon) 1 October 1767.

⁴⁷*Virginia Gazette* (Rind) 16 May 1766.

⁴⁸Reece, *Francis Fauquier*, 1351-2.

that if the rioters were to be punished, "there would not be twenty left unhang'd belonging to the town."⁴⁹

The populaces' participation in these elite disturbances served the Whig cause in a beneficial manner because the fear of the mob provoked actions advantageous to the Whigs: Mercer refused his commission; Ritchie signed the non-exportation agreement; and both Smith and Morgan, who usurped colonial rights, were punished. The Whig elite directed their actions against those who placed British authority over colonial rights and liberties.

The popular use of ritual serves as a window from which to view how the imperial crisis affected the common person. By incorporating actions traditionally reserved for those who infringed upon the accepted community norms, the populace acted as a protector of the community's interests. The protection of community prompted popular participation in these disturbances.

Publicly shaming or humiliating a social deviant drew upon the popular *charivari* ritual.⁵⁰ Central to *charivaris*

⁴⁹Ibid., 1501, 1502.

⁵⁰E. P. Thompson discusses how the French word "*charivari*" has won acceptance among international scholars as a term descriptive of the European "family of ritual" designed to direct hostility towards those who offended community standards. For the English counterparts, Thompson prefers the term "rough music" to describe this "rude cacophony." Even within England, however, the term "rough music" appears problematic. Thompson discusses the Welsh "wooden horse," the Northern "riding the stang," the Western "skimmington," and the Southern "rough music," and concedes "rough music" is a generic term. He does emphasize how the features of the

were the ideas of hierarchy, inversion, misrule, and disorder - the world turned upside down.⁵¹ The raucous crowd behavior surrounding the *charivari*, while appearing disorderly, actually reinforced acceptable behavior. The populace directed this punishment against someone guilty of violating community norms, including sexual deviants, husband beaters, scolds, and shrews. Its purpose was to humiliate the offender in front of his neighbors or to mock the person who supinely allowed the infraction to occur. In early modern England, the populace used this punishment when someone upset the traditional patriarchal society. For instance, a wife who dominated her husband occasioned the *charivari*. In cases such as these, the populace humiliated the husband for passively allowing his wife to dominate him. This ritual served as a form of community regulation of misbehavior.⁵²

A wide variety of hostile derision took place within a *charivari*. This street theater, while improvisational, usually contained similar elements. Foremost was the loud, mocking noise. Pots and pans, drums, hysterical laughter and

rituals overlapped and borrowed from each other. E. P. Thompson, *Customs in Common: Studies in Traditional Popular Culture* (New York: The New Press, 1993), 467-72.

⁵¹Martin Ingram, "Ridings, Rough Music and the 'Reform of Popular Culture' in Early Modern England," *Past and Present* 105 (November 1984): 96.

⁵²Gilje, *The Road to Mobocracy*, 21; Wyatt-Brown, *Southern Honor*, 437, 442-3; Thompson, *Customs in Common*, 476-80; Ingram, "Ridings, Rough Music and the 'Reform of Popular Culture'," 86.

loud, jubilant crowd behavior remained central characteristics of the *charivari*. A public procession mocking or lampooning the offender also served as a humiliating ritual. In England, some form of mount was used--a horse, a stout pole--to parade the victim throughout the community. Sometimes, effigies, ducking stools or cross-dressers appeared, representing a world turned upside down. After the *charivari*, the victim felt ostracized by the community. Disgrace acted as a powerful means of upholding, or reinforcing, acceptable community behavior.⁵³

Characteristics of the *charivari* are noticeable in Virginia's popular disturbances after 1765. An ever increasing crowd followed George Mercer throughout town until he reached the coffee house. The crowd was hostile and noisy. An illuminating incident occurred the next day, after Mercer rescinded his commission as Stamp Agent. His declaration "gave such general satisfaction that he was immediately bore out of the Capital gate" by those assembled. This action resembled the "chairing" of successful electoral candidates in England.⁵⁴ In these instances, the procession served as a positive action. Upon Mercer's announcement, the populace re-

⁵³Ibid., 82, 86; Thompson, *Customs in Common*, 469, 488; Wyatt-Brown, *Southern Honor*, 437.

⁵⁴Edmund S. Morgan, *Inventing the People: The Rise of Popular Sovereignty in England and America* (New York: W. W. Norton and Co., 1988), 183.

accepted him into the community. They no longer saw Mercer as someone who transgressed accepted community behavior.⁵⁵

Processions played prominent roles in the other disturbances. The rioters carted William Smith "through every Street in the Town" after they tarred and feathered him. With "two Drums beating" and "shewing all immaginable Demonstrations of Joy," the crowd, through its revelry, humiliated Smith using traditional means. When Morgan began to impress Norfolks' inhabitants, beating drums aroused the community. Drums, often used in *charivari* ritual, announced a community infringement, and the populace responded quickly. Finally, when the local elite threatened to cart Ritchie to the public pillory, they threatened a traditional popular action, designed to punish a member of the community for misbehavior.⁵⁶ The procession, or threat of, accompanied by unruly merriment, provided the populace with a way to express their thoughts and community expectations. This collective *mentalité* allows insight into crowd behavior.⁵⁷

The "cucking" or "ducking" stool used against Smith also evolved from a traditional punishment.⁵⁸ Usually reserved

⁵⁵*Virginia Gazette* (Rind) 25 October 1765.

⁵⁶Reece, *Francis Fauquier*, 1351; *Virginia Gazette* (Purdie and Dixon) 1 October 1767; *Virginia Gazette* (Rind) 16 May 1766.

⁵⁷Thompson, *Customs in Common*, 260.

⁵⁸Clive Holmes discusses how "swimming" a suspected witch became a vigorous aspect of popular culture by the English Civil War. Analogous to ducking in that both attempted to

for the patriarchal society's unruly women, this drastic shaming ritual upheld the traditional society's morality.⁵⁹ When a John Lawrence ordered Smith "lashed fast to the ducking stool with a Rope round [his] Neck," Smith met a double punishment. In addition to the shame suffered at the prospect of being ducked, he also had to contend with being punished in a manner most commonly reserved for women. The populace deemed his actions so horrible that they symbolically turned the world upside down, just as Smith had when he broke the community consensus by (supposedly) informing on someone who struggled to maintain that consensus. Although Smith was not actually ducked, the mob threw his tarred and feathered body off the wharf. This popular ritual revealed the popular conscience: fear and disapproval of any infringement of accepted community behavior.⁶⁰

cleanse the offender of impurities, swimming served as an antecedent to the ducking stool. More often than not, this punishment was directed against women at odds with the patriarchal society. Clara Ann Bowler analyzes ducking stool usage in seventeenth-century Virginia, most commonly employed against women accused of whoring. Clive Holmes, "Popular Culture? Witches, Magistrates, and Divines in Early Modern England," in *Understanding Popular Culture: Europe from the Middle Ages to the Nineteenth Century*, ed. Steven L. Kaplan (Berlin: Mouton Publishers, 1984), 104-5; Clara Ann Bowler, "Carted Whores and White Shrouded Apologies: Slander in the County Courts of Seventeenth-Century Virginia," *The Virginia Magazine of History and Biography* 85 (October 1977): 411-26.

⁵⁹Underdown, *Revel, Riot, and Rebellion*, 36, 100; Wyatt-Brown, *Southern Honor*, 52; Ingram, "Ridings, Rough Music and the 'Reform of Popular Culture'," 93.

⁶⁰Reece, *Francis Fauquier*, 1351-2.

Smith's tar and feathering also drew upon a popular custom. Dating back to a medieval maritime punishment, sailors probably transported this custom to the American colonies. Generally applied to and by members of the lower orders, tar and feathering remained a maritime tradition among seamen, dock workers, laborers, and artisans. Related to the *charivari* in that both brought public embarrassment upon the offender or victim, the tar and feathering ritual evolved into a punishment for a man at odds with the maritime community. This perfectly explains why Smith was the recipient of this painful ordeal. The community consensus, established by the elite decision to conduct business regardless of British restrictions, forced the populace to take action when a threat to that consensus appeared. To the populace, communal welfare was at stake.⁶¹

When the populace rose to back the magistrates during the impressment riot, they acted against a perceived threat to the community. October was a busy month for merchants, laborers, and seamen. A "press" gang forcibly removing the community's men threatened the community's livelihood. At the base level,

⁶¹Alfred F. Young, "English Plebeian Culture and Eighteenth-Century American Radicalism," in *The Origins of Anglo-American Radicalism*, eds. Margaret C. Jacob and James R. Jacob (New Jersey: Humanities Press International, Inc., 1984), 193; Shaw, *American Patriots and the Rituals of Revolution*, 184-88; Gilje, *The Road to Mobocracy*, 65; Richard Maxwell Brown, "Violence and the American Revolution," in *Essays on the American Revolution*, eds. Stephen G. Kurtz and James H. Hutson (Chapel Hill: The University of North Carolina Press, 1973), 96; Maier, *From Resistance to Revolution*, 9.

an impressment created undue hardships for people already burdened by daily expenses.⁶² This riot is different than the others in that the action which evoked the riotous response appeared to be directed solely against the lower sort-- unlike those which prompted an immediate elite response like distributing or intending to use stamps, or informing on a fellow compatriot. Perhaps this illustrates just how important the sense of community permeated the popular conscience. When faced by a direct threat, they responded quickly. Similarly, when faced by indirect threats, like those which truly affected the community's elite, the populace, quick to maintain harmony, here too responded quickly. This suggests that during the imperial crisis, the populace participated in disturbances in an attempt to protect the community. This disorder maintained communal order.

A conflictual elite society characterized Virginia during the imperial crisis. Even within the midst of this elite division, however, the populace endeavored to promote communal cohesion. Popular participation in disturbances occurred when someone transgressed the community's consensus--a consensus created by the Whig elite in response to the changed imperial relationship. The traditional ritual actions which the populace incorporated in the disturbances shows the importance of community at the popular level. What appears as disorderly conduct and mob action, in actuality, reinforced community

⁶²Ibid., 10.

order. Through disturbances, the populace regulated community
misbehavior.

Chapter III.

Community Maintained:

Elites, the Populace, and the Inoculation Riots of the 1760s

The previous chapter discussed how the imperial crisis divided Virginia's elite society. While the Whig elite instigated disturbances in response to the new political crisis, popular participation occurred because of perceived threats to community consensus. Paradoxically, mob actions and popular disturbances were attempts to maintain a peaceful community.

Two riots in the Norfolk area which dealt with a controversial inoculation practice further illustrate both the divided elite community and the popular response. When local doctors, merchants, and town officials had their families inoculated with the smallpox virus, the town divided into pro- and anti-inoculation factions. The riots, which occurred in 1768 and 1769, do not appear to have political overtones. However, close examination reveals the elite's hidden agenda; they acted against those who used the inoculation method--loyalists. What appears a health scare, was, in actuality, an elite division along political lines. As the imperial crisis escalated, strained tempers hardened the Whigs' political

views, and prompted them to initiate riots against known loyalists.

We have seen that the populace did not have the same political agenda as the community elite. Their response to the inoculation crisis hinged upon inoculation itself. Subject to inoculation's effects with no recourse available, the masses, through popular rituals within the disturbances, expressed their *mentalité*. This *mentalité* shows that the fear of inoculation disrupting the community prompted popular participation in these disturbances. While the elite transformed inoculation into a political event, the populace strove to uphold the healthy community. The populace directed their actions against those who threatened the community, the pro-inoculationists.

Not only do the inoculation riots reveal the interaction of the Virginia elite and populace during the 1760s, they also are extensively documented. The local elite waged a political war through letters published in the *Virginia Gazette*. Besides this rich source in describing popular actions, the law suits that accompanied these riots dragged on for years, providing insight into the riots otherwise unattainable.

Norfolk, an important port in the trade between Virginia, Britain, and the West Indies, was particularly susceptible to smallpox epidemics. Shipbuilding and repair created a large artisan class which, when coupled with trade, made Norfolk the

only county resembling an urban center in the area.¹ In addition to the close proximity of Norfolk's populace, trade also allowed contagious diseases to spread. A 1766 law required ships importing convicts or servants infected with gaol fever or smallpox to be quarantined. If the community suspected the transportation of disease, the ship's captain was to take an oath that none of his crew was infected.² Norfolk suffered a devastating smallpox outbreak in 1751-2, and its horrific effects remained long ingrained upon Norfolk's inhabitants.³ Smallpox proved a real threat to this port center.

Voluntary inoculation was a new form of protection against smallpox in the eighteenth century. The smallpox virus was injected into the patient, with the hope that a light attack of the smallpox would provide lifetime protection against further, more serious attacks. In the American colonies, the first use of inoculation occurred when Cotton Mather introduced it at Boston in 1721. In an age of smallpox epidemics, the relatively new inoculation method could appear dangerous--a precursor to an uncontrollable epidemic. The community quarantined the afflicted persons, and even after introducing inoculation, communities continued to use

¹Adele Hast, *Loyalism in Revolutionary Virginia: The Norfolk Area and the Eastern Shore* (Ann Arbor, Mi.: UMI Research Press, 1979), 9-10.

²Hening, *Statutes*, VIII, 260.

³*Virginia Gazette* (Purdie and Dixon) 8 September 1768.

"pesthouses," where inoculated patients resided until they recovered. While no one could prevent an epidemic from occurring, deliberately introducing disease into the community seemed to some an unwarrantable risk.⁴

In the months before the riot, public sentiment towards inoculation had turned skeptical. A letter to the *Virginia Gazette* blamed a Williamsburg smallpox outbreak in early 1768 on "the too speedy return of some of Mr. Smith's patients from inoculation." However, the magistrate allayed fears when he removed the infected persons to one house, "and that considerably out of the way of other dwellings."⁵ Furthermore, guards supervised the house "to keep off idle and impudent people."⁶ Clearly, guards could also supervise the quarantined victims and ensure community safety. The *Virginia Gazette* included numerous letters from January to March regarding the Williamsburg smallpox outbreak. A February notice declared that two of the three patients had died, while the mayor announced in March the "eradication of smallpox in Williamsburg."⁷ Interestingly, the first letter to the *Gazette* which dealt with this outbreak began with an extract

⁴Lester S. King, *The Medical World of the Eighteenth Century* (Chicago: The University of Chicago Press, 1958), 321; Richard Harrison Shryock, *Medicine and Society in America: 1660-1860* (New York: Great Seal Books, 1960), 38, 57, 93-4, 101.

⁵*Virginia Gazette* (Purdie and Dixon) 21 January 1768.

⁶*Ibid.*, 28 January 1768.

⁷*Ibid.*, 4 February 1768; 3 March 1768.

of a law passed in 1747: "Any inhabitant who houses someone with smallpox who is not a member of the community (or belonging to a member) shall be fined."⁸ Virginia's inhabitants clearly feared smallpox.

The inoculation practice in Norfolk had a troublesome history even before the 1768 riot. In June 1767, a full year before the first riot broke out, Dr. John Dalgleish, "a physician of merit" notable for his success with inoculation, inoculated his apprentice without acquiring the approval of the proper local authorities. For this action, he was almost sued, but magistrate Paul Loyal intervened and prevented the legal action. Months later, in February 1768, Dalgleish, "still full of his favorite scheme," leased a house near town where he could perform inoculations. Dalgleish gave the landlord a down payment, but when word reached the community of this action, "arguments and threats were instantly made use of to the landlord," and he "readily broke off his agreement." In February 1768, "some infected vessels from the West-Indies, where the smallpox then raged violently" landed in Norfolk, and several gentlemen wanted their families inoculated. Dr. Dalgleish agreed to do it. However, the community objected to the house he intended to use, fearing its close proximity to the town would hasten the diseases spreading. Dr. Dalgleish eventually declined inoculating those interested, but only after the owner of the house he intended to use was "severely

⁸Ibid., 21 January 1768.

threatened."⁹

Of course, some of Norfolk's elite inhabitants actively sought inoculation. Dr. Archibald Campbell believed inoculation necessary for his family's health, and asked Dalgleish to inoculate them at his plantation on Tanner's Creek, located three miles from town. Campbell publicly declared his intentions, and the mayor of Norfolk, Cornelius Calvert, along with merchants James Archdeacon, James Parker, Lewis Hansford, and Neil Jamieson, agreed to have their families inoculated.¹⁰ These men, important enough to be mentioned by name in the authors' letters to the *Gazette* (which thus separated them from the nameless mob), supported inoculation. The letter was a persuasive measure directed at the newspaper's audience.

The letter escalated community tensions. There "arose a general clamour against it [Campbell's plan], which daily increased, in town and country." Two elite gentlemen from an anti-inoculation faction approached Campbell and Mayor Calvert, and "expressed their apprehension that [Campbell's plantation] would be constantly employed for that purpose, by which the town would be kept in continual danger." Campbell stated that he intended to have Dalgleish inoculate only those friends to whom he had already granted permission. One of the gentlemen from the anti-inoculation faction replied that "he

⁹Ibid.; *Virginia Gazette* (Rind) 25 August 1768.

¹⁰Ibid.

was very glad matters were so settled, 'because. . . if it had not been so, Dr. Campbell's house would have been destroyed this night.'" A week later, the *Virginia Gazette* published a letter from Samuel Boush, who admitted to being one of the two men who approached Campbell and Calvert. He felt himself in no way "blameable to contribute towards the removal of any nuisance [sic] (i.e. Campbell's planation)," and concluded: "I shall submit it to the public, whether any set of Gentlemen have a right to disturb the repose of the community, by introducing a distemper in this colony that may be avoided."¹¹

Anti-inoculationists gathered at the town tavern, and later that night, the drunk mob threatened to "pull down the house." A group of people, "assembled in a large body," went to Campbell's plantation and demanded to know if he intended to proceed with the inoculation. Perhaps Colonel John Willoughby dispersed the drunk crowd. (One account of this disturbance made no mention of Col. Willoughby.) One letter to the *Gazette* relates how a "NOBLE BAND" of twenty slaves from the rope works, complete with weapons and bull dogs, accosted those gathered who supported Campbell in his "mercenary scheme." Regardless of which account is correct, tensions appeared to be mounting, so magistrate Paul Loyal suggested a meeting of both factions at Mrs. Ross's tavern the

¹¹*Virginia Gazette* (Purdie and Dixon) 8 September 1768; *Ibid.*, (Rind) 25 August 1768; *Ibid.*, (Purdie and Dixon) 1 September 1768.

next day. Those who represented the anti-inoculation faction included Samuel Boush, Paul Loyal, Maximilian Calvert, George Abyvon, and Drs. John Ramsay and James Taylor.¹² The controversy divided Cornelius from Maximilian Calvert, his brother.

Those gathered at Mrs. Ross' tavern, according to one account, agreed to postpone the inoculations until after the meeting of the court of Oyer and Terminer in Williamsburg on 14 June. Both factions, thus, would take an active interest in placating community fears. However, this account suggests that just the opposite occurred: "[I]nstead of pacifying the people, pains had been taken to keep up their riotous dispositions." This account suggests that "Incendiary letters were written, and great pains taken, to prejudice the minds of the people in the neighbourhood of the plantation, and even of those at a considerable distance."¹³ Another letter to the *Gazette* described this meeting differently. "It is astonishing to see . . . so little regard to truth as to say a general agreement was entered into that inoculation should be carried on in Dr Campbell's house, if a more proper one could not be got by the Oyer and Terminer court." This letter maintains that everyone present at the meeting found Campbell's house "a very improper place, the inoculators

¹²*Virginia Gazette* (Rind) 25 August 1768; *Ibid.*, (Purdie and Dixon) 8 September 1768.

¹³*Virginia Gazette* (Rind) 25 August 1768.

excepted," and that a proper house was sought, and a possible house found fifteen miles from town. Dr. Campbell refused to move, and on 23 June, some men "pulled down and destroyed" the windows on his plantation. Two days later, the "Gentlemen who had engaged to have their families inoculated" had it performed at Campbell's plantation, still habitable despite the absence of windows. Cornelius Calvert advertised what had transpired by posting signs on the road leading to his plantation and by sending a note to town. He tried to reassure the public that all precautions would be taken to prevent the smallpox from spreading. As the public learned of the performed inoculations, an out-cry arose to remove the infected patients to the pest house. Cornelius Calvert and Dr. Campbell agreed to desist from inoculating more people until the patients occupied the pest house, which needed a few days work to make it habitable. It appeared as though both factions were appeased.¹⁴

The day before the anti-inoculationists rioted, "the people in town were again alarmed upon seeing a number of beds, &c. carried to Dr Campbell's plantation, and hearing that more children were to follow." This, along with Lewis Hansford's public refusal to remove his inoculated children from Campbell's plantation, aroused the people. On 27 June, Joseph Calvert, brother to Cornelius and Maximilian, "was

¹⁴*Virginia Gazette* (Purdie and Dixon) 8 September 1786; *Ibid.*, (Rind) 25 August 1768.

observed to be uncommonly busy among the people." He declared his intention to drive the inoculated people from Campbell's plantation to the pest house, "or die in the attempt." During the evening hours, Joseph Calvert led a large group of people to Campbell's plantation, where magistrate Paul Loyal, who estimated over 200 people's involvement, tried to serve as an intermediary. The mob, "many of them in liquor," and reportedly armed, was in a dangerous mood. Magistrate Loyal advised those inside the plantation, also armed, to lay down their weapons, which they did. Joseph Calvert then addressed the mob: "Gentlemen, we are insulted, we are abused; what is to be done? let every man speak for himself: For my part, I say they ought to be turned out immediately; what say ye?" The mob replied: "Out! Out! d__n them, Out!" Maximilian Calvert, described in the *Virginia Gazette* as an Alderman, then stated to the mob: "Well then, Gentlemen, you know what you have to do."¹⁵

The mob removed the inoculated patients to the pest house. They gathered the women and children and forced them to walk the five miles to the pest house, just as a violent storm began. Hours later, after wandering in the dark and "being frequently lost in the woods," they arrived at the pest house, "with not one dry thread about them." Conditions at the pest house seemed deplorable; it had recently been

¹⁵*Virginia Gazette* (Purdie and Dixon) 8 September 1768; *Ibid.*, (Rind) 25 August 1768; *Ibid.*, (Purdie and Dixon) 1 September 1768.

inhabited by a number of negroes infected with smallpox, and was currently occupied by three infected negroes and two nurses. The inoculated patients, without fire, candles, or food, occupied the dank house. Even though all were shivering, Dr. Campbell insisted they open the windows to let in the cold night air, which was "much less dreadful than the putrid steams with which the house was then filled." The mob then left; the first Norfolk riot had ended.¹⁶

Although various civil and criminal proceedings followed this riot, the remainder of the summer, with one exception, proved trouble free. Rumors continued that Campbell intended to use permanently his house as an inoculation site. Virginia's Council, at a meeting on 7 September 1768, discussed a recent occurrence at Campbell's plantation. On 29 August, Dr. Campbell's plantation was burnt down to the ground. The Council's president, John Blair, issued a proclamation to the *Virginia Gazette* and offered a £40 reward for the apprehension of the incendiaries, and Campbell himself, "as a further encouragement," offered an additional £100 reward. No one was ever caught. The burning of the inoculation site appeared to eliminate the smallpox threat.¹⁷

¹⁶*Virginia Gazette* (Rind) 25 August 1768.

¹⁷Frank L. Dewey, "Thomas Jefferson's Law Practice: The Norfolk Anti-Inoculation Riots," *The Virginia Magazine of History and Biography* 91 (January 1983): 42; Henderson, "Smallpox and Patriotism," 417; Benjamin J. Hillman, ed. *Executive Journals of the Council of Colonial Virginia*, vol

The second Norfolk riot occurred during the Spring of 1769. When a ship belonging to Mayor Cornelius Calvert arrived from the West Indies with smallpox on board, Calvert took the blacks infected to the pest house and had Dr. Dalglish inoculate them on 24 May. George Abyvon, an anti-inoculationist from the previous year, asked Calvert if he "had inoculated again?" Calvert admitted he had, and added that "none but Fools and Knaves would oppose it." The next day, borough justice Maximilian Calvert ordered Dalglish's arrest. That night, a mob appeared at Cornelius Calvert's house and before breaking his windows, demanded he drop the suits pending from the first riot.¹⁸ The mob then proceeded to Campbell's house, where Joseph Calvert reiterated the mob's desire to have the suits dropped. James Parker was present at Campbell's house when the mob arrived, and noted that "the principals in planning are certainly much out in the affair." Presumably, Parker could identify the riot's leaders. Cornelius Calvert noted how at his house, the "Dastardly Behavior of a few, . . . excited the Rabble to Riots and mobbing." The mob broke Campbell's windows, demanded liquor, and finally decided to move on to Parker's house. Parker, aware of this decision, rushed home and fortified his house

VI, *June 20, 1754-May 3, 1775* (Richmond: Virginia State Library, 1966), 299; *Virginia Gazette* (Purdie and Dixon) 8 September 1768.

¹⁸*Virginia Gazette* (Purdie and Dixon) 9 January 1772. This letter, written by Cornelius Calvert, both described the second riot and summarized the completed court proceedings.

with guns. The mob arrived a half hour later, but was quickly dispersed when threatened by the guns. The mob then vowed reprisals against Parker if caught away from his house, prompting Parker to keep his house armed and defended against further mob action. None was forthcoming.¹⁹

Two characteristics of these riots emerge; the elite divided during the inoculation controversy, and they also participated in the disturbances. Perhaps cost-related issues sparked elite involvement. Samuel Boush, in a letter to the *Gazette*, recounted how the 1752 epidemic "cost the parish upwards of £800."²⁰ Another letter explained how:

The number to be inoculated, at the Doctor's price, would cost more money than is circulating in Norfolk; the doctors and nurses would only be benefitted; the trade and commerce of the place ruined; in short, its connexions are so extensive that the whole colony would feel its effects, and many poor labourers must either be maintained by the parish or starve.²¹

These charges are not without basis. Inoculated patients disseminated the disease, and the incidence of smallpox upon the community typically rose in response. In addition, expense limited those able to receive inoculation, while

¹⁹James Parker's description of this riot survives in the Charles Steuart Papers. The mercantile firm of Aitchison and Parker handled Steuart's interests in Norfolk, and Parker and Steuart had a continuing correspondence. Dabney, "Letters from Norfolk," 109-110; Henderson, "Smallpox and Patriotism," 418-20. Quoted from *Ibid.*, 419; *Virginia Gazette* (Purdie and Dixon) 9 January 1772.

²⁰*Virginia Gazette* (Rind) 1 September 1768.

²¹*Virginia Gazette* (Purdie and Dixon) 8 September 1768.

primarily benefitting only those who performed it.²²

Anti-Scottish sentiment was certainly a factor in the elite division over the inoculation issue. Scottish merchants dominated Norfolk's economy and thus served as creditors to local planters, artisans, and laborers. Their control of the economy created animosity between them and Virginia's natives. Indeed, the inoculation controversy may be considered the elite's catalyst in expressing deeper rooted prejudices. Of the prominent men in the pro-inoculation faction, four were Scottish merchants--Campbell, Aitchison, Parker, and Jamieson. Conversely, all known leaders of the anti-inoculation faction were native Virginians.²³ In a letter, Parker wrote: "I hoped in time the people of Norfolk would be concerned that we are all bound by the same laws, and that the people they were pleased to call foreigners had as good a claim to protection and justice as if their ancestors had first settled this colony."²⁴ In 1772, with law suits still pending, Parker even asked to have his case transferred to England.²⁵

Considering these riots occurred in the aftermath of the Townshend and during the Intolerable Acts, a third, more

²²King, *The Medical World of the Eighteenth Century*, 321-22.

²³Hast, *Loyalism in Revolutionary Virginia*, 9, 11; Dabney, "Letters from Norfolk," 111.

²⁴Quoted from Dewey, "Thomas Jefferson's Law Practice," 43.

²⁵Henderson, "Smallpox and Patriotism," 422.

plausible, explanation is that the elite divided along political lines. Perhaps this explains Parker's observance of the "visible partiality in favor of the rioters" during the trial, and his eventual request to move the trial to Britain.²⁶ He felt the Virginians "would compel [him] to acquiesce with the determination of the General Court regardless of the British laws."²⁷ The inoculation riots allowed the elite patriots to assert their independence.

Elite division along political lines is evident mostly through an examination of the riots principal players. The pro-inoculationists were staunchly loyal to the British crown. During the Revolution, Campbell served as Norfolk's only loyalist physician, and Parker's letters clearly show his loyalist tendencies. Later, both Aitchison and Jamieson held loyalist allegiances.²⁸ On the other hand, the anti-inoculation faction consisted of known patriots. Paul Loyal, Maximilian Calvert, and George Abyvon had earlier participated in Norfolk's 1767 impressment riot. Calvert had also participated in the 1766 tar and feathering incident. Of the second riot, Parker stated: "The villains wanted only a shadow of pretense to this riot." It appears that the inoculation

²⁶Quoted from Dewey, "Thomas Jefferson's Law Practice," 48.

²⁷Quoted from Henderson, "Smallpox and Patriotism," 423.

²⁸Ibid., 414; Dewey, "Thomas Jefferson's Law Practice," 40; Hast, *Loyalism in Revolutionary Virginia*, 11.

issue was only an excuse to express deeper grievances.²⁹

The populace, however, did not have an overt "elite" political agenda. For them, inoculation was a serious community threat. When faced by such a threat, and with no recourse available, the populace found a voice through ritualistic actions. These actions, directed against those at odds with the community, suggest that a unified community was of great importance to the populace.

The populace could not afford inoculation, so when doctors intentionally introduced smallpox into the community, the lower orders could not receive it as a form of preventative medicine.³⁰ In essence, they had to face the consequences of inoculation without its benefits. It is difficult to answer whether the populace would have had themselves inoculated if they could have afforded it, but evidence suggests that Dr. Campbell "would even take lumber in payment."³¹ This mode of payment shows that some who had no currency to pay were still willing to have the inoculation performed. Regardless, inoculation remained beyond the means of most Virginian inhabitants.

Popular appeals to county magistrates to end inoculations proved fruitless. The magistrates "had no right or pretence

²⁹Henderson, "Smallpox and Patriotism," 420; Quoted from Ibid.

³⁰Shryock, *Medicine and Society in America*, 99-100; King, *The Medical World of the Eighteenth Century*, 322.

³¹*Virginia Gazette* (Purdie and Dixon) 8 September 1768.

to interfere" with inoculation.³² They did, however, give "their dissent and disapprobation" toward the practice.³³ In effect, the magistrates sanctioned the mob's behavior. The anonymous author of a letter to the *Gazette* believed they "countenanced" the mob's actions, were unwilling to serve the peace, and negligent in using their "authority to quell the [1768] riot at its beginning."³⁴ Indeed, James Parker referred to them as "mob magistrates."³⁵ The populace was not helpless against the smallpox intrusion.

The rioters used traditional rituals usually reserved for community deviants. While meeting with Archibald Campbell, Paul Loyal recounted how he ordered some boys to stop drumming, but only after he secured Campbell's word to have the patients removed from his house.³⁶ Later, Joseph Calvert, accompanied by drum and flag, led the mob to Campbell's house. After the mob gathered the patients, and en route to the pest house, they, "elated with their exploits and success, were incessantly firing guns over their heads." On their way back into town, the crowd, "shouting abundantly,"

³²*Virginia Gazette* (Rind) 25 August 1768.

³³*Virginia Gazette* (Purdie and Dixon) 8 September 1768.

³⁴*Virginia Gazette* (Rind) 25 August 1768.

³⁵Quoted from Dewey, "Thomas Jefferson's Law Practice," 44.

³⁶*Virginia Gazette* (Purdie and Dixon) 1 September 1768.

celebrated its feat with loud revelric behavior.³⁷ These boisterous processions unified the community against those who placed individual needs over communal needs.

Another popular symbol, in the form of an effigy, humiliated pro-inoculationist Cornelius Calvert. In a letter to the *Gazette*, he asked, "How would [the rioters] like to have seen their Effigies carted through the Streets, and their Family treated with the same Indignity that mine was?"³⁸ When the people carted his effigy through the streets, they publicly shamed him because of his desire to inoculate his family, an act which directly threatened the community. The effigy gave the people a voice; it allowed them to express their disapproval of Calvert's actions.

Breaking windows of those who violated community norms was also a popular ritual. In England, for example, the windows of suspected papists were the crowds chief target during the seventeenth century Popish Plot scare.³⁹ In 1768, those who did not illuminate their windows upon the election of London radical John Wilkes also had their windows broken.⁴⁰ In Virginia, the mob broke Campbell's windows days

³⁷*Virginia Gazette* (Rind) 25 August 1768.

³⁸*Virginia Gazette* (Purdie and Dixon) 9 January 1772.

³⁹David Cressy, *Bonfires and Bells: National Memory and the Protestant Calendar in Elizabethan and Stuart England* (Berkeley: University of California Press, 1989), 181.

⁴⁰John Stevenson, *Popular Disturbances in England, 1700-1832* 2nd ed. (New York: Longman, 1992), 35.

before the first riot, and after the mob removed the patients to the pest house, some "parties were detached to break the windows of some Gentlemen, at whom they had been pleased to take offense."⁴¹ After the second riot, "Labourers, and diverse other persons," broke "forty Panes of Glass" that belonged to Cornelius Calvert.⁴² This ritual reveals the popular *mentalité*. The populace reserved this tradition for those who broke the community's consensus. Calvert, by trying to inoculate his family, threatened the health of the community. Breaking windows provided the populace with a voice through an abbreviated shaming ritual.

While the elite split along political lines, the populace responded to the inoculation controversy directly. Because the populace could neither afford inoculation nor legally prevent its use, and because it posed a threat to the community's health, they took matters into their own hands and rioted against those who chose to use it. The ritualistic actions directed shame and humility toward those who threatened the community. The people, as usual, struggled to maintain a sense of community.

⁴¹*Virginia Gazette* (Rind) 25 August 1768.

⁴²*Virginia Gazette* (Purdie and Dixon) 9 January 1772.

Conclusion

Like other colonial disturbances and public rituals, the inoculation riots were a product of both elite manipulation and customary beliefs. A deep rationality underlay popular action. Of course, this was not how it was seen by eighteenth-century contemporaries. In the aftermath of the inoculation riots, the *Virginia Gazette* printed a poem which sympathized with the plight of the inoculated women who had been attacked. The poem labeled the rioters as "unfeeling monsters!":

Not men, but monsters, sure your dangers cause!
Their bosoms recreant to all social laws!¹

But historians must not view the mob as unruly, or without "social laws." This thesis has tried to delineate the social laws displayed in the communal actions of pre-revolutionary Virginia, whether labeled by the elite as orderly or disorderly.

The *Virginia Gazette* and other sources during the quarter century before the Stamp Act show a society actively displaying communal and hierarchical values in a number of publicly sanctioned settings. Fairs provided an opportunity to reinforce the hierarchy through festive social interaction. Royal celebrations allowed the elite and populace to express communal loyalty to the monarchy. Courthouse gatherings, more than any other social occasion, unified the community.

¹*Virginia Gazette* (Purdie and Dixon) 29 September 1768.

Contested elections sometimes disrupted society. But their resolution often reinforced the hierarchical, yet consensual, community.

While society was not without tensions before 1765, disturbances increased when the Whig elite attempted to limit the British government's political and economic influence. The Whig elite responded to the Stamp Act by organizing petitions and demonstrations against the act, government agents, and merchants willing to conduct business under the new imperial laws. The Townshend Act further divided the elite into patriot and loyalist factions after a Virginia Association formed in 1769 to limit trade with Britain under the Act. (The Association met loyalist and mercantile opposition and nonimportation associations formed later in various counties.) Also in 1768 and 1769 an inoculation crisis divided the elite along the same lines as the imperial crisis.

The populace responded to these incidents by attempting to maintain community solidarity or community health. Individual acts threatening community prompted popular participation in disturbances. While the root cause was Whig elite organization against British governmental officers or merchants, the forms taken in mob action and the victims chosen for public humiliation were distinctly popular. The mob tarred and feathered and attempted to duck a customs informant; they burnt the Stamp Agent in effigy; they

threatened to cart a merchant who intended to use the new stamps. Most "riots" were clearly orderly. For example, an impressment riot included a parade and drums beating. Those people singled out by the mob for correction or humiliation either promoted individual (not community) interests or were viewed as community outsiders, especially Scottish merchants.

Even during the imperial crisis, public ceremonies binding elite and populace readily functioned to reinforce community. In May 1766, Williamsburg was the sight of a massive public display in support of the British government's decision to repeal the Stamp Act. Bells rang at both the church and courthouse, and ships in the harbor fired cannons. There was a huge banner painted with America paying homage to George III. These "decent rejoicings" were aimed at a wide and public audience.² There was no hint of division. A few months later, elite tensions did creep back in when it was suggested that next to a statue to be erected of George III an obelisk also be erected to honor Whig patriots.³ But public displays, at least to the populace, promoted community.

The implications of this study extend beyond 1775. Gordon S. Wood recently argued that the American Revolution was a radical social revolution, as evident by the "transformations in the relationships that bound the people to

²*Virginia Gazette* (Purdie) 6 June 1766.

³*Virginia Gazette* (Purdie and Dixon) 27 November 1766.

each other."⁴ The evidence from colonial Virginia does suggest a breakdown of the consensual community view among the elite well before 1775. But this breakdown did not extend to the popular level. An analysis of popular rituals reveals the popular *mentalité*. Foremost in the popular eighteenth-century Virginia mind was the maintenance of community. Disorderly popular actions reinforced social stability and order.

⁴Gordon S. Wood, *The Radicalism of the American Revolution* (New York: Alfred A. Knopf, 1992), 5.

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