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MEASURING RURAL REVOLUTIONARY MOBILIZATION:
THE MILITIAMEN, SOLDIERS, AND MINUTEMEN OF
FAUQUIER COUNTY, VIRGINIA 1775 – 1782

by

Jason Fackrell

A thesis submitted in partial fulfillment
of the requirements for the degree

of

MASTER OF SCIENCE

in

History

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2018

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ABSTRACT

Measuring Rural Revolutionary Mobilization:
The Militiamen, Soldiers, and Minutemen of
Fauquier County, Virginia 1775 – 1782

by

Jason Fackrell, Master of Science

Utah State University, 2018

Major Professor: Dr. Kyle T. Bulthuis

Department: History

Rural Virginia during the Revolution was a region seeking to identify itself during a time of radical social change as traditional hierarchical roles strained under consistent, growing pressures. The war's disruption of socioeconomic norms exacerbated social trends that were set in motion by earlier factors, such as the ascension of the more populist Baptist Church as a challenger to the ecclesiastical dominance of the Church of England favored by the gentry. The gentry's attempt to reassert itself through the vehicle of military institutional command backfired, generating changes in lower-class white Virginians' expectations of representation. Exploring the concept of wartime mobilization improves our understanding of a Virginia region that is less represented in contemporary historiographies which nevertheless contributed to Virginia's Revolutionary War story in important ways.

(117 Pages)

PUBLIC ABSTRACT

Measuring Rural Revolutionary Mobilization:

The Militiamen, Soldiers, and Minutemen of

Fauquier County, Virginia 1775 – 1782

Jason Fackrell

The story of the rural soldiers and militiamen of Virginia that served in the American Revolution remains open to historical research and exploration. Recent scholarship of Virginia's military contribution to the Revolution focuses heavily on relationships of power among social groups that operated within the colony's hierarchy, concluding that a lack of white, lower-class political and economic representation disabled mobilization among the Old Dominion's more settled regions. My study emphasizes the revolutionary backcountry's story by using Fauquier County, Virginia as a case study.

A study of Rural Virginia during the Revolution presents scholars with significant challenges. Literacy rates among the general population were meager, meaning that Virginians in the backcountry left few letters and diaries for historians to interpret. Further complicating the reconstruction of Virginia's rural revolutionary past were the destructive events of the nineteenth century. The tumults of the Civil War destroyed many Revolutionary War records of several Virginia counties, erasing much of what the Old Dominion's revolutionary generation documented. For these reasons, Fauquier County represents an ideal subject of study. Court minutes, tax records, property records, and even a few letters and diary entries survived history's fires to provide enough data

from which to synthesize a social history to explore rural Virginia's revolutionary story and mobilization patterns.

The revolutionaries in Fauquier County were not always in concert with those throughout the rest of the colony. In contrast to most of Virginia, the county rallied enthusiastically to pre-Declaration calls for companies of minutemen. Hundreds of rural farmers from Fauquier across the socioeconomic spectrum served in the most successful of Virginia's fleeting minute battalions known as the Culpeper Minutemen. These men defined themselves as backcountry Virginians against their more cosmopolitan peers from the longer-established eastern settlements. As the war matured and exacted its toll, however, fault lines between the local gentry and local yeomen widened, and the county settled into a recruiting pattern like most other Revolutionary Virginian counties.

Understanding the issue of representation and its effect on how communities respond to a crisis remains a highly relevant topic that continues to challenge the public and its elected representatives to this day.

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I would like to express sincere gratitude to the many people who not only made the completion of this research project possible, but also helped make my graduate experience enjoyable. I am grateful to the faculty of the Department of History at Utah State University, especially for the members of my committee, Dr. Kyle Bulthuis, Dr. Angela Diaz, and Dr. Peter McNamara for their dedication to me as a student and their expert instruction. I am also grateful for the encouragement and input of my fellow Utah State graduate students whom I had the pleasure of working with over the past two years.

I also would like to express a warm thank you to Bob Sinclair, President of the John K. Gott Library located in Marshall, Virginia who kindly pointed me toward the works of several very important local historians, many of which are stored in the John K. Gott Library for public access. I also want to thank the librarians of the Fauquier County Library who allowed me access to many unique books and thousands of microfilmed images located in the Virginia Room which represent a significant piece of my project's primary source material.

Finally, I express gratitude to my friends and family who constantly gave me encouragement and knew when I needed a boost of confidence. I especially want to thank my late wife, Tiffany Lin Baker Fackrell, for her exceptional character and gift for finding reasons to be joyful despite her lifelong disease and for her talent for finding value and goodness in each person she met.

Jason Fackrell

CONTENTS

	Page
ABSTRACT.....	iii
PUBLIC ABSTRACT.....	iv
ACKNOWLEDGMENTS.....	vi
LIST OF TABLES.....	viii
CHAPTER	
I. INTRODUCTION.....	1
II. THE SHIFTING SOCIAL STRUCTURE IN FAUQUIER COUNTY, VIRGINIA.....	8
Fauquier County, the Court, and the Local Gentry.....	9
Fauquier County Virginians in Court: Slaves, Servants, and Justices.....	14
Indentured White Female.....	23
Absentee Uber Gentry.....	26
III. THE CLASSLESS CULPEPER MINUTEMEN.....	33
The Virginia Militia: Give and Take.....	35
Virginia's Uneasy Elite.....	41
Minutemen and the Militia.....	57
IV. RURAL VIRGINIA'S REVOLUTIONARY WAR MEMORIES.....	62
Frogs, Pensions, and Frauds.....	64
Global War, Local Community.....	74
Oral History, Memory, and Mobilizing for Invalid Status.....	81
Epilogue: The Cadence of Liberty.....	90
REFERENCES.....	96
APPENDIX.....	106

LIST OF TABLES

Table	Page
1	Mobilization of the Culpeper Battalion.....60

INTRODUCTION

“For God’s sake please do not murder us!”¹ The cries of British grenadiers and light infantry who lay strewn upon blood-soaked planks of the Long Bridge causeway added a troubling noise to the early dawn of December 9, 1775.² Twelve miles south of Norfolk, Virginia, the cold waters of the Elizabeth River gently flowed below the remainder of the British garrison too injured to make their retreat on the heels of a catastrophic attempt to secure both sides of Long Bridge. Through blooms of dissipating smoke, materializing silhouettes represented the approach of the rebel enemy.³ Immobilized men with legs, hips, and knees shattered by musket balls shouted in fear at the sight of the “provincials,” or “shirtmen,” with their scalping knives and tomahawks dangling across roughly sewn hunting shirts.⁴ Although the British prisoners had more to fear from Dr. W. Browne’s surgical instruments and eighteenth-century battlefield medicine than the farmers bearing down on them, the royal governor warned his army of the savagery they could expect if captured by wild Virginian frontiersmen.⁵ Across the

¹ John Pinkney, “Digital Library,” *Virginia Gazette, Pinckney: Dec. 23, 1775 – pg. 2*, The Colonial Williamsburg Foundation, accessed September 6, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSinglePage.cfm?IssueIDNo=75.Pi.64>.

² C. Leon Harris, trans., “Pension Application of David Blackwell W9358,” *Southern Campaigns American Revolution Pension Statements and Rosters*, accessed October 25, 2017, <http://revwarapps.org/w9358.pdf>; Will Graves, trans., “Pension Application of William White S1735,” accessed October 25, 2017, <http://revwarapps.org/s1735.pdf>; Harris, trans., “Bounty Land Warrant of William Blackwell BLWt1861-300,” last revised July 4, 2014, accessed October 26, 2017, <http://revwarapps.org/blwt1861-300.pdf>. Note: for the purposes of citing the works of other scholars, the use of “trans.,” represents transcription of original text.

³ Ivan Noel Hume, *1775: Another Part of the Field* (New York, NY: Alfred A. Knopf, Inc., 1966), 393 - 400.

⁴ Alexander Purdie, “Digital Library,” *Virginia Gazette, Purdie: Dec. 29, 1775 – pg. 1*, The Colonial Williamsburg Foundation, accessed November 13, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSinglePage.cfm?IssueIDNo=75.P.89>. This *Gazette* article, written by a Tory, references the use of the term “shirtmen” by people of the era to describe Virginia’s backcountry farmers and frontiersmen.

⁵ Hume, *1775*, 390, see also pages 436 - 437; John Pinkney, “Digital Library,” *Virginia Gazette, Pinckney: Dec. 23, 1775 9 pg. 2*, The Colonial Williamsburg Foundation, accessed November 6, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSinglePage.cfm?IssueIDNo=75.Pi.64>; Alexander

chests of the approaching Virginians read the words, “Liberty or Death.”⁶ Two weeks after the battle, on December 23, 1775, the *Virginia Gazette* published a letter submitted by an author writing under the pseudonym, “A Soldier.” “Our cruel enemies have forced us to pass the Rubicon, we have begun the noble work...our enemies have ridiculed our courage...but by dear-bought experience they have been convinced of their error.”⁷

Despite directly affecting the royal governor’s options and decisions following the Battle of Great Bridge however, the battle’s scarcity within the Revolution’s historiography suggests that Virginia’s pre-war contributions to the colonial break from England were merely an echo of the more significant historical events in Lexington and Concord, Massachusetts.

Scholarly treatment of the American Revolution of America’s backcountry “provincials” is especially limited. Tens of thousands of Virginians served in the militia, and thousands more marched with the Continental Army to which rural counties contributed significantly. Despite this, we know relatively little of the war’s meaning for Virginia’s backcountry revolutionists. From the first enthusiastic call to arms in reaction to the political missteps of the royal governor, John Murray, 4th Earl of Dunmore, to the war-weary siege of Yorktown, a clearer picture of the Revolution’s meaning for the people living in rural Virginia emerges by analyzing patterns of mobilization. Studying mobilization and its relationship to class tension at the county level brings the Revolution

Purdie, *Virginia Gazette, Purdie: Dec. 15, 1775 – pg. 2*, The Colonial Williamsburg Foundation, accessed November 13, 2017, http://research.history.org/CWDLImages/VA_GAZET/Images/P/1775/0284hi.jpg.

⁶ Reverend Philip Slaughter, *St. Mark’s Parish, Culpeper County, Virginia, With Notes of Old Churches and Old Families* (Baltimore, MD: Innes and Company, 1877), 106 – 108, accessed October 10, 2017, Google Books; T. Triplett Russell and John Gott, *Fauquier County in the Revolution* (Westminster, MD: Heritage Books, 2007), 63 – 72; Hume, 1775, 115.

⁷ John Dixon and William Hunter, “Digital Library,” *Virginia Gazette, Dixon and Hunter: Dec. 23, 1775 – pg. 1*, The Colonial Williamsburg Foundation, accessed November 13, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSsinglePage.cfm?IssueIDNo=75.DH.58>.

for rural Virginia into sharper focus and extends the discussion west, beyond the more populous Tidewater and Northern Neck regions. According to historians Michael McDonnell and Thomas Humphrey, the lower classes in Virginia's longer-settled regions developed an attitude of "no mobilization without representation."⁸ As a consequence of class-based disharmony, McDonnell and Humphrey both conclude that Virginia's part in the American Revolution was not commensurate with its size.⁹

Recent scholars focusing on Virginia's socioeconomic hierarchy demonstrate the significance of both white lower-class and enslaved Virginians' opposition to the political, military, and economic objectives of the gentry, but they diverge on the source from which revolutionary pressures emerged.¹⁰ McDonnell and Humphrey disagree with the conclusions of earlier authors, such as historian Rhys Isaac, who suggests that white Virginia united and mobilized along racial lines despite the obvious binary relationship dividing the gentry from the lower classes.¹¹ McDonnell and Humphrey alternatively argue that class division upstaged race, thereby hamstringing Virginia's ability to mobilize its massive population effectively.

⁸ Michael A. McDonnell, "Fit for Common Service?," in *War & Society in the American Revolution: Mobilization and Home Fronts*, ed. John Resch and Walter Sargent, (DeKalb, IL: Northern Illinois University Press, 2007), 105 – 107; Allan Kulikoff, *The Agrarian Origins of American Capitalism* (Charlottesville, VA: University Press of Virginia, 1992), 157 – 158; Albert H. Tillson, Jr., "The Militia and Popular Political Culture in the Upper Valley of Virginia, 1740-1775," *The Virginia Magazine of History and Biography* 94, no. 3, *Virginians at War, 1607-1865* (Jul., 1986): 285-306.

⁹ Michael A. McDonnell, "Popular Mobilization and Political Culture in Revolutionary Virginia: The Failure of the Minutemen and the Revolution from Below," *Journal of American History* 85, no. 3 (December 1998): 946-981; Michael A. McDonnell, *The Politics of War: Race, Class, and Conflict in Revolutionary Virginia* (Williamsburg, VA: The University of North Carolina Press, 2007); Thomas J. Humphrey, "Conflicting Independence: Land Tenancy and the American Revolution," *Journal of the Early Republic* 28, no. 2 (Summer, 2008): 159-182.

¹⁰ McDonnell, "Popular Mobilization," 946-981; McDonnell, *The Politics of War*; Humphrey, "Conflicting Independence," 159-182; see also Peter Linebaugh and Marcus Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston, MA: Beacon Press, 2000), 234 – 241.

¹¹ Rhys Isaac, *The Transformation of Virginia: 1740 -1790* (Williamsburg, VA: The University of North Carolina Press, 1982).

While class analysis is a powerful analytical tool, this model is limited when used independently of other methods of explanation. The class-based interpretation of the Revolution fails to account for key social forces that operate outside the confines of economics. For instance, focusing entirely on the animosity between the gentry and yeomen classes omits religion's role in creating social tension by acting as a vehicle of community for marginalized groups. In this regard, Rhys Isaac's contribution to the field of Virginia's colonial and Revolutionary War history remains highly relevant.¹² Also, applying class to the question of mobilization and representation is complicated by geography, or place. As historian Albert Tillson, Jr. shows, the degree of tension between the lower class and gentry varied by region. For example, Tillson argues that in the more rural communities of the Upper Valley region, the gentry's wealth and reputation did not intimidate yeomen and landless tenant farmers, as frequently took place in the more established regions of the Northern Neck and the Tidewater.¹³

Rural Virginia during the American Revolution was a region in social flux, a place in search of an identity exacerbated by the exigencies of war. Recruitment needs for the militia and the Continental Army moved the back country's common white Virginians from passive acceptance of socioeconomic hierarchies to a more active role of resistance to the gentry class. This trend began when it became clear to lower-class Virginians that the ideals of the Revolution meant a continuation of the existing hierarchy under the authority of the local gentry. The concept of rural identity played a role in how

¹² Isaac, *Transformation*.

¹³ Albert H. Tillson, Jr., "The Militia and Popular Political Culture in the Upper Valley of Virginia, 1740-1775," *The Virginia Magazine of History and Biography* 94, no. 3, *Virginians at War, 1607-1865* (Jul., 1986): 285 – 287. Tillson describes the Upper Valley as the territory west of the Blue Ridge Mountains and south of Augusta County's northern border stretching southward to North Carolina.

rural Virginians approached service in the war collectively. Through a case study using Fauquier County, Virginia as the subject, this paper will demonstrate the extent to which class resistance and regional identity played a role in rural Virginia's wartime mobilization and how these dynamics changed over the course of the war. For white, lower-class Virginian men of the eighteenth century, the choice of when, where, and whether to serve could be expressive statements of both defiance against established hierarchical authority and a group identity.

Connecting enlistment and service behavior with social class and wealth gives us clues regarding the internal social tensions and economic disparities affecting the backcountry's contribution to the war. Approaching Revolutionary War rural history in this way leads to a series of questions about Fauquier County. First, despite the volume of eighteenth-century primary sources available for a Revolutionary War study in Fauquier County, the secondary literature is relatively thin. Through a careful study of this material, we may determine how closely Fauquier County's militia and army mobilization mirrored the more populated counties east of the Blue Ridge Mountains. Further, an examination of both primary sources and Virginia's Revolutionary War history in secondary literature allows us to better understand where rural counties, like Fauquier, fit within the larger picture of Virginia's revolutionary experience.

Virginia's confusing array of military institutions during the Revolutionary War complicates the study of mobilization as method of determining motive and meaning. Unpacking the historical background of these numerous military units is a necessary step to finding the answers to the questions this thesis seeks to answer.¹⁴ The units selected by

¹⁴ Historian E.M. Sanchez-Saavedra's book, *A Guide to Virginia Military Organizations in the American Revolution, 1774 – 1787*, clarifies when military institutions in the Old Dominion became operational

men with which to serve, and when they served provides an unwritten form of backcountry historical evidence. Take for example the volunteers who served with the Culpeper Minutemen in 1775 and contrast them with those of other military units that struggled to field full companies of enlisted men. One of the most significant, if not short-lived and largely unsuccessful, of Virginia's military and quasi-military institutions were the minute battalions, a colonial-era interpretation of the classical Greco-Roman citizen-soldier model.¹⁵ In terms of fully filling its ranks and the effectiveness of its deployment, the Culpeper Minutemen stood apart from their minutemen peers.¹⁶ Membership in the battalion consisted of volunteers from the Culpeper military district, a rural set of communities designated by the Third Virginia Convention to include the counties of Culpeper, Orange, and Fauquier. The Culpeper Minutemen left behind an important clue in the iconography found in their battle flag that gives us insight into the rural Virginian definition of liberty from the British colonial government as well as declared resistance to other Virginians.

I break this thesis down into three chapters. In the first chapter, I address the local hierarchical power structure in Fauquier County, emphasizing the makeup and impact of both the local gentry and absentee landowners on the poorer, less socially connected actors of Fauquier County. A brief survey of Fauquier County establishes the context within which the events analyzed took place. Using primary sources including Fauquier County Court Minutes and tithable records, I analyze the demography of the county both

relative to the war's events.¹⁴ Saavedra's *Guide* surveys the fluid character of Virginia's military structure providing information against which to measure rural Virginia's mobilization pattern.

¹⁵ Lawrence Delbert Cress, "Radical Whiggery on the Role of the Military: Ideological Roots of the American Revolutionary Militia," *Journal of the History of Ideas* 40, no. 1 (Jan. - Mar., 1979): 46 - 48.

¹⁶ McDonnell, "Popular Mobilization," 964.

quantitatively and qualitatively. The sections in this chapter will make use of local histories and primary sources from which to build an analysis of the county, its people, and its contribution to Virginia's war effort.

Chapter two dives into a study of the Culpeper Minutemen battalion, its significance in the larger Revolutionary story, and what made it unique in comparison with other Virginia minute battalions. The number of poor, white male volunteers who took the field under the Culpeper Battalion's colors set this unit apart from nearly all others of its kind. I will also investigate what available primary sources tell us regarding the meaning of backwoods resistance and rural identity in the context of colonial Virginia in 1775 and 1776. In the early phase of the conflict, the men from Fauquier County across social classes effectively resisted the British through unity and force of arms, but they also sent subtle signals of warning to the powerful and influential gentry from Virginia's more established regions.

I shift my methodological approach in the final chapter from a study of eighteenth-century primary sources to a study of memory through an analysis of nineteenth-century Revolutionary War pension and land bounty applications. The last chapter synthesizes rural Virginian memories of the war as expressed by its rural veterans in their applications for federal pensions with quantitative data pulled from tithable, census, and tax records of the Revolutionary War timeframe. The conclusion will match the findings of the previous chapters with the most recent arguments made in secondary literature regarding the war in Virginia to determine the extent to which Fauquier County, acting as a sample of rural Virginia, followed the broader patterns of its more populated and influential neighbors.

CHAPTER 1

THE SHIFTING SOCIAL STRUCTURE IN FAUQUIER COUNTY, VIRGINIA

The first chapter of this thesis breaks down into three sections. The first section will address the county's colonial history to establish the physical background from which Virginians participated in the Age of Revolution. This chapter will also explore elements of the county's social history during the war to provide the context for the narratives and data sets outlined in the following chapters. To accomplish this, the section starts off with a brief consideration of the historiography. Because few professional historians specifically engage rural Virginia's mobilization during the Revolution, local historians from Fauquier County supply much of the secondary literature and available data collection as supporting references. The works of these local historians assist greatly in establishing the context of the physical and cultural world in which their ancestors lived.¹⁷

¹⁷ Historians Michael McDonnell, Rhys Isaac, and Woody Holton make brief references to Fauquier County in their books regarding the Revolution in Virginia. Fauquier County, however, is a peripheral player within each discussion. See American Michael McDonnell, *The Politics of War*, 254 and 317, Rhys Isaac, *Transformation of Virginia*, 174, and Woody Holton, *Forced Founders: Indians, Debtors, Slaves, and the Making of the American Revolution in Virginia* (Williamsburg, VA: Omohundro Institute of Early American History and Culture, 1999), 176 - 179. The works by local authors includes John P. Alcock, ed., *Fauquier Families 1759 – 1799: Comprehensive indexed abstracts of Tax & Tithable Lists, Marriage Bonds, Minute, Deed, and Will Books, and Others* (Athens, GA: Iberian Publishing Company, 1994); John S. Moore, *A History of Broad Run Baptist Church: Fauquier County, Virginia 1762 – 1987* (Gainesville, VA: Broad Run Baptist Church, 1987); Joan W. Peters, *Brent Town & The Elk Run Valley: A History, vol. 1, From Acquisition to Settlement 1688 – 1800* (Fairfax, VA: Spectrum Creative, LLC, 2010); Peters, *Brent Town & The Elk Run Valley: A History, vol. 2, The Families and Homes 1759 – 1805* (Fairfax, VA: Spectrum Creative, LLC, 2010); *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia: Tax Lists from the Fauquier County Court, Clerk's Loose Papers, 1759-1782* (Westminster, MD: Heritage Books, 1999); Peters, *Military Records, Patriotic Service, & Public Service Claims from The Fauquier County, Virginia Court Minute Books, 1759-1784* (Westminster, MD: Heritage Books, 1999); Peters, *Fauquier County, Virginia's Clerk's Loose Papers, A Guide to the Records, 1759-1919* (Westminster, MD: Heritage Books, 2001); T. Triplett Russell and John Gott, *Fauquier County in the Revolution* (Westminster, MD: Heritage Books, 2007); Sandra Barlau, ed., *Some Slaves of Fauquier County, Virginia, Volume I: Will Books 1-10, 1759-1829* (Berwyn Heights, MD: Heritage Books, 2014); Netti Schreiner-Yantis and Florene Speakman Love, trans., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia* (Springfield, VA: Genealogical Books in Print, 1987); Ruth and Sam Sparacio, trans., *Virginia County Court Records Land Tax Book: Fauquier County, Virginia 1787-1791*

The chapter discusses how the information presented fits within the class-based interpretation of the American Revolution in Virginia. Following the historiography of local works, the first section will introduce the local gentry and the power of the courthouse. The next section outlines the county's demography to establish where people outside the county gentry class fit within the community's hierarchy. I explore how the court strengthened stratified social roles and what the court records tell us regarding the county's understanding of race, class, and gender. The concluding section will investigate the presence and influence of absentee landowners, setting the stage for questions of identity later explored in Chapter 2.

Fauquier County, the Court, and the Local Gentry

Between the late seventeenth century and mid-eighteenth century, English settlers slowly moved their farms westward along the Northern Neck peninsula flanked to the north and south by two major waterways, the Potomac and the Rappahannock rivers. The Church of England's parish system initially provided the governing mechanism for these sporadically populated backwoods settlements. Institutionally, the church preceded the state, and prior to the creation of a civil county government, vestrymen of a parish combined their ecclesiastical with civil authority.¹⁸ After a region's English population grew to civically governable levels according to the discretion of the Virginia assembly, members of the Assembly officially declared the region a new county with assigned

(Westminster, MD: Heritage Books); Michael Cecere, *They Behaved Like Soldiers* (Bowie, MD: Heritage Books, Inc., 2004). Fauquier County historians typically publish through Heritage Books, a publisher focused on histories useful for genealogical research, see "Contact Us," Heritage Books, Inc., accessed December 8, 2017, <https://heritagebooks.com/pages/contact-us>. For an explanation of the historiography of local scholars see author's Appendix.

¹⁸ John K. Gott, ed., *Abstracts of Fauquier County, Virginia, Wills, Inventories, and Accounts: 1759 – 1800* (Marceline, MO: Walsworth Pub. Co., Inc., 1972), introduction.

Assembly representation.¹⁹ As the population of white English Americans swelled within a given region, the House of Burgesses carved out new counties from those already in existence. The colonial assembly recognized Prince William as a separate county in 1720, and on February 22, 1759, the legislative body followed this pattern by sectioning off a large portion of Prince William County to create a new jurisdiction.²⁰ On May 1, 1759, during England's global conflict with France, Fauquier County officially came into being.²¹ By this time, the hub of county activity centered in a village called Fauquier Court House. This village grew organically around an influential church known as St. Mary's, situated near the intersection of two major roads.²² For several decades, Fauquier Court House acted as the county's political capital and the center of the county's social and economic power.

Surviving official records present us with the material to outline a useful, if crude, sketch of this community's eighteenth-century demography. Placing tithable records, an eighteenth-century enumeration of servants, persons held in slavery, acreages, and some luxury items, in conversation with other primary sources adds contrast to this sketch.²³ Annual tithable records conducted by justices of the court, while useful, by themselves fail to provide more than a sample of the county's overall population or give us much bearing on local economic circumstances. This method may still limit our perspective to

¹⁹ H.C. Groome, *Fauquier During the Proprietorship: A Chronicle of the Colonization and Organization of a Northern Neck County* (Richmond, VA: Old Dominion Press, 1927), 140 – 145.

²⁰ J.R.V. Daniel, *A Hornbook of Virginia History* (Richmond, VA: Virginia Department of Conservation and Development, 1949), 24.

²¹ Groome, *Fauquier During the Proprietorship*, 140 – 146.

²² Groome, *Ibid*, 140; T. Triplett Russell and John K. Gott, *Fauquier County in the Revolution* (Westminster, MD: Heritage Books, Inc., 2007): 6.

²³ "Tithables," Library of Virginia, accessed July 2, 2018, http://www.lva.virginia.gov/public/guides/tithables_vanote.htm. These include the 1787 census report, what few diary entries and letters survive, the Fauquier County Court minutes, remaining muster rolls, and accessible pension applications.

landholding farmers who typically owned more than fifty acres of land but reviewing tithable documents year over year provides a sense of motion and depth to the historical image we are attempting to construct.

Local and broader colony needs directly affected the taxation of property, and requirements of tax levies varied over time as circumstances changed necessitating a synthesis of multiple documents spanning many years to establish a viable social history of the county.²⁴ Tithable record sets, while representing information collected during the Revolution, are incomplete and fail to reflect all the county's residents. For example, Hugh Nelson, one of the men directed to take the oath to serve on the court by Governor Henry in 1778, is not located on any of the surviving tithable records.²⁵ Some tithable residents appear inconsistently in the records from year to year. Their names may appear in the tax record one year, but their name failed to reflect year following, and the same name may yet appear on the 1787 census report. Some, as in Nelson's case, do not show up on any property or tax record, suggesting at least part of the record is lost. For this reason, portions of the data here presented are an aggregation of tithable and census information obtained by several justices over many years.

The local gentry played a very dominant role in the paternalistic governing model that influenced the economic, political, and jurisprudential affairs of the county, and the Fauquier County Courthouse presented a physical manifestation of their authority to govern. The people who answered court summons represented a broad range of social

²⁴ Peters, *The Tax Man Cometh*, i – xxxvi.

²⁵ Court Minutes, 26; Peters, *The Tax Man Cometh*; Schreiner-Yentis and Speakman Love, *The Personal Property Tax Lists*.

classes.²⁶ The Fauquier County Court Minutes give historians an abstract of eighteenth-century day-to-day life in a rural Virginian community during the 1770s and 1780s, and they yield clues as to the disposition of the county's socioeconomic classes. The court record furnishes glimpses of social interactions between powerful planters, common yeomen, and socially disabled indentured servants and African slaves, albeit from the biased perspective of the local gentry.

Significantly for our purposes, many of the Fauquier County justices served in the militia in some capacity, connecting the authority of the county courthouse with Revolutionary War militia service in a very direct way.²⁷ On multiple occasions, for example, the clerk's minutes reference the court's recommendations to "his Excellency the Governor" the names of William Edmonds and William Pickett as colonels in the militia, names often referenced as presiding court judges.²⁸ Lists of recommendations itemized at multiple court sessions submitted to the governor demonstrate that the assumption of militia rank corresponded to civic authority.²⁹ Of the thirty-three justices referenced by Governor Patrick Henry's "commission of the Peace and Dedimus Postestatem for administering the Oaths" from November 27, 1777, twenty-one, or two-thirds of the county's foremost governing body, served as militia officers at some stage of

²⁶ *Fauquier County Courthouse, Minute Book, 1773-1780*, The Virginia Room, Warrenton Public Library, VA, The Genealogical Society of Utah, 1951, microfilm film no. J2103, 450; Joan W. Peters, "Introduction," *Brent Town & Elk Run*, i – ii.

²⁷ Gwathmey, *Historical Register of Virginians in the Revolution*; servicemen are cataloged in Gwathmey's register alphabetically; see also Author's spreadsheet, *Gentry – Justices*. The data used to build the spreadsheet comes from multiple sources including the Fauquier County Courthouse, Minute Book. Other sources include Schreiner-Yantis and Love, trans., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia*; Ruth and Sam Sparacio, trans., *Virginia County Court Records Land Tax Book: Fauquier County, Virginia 1787-1791*; Peters, ed., *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia*; Peters, ed., *Military Records, Patriotic Service, & Public Service Claims from The Fauquier County, Virginia Court Minute Books, 1759-1784* Peters, ed., *Fauquier County, Virginia's Clerk's Loose Papers, A Guide to the Records, 1759-1919*.

²⁸ *Fauquier County Courthouse, Minute Book, 1773-1780*, J2103, 457.

²⁹ The next chapter explores this further.

the war. The placement of the names of Edmonds, Pickett, and several others, coincide with decisions involving approving licenses for ordinaries, millhouses, the location and building of roads, surveying, and, in some instances, decisions over corporal punishment as well as life and death. Indeed, the local gentry constituted a powerful economic, as well as political, presence. The thirty-three men comprising the court body during the Revolution owned twelve slaves on average, roughly 403 people in aggregate, holding more slaves than six times the average in the county.³⁰ On record, they owned 25,727 acres of land and averaged title ownership to 779 acres of property per justice.³¹ These men claimed ownership over large segments of the physical community, and a great many of its human inhabitants.

The large proportion of Virginians forced to labor in Fauquier County, however, constitutes an important layer in the discussion of rural Virginian mobilization. The enslaved population had potential to act as a fifth column that likely affected the willingness of some slaveowners to enlist in either the militia or the regular army during the war.³² To put the effects of slavery into the context of mobilization, we should consider the exploitative nature of slavery, the tension between slaveholders and the enslaved, and the natural desire of slaves to escape their bondage. Beyond its infamy as an extremely exploitative labor system, from the perspective of a slaveholder, slavery is itself a form of long warfare, or perhaps, a type of cold warfare.³³ Farms and homes, in

³⁰ As mentioned earlier, some people simply do not appear in the record at all; as such, these numbers are likely higher. Furthermore, the justices conducting tithable interviews did not have the advantage of a standardized form creating variability in the types of data collected. Some records include acreage, while others do not.

³¹ See Author, spreadsheet tab, "Gentry W. Mil. Service," in *Gentry*.

³² Isaac, *The Transformation of Virginia*, 106; Russell and Gott reference a murder of one of the local gentry's sons in the early 1770s, which the people of Fauquier County assumed to be perpetrated by one of the victim's slaves, Russell and Gott, *Fauquier in the Revolution*, 22 – 23.

³³ Isaac, *Ibid*, 108 – 110.

which the rearing of children and families are the central function, essentially became enemy occupied spaces. White family men and family women assumed roles as quartered soldiers deployed in a lifelong tour of duty jealously patrolling their own fields and houses. Whether they hired out overseers or not, the violent circumstances of forced labor placed the gentleman and his lady into a home garrison to prevent revolts that, at least within the imagination, could violently occur at any given moment.³⁴ Despite this uneasy economy of labor, however, most of the local gentry served in the militia, potentially leaving their estates largely unsupervised and vulnerable to slave uprisings.³⁵ Since many of the local gentry served in the militia and the army during the war, we must also address how deployed militiamen with enslaved peoples under their control felt sufficiently confident to take the field against England.

Fauquier County Virginians in Court: Slaves, Servants, and Justices

The physical space of gentry power, the courthouse, added significantly to the local gentry's prestige. The courthouse building in which they administered county affairs represented a natural place of gathering around which county networking could take place outside either Baptist or Church of England meetinghouses. According to local historian, John Gott, a small grouping of businesses operated in a cluster around the courthouse including a saddler shop, a blacksmith, a cabinet shop, the county jail ("gaol"), an ordinary (saloon), and two general stores, one owned by a member of the local gentry, Martin Pickett, and the other simply called "the Red Store."³⁶ The local gentry either owned or approved all the licenses for these spaces of market exchange.

³⁴ Kevin Phillips, *1775, A Good Year For Revolution* (New York, NY: Penguin Group, 2012), 357 – 359.

³⁵ See Author, spreadsheet tab, "Gentry W. Mil. Service," in *Gentry*.

³⁶ Triplett and Gott, *Fauquier County in the Revolution*, 6 – 7; William Jones owned an ordinary near the courthouse; see *Fauquier County Courthouse, Minute Book, 1773-1780*, J2103, 256.

Furthermore, the perks of being a member of the gentry meant that the local elite tended to overlook conflicts of interest. Holding a monopoly on court offices put the gentry in a position to protect each other's interests when one of them ran afoul of the rules. For instance, in a felony case involving a slave owned by "Gent." Henry Peyton, "Spencer a Negroe Slave," the presiding gentleman justice does not even specify a formal accusation. Instead of enumerating charges as in other cases, Justice William Edmonds casually discharged Peyton's slave stating that, "nothing...being alleged against him." As we will see, other enslaved men and women fared much less favorably in the eyes of the gentry-led courthouse.³⁷

The gentry's influence over day-to-day life in Fauquier County is evident in the court's framework for overseeing the county's administrative functions. The fourth Monday of the month typically served as the Fauquier County Court's first day of conducting its monthly official business.³⁸ The minutes for these sessions demonstrate an established pattern serving both administrative and authoritative functions that the justices faithfully adhered to throughout the war. Analysis of the court records show that at each session, the clerk first listed the names of the justices present for the day, then he checked off the court's administrative tasks, such as the execution of deeds, feoffments, bargains and sale, and indentures of lease and release.³⁹ The power to recognize

³⁷ Gott, trans., *Fauquier County Virginia Court Records 1776 – 1782*, 113.

³⁸ The dates as recorded in the court minutes typically exhibit a pattern of the fourth Monday of each Month.

³⁹ Gott, trans., *Fauquier County Virginia Court Records 1776 – 1782*. Feoffment is a term with feudal origins referring to either deeded or gifted transfers of property; see "Feoffment," University of Nottingham, accessed July 2, 2018, <https://www.nottingham.ac.uk/manuscriptsandspecialcollections/researchguidance/deedsindepth/freehold/feoffment.aspx>.

transactions and authorize the transfer of real property gave the local justices a disproportionate degree of representation in nearly all county affairs.

The most insidious expression of that power, however, is manifest in the application of justice against enslaved and indentured peoples. Significantly, the court always attended to cases involving criminal misconduct last.⁴⁰ The record fails to mention how long an accused waited in the courthouse or the jail for the justices to render judgment upon them but forcing a defendant to wait anxiously upon the court to render its decision regarding his or her fate reinforced the primacy of both the court as an institution, and the men comprising the court body. The application of the local gentry's authority through the court is especially evident in the way slaves received treatment when arraigned before the county court.⁴¹

The African experience in Fauquier County during the Revolution is very underrepresented despite their having such a large presence relative to the white population. One in three Virginians living in Fauquier County during the Revolution was black.⁴² Court records, however, provide a few bits of narrative that correspond with African Virginian experience and their place within the topic of rural Virginia and its mobilization during the war. For enslaved Virginians, of course, the American Revolution represented the potential for a shift in status by way of a victorious British army, escaping from bondage under cover of the fog of war, or serving the Patriot cause

⁴⁰ Gott, trans., *Ibid.*

⁴¹ Gott, trans., *Ibid.*, 135. Slaves arraigned before the court often faced threats of the death penalty even for petty theft. Based on the court minutes examined for this study, the court carried out none of these threats, choosing instead to permanently mark the accused by burning the hand.

⁴² See Author, "Enslaved Virginians," tab from *Census 1787* spreadsheet. Data for the spreadsheet is compiled from Schreiner-Yantis and Speakman Love, eds., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia*, 267 – 313.

in the Continental Army.⁴³ Any of these potentially emancipating outcomes posed a serious threat to the estates, farms, and economic status of the local gentry, all of which relied heavily on the slave labor model for their existence.⁴⁴ The masters whose farms and economic livelihoods depended upon slavery used the court as a means of quashing resistance before any kind of rebellious organized movement gained momentum.

Composite data is useful for gauging where individuals and groups stood within the county hierarchy during the war. Reviewing year over year tithable information and the census data exclusively, or comparatively, also sheds light on historical changes over time. Gauging the proportion of Virginians with African heritage to white Virginians in the county is somewhat problematic. The first official census providing demographic data is dated 1787 and provides useful, if somewhat limited, information. The “Form of return of taxable property to be made by the commissioners” lists a column in which census takers marked the residents’ declared number of “Blacks above 16” and “Blacks under 16.”⁴⁵ While this record follows a few years behind the Revolution, and certainly changes occurred in the time between the war and 1787, it is one of the more useful sources available to gauge the county’s broader demographics and population. Alone, however, the 1787 Census is limited in its historical value as a primary source.

The demographics of Fauquier County during the Revolutionary War show that Fauquier County was a diverse community. Census data shows approximately 5,384 enslaved Virginians residing in Fauquier County in 1787.⁴⁶ The census tables list

⁴³ Holton, *Forced Founders*, 151 – 153; McDonnell, *Politics and War*, 22 – 23. McDonnell discusses black men from Culpeper County who substituted during the phase of the war’s southern campaign on page 417.

⁴⁴ See Author, *Gentry – Justices*.

⁴⁵ Schreiner-Yentis and Speakman Love, *The Personal Property Tax Lists*, IV.

⁴⁶ See author’s spreadsheet tab, “Complete List,” in *Census 1787*.

approximately 2,824 enslaved people as under the age of sixteen and 2,559 enslaved people as sixteen-years-old or older. The increase in young people, while very slight, suggests that the enslaved population at, or near, the Revolution began to grow outside of the slave trade. While the census data from 1787 certainly does not reflect the true number of enslaved people living in the county during the Revolution, it does give us a reasonable approximation.

The report categorizes 2,685 people as white males, with 437 between the ages of fifteen and twenty-one. The census also shows that 89 non-tithable females lived in the county as heads of house.⁴⁷ The population count, however, fails to disclose the number of white children under the age of fourteen and how many non-head of house women lived in the county. It is reasonable to infer from the number of white men twenty-two-years-old, or older, that enslaved Virginians comprised roughly one third of Fauquier's wartime population, assuming the ratio of white women, girls, and younger boys is similar to the sex and child ratios within the enslaved community.⁴⁸

The court minutes provide multiple examples of the local gentry verifying its control in instances in which slaves accused of robbery stood before the court. In each case, the clerk writes of the accused, "...it being demanded of her (or him) why the Court should not proceed to Judgment and award the sentence of death upon her (or him)."⁴⁹ The court meant to instill in accused slaves a sense of powerlessness. The records show a court pattern of, declaring the crime, nearly always followed with a conviction with a

⁴⁷ See author's spreadsheet tab, "Complete List," in *Census 1787*.

⁴⁸ The census does not differentiate between male and female slaves. Some tithable lists give names of slaves, others only list numbers. With an adult population of roughly 2,559 slaves, including men and women, and a population that shows signs of growing through birth, it is reasonable to suggest a relatively even male to female sex ratio. Using this same approach, we may approximate the number of white women as not too far off from the 2,685 men counted by the census takers in 1787.

⁴⁹ Gott, trans., *Fauquier County Virginia Court Records 1776 – 1782*, 135 and 150.

justice threatening the convicted with a death sentence, and the proceedings closing with the enslaved person begging for mercy. In none of the cases did the court sentence the defendant to death; however, in every case the justices observed the burning (branding) of the defendant's left hand. In November of 1781, just a month after the American victory at Yorktown, the court brought two slaves up on felony charges for theft and use of "force and arms."⁵⁰ The first, a man named Joe, faced charges of stealing a mare and saddle. The court indicted the second, a woman named Nell, with charges of breaking into a home and taking a pair of "old leather breeches."⁵¹ Such crimes represented an opportunity for the court to multiply its perceived authority within the imagination of the enslaved population as is evident in the court's method of executing its brand of justice against accused slaves. The court acquitted Joe of the charges of horse thievery, but found him guilty of stealing the saddle, a somewhat odd paradox. Of the two, Nell's conviction proved to carry the most savage penalty. The court ordered both Joe and Nell to "be burned in the left hand," discharging Joe from jail but ordering Nell to "receive 39 lashes on her back well laid on at the public whipping post..."⁵² The following year, a man named Peter, enslaved by Captain Benjamin Harrison, came before the court on charges of stealing "5 pieces of bacon." He too received the burn on his left hand and a sentence of thirty-nine lashes.⁵³ The intent of such forms of justice made for a force multiplier intended to keep the enslaved population in line.

⁵⁰ Ibid, Gott, 134 – 135.

⁵¹ Ibid, 135.

⁵² Ibid, 135.

⁵³ The court paid the county sheriff for whipping the accused. This pattern of control existed long before the war. In January of 1770, "Jack, a Negro" faced charges of stealing a cow, for which the court, under the direction of Thomas Marshall, found him guilty and ordered his left hand burned, after which the court discharged him from jail. See, *Fauquier County Courthouse, Minute Book, 1773-1780*, The Virginia Room, Warrenton Public Library, VA, The Genealogical Society of Utah, 1951, microfilm, film no. J2103, 161 – 162.

The ferocity of the corporal punishment inflicted on these people set them apart from other slaves and one step further from their white masters. The branding of the hand and the scarring of the back added layers of differentiation that followed the victims for life. The result amplified differences of skin color, already a social construction well ensconced into the culture, with which to determine free and unfree. The burns, the scars of the whipping post, the trauma of waiting for the court to render a fearful judgment, and the terror of a potential death sentence all worked in savage harmony to multiply the presence of the governing gentry in the minds of the enslaved population. These punishments typically were not random acts of violence. Justices applied harsh penalties tactically and strategically, a method employed to instill fear meant to maintain control of labor.⁵⁴ It was also meant to serve as a preventative measure against potential uprising; an important function during a time of war with extended tours of militia duty or entry into the Continental Line.⁵⁵

Payments to slave patrollers at various points in the court minutes suggests that insurrection and fears of slave uprisings were perpetual worries of the local gentry elite.⁵⁶ The record is mostly silent as to whether the court arraigned escaped slaves, or if patrollers simply returned them to the bondage from which they tried to run. The court minutes do, however, itemize a payment made to the sheriff for the whipping of an

⁵⁴ Mechal Sobel, *The World They Made Together: Black and White Values in Eighteenth-Century Virginia* (Princeton, NJ: Princeton University Press, 1987), 44 – 45. Sobel addresses the concept of racial construction and hierarchy in colonial Virginia.

⁵⁵ For a discussion on local court involvement in containing and controlling slave populations see, Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas*, (Cambridge, MA: Harvard University Press, 2001), 47 – 50. CITATIONS

⁵⁶ Gott, trans., *Fauquier County Virginia Court Records 1776 – 1782*, 11,12, 37, and 101. The county minutes reflect instances of payment to professional patrollers throughout the Revolutionary timeframe. For a discussion on slave patrolling and its relationship to the militia, see in Virginia, see Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas*, 41 - 45.

enslaved man that does not coincide with other accusations of criminal misconduct. The reason for the beating of this man is not given; however, payments to slave patrollers are levied as budget items within the same entry page suggesting that the beaten man was a runaway.⁵⁷

The court minutes from the war's early years give us a point of reference from which to gauge how the county's relationship with its white labor force changed during the Revolution. The escapees that slave patrollers hauled before the court were almost always white. All fourteen specified occurrences in which the court adjudicated people as runaways during the years 1776 through 1782 involved white indentured servants. Though not as vicious in their dealings with indentured servants as with accused slaves, the justices on the court nevertheless used their position of civic authority to cement control over the laboring poor white population. As a penalty for running, the court extended the duration of a runaway's indenture, and at times, sentenced runaways with a fine for the cost of their apprehension.⁵⁸ In other cases, the penalty proved more immediate and severe. George Cole broke into a home and stole a couple of shirts, some silver buttons, a pair of breeches, and a comb.⁵⁹ The court found him guilty and sentenced him to "30 lashes on his bare back well laid on at the public whipping post."⁶⁰ The extent

⁵⁷ Ibid, Gott, 37.

⁵⁸ Ibid, 2, 4, 6, 7, 16, 18, and 23.

⁵⁹ Gott, transc., *Fauquier County Virginia Court Records 1776 – 1782*, 154. Presiding justice William Edmonds gave Cole the option of a grand jury trial. Cole refused, standing by his plea of not guilty.

⁶⁰ Ibid, Gott, 154. It is somewhat revealing that most of the items stolen, by both white and black people, tend to be clothing and food. Tithable and service records do not show the names of most of these runaways, suggesting these people remained highly marginalized economically and politically after their run ins with the counties elite. Some exceptions in the records, however, are worth noting. After being sold to another master, John Thomas ran away from the new owner of his indentured service, for which he was recaptured and sentenced. After serving the additional time imposed upon him by the court, the militia drafted Thomas to serve six months in Captain James Winn's company in 1779 - 2, Will Graves, trans., "Pension application of John Thomas S16271," accessed January 31, 2018, <http://revwarapps.org/s16271.pdf>. Two other men reflect on later tithable records as owning a couple of cattle but little else.

to which each group experienced this kind of governance at the hands of the court, however shifted as the war progressed and stagnated. Also, not all justices measured out sentencing in the same way. Defendant slaves or indentured servants brought before a court presided over by William Edmonds, for example, faced a greater likelihood of receiving additional punishment by the lash than by the ruling of other justices.⁶¹

The geopolitical landscape, and the backcountry home front, both experienced dramatic changes making the ground beneath the boots of the Fauquier gentry a little less sure from the huzzahs of 1775 and 1776. Given the number of references made to runaways in the years 1776 and 1777, that the last reference to an escapee making a court appearance appears in June of 1779 suggests that the county elite's attitude toward poor white indentured servants hit a turning point.⁶² While references to slaves accused of crimes became more common in the final years of the 1770s, white indentured servants (particularly male) begin to vanish from the court record. This shift in court priority suggests that the war's exigencies strained the resources and manpower of Fauquier County. In a way, the war paradoxically empowered (through patriot need) and detained (through patriot draft) the poor, white class of rural Virginian. In no way was there parity, and the bargaining chip of military service was small compared to a plantation and political office, but it held real value.

Group consciousness of lower class white male Virginians in the county began parallel to their value as military assets.⁶³ The change in frequency of escapes and

⁶¹ Ibid, Gott, 135, 154.

⁶² We do not know how much of the overall population indentured servants represented during the war, nor do we know how many people successfully ran away. It seems, however, that at the outset of hostilities with England, the county fielded a robust system to recover its gentry's runaway servants, but this pattern lasted only a couple of years early in the war.

⁶³ Alfred F. Young and Gregory H. Nobles, *Whose Revolution Was it? Historians Interpret the Founding* (New York, NY: New York University Press, 2011), 208 – 214.

captures suggests a transitioning in the county gentry's attitude toward the white indentured servant population that coincides with the events of the Revolutionary War, particularly as the British turned their focus to the southern colonies. Coincidentally, this shift also corresponds with the appearance of word "yeoman" in the court minutes.⁶⁴ The term yeoman in eighteenth-century Virginia typically refers to the competent common farmer, who may on occasion require the patronage of a gentleman to maintain his living, but who nevertheless harbored some degree of respect from both his peers and his more powerful neighbors.⁶⁵ The use of the term yeoman by the gentry in the court minutes suggests that the county elite began to recognize men outside of their circle as possessing a class identity requiring representation.⁶⁶ Even if lower class white Virginian men did not engage in open revolt crossing the gentry's Rubicon in direct confrontation, their cumulative presence at its authoritative bridgehead, along with their military potential in an extended war, softened the county gentry's policy toward them.⁶⁷ Circumstances for the white female indentured servant population, however, continued along a problematic trajectory; although, here also we see hints of growing resistance to their subservient role in the community.

Indentured White Female

Through an examination of indentured servant women, it is possible to evaluate and make comparisons with another subgroup from which to measure social changes that affected the county's mobilization. Men constituted most of the runaways arraigned before the court, but women were in a more vulnerable position than their male

⁶⁴ Gott, trans., *Fauquier County Virginia Court Records*, 130, 131, 163 and 164.

⁶⁵ Isaac, *The Transformation of Virginia*, 56; Nobles, *Whose American Revolution Was It?*, 208 – 210.

⁶⁶ Allan Kulikoff, *The Agrarian Origins of American Capitalism*, 34 – 36.

⁶⁷ McDonnell, *Popular Mobilization*, 950 – 951.

counterparts. Around the time that the pool of escaped indentured servants dried up, the court began arraigning pregnant servant women. Sarah Collier, “a Servant Woman belonging to William Herndon” delivered a “bastard child...during her servitude” for which she received an additional twelve months of indentured service.⁶⁸ Nancy McClusey, a “servant woman” belonging to one Thomas Furr, received a similar sentence for the same reason.⁶⁹ In some instances, evidence suggests female indentured servants directly challenged social norms. In a case in which an indentured servant woman “had a Mulatto Bastard child during her servitude,” the punishment came by direction of an “Act of Assembly.”⁷⁰

The way the clerk recorded court minutes involving cases of impregnated female indentured servants suggests another way in which the justices demonstrated control over county affairs. In these cases, it is not what is recorded, but the silences from which we draw significance. The omission of the white fathers’ names of “Bastard” children indicates a need to maintain paternal authority by protecting the names of men who fathered illegitimate children with their servants.⁷¹ As a result, white female servants clearly began challenging their subservient role by publicly levying claims against their masters. On July 27, 1779, for example, Eleanor Coleman, “a Servant woman belonging to William Duling” issued a complaint to the court. Court records are silent on the disposition of the accusations indentured women made against their masters but given the

⁶⁸ Gott, trans., *Fauquier County Virginia Court Records*, 71.

⁶⁹ *Ibid*, Gott, 76.

⁷⁰ *Ibid*, Gott, 54.

⁷¹ For a discussion on eighteenth-century interracial relationships see, Mechal Sobel, *The World They Made Together: Black and White Values in Eighteenth-Century Virginia*, 192 – 196; for an historical interpretation of white masculinity during the Revolution see, Janet Moore Lindman, “Acting the Manly Christian: White Evangelical Masculinity in Revolutionary Virginia,” *The William and Mary Quarterly* 57, no. 2 (Apr., 2000): 393-416.

lack of men's courtroom appearances filing similar complaints, it seems likely that several instances in which masters forced themselves on white servant women with no legal repercussions occurred. In none of these cases did the court find the accused guilty. In Eleanor Colemans case, the court found her claim "groundless" and ordered that she "return to her Master's service."⁷² This is not to say that slaves and female indentured servants contended with equal measures of exploitation. The court record lists no female slaves as challenging their masters in court in a similar way. That indentured servants could access the court to file a complaint is indicative of the difference between the two groups of women and is symptomatic of the structural social and legal norms deployed to suppress African Virginian women from exercising effective resistance to their masters.

Other forms of criminal cases further demonstrate Fauquier County's wartime social hierarchy. The gentry's handling of murder cases, for example, demonstrates how the county elite negotiated the concepts of power and race. Over the course of the war, from 1776 to 1782, the Fauquier County Court judged four homicide cases.⁷³ In a case concerning "the Murder of Sarah, a Negro woman, Slave" the court summoned two men, Isaac Johnson, an overseer, and Richard Fisher, charging both men with "Felonious murdering."⁷⁴ Justice William Edmonds ruled, "It is the opinion of the Court that they ought not to be sent for further trial" and ordered their immediate discharge.⁷⁵

Sarah's murder trial contrasted with an earlier double homicide involving indentured servants gives us some indication as to how the local gentry approached

⁷² Gott, trans., *Fauquier County Virginia Court Records*, 82.

⁷³ Gott, trans., *Fauquier County Virginia Court Records*, 18, 52, 116, and 141.

⁷⁴ Peters ed., *The Tax Man Cometh*, 23. The tithable record for the year 1777 lists Johnson as an overseer.

⁷⁵ Gott, Trans. *Fauquier County*, 52. The men spent eight days in jail - from the time in which the court levied charges to the day of the hearing.

justice differently for black slaves compared to white servants. On July 1, 1777, the court charged Murty Muccaboy, his wife Margaret, and a third party named Hezekiah Brady with murdering a man and a woman. Notably, Muccaboy apprehended several runaway indentured servants in the months preceding the murder case. Upon hearing testimony, the court released Brady and Margaret but declared that Muccaboy be tried in Williamsburg for the killing of William Ward and Mary Barley. In *Fauquier Families*, John Alcock references Ward as an indentured servant; we do not have Mary's information, but it seems likely that she too worked under the force of an indentured contract.⁷⁶ It is noteworthy that the court in the case involving white indentured servants, presided over by Jeremiah Darnall, pushed for a further hearing in a superior court, while William Edmonds quickly exonerated the accused in the case of the murdered slave woman.⁷⁷ Significantly, the timing of the Ward and Barley murders coincides with the significant tapering down of court appearances involving recaptured escapees from the indentured servant population. This provides further evidence that attitudes of the local gentry toward Fauquier's white male servant population in the thick of the Revolutionary War were in the process of shifting toward a more equitable form of criminal justice.

Absentee Uber Gentry

We have examined the relationships of authority within the county, but the county elite did not administer the affairs of Fauquier County in isolation. Leading members of larger Virginia cast a long shadow over rural Virginian lands. Significantly, tithable

⁷⁶ It may not be coincidental that of the two indentured servants murdered in the Ward and Barley case, one was female. While we may only speculate as to what really happened, it is not difficult to imagine an unsavory scenario.

⁷⁷ Gott, trans., *Fauquier County Virginia Court Records*, 162. The sources available do not provide the outcome of Muccaboy's later trial, but he makes another appearance in Fauquier County's Court Minutes five years later in November of 1782, in which the court ruled that the "church wardens of Leeds Parish do bind John Bland to Murtie Muccaboy.

records illustrate a substantial amount of property ownership rested in the hands of an absentee ultra-gentry residing in eastern counties. Comparisons of measurements of eighteenth-century wealth between absentee gentry, Fauquier County gentry, and the county in general sheds light on tensions that likely affected how the county's male population mobilized to serve in the militia and army. Through a synthesis of the data available on tithable and census records, we find that absentee landowners held title to approximately 112,465 acres of Fauquier County, amounting to 1,147 acres per absentee – nearly double that owned by the local gentry.⁷⁸ Slave ownership in the county, however, was much more pronounced among the local gentry who served as justices as opposed to these absentee landowners. Absentee property holders claimed ownership of five slaves on average compared to the court justices claims to twelve.⁷⁹ Average slave ownership across the county based on tithable and census data reveals that slightly less than two people per white male (excluding absentee landowners) lived as slaves.

Among the absentee property holders are some familiar names, such as George Washington and Richard Henry Lee. Free from the commander-in-chief obligations and constant field duty that exacted Washington's attention during the war, Lee's presence is often felt in court proceedings in his attempts to turn a profit on his holdings in the

⁷⁸ See Author, spreadsheet, *Absentee Gentry*. Peters, ed., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia*; Ruth and Sam Sparacio, trans., *Virginia County Court Records Land Tax Book: Fauquier County, Virginia 1787-1791*; Peters, ed., *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia*; Peters, ed., *Military Records, Patriotic Service, & Public Service Claims from The Fauquier County, Virginia Court Minute Books, 1759-1784* Peters, ed., *Fauquier County, Virginia's Clerk's Loose Papers, A Guide to the Records, 1759-1919*. I cross-referenced information provided by these sources with John P. Alcock, ed., *Fauquier Families 1759 – 1799: Comprehensive indexed abstracts of Tax & Tithable Lists, Marriage Bonds, Minute, Deed, and Will Books, and Others* to build the *Absentee* spreadsheet.

⁷⁹ *Ibid*, author, *Absentee Gentry*.

county during the war years.⁸⁰ Court records show Lee's name as a party leasing land to, or as a plaintiff suing, several Fauquier County residents.⁸¹ Washington's name is associated only once during the war years as a party involving a land lease, to one David Keas in 1776.⁸² Thomas Fairfax, inheritor of the Northern Neck region of Virginia in the early part of the eighteenth-century, and one time employer of George Washington, supported his estate at Greenway Court through the collection of quit-rents, including rents paid by residents of Fauquier County.⁸³

Elite absentee landowners exerted a disproportionate influence on Fauquier's legal system, particularly when reviewing the court's cases involving debt. Plaintiffs from outside the county constituted slightly less than half of the total debt-related law suits reviewed by Fauquier County Court.⁸⁴ Court actions related to the payments of debts blossomed at the end of the 1770s, roughly about the time that patriot morale began to erode as the British army made advances in the southern colonies.⁸⁵ The years 1779 and 1780 are thick with debt related court cases.⁸⁶ Among those sued for debt collection

⁸⁰ McDonnell, *Politics and War*, 254. McDonnell references the financial distress aggravating the relationships between some Fauquier County residents and absentee landowners.

⁸¹ See Author, spreadsheet, *Debt*. This table is built from data extracted through an analysis of the court minutes, Gott, trans., *Fauquier County Virginia Court Records*. I examined the minutes to determine who sued for debt related claims for the Fauquier County Court, the individuals arraigned as defendants, the date of the suit, and whether the claimant was local or suing from outside the county.

⁸² Gott, trans., *Fauquier County Virginia Court Records*, 3.

⁸³ Roger R. Dawson, "Greenway Court and White Post: Virginia Home of Thomas, Lord Fairfax," *Pioneer America* 1, no. 1 (January 1969): 33 – 39; H.C. Groome, *Fauquier During the Proprietorship: A Chronicle of the Colonization and Organization of a Northern Neck County* (Baltimore, MD: Regional Publishing Company, 1969).

⁸⁴ A close examination of court minutes shows that of the ninety-five debt related law suits heard by the court during the war years, at least forty involved parties from outside the county with another nine filed by debt holders who likely did not live within county limits.

⁸⁵ McDonnell, *Politics and War*, 367 – 373.

⁸⁶ See Author, *Debt*.

are several county justices including Charles Chilton, Minor Winn, and William Pickett, all of whom served in the militia as officers.⁸⁷

Court actions against company grade militia officers such as Winn, a Captain, and Pickett a colonel, meant the outside socioeconomic interests had real influence in both the county center of civic government and the militia, causing tension between Fauquier gentry and external gentry members. Over a three-year period beginning in 1779, Captain James Winn faced a multitude of lawsuits, including two actions initiated by Richard Henry Lee from Westmoreland County. William Pickett faced three lawsuits over debts, each filed by men from Fauquier.⁸⁸ Eighteen lawsuits involved men who served during the war in one way or another, ten of which were initiated by parties from counties such as Westmoreland and Prince William.⁸⁹ Court actions against company grade militia officers, such as Winn, a Captain, and Pickett, a Major, constitute eight of the eighteen suits involving Fauquier militia or military men. In March of 1778, the Fauquier County Court recommended William Pickett “to be appointed Colonel to the first Battalion of Militia,” but Pickett failed to obtain his gubernatorial approval and never received authorization to take the prescribed oath.⁹⁰ Several other Fauquier men then owed outstanding balances to Governor Patrick Henry around the same time that Pickett sought his rank.⁹¹

The record suggests that, in some cases, the local gentry resisted the power and influence of external Virginia gentry. James Winn fought Richard Henry Lee in court,

⁸⁷ Most of whom served as company grade officers; see author, *Debt* and *Gentry – Justices*, spreadsheets.

⁸⁸ See Author, *Debt*.

⁸⁹ *Ibid*, Author.

⁹⁰ Russell and Gott, *Fauquier in the Revolution*, 273. A review of the county minutes do not indicate Pickett ever took the oath.

⁹¹ See Author, *Debt*.

sending witnesses out of the county to testify against him.⁹² In a case involving a land dispute, several Fauquier justices spoke out in loud protest against the attempt by an agent of Lee to insert himself as a witness in Lee's suit against a displaced tenant farmer.⁹³ Tension between the Fauquier County gentry and the wealthier gentry outside the county provided a bit of a foil against which Fauquier residents locked into various economic stations could, at certain moments, rally in unison in an expression of rural identity, which I further explore in the following chapter.

Aside from parchment deeds and title, out-of-county gentry had another mechanism for making their presence felt. Marriage constituted a powerful influential device for absentee property owners despite their rarely setting foot in the county, let alone the courthouse. Thomas Marshall, for example, married Mary Randolph Keith, a relative of Thomas Jefferson's mother.⁹⁴ Not only did such connections empower rural gentry, such as Marshall, but they also provided highways of connectivity from more settled regions into Virginia's backcountry.⁹⁵

What emerges from estimations of scale and proportion explored in this chapter is what we might expect of an eighteenth-century Virginia community, a highly stratified community undergoing a shift in attitude toward some of the county's previously marginalized individuals in consequence of adapting to the exigencies of the war. The pattern the justices followed in governing was very similar to the systems developed by the generations preceding the Age of Revolution.⁹⁶ Fauquier County's fathers inherited a

⁹² Gott, trans., *Fauquier County Virginia Court Records*, 160.

⁹³ Gott, trans., *Fauquier County Virginia Court Records*, 160.

⁹⁴ Russell and Gott, *Fauquier in the Revolution*, 36.

⁹⁵ Russell and Gott, *Ibid*, 24 – 26.

⁹⁶ Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill, NC: The University of North Carolina Press, 1996), 140 – 141.

hierarchical model at a time in which both class and racial divisions became very concrete and, for a time, seemingly impermeable. For a revolution built on the idea of the right to life, liberty, and the pursuit of happiness, the social norms of the day proved as a big barrier to their realization as the British army. Old Dominion eighteenth-century ideals tended to be at odds with universal liberty-based proclamations such as those proclaimed by the Declaration of Independence. The model the local gentry understood and assumed to be their right to life and liberty, meant perpetuated authority over the lower classes and solidarity among fellow members of the local gentry.⁹⁷ While we see from the court records variations in how presiding justices handled corporal punishment, the existing model reinforced the master-servant relationship between the most politically connected and those populations with the most limited bargaining power, the slaves and indentured servant women.

Regarding the larger question of whether class disabled the ability of Fauquier County to mobilize for the Revolutionary War, the question of slavery looms large, and here is where the class interpretation of the mobilizing for the Revolution runs into a bit of a complicative snag. While the class interpretation is still compelling, other considerations, such as fear of slave revolt, are similarly operative historical forces that countered Virginia's ability to mobilize. The existence of patrollers suggests that enslaved Virginians exercised their agency and challenged their masters enough to be recognized as a danger. The terrifying performances of the court that slaves endured

⁹⁷ For an example of a similar study involving the minutemen at Lexington and Concord see Robert A. Gross, *The Minutemen and Their World* (New York, NY: Hill and Wang, 1976); for a discussion on the constitutional origins of the American Revolution see, Thad W. Tate, "The Coming of the Revolution in Virginia: Britain's Challenge to Virginia's Ruling Class, 1763-1776," *The William and Mary Quarterly* 19, no. 3 (Jul., 1962): 337 – 340; to review the elite expansionist explanation of the Revolution see, Marc Egnal, "The Origins of the Revolution in Virginia: A Reinterpretation," *The William and Mary Quarterly* 37, No. 3 (Jul., 1980): 401-428.

when charged with a crime further suggests that restive enslaved Virginians compelled the gentry to exercise extreme forms of punitive judicial activism. From a tactical perspective, plantation owners and small farmers who got by with even one or two slaves left behind a potential fifth column whenever they left home; a lengthy deployment for them represented a major commitment.⁹⁸ Farmers with no slaves and laborers with very limited resources could not effectively leave on an extended tour without inviting the likelihood of financial ruin, which for a common white farmer or laborer meant starvation or beggary for themselves and their families.⁹⁹

In the next chapter, we examine the Culpeper Minutemen, a backcountry battalion of amateur soldiers comprised of volunteers coming from a wide range of economic circumstance. Chapter two considers the extent to which the Culpeper Battalion of 1775 compressed Fauquier County class hierarchy, unifying periphery and center, and how class distinctions were expressed more explicitly beyond that moment of success in later iterations of militia service. Through exploring this short-lived, but surprisingly effective unit, we find some answers as to the meaning of the early Revolution for Fauquier's minute soldiers and improve our understanding of the significant historical force these men represented.

⁹⁸ Kulikoff, *The Agrarian Origins of American Capitalism*, 155 – 156; Nobles, *Whose Revolution Was it? Historians Interpret the Founding*, 210 – 211.

⁹⁹ Kulikoff, *Ibid*, 157.

CHAPTER 2

THE CLASSLESS CULPEPER MINUTEMEN

Tension between local gentry and local yeomen does not satisfactorily explain the mobilization patterns of Fauquier County's Minutemen volunteers, many of whom later participated in various Virginia Regiments attached to the Continental Line. This chapter will explore how the Culpeper Minutemen symbolized Fauquier County's unity against England in 1775 and 1776 and how that dynamic changed over time. Throughout the chapter, I will demonstrate how men who served in the Culpeper Minutemen represented a unique example of a successful mobilization collaboration between local gentry and local yeomen in contrast to the Virginia minutemen units studied by Michael McDonnell.¹⁰⁰ Additionally, the chapter will look at the significant role these men played in the critical year of 1775 and the events that lead to the Declaration of Independence. Finally, through a careful analysis of primary source material, I will examine how class distinctions manifested more fully among the Minutemen when examined through the lens of later militia mobilization.

The chapter's structure contains three sections. The first section will briefly survey the historical role of the militia in Virginia as both a warfighting institution and a space of lower-class white Virginian resistance to the gentry. The section also examines both the status of the militia generally and backcountry militia preparedness, using Fauquier County as the subject. The next section discusses the causes of anxiety and the defensive mindset of Virginia's elite. Here, the paper will explore the gentry's apprehensions, and how concerns both mirrored and varied between the urban gentry and

¹⁰⁰ Michael McDonnell, "Popular Mobilization and Political Culture in Revolutionary Virginia," 946-981.

the gentry of the backcountry. This section will also discuss how upper versus lower-class power relationships cannot in themselves explain minutemen mobilization in Fauquier County. In the third section, I explore how Virginia's military structure proved highly consequential to Virginia's ability to mobilize. Using secondary sources, section three will explain the significance of the independent companies and the minute battalions that followed them, both of which constitute short-lived Virginia military institutions with roots in the militia system. Concepts that resonated with white Virginians living in Fauquier County during the year 1775, and the county's choice of which military establishments to support, suggests that the northwestern backcountry possesses some distinctive elements that lie outside the larger Virginia revolutionary experience. The relative success of the Culpeper Minutemen battalion, a unit comprised of men from Fauquier, Orange, and Culpeper counties, support the idea of an early successful backcountry mobilization effort. Rounding out the section is a survey of the Culpeper battalion's contributions to the early phase of the war and an analysis of the battalion's battle flag, a significant piece of relevant backcountry iconography.

The chapter's conclusion will examine specific men who served as minute soldiers followed by an analysis of aggregate economic information compiled from primary sources. The quantitative data catalogs and compares the economic standing of men from both the gentry and yeomen classes serving with the Culpeper Minutemen. This study finds that through its contribution to the Culpeper Minutemen, Fauquier County played an important role in the early phase of America's war for independence. It further argues that minuteman mobilization for Fauquier County's military district did

not follow the broader, class-based mobilization pattern of other Virginia counties. These patterns, however, manifested powerfully in later militia service.

The data in the conclusion establishes the foundation from which to compare and analyze Fauquier militiamen and Fauquier Continental soldiers in the next chapter.

Primary sources relevant to Fauquier County heavily inform the chapter's conclusion and establish where the county fits within the larger story of the Revolutionary War.

Information presented throughout the chapter will also make implicit comparisons of Fauquier County's mobilization with other regions as found in secondary sources.

The Virginia Militia: Give and Take

The role of the Virginia militia as a primary vehicle for military adventurism and provider of the common defense ebbed and flowed over the course of Virginia's early colonial history. In the early decades of the eighteenth century, professional mounted "rangers" performed most of the militia's security functions.¹⁰¹ As the century matured, the role of the Virginia militia further retreated as Britain's ability to project hard power against competing Atlantic World empires grew, while the power of Native American rivals to militarily challenge encroachments on their traditional territories diminished.¹⁰²

Despite important imperial and continental power shifts, the Virginia militia tradition maintained a fluctuating degree of relevancy both during and after the colonial period, particularly for local governments. By the time of the American Revolution, the lower classes of white Virginia inherited an established tradition of resistance to the

¹⁰¹ John W. Shy, "A New Look at Colonial Militia," *The William and Mary Quarterly* 20, no. 2 (Apr., 1963): 177.

¹⁰² Gwenda Morgan, "Virginia and the French and Indian War: A Case Study of the War's Effects on Imperial Relations," *The Virginia Magazine of History and Biography* 81, no. 1 (Jan., 1973): 27 – 29; Shy, 179 – 180.

gentry. Yeomen and white lower-class Virginians manifested bold disobedience through resistance to enlistments and conscriptions. Their refusal to fight on the terms of the politically connected and wealthy proved powerful assertions of lower-class defiance against gentry-led nonprovincial forms of military service.¹⁰³ The defensive-minded militias of mid-eighteenth-century Virginia refused to be coaxed or cajoled by the gentry into expeditionary adventures far away from their homes and farms.¹⁰⁴ Desertions seriously impeded the militia's effectiveness, and getting the "lower class" to fill the ranks and stay there in sufficient numbers required bounties as compensation for service.¹⁰⁵

Virginian settlers living in the backcountry demonstrated similar hints of resistance expressed through militia duty by desertion or likewise demanding bounties for service. The August 1763 court minutes for Fauquier County list six men as militia deserters "to be apprehended."¹⁰⁶ Military records from Fauquier County show a Seven Years' War militia-service claim filed by John Sinclair Jr. against Thomas Ward in 1764 which illustrates an expectation of bounty in return for militia service, "To your Militia claim assigned me (and) which after war you sold to another."¹⁰⁷ While evidence of additional claims and desertions in Fauquier County is wanting, it is reasonable to conclude that the burden of military service rested more heavily on yeomen and small planters with limited access to credit and few, if any, forced laborers to work their farms

¹⁰³ Tillson, "The Militia and Popular Political Culture in the Upper Valley of Virginia, 1740-1775," 293.

¹⁰⁴ Don Higginbotham, "The Early American Way of War: Reconnaissance and Appraisal," *The William and Mary Quarterly* 44, no. 2 (Apr., 1987): 243 – 244.

¹⁰⁵ Higginbotham, "The Early American Way of War," 244.

¹⁰⁶ Joan W. Peters, ed., *Military Records, Patriotic Service, & Public Service Claims From the Fauquier County, Virginia Court Minute Books: 1759 – 1784* (Westminster, MD: Heritage Books, 2007), 2.

¹⁰⁷ Joan W. Peters ed., *Neglected and Forgotten: Fauquier County, Virginia, French & Indian War, Revolutionary War, & War of 1812 Veterans* (Westminster, MD: Heritage Books, Inc., 2008), 1.

in their absence.¹⁰⁸ That the court took time to address the recapture of six militia deserters suggests that resistance among Fauquier County residents to militia duty represented a concern of the local gentry and is consistent with yeomen defiance in the more populated regions of the Old Dominion.

By the 1770's, new meanings began to attach to the idea of militia service in the Virginia colony that apparently failed to materialize in Fauquier County. In 1774, leading statesmen in Massachusetts connected the concept of the militia to classical era republican organizations, and the idea took hold in other colonies, including Virginia.¹⁰⁹ The Virginia gentry's affinity for a military model exhibiting classical republicanism took the form of the independent, or volunteer, companies.¹¹⁰ Two factors precipitated the gentry's formation of this volunteer military order. First, the possibility of hostilities with England forced patriot leaders to look critically at the militia's lack of readiness. The tactical necessity of fielding an army with the capability of coordinated movements prompted serious deliberations concerning the reconfiguration of the Old Dominion's military structure. Second, the gentry's anxiety over its waning influence generated elite consensus of the need to reaffirm Virginia's existing social hierarchy. It is noteworthy that Fauquier County did not establish a volunteer company during the years 1774 and 1775 when the Committees of Safety established these units as an extra-legal policy enforcement mechanism.

¹⁰⁸ John Shy, *A People Numerous and Armed* (Ann Arbor, MI: The University of Michigan Press, 1990), 293 – 299.

¹⁰⁹ Lawrence Delbert Cress, "Radical Whiggery on the Role of the Military: Ideological Roots of the American Revolutionary Militia," *Journal of the History of Ideas* 40, no. 1 (Jan. - Mar., 1979): 59.

¹¹⁰ William E. White, "The Independent Companies of Virginia, 1774-1775," *The Virginia Magazine of History and Biography* 86, no. 2 (April 1978): 150-152.

By the summer and fall of 1774, British reactions to the property destruction at Boston Harbor prompted many Virginia counties to publicly declare opposition to Parliament, Fauquier County among them. The declarations of Fauquier County's gentlemen justices are found in print, on August 4, 1774 in the issue of Clementina Rind's Williamsburg based *Virginia Gazette*. "Resolved, that the hostile invasion of the town and port of Boston in New England is a dangerous attack on the liberty of the British colonies in America in general, strongly tending to a dissolution of government...Resolved, that these our sentiments be...to procure a redress of American grievances."¹¹¹ The same *Gazette* issue contains similar resolutions from other counties such as Buckingham, Dunmore, and Princess Anne.¹¹² As tensions with England began to ramp up in the public sphere rhetorically, Virginia's militia paradoxically continued to flounder in a condition unready for military action. The men of Fauquier County's militia similarly looked at militia duty with a casual eye.¹¹³

With only a couple of training days annually, Fauquier's militia severely lacked the prerequisite discipline needed for confronting the British army. "Muster Day" for Fauquier's militia occurred on a select Court Day each spring and fall and facilitated more socializing and drinking than drilling and practicing maneuvers.¹¹⁴ The militia in Fauquier County, Virginia appeared as unprepared as the militias representing the rest of the colony. The "List of Arms in the Company of Militia under Hezk. Turner's Command" catalogs sixteen men with firearms. Of these, the condition of George

¹¹¹ Clementina Rind, "Digital Library," *Virginia Gazette, Rind: Aug. 04, 1774 – pg. 1*, The Colonial Williamsburg Foundation, accessed September 6, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSinglePage.cfm?IssueIDNo=74.R.30>.

¹¹² Rind, "Digital Library," *Virginia Gazette, Rind: Aug. 04, 1774 – pg. 1*, The Colonial Williamsburg Foundation, accessed September 6, 2017.

¹¹³ Russell and Gott, *Fauquier in the Revolution*, 44 – 45.

¹¹⁴ Russell and Gott, *Fauquier in the Revolution*, 44 – 45; Hadden, *Slave Patrols*, 45.

Homes's and Thomas Adams's rifles are listed as "very sorry," and John Suttle's rifle is "Unfit" leaving a dozen operational "rifles" and one "smooth bore" owned by Nathan Wilson.¹¹⁵ Ideally, a full-strength militia company would have sixty-eight men, meaning that in 1775, less than twenty-percent of Turner's command had a functional weapon system.¹¹⁶

For Virginia, especially its population centers, fears of Native Americans grew dim with time, and Britain's post-Seven Years' War victory opened the door for Britain's emergence as the dominant European North American power.¹¹⁷ New parishes and counties in the west provided an extra buffer of security for the heavily represented regions peppered with long-established settlements. Here, the militia typified more of an emblematic feature than one of combat effectiveness.¹¹⁸ In consequence of a more secure position as members of the British colonial empire, the Virginia militia focused much of its energy on its more dubious role as a community slave patrol.¹¹⁹ At the time of the Revolution, slaveowners in Virginia held captive roughly one-hundred and eighty-thousand Virginians.¹²⁰ The extent to which the militia policed its community, however, varied substantially by colony and region. With its high slave to free white population,

¹¹⁵ Joan W. Peters ed., *Neglected and Forgotten*, 1.

¹¹⁶ Sanchez-Saavedra, *A Guide to Virginia Military Organizations in the American Revolution, 1774-1787*, 3. Companies in Virginia rarely met the required number of men to be considered full-strength.

¹¹⁷ Morgan, "Virginia and the French and Indian War," 24.

¹¹⁸ Michael A. McDonnell, *The Politics of War: Race, Class, & Conflict in Revolutionary Virginia* (Chapel Hill, NC: The University of North Carolina Press, 2007): 37-39; Woody Holton, *Forced Founders: Indians, Debtors, Slaves, and the Making of the American Revolution in Virginia* (Williamsburg, VA: University of North Carolina Press, 1999).

¹¹⁹ Sally E. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, MA: Harvard University Press, 2001): 44 – 46.

¹²⁰ Holton, *Forced Founders*, 147, 167 – 175.

for example, South Carolina's militias spent most of their time surveilling their local communities.¹²¹

During the time in which Virginia's elite attempted to build a military around gentry-led independent companies, Fauquier County maintained a peacetime attitude towards military buildup and paid an official slave patrol corps to monitor the enslaved population. The minutes from the Fauquier County Court for November 1773 and 1774 suggest that "patrollers" answered to the Court regarding a special assignment, apart from the militia. Of the eight men assigned as patrollers for 1773 and 1774, only two, Thomas Kirk and Daniel Shumate, are listed in the available militia records as serving in the Revolution.¹²² In September 1775, the clerk, Joseph Blackwell, notes that one Burr Harrison "brought into Court" an escaped indentured servant, "John Parent."¹²³ Neither man shows up on any of the available military service reports. Tellingly, the official record in October of 1776 further separates the "Patroller" from the militia by authorizing payment specific to this responsibility. Court minutes register twenty-two men as authorized to receive payment as "Patrollers."¹²⁴ Surprisingly missing from Court Minutes for this period are militia officer appointments, indicating that the county's leadership focused on priorities other than military preparations.

Court records post-1776, however, suggest changes in the county militia's role in monitoring the county's enslaved population. As events unfolded and news of wartime

¹²¹ Hadden, *Slave Patrols*, 45.

¹²² Peters, ed., *Military Records, Patriotic Service*, 2; Russell and Gott, 474; Will Graves trans., "Pension Application of Thomas Kirk W7992," *Southern Campaigns Revolutionary War Pension Statements & Rosters*, accessed August 16, 2017, <http://revwarapps.org/w7992.pdf>. Kirk served in Clark's Illinois Regiment as a "Ranger" and "spy," while Shumate served in the militia as an officer.

¹²³ For his thirteen-days of freedom, Parent received an additional "eleven months and five days after his time by Indenture...be expired," *Fauquier County Courthouse, Minute Book, 1773-1780*, The Virginia Room, Warrenton Public Library, VA, The Genealogical Society of Utah, 1951. Microfilm, film no. J2103.

¹²⁴ Peters, ed., *Military Records, Patriotic Service*, 6.

disruption of work routines and rumors of liberation filtered through the backwoods onto individual farms, it seems that the county slave population formulated its own interpretation of tyranny and liberty.¹²⁵ The substantial increase in paid patrollers indicates a restive slave population in need of greater observation. The absence of documentation for “Patroller” pay in the Fauquier County Court Minutes after October 1776 implies that the militia’s involvement in policing the slave population likely replaced designated “Patrollers.”¹²⁶

Virginia’s Uneasy Elite

Profound social and economic change coincided with the growing schism between England and many of Virginia’s gentry statesmen. The erosion of established cultural norms led the planter class looking internally at threats to their status and future security.¹²⁷ For example, challenges to the state-sponsored church proved disorienting to many gentlemen and aggravated their anxiety about a future that began to appear less certain.¹²⁸ The external threat of Great Britain from without, and manifestations of opposition from common Virginians from within, put the gentry in a defensive posture.

The besiegement of social norms of the Virginia gentry came from many directions, affecting rural and urban elites alike. Experiences involving rank-and-file militiamen resisting forced militia service during the Seven Years’ War established precedents demonstrating to the gentry that the beginnings of lower-class self-awareness

¹²⁵ Nobles, “Historians Extend the Reach of the American Revolution,” *Whose American Revolution Was It?*, 148 – 152.

¹²⁶ John Gott, trans., *Fauquier County Virginia Court Records, 1776 – 1782* (Bowie, MD: Heritage Books, 1993).

¹²⁷ Isaac, *The Transformation of Virginia: 1740 -1790*, 135 – 138; Alfred E. Young and Gregory H. Nobles, *Whose American Revolution Was It? Historians Interpret the Founding* (New York, NY: New York University Press, 2011), 192 - 224.

¹²⁸ Robert D. Mitchell, “Agricultural Change and the American Revolution: A Virginia Case Study,” *Agricultural History* 47, no. 2 (Apr., 1973): 130-132.

continued to trend in an unsettling direction.¹²⁹ On November 25, 1773, Purdie and Dixon's *Virginia Gazette* published an opinion piece titled, "To the Printer," written by a gentleman using the pseudonym, "Tillias." Tillias's statements exemplify some of the social issues that members of the gentry saw as a threat to Virginia's social structure in early 1770s. He references "the lamentable state of the poor Inhabitants (Planters)," and explains the cause of the problem, "I shall begin at the Root of our Misfortunes, which is our Pride, our Luxury, and Idleness...our whole Country have imbibed Scotch Principles." Tillias mentions that the rotting of "Planters'" morals from within combined with the influence of alien cultures ("Scotch") from without, are the reasons that the "Smith, the Tailor, the Canoe Men, etc. demand such unreasonable Prices for their Labour!"¹³⁰ In the face of cultural threats and the disquieting sensation of shifting power, the gentry sought options to reverify their position in the Old Dominion's socioeconomic hierarchy.

The transition from a monolithic religious system equipped with quasi-civic powers to a more pluralistic community of faiths was a powerful source of internal strife and division within the colony. Among the most powerful challenges to the status quo of the Old Dominion came in the form of alternatives to the Church of England, a mainstay of order and authority within the colony. The Great Awakening slowly permeated the Virginia backcountry and found much of its audience among lower-class Virginians and slaves. From 1769 to 1774, the number of Separate Baptist churches in Virginia jumped

¹²⁹ Tillson, Jr., "The Militia and Popular Political Culture," 287, 305 – 306.

¹³⁰ Alexander Purdie, "Digital Library," *Virginia Gazette, Purdie and Dixon: Nov. 25, 1773 – pg. 2*, The Colonial Williamsburg Foundation, accessed October 12, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSinglePage.cfm?issueIDNo=73.PD.55&page=2&res=LO>; Holton, *Forced Founders*, xiii-xxii.

from seven to at least fifty-four.¹³¹ The less-settled regions of Virginia accounted for most of the representation in these churches, but these new up and coming religious communities also grew significantly in the longer-settled regions of Virginia.

Despite its distance and seclusion from the commotion, Fauquier County did not escape internal controversies associated with religious strife and the social changes that came in its wake. In February of 1770, a Baptist preacher named John Pickett came before the county court to face charges of “preaching contrary to the Act of Parliament,” and the court “ordered that he remain in Gaol (jail).”¹³² The July 1775 Fauquier County Court minutes indicate that Fauquier’s social norms underwent degrees of social transformation in the years preceding the Revolution. In the July court session, the clerk mentions that the Anabaptists, looked upon as radical by the local gentry, obtained official permission from justices Jeremiah Darnell, John Blackwell, Armistead Churchill, and John Blackwell to build a meetinghouse “in the lower part of this County...on the lands of John Kelly.”¹³³ Given the recognized status of the Church of England in Virginia, the Anabaptist faith constituted an overt form of dissension from both ecclesiastical and civil authority, suggesting a duality of opposition with implications for mobilization in the upcoming war.¹³⁴ That the Fauquier Court justices officially sanctioned the construction of a church house demonstrates the extent to which the established church lost its monopoly of representation in the county government.

¹³¹ Isaac, *The Transformation of Virginia*, 173.

¹³² Holton, *Forced Founders*, xiii-xxi; John Gott claims that by 1775, the Baptist faith supplanted the Church of England as the dominant religion in the community, see Russell and Gott, *Fauquier in the Revolution*, 15.

¹³³ *Fauquier County Courthouse, Minute Book, 1773-1780*, The Virginia Room, Warrenton Public Library, VA, The Genealogical Society of Utah, 1951. Microfilm, film no. J2103.

¹³⁴ Isaac, *Transformation*, 192 – 194.

As alluded to earlier, class antagonism does not account for all forms of social tension during the Revolutionary era. Some evidence suggests a strained relationship between rural and urban members of the gentry class and the formation of a backcountry identity. Using the pseudonym, “A Planter,” Fauquier County Justice, John Chilton, wrote to Rind’s *Virginia Gazette* expressing extreme dissatisfaction with the treatment of backcountry farmers by appointed tobacco inspectors, under whom “free Men are obliged tamely to submit to the capricious humours of these legal tyrants.” Chilton concludes his letter by stating that whoever heeds his call for inspectors who “take cognizance of their actions...must merit the sincere thanks of the Back inhabitants.”¹³⁵ This example of rural identity implicit in Chilton’s *Gazette* editorial implies that a more complex set of circumstances existed for backcountry revolutionary war actors, transcending the gentry/lower-class binary dynamic in the early years of conflict with Britain.

It is not a stretch to suggest that real tension existed between the urban gentry and the rural gentry and that identity and meaning extended beyond mere class divisions. At a later date, while in the field with the Third Virginia Regiment, then Captain John Chilton wrote to his brother, Charles, “indeed some of their Capt[ain]s have wrote to me to furnish their Men with Money, and they at the same time are out at some Town living in Luxury or capering away to Virg[ini]a while I many times scarcely know how I am to pay for my next shirts being washed ^ and I can’t see a good soldier want.”¹³⁶ While it is

¹³⁵ John Chilton, *Keith Family Papers, 1709-1865, Section 1*, Virginia Historical Society, Richmond, Virginia.

¹³⁶ John Chilton, *Diary, 1777 January 3-September 8*, holograph, from The Virginia Historical Society, Mss5 :1 C4395:1 Manuscripts, accessed July 20, 2017. Note, I disagree with a phrase in the transcription found in Michael Cecere, *They Behaved Like Soldiers* (Bowie, MD: Heritage Books, Inc., 2004), 92. Cecere phrases the last sentence this way, “I, many times, scarcely know where my next shirt is to be washed, and I can’t see good soldiers want.” After multiple examinations of the document under magnification I am confident that the transcription of the document in the body of the text reflect Chilton’s original words.

difficult to ascertain the disposition of these other “Captains,” Chilton’s tone is remarkably similar to that of a “Back inhabitant” writing under the pseudonym, “A Planter.” The frustration Chilton exposes in his February letter is particularly useful when put into conversation with a later statement he makes in a July 1777 letter written to his friend, William Pickett. He complains about “fine clothes” and “play[ing] the fool” as the pathway to higher rank.¹³⁷

Flouting the Lion, Coaxing the Adder

The Virginia gentry during the Revolution faced two salient threats that challenged their status as elites and provoked major changes to the Old Dominion’s established military order. First, the overt danger posed by the British army, and second, yeoman and poorer white Virginian social pressures exerted against Virginia’s elite demanding increased representation. Through restructuring the colony’s military, the gentry hoped to reassert its preeminent position within Virginia’s social hierarchy and address the constitutional crisis caused by British militarism simultaneously. Elite hopes of building an army while reasserting local dominance rested upon a paramilitary organization subjected to gentry-controlled civic bodies, the Committees of Safety. Following the creation of the Committees of Safety in 1774, independent, or volunteer companies, composed of groups of voluntary subscribers committed by bond (as opposed to by law) commenced with military preparations.¹³⁸

¹³⁷ Cecere, 103.

¹³⁸ McDonnell, “Popular Mobilization and Political Culture in Revolutionary Virginia,” 946-981; see also McDonnell, *The Politics of War*, 40 – 43. On November 24, 1774, James Madison wrote William Bradford concerning this social movement, “In many counties independent companies are forming and voluntarily subjecting themselves to military discipline that they may be expert & prepared against a time of Need.” James Madison, “From James Madison to William Bradford, 26 November 1774,” *National Archives, Founders Online*, accessed July 10, 2017, <https://founders.archives.gov/documents/Madison/01-01-02-0037>. At times, the volunteer companies of Virginia ran in parallel with the Sons of Liberty in Boston, functioning as the enforcement arm of the Committees of Safety. Philip Vickers Fithian states in his diary,

By alienating the democratic elements inherent to the independent companies through their dissolution, the replacement minutemen battalions altered Virginia's mobilization pattern for the duration of the war.¹³⁹ Members of each independent company voted for their officers, imbuing the organization with a type of civil authority. Presaging the high Lockean language used by the Committee of Five in 1776, George Mason spoke of the character of the independent companies, "We came equals into this world, and equals shall we go out of it. All men are by nature born equally free and independent."¹⁴⁰ The idea was a bit too high for the gentry to accept, however, when the consequences of egalitarianism began to affect their political power. Ultimately, the gentry lost control of the vote, and then used their influence to disestablish the independent companies in favor of the more regimented minute battalions. This power move by the patriot leaders took the idealistic steam out of the Revolutionary engine in Virginia just before it could build speed.

Including Fauquier County in the broader analysis of Virginia, however, complicates the state's revolutionary story. James Scott, a Burgess member, Culpeper Minuteman captain, and friend of John Chilton, put together a volunteer company long after the official disbanding of both the volunteer companies and minute battalions.¹⁴¹

"One Shipe of this Town, was backward...in his Attendance with the Company of Independants [sic]-A File was sent to bring him-he made some Resistance but was compelled at length, & is now in great Fear, & very humble, since he hears many of his Townsmen talking of Tar & Feathers." William E. White, "The Independent Companies of Virginia, 1774-1775," *The Virginia Magazine of History and Biography* 86, no. 2 (April 1978): 153-154.

¹³⁹ McDonnell, "Popular Mobilization," 946-981; see also McDonnell, *Politics of War*, 40 – 43, 132; White, "The Independent Companies of Virginia," 149-162; Holton, *Forced Founders*, 165-167.

¹⁴⁰ Pamela Copeland and Richard K. MacMaster, *The Five George Masons, Patriots and Planters of Virginia and Maryland* (Fairfax, VA: George Mason University Press, 2016), accessed November 6, 2017, Google Books.

¹⁴¹ For James Scott's connection to the Culpeper Minutemen see H.R. McIlwaine, ed., *Journals of the Council of the state of Virginia*, v.1 1776: Jul.12-1777:Oct.2, (Richmond, VA: The Virginia State Library, 1931), 57, accessed October 4, 2017, <https://babel.hathitrust.org/cgi/pt?id=coo.31924007115037;view=1up;seq=69;size=175>; Russell and Gott,

That no one in Fauquier County organized an independent company before the gentry dissolved the institution demonstrates a level of disconnect between the backcountry and the more represented regions of Virginia.¹⁴² In 1774, Fauquier County talked a strong game in the press, but in early 1775 its actions failed to match its “Resolved” public declarations. The initial messages from beyond the Blue Ridge failed to connect to the hearts and minds of the backcountry.

While Fauquier County demonstrated little or no support for forming independent companies in place of the county militia before hostilities with England officially began, the Culpeper minute battalion is a different story. The Culpeper Minutemen comprised soldiers from three counties designated by the Committee of Safety-assigned military as the Culpeper District. Together, Fauquier, Orange, and Culpeper Counties fielded one of the most successful of Virginia’s Revolutionary War minute battalions to organize.¹⁴³

The rallying cry that prompted such support from the counties of the Culpeper District came in the wake of Patrick Henry’s turbulent speech given at St John’s Anglican Church in the spring of 1775. On March 20, Burgesses Thomas Marshall and James Scott representing Fauquier County at the Second Virginia Convention sat among their

101 – 102; Cecere, *They Behaved Like Soldiers*, 106-107; C. Leon Harris, trans., “A pay Roll for Capt. James Scott’s Virginia Volunteer Company from Feb’y 14th 1777 to the 14th March 1777,” *Southern Campaigns Revolutionary War Pension Statements & Rosters*, accessed June 29, 2017, <http://revwarapps.org/b136.pdf>.

¹⁴² White, “The Independent Companies of Virginia,” 151. Of the twenty-seven companies of which we have record, neither Fauquier, Orange, or Culpeper counties had little if any association.

¹⁴³ Sanchez-Saavedra, *Guide to Virginia Military Organizations in the American Revolution*, 16; Russell and Gott argue that the battalion was overloaded with volunteers; so much so that half of the men were sent home, see Russell and Gott, *Fauquier in the Revolution*, 75.

legislative colleagues in the pews of the famous chapel.¹⁴⁴ It was here that silence fell upon Virginia's elite men in the wake of Patrick Henry's well-known oratory performance. According to a reconstruction of the speech by "an old Baptist clergyman," Henry's rhetoric reached its climax with, "Give me liberty!" and concluded with a strategic pause and Henry impaling himself with an imaginary knife while uttering, "...or give me death!"¹⁴⁵

As jarring as Henry's speech was in the moment, we find no mention of it in May's Fauquier court minutes, a session which both Marshall and Scott attended.¹⁴⁶ From the official court records at least, business went on as normal. The July court minutes state that three men, Thomas Maddux, Peter Grant, and John Dugard "came into the Court and acknowledged themselves indebted to our sovereign lord the King," and that each man's "goods and chattels lands and tenements to be void on condition the said Thomas Maddux be of good behavior to all his Majesties liege people." The clerk also logged a great deal of business between George Washington's attorney and a George Mercer. September's court session is more of the same. The minutes mention the appointment of a road surveyor, John French, and the marking of Charles Chinn's cattle by a "slit in the right ear."¹⁴⁷ Officially, the justices conducting affairs at court kept

¹⁴⁴ William J. Van Schreeven and Robert L. Scribner, *Revolutionary Virginia, The Road to Independence, Volume II: The Committees and the Second Convention, 1773 – 1775, A Documentary Record* (Charlottesville, VA: The University Press of Virginia, 1975), 334-337.

¹⁴⁵ Harlow Giles Unger, *Lion of Liberty: Patrick Henry and the Call to a New Nation* (Boston, MA: Da Capo Press, 2010), 95 – 98.

¹⁴⁶ *Fauquier County Courthouse, Minute Book, 1773-1780*, The Virginia Room, Warrenton Public Library, VA, The Genealogical Society of Utah, 1951. Microfilm, film no. J2103.

¹⁴⁷ *Fauquier County Courthouse, Minute Book, 1773-1780*, film no. J2103. It is noteworthy that none of the available records indicate that Burr Harrison, John Parent, Thomas Maddux, Peter Grant, or John Dugard functioned as members of the militia. John French, the surveyor, however, served as a second lieutenant in the Fauquier Militia, and Joseph Blackwell, the clerk recording the minutes, also served as a militia officer.

themselves occupied with wills, deeds, and appointments. The after effects of Henry's speech on Fauquier County's mobilization are difficult to trace in the public record, but the story the official records tell that business went on as usual is misleading.

The successful recruiting of Fauquier men for the minute battalion suggests that the official record fails to reflect the sentiments of Fauquier County residents outside the official narrative as recorded by the court clerk. Inside the few spaces in which Fauquier residents gathered in groups, such as the ordinaries and churches, echoes of Patrick Henry's speech reverberated alongside exaggerated reports of British mischief.¹⁴⁸ Furthermore, the impolitic blundering of the royal governor, John Murray, added fuel to the fire.¹⁴⁹ By October of 1775, the hunting shirts of hundreds of Fauquier County minutemen boldly advertised Henry's theatrics with the words "'Liberty or Death' worked in large white letters on the breast."¹⁵⁰

Importantly, the choice of the unit's peripheral regalia is an expressive one designed to make a rural identity statement. Fauquier County justice, James Scott, purchased the linen from which the "shirtmen" received their shirts as well as "Eighteen pounds for arms and Waggon hire."¹⁵¹ The Minutemen wore hats with "bucktails" and "a leather belt about the shoulders with tomahawk and scalping knife," and most men armed themselves with what they had, "fowling pieces and squirrel-guns."¹⁵² For friends and family working their farms at home in Fauquier County, the uniform must have appeared bizarre, if not downright silly. Responses from those less familiar with western

¹⁴⁸ Isaac, *The Transformation of Virginia*, 30; Russell and Gott, *Fauquier County in the Revolution*, 28 – 59.

¹⁴⁹ Hume, *1775: Another Part of the*, 393 -400.

¹⁵⁰ Reverend Philip Slaughter, *St. Mark's Parish, Culpeper County, Virginia, With Notes of Old Churches and Old Families*, 106 – 108; Russell and Gott, 63 – 72, Hume, *1775: Another Part of the Field*, 115.

¹⁵¹ H.R. McIlwaine, ed., *Journals of the Council of the state of Virginia*, v.1 1776: Jul.12-1777: Oct.2, 57.

¹⁵² Slaughter, *St. Mark's Parish*, 107.

settlements, however, suggest the effect was not altogether comical. At least some people in Williamsburg associated these men from the “backwoods” and their “savage-looking equipments” with “Indians.” A merchant said that “They look like a band of assassins.”¹⁵³ Lord Dunmore somewhat unwisely added to this backwoods savage mythos by warning his soldiers that if captured, the backwoodsmen would scalp them.¹⁵⁴ Indeed, in the Great Bridge engagement referenced in the chapter’s opening, immobilized British soldiers looked on in horror as Minutemen closed in on them with the word “Death” stitched to their chests alongside their dangling scalping knives and tomahawks. The wounded British “called out, For God’s sake please do not murder us!”¹⁵⁵ Beneath this strange costume, however, was not a soldier, nor an angel or devil. The gentry and yeoman farmers of the Culpeper Minutemen took the field with little military training and little, if any, scalping experience.

The Culpeper Minutemen drew men from all classes out of Orange, Culpeper, and Fauquier counties and presented arguably the battalion of Virginia minutemen with the widest social range.¹⁵⁶ Among the minute company’s commanders hailed several gentry justices from Fauquier County: James Scott, John Chilton, William Pickett, William Payne, Elias Edmonds, Francis Triplett, and George Johnston.¹⁵⁷ Tithable records show that a very diverse economic section of Fauquier County answered the muster call for the

¹⁵³ Unger, *Lion of Liberty*, 108.

¹⁵⁴ Hume, 1775, 437.

¹⁵⁵ John Pinkney, “Digital Library,” *Virginia Gazette, Pinckney: Dec. 23, 1775 – pg. 2*, The Colonial Williamsburg Foundation, accessed September 6, 2017, <http://research.history.org/DigitalLibrary/va-gazettes/VGSinglePage.cfm?IssueIDNo=75.Pi.64>.

¹⁵⁶ McDonnell, *The Politics of War*, 152; Sanchez-Saavedra, *Guide to Virginia Military Organizations in the American Revolution*, 16.

¹⁵⁷ Sanchez-Saavedra, *Guide to Virginia Military Organizations in the American Revolution*, 16.

voluntary unit.¹⁵⁸ When Patrick Henry issued an order “by express” directing the Culpeper Minutemen to march to Williamsburg in consequence of Dunmore’s effort “to carry military stores from the magazine at Williamsburg to the ships,” the Minutemen responded hastily and in force.¹⁵⁹

By the fall of 1775, tension and anxiety amongst the gentry spiked in the wake of Dunmore’s threats to free Virginia’s enslaved population. Visions of racial violence unsettled Virginia’s communities, severely weakening the gentry leadership’s ability to concentrate mobilized force.¹⁶⁰ In November, many enslaved Virginians indeed seized upon Dunmore’s Proclamation as an opportunity for liberation, thereby enervating the gentry’s labor force, raising the specter of insurrection, and adding to the manpower from which Dunmore could draw military strength.¹⁶¹

The Culpeper battalion’s service during this period of uncertainty distinguishes it from similar volunteer units in the prewar period. The Minutemen hassled British

¹⁵⁸ See Author’s spreadsheet tab, “Total,” in, *Culpeper Minutemen*. The spreadsheet synthesizes data extracted from surviving tithable records, pension applications, and the following secondary sources,¹⁵⁸ Joan W. Peters, ed., *Fauquier County, Virginia’s Clerk’s Loose Papers, A Guide to the Records, 1759-1919* (Westminster, MD: Heritage Books, 2001); Joan W. Peters, *Military Records, Patriotic Service, & Public Service Claims from The Fauquier County, Virginia Court Minute Books, 1759-1784*; Joan W. Peters, *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia*; Netti Schreiner-Yantis and Florene Speakman Love, eds., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia* (Springfield, VA: Genealogical Books in Print, 1987); Russell and Gott, *Fauquier County in the Revolution*, 448 – 480; John H. Gwathmey, *Historical Register of Virginians in the Revolution* (Richmond, VA: The Dietz Press, 1938), J.T. McAllister, *McAllister’s Data: Virginia Militia in the Revolutionary War* (Hot Springs, VA: McAllister Publishing Co., 1913).

¹⁵⁹ Slaughter, *St. Mark’s Parish*, 107.

¹⁶⁰ McDonnell, *Politics of War*, 156 – 157.

¹⁶¹ McDonnell, 133 – 137. It is worth pointing out that this is essentially the thrust of Holton’s argument: that pressures from various groups from the periphery or bottom of the Old Dominion’s social hierarchy forced the hand of the gentry to pursue a war for independence, Holton, *Forced Founders*. McDonnell argues that Virginia failed to get its feet underneath it once the gentry began imposing its will over the lower classes. The gentry’s conservative attempts to verify its status created an insurmountable hurdle that recruiters failed to overcome throughout the remainder of the war. McDonnell’s treatment of class is not as rigid as Holton’s and does afford some discussion of the deployment of political rhetoric by members of all classes, but he emphasizes the unwillingness of the yeomen class to fight on the gentry’s terms as a clear statement of resistance. He maintains that the colonies won the Revolution with little real help from the Old Dominion because of widespread, poor class to class cooperation.

“tenders,” or sloops, with rifle fire, hampering the mobility advantage that Lord Dunmore’s small navy afforded him.¹⁶² Of these engagements, Samuel Baker, aged “about thirty four” and “a married man & had four children” later stated in his pension application before Tuscaloosa County “circuit Judge” Anderson Creenshaw, that “some [Minutemen] were running from the enemy a good many were runing to get to fight them [British sloops].”¹⁶³ These engagements, while effective, proved little more than annoyances to the British, and hassling Dunmore’s small navy did little in terms of gaining strategic advantage for the patriot cause. To the relief of the gentry, Virginia military units, including the Culpeper Minutemen, achieved a successful and strategically important encounter against British regulars on the ground.¹⁶⁴ In December of 1775, Virginian and British soldiers collided at “the Great Bridge, where the enemy had erected a Fort to prevent the american (sic) Army from getting to Norfolk, where their shipping laid (sic).”¹⁶⁵ Two small armies faced one another behind fortifications and breastworks built up on either side of the Elizabeth River at the village of Great Bridge.¹⁶⁶ At stake

¹⁶² Will Graves, trans., “Pension Application of Randolph Stallard S6165,” *Southern Campaign American Revolution Pension Statements & Rosters*, accessed October 11, 2017, <http://revwarapps.org/s6165.pdf>. Stallard took part in the capture of a British “tender” patrolling the coast around Hampton, Virginia; Will Graves, trans., “Pension application of William White S1735,” *Southern Campaigns American Revolution Pension Statements and Rosters*, accessed October 25, 2017, <http://revwarapps.org/s1735.pdf>. In his application for pension, White said, “at Hampton we had an action with five small British vessels called “tenders” lying in a creek.” He also saw action at “the long bridge.” For a further analysis of this action see Hume, 1775, 312 – 317.

¹⁶³ C. Leon Harris, trans., “Pension Application of David Blackwell W9358,” *Southern Campaigns American Revolution Pension Statements and Rosters*, accessed October 25, 2017, <http://revwarapps.org/w9358.pdf>.

¹⁶⁴ McDonnell, *Politics of War*, 160 – 161.

¹⁶⁵ Harris, trans., “Pension Application of David Blackwell W9358.”

¹⁶⁶ Thomas C. Parramore, Peter C. Stewart, and Tommy L. Bogger, *Norfolk: The First Four Centuries* (Charlottesville, VA: University Press of Virginia, 1994), 92 – 93; Russell and Gott, *Fauquier County in the Revolution*, 82 – 91; Hume, 1775, 435.

was an important British supply line and access to the southern portion of the Chesapeake Bay through Norfolk.¹⁶⁷

Pension applications and editorials posted in the *Virginia Gazette* provide some interesting details as to the battalion's performance, capturing the significance of the unit's actions for broader Virginia in that historical moment. "In 3 or 4 days afterwards, Fordyce marched out of the fort to storm our breastworks, and we killed, wounded and took prisoner his whole company except one Ensign who made his escape."¹⁶⁸ Roughly six decades after the war, David Blackwell recounted to the Prince William County clerk that he was part of the Minuteman element assigned to complete the grisly task of "burying the slain."¹⁶⁹ Of the events on December 9, 1775, a *Virginia Gazette* correspondent "on whose information we may depend" reported that, "our soldiers shewed great humanity and tenderness to the wounded prisoners."¹⁷⁰ The *Gazette* describes "several [Minutemen] that ran through a hot fire to lift up and bring some [wounded British] that were bleeding." The notes of Dr. W. Browne, in which he catalogs the injuries of British prisoners, gives some evidence to corroborate the *Gazette*'s dependable correspondent. He notes the injuries and the critical condition of, "Edw[ar]d Villis," who was wounded "-in the Thigh, arm & Belly – Ball lodged in his Bowells, judged mortal."¹⁷¹

The strategic outcome of the Battle of Great Bridge proved tremendously consequential for how the British command prosecuted the war thereafter. By taking the

¹⁶⁷ William Floyd, Jr., "Lord Dunmore and the Battle of Great Bridge," *History Magazine* 18, no. 3 (Feb/Mar2017): 15.

¹⁶⁸ Graves, trans., "Pension Application of William White S1735."

¹⁶⁹ Harris, trans., "Pension Application of David Blackwell W9358."

¹⁷⁰ Pinckney, "Digital Library," *Virginia Gazette, Pinckney: Dec. 23, 1775 – pg. 2*, The Colonial Williamsburg Foundation.

¹⁷¹ Hume, 1775, *Another Part of the Field*, 436.

initiative from Lord Dunmore, an advantage which he could not reclaim, the small victory of the Culpeper Minutemen demonstrated to Britain that Virginia represented an unsafe harbor as a base of operations. Dunmore abandoned Virginia by sea, never to return, and Tory resistance to the patriot cause failed to present itself as more than a nuisance.¹⁷² Virginia, on the other hand, had something concrete to compare with its fellow rebels to the north, at Concord and Lexington.

Controversy and change, however, came on the heels of the Virginian victory. In the process of their retreat, the British bombarded the town's wharves, starting a fire.¹⁷³ Aided by unexpected winds, the fire quickly blazed out of control. Shirtmen from the Culpeper Battalion saw the conflagration as an opportunity to exact punishment on perceived Tory elements within the town, literally adding fuel to the fire that consumed most of Norfolk.¹⁷⁴ Prior to the torching of Norfolk, it is likely that rumors of overwhelming Tory sympathy for the British and contempt for the backwoods ruffians marshalled by the patriots weaved their way through the camps of the Minutemen. The December 29, 1775 Purdie edition of the *Virginia Gazette* published an intercepted letter written by a Norfolk Tory named John Brown. The *Gazette* quotes Brown as saying, "I glory in the name of TORY," and mentions his hopes that Parliament will "adopt the

¹⁷² Hume, 1775, 459; McDonnell, *The Politics of War*, 169 – 172; Floyd, Jr., "Lord Dunmore and the Battle of Great Bridge," 12 – 15.

¹⁷³ Will Graves, trans., "Pension application of Benjamin Martin R6965," *Southern Campaigns Revolutionary War Pension Statements & Rosters*, accessed January 1, 2018, <http://revwarapps.org/r6965.pdf>. The question of who started the fire remains controversial, Johann Conrad Dohla, a Hessian soldier fighting for the British said, "The city of Norfolk in Old Virginia was set afire and laid in ashes by the English fleet on 1 January 1776," Bruce F. Burgoyne, *A Hessian Diary of the American Revolution by Johann Conrad Dohla* (Norman, OK: University of Oklahoma Press, 1990), 33; see also Kevin Phillips, 1775, *A Good Year For Revolution*, 488.

¹⁷⁴ Phillips, 1775, *A Good Year For Revolution*, 18; Hume, 1775, 458 – 459; Russell and Gott, *Fauquier County in the Revolution*, 90.

most rigorous measures for reducing the Americans.” Brown is quoted as reveling in the defeat of “300 shirt-men, the name by which provincials are known here.”¹⁷⁵

Regardless of who was to blame, the burning of Norfolk provided the gentry with the moblike example they needed to establish an even more rigid military structure under which they could claim greater control.¹⁷⁶ Shortly after the events in Norfolk came the decommissioning of the minute battalions. Once the Culpeper battalion disbanded, many former Minutemen from Fauquier County entered the ranks of the Virginia Third Regiment.¹⁷⁷ Several men served with John Chilton in the Minutemen and the Third Virginia Regiment; interestingly, however, most Minutemen veterans steered clear of the county militia.¹⁷⁸

A brief analysis of a fragment of the battalion’s material history may explain why the Minutemen veterans so often chose not to participate in the militia. The battle flag of the Culpeper battalion represents one of the few remnants of backcountry Virginia’s revolutionary iconography, and the imagery on the Culpeper flag is a rare piece of historical evidence from which we may draw conclusions relevant to the war’s meaning for the “provincials.” Integrating elements of the Gadsden Flag’s imagery into a modified interpretation, the Culpeper Minutemen flag displays the salient image of a rattlesnake prepared to strike. Differentiating itself from the Gadsden Flag, however, are bold lettered words that flank the viper on either side, “Liberty or Death.” Together, the snake and the flag’s phraseology constitute an image rich with meaning embodying a

¹⁷⁵ Alexander Purdie, “Digital Library,” *Virginia Gazette, Purdie: Dec. 29, 1775 – pg. 1.*

¹⁷⁶ McDonnell, *The Politics of War*, 93 – 98.

¹⁷⁷ *Service Record Spreadsheet* data aggregated by Author.

¹⁷⁸ *Table 1*; see also Author’s, spreadsheet, *Service Record*.

concept around which men across the economic divide could rally.¹⁷⁹ The location of the snake's tail, face, and body relative to the flag's script may at first glance appear trivial. The original flag carried by the Culpeper Minutemen is lost and not available for examination. Reconstructions of the unit's flag stem from written interpretations, which do not specify whether the rattlesnake's head points to "Liberty" or "Death." We may nevertheless use the Gadsden flag as represented by the Library of Congress as a template from which to make a defensible reconstruction.¹⁸⁰ In the Library's version, the animal's head faces to the right, meaning that if the Minutemen kept Gadsden's configuration, the Culpeper viper faces the word, "Death." The symbol of warning, the snake's rattle, points at "Liberty."¹⁸¹ Situated in this way, the rattlesnake is not only a symbol of warning and an expression of the capacity to act, but is also a symbol of a body ordained with the power to indict and pronounce judgment. Centered below the layers of rattlesnake coils is the provocative phrase borrowed from Gadsden, "Don't Tread On Me."¹⁸²

The thought represented through the flag's symbols and phrases reflect the sentiments of the rebellious gentry-class toward England, but the accessibility of the idea behind the phrase, "Don't Tread On Me," extended beyond the highest tiers of Virginia's stratified society. The Virginian backcountry constituted a predominately oral-aural world in which many people signed their names with an "X." For rural Virginians with

¹⁷⁹ George Washington, ed. J. M. Toner, M.D., *Journal of My Journey Over the Mountains; by George Washington While Surveying for Lord Thomas Fairfax, Baron of Cameron, in the Northern Neck of Virginia, Beyond the Blue Ridge in 1747 – 8* (Albany, NY: Joel Munsell's Sons, 1892), 77 – 78, accessed November 7, 2017, <https://archive.org/details/journaljourney00washrich>.

¹⁸⁰ Harlow Giles Unger, *Lion of Liberty*, 108 – 109.

¹⁸¹ Zachery McLeod Hutchins, "Rattlesnakes in the Garden: The Fascinating Serpents of the Early, Edenic Republic," *Early American Studies* 9 no. 3 (2011): 683 – 684; Unger, *Lion of Liberty*, 109. Unger provides an image of the Gadsden flag on page 109.

¹⁸² T. Triplett Russell and John Gott, *Fauquier County in the Revolution*, 73; Washington, *Journal of My Journey Over the Mountains*, 77 – 78.

limited if any reading and writing skills, symbolic expressions of resistance presented an accessible medium to which farmers and laborers might attach meaning.¹⁸³ Beneath the battalion flag's overt patriot warning to the British is an unspoken caution directed toward the gentry from the very rank and file under their command. Serving in the militia meant reinforcing one's placement within the class hierarchy, high or low. One need not possess a classical education to understand the ideological significance of the viper's image, nor to appreciate the value of holding enough representative and economic strength to make one's voice heard.

Minutemen and the Militia

A stark class contrast exists between minutemen like Chief Justice of the Supreme Court, John Marshall, and his fellow Minutemen who hailed from outside the gentry. As a young man, Marshall's appointment as a lieutenant in the Culpeper Minutemen occurred on the same day his company commander, Captain William Blackwell, received his commission.¹⁸⁴ Marshall went on to serve the Cause honorably, participating in the Battle of Brandywine, Valley Forge, and Monmouth. Two years before his death, Chief Justice Marshall, then a resident of Washington DC, filed for an army pension in 1833. Marshall's application for his pension is not unlike the yeomen minutemen and Continental Line soldiers whom he commanded.¹⁸⁵ As a young Fauquier County gentleman in 1777, he declared ownership of three slaves to county justice John

¹⁸³ Rhys Isaac, "Dramatizing the Ideology of Revolution: Popular Mobilization in Virginia, 1774 to 1776," *The William and Mary Quarterly* 33, no. 3 (Jul., 1976): 361 – 362. Isaac discusses the widespread nonliterate condition of colonial Virginia.

¹⁸⁴ C. Leon Harris, trans., "Bounty Land Warrant of William Blackwell BLWt1861-300," *Southern Campaigns American Revolution Pension Statements and Rosters*, last modified July 4, 2014, accessed October 26, 2017, <http://revwarapps.org/blwt1861-300.pdf>.

¹⁸⁵ C. Leon Harris, trans., "Pension Application of John Marshall S5731," *Southern Campaigns American Revolution Pension Statements and Rosters*, accessed October 25, 2017, <http://revwarapps.org/s5731.pdf>.

Moffett.¹⁸⁶ Marshall's father, Thomas Marshall, declared ownership of eleven enslaved Virginians and seventeen hundred acres of land in 1777. Thomas also served as a Burgess, fought as an officer in the Culpeper Minuteman as well as with the Continental Line. Both father and son built solid service records throughout the Revolution.¹⁸⁷ With wealth, acreage, and slaves to work their farms in their absence, the Marshalls are a good representation of the powerful gentry element of Fauquier County's revolutionaries.

For a lower-class comparison, we may look at one of the men in John Marshall's minute company, private William White. White was a yeoman "planter," "aged 24, height 6' 1", dark hair, dark eyes, dark complexion," born and raised in Fauquier County, "where he enlisted as a substitute" (in 1781, after his minute service).¹⁸⁸ The account of White's service as recorded by Robert Binge, a Lincoln County, Tennessee clerk, is colorful and surprisingly detailed. He mentions being "disciplined by Genl. Steuben," and evacuating before the oncoming of "Tarleton" for "3 days and nights without provision and without rest." White signed his pension application dated October 17, 1832 before the Lincoln County court clerk with an "X." Fauquier County Court Justice Heale references White in the 1782 Tithable list as declaring no slaves, but owning two horses and a cow.¹⁸⁹

Despite wide differences in wealth and representation, the success of the Culpeper Minutemen, in which Fauquier County played a substantial role, runs counter to the broader rejection of the minutemen model as occurred throughout the rest of the colony. Of the approximately seventy-nine Culpeper Minutemen from Fauquier County of whom

¹⁸⁶ Peters, ed., *Tax Man Cometh*, 21.

¹⁸⁷ Peters, ed., *Tax Man Cometh*, 22.

¹⁸⁸ Graves, trans., "Pension Application of William White S1735.

¹⁸⁹ Peters, ed., *Tax Man Cometh*, 103.

we have some record, the surviving Tithable lists covering the years 1768, 1775, 1777, 1778, and 1782 do not mention forty-six. The absence of these men from the tithable lists suggests that they did not own much property when they volunteered in 1775, or after. These numbers illustrate the existence of a social divide affecting Fauquier County's mobilization for the war, but in a surprising way.

The strongest indicator of a gentry and yeoman sense of other is the disparity in militia service. One in forty-six non-tithable men received an officer's commission, and fewer than half of these men served in military organizations after the Minutemen disbanded. Roughly one in four non-tithable minutemen served in a militia company at some stage during the war, while nearly one in two tithable men performed some capacity of militia service. Not surprisingly, the ratio of non-tithable men serving in the Continental Line exceeds that of the wealthier, tithable population.¹⁹⁰ The enlistment gap between these two groups, however, is not nearly as large as we might expect.

¹⁹⁰ See author's spreadsheet tab, "Total," in *Culpeper Minutemen*.

Table 1: Mobilization of the Culpeper Battalion

Total Minutemen	Percent Non Tithable	Percent Tithable			
79	58%	42%			
	Tithable Minutemen				
Total	Officers	Reenlisted in Other Service	Militia Duty	CL Duty	Pension Applications
33	8	27	16	12	11
	24%	82%	48%	36%	33%
	Non-tithable Minutemen				
Total	Officers	Reenlisted in Other Service	Militia Duty	CL Duty	Pension Applications
46	1	19	12	17	15
	2%	41%	26%	40%	33%

Class did play a role in how Fauquier County mobilized for the war, but it did not generate the crippling blow to wartime mobilization that scholars argue occurred in other, more populous regions from the war's outset.¹⁹¹ Defining what constitutes disabled mobilization is problematic to be sure; however, what we may take from the data sample illustrated above in *Table 1*, is that gentry minuteman mobilization for the regular army ran in parallel with yeomen or lower-class minute soldiers. Also, the similarity between the numbers of Minutemen who filed for pensions across classes, though their circumstances are certainly varied, as Marshall and White demonstrate, is noteworthy.

With the above in mind, it is hard to argue for an all-consuming class conflict that neutralized mobilization Fauquier County's minutemen in the same way as historian Michael McDonnell describes occurred in the more populous region of the Northern Neck. Instead, we see a pattern of early unity of purpose that gradually fades, similar to

¹⁹¹ McDonnell, "Popular Mobilization;" McDonnell, *Politics of War*; Holton, *Forced Founders*; Thomas J. Humphrey, "Conflicting Independence," 159-182.

the New Englanders studied by historian Robert Gross.¹⁹² In Fauquier at least, the older arguments of a more united Virginia may not be entirely vanquished, at least in the early stages of the conflict. John Chilton, referenced earlier, filled the rosters of his company post-Minuteman for the Third Virginia Regiment with little trouble. Alternatively, his friend and fellow gentry Minuteman captain, James Scott, later struggled to build a company for the Virginia Regiments despite his spending significant sums of money to furnish the Culpeper battalion with arms and linen for clothing.¹⁹³

From what the numbers in *Table I* suggest, the disbanding of the Culpeper Minutemen played a role in souring the taste of militia service to the majority of Fauquier's lower-class minute soldiers. Several lower-class and yeomen minutemen resisted the county gentry by avoiding fighting as privates in their militia companies. The data supports the mobilization pattern outlined by modern scholars, such as Michael McDonnell, who argue that lower-class awareness of sociopolitical representation inhibited Virginia's wartime mobilization from the war's outset.¹⁹⁴ For backcountry communities, such as Fauquier County, the demands for representation in exchange for mobilization manifested more prominently in the militia as the war matured. How mobilizing for the militia and the Continental Line was remembered by the war's veterans is explored and how those memories breathe life into clusters of quantitative data is explored in the following chapter.

¹⁹² Gross, *The Minutemen and Their World*, 133 – 170.

¹⁹³ H.R. McIlwaine, ed., *Journals of the Council of the state of Virginia*, v.1 1776: Jul.12-1777: Oct.2, 57, Russell and Gott, *Fauquier County in the Revolution*, 100 – 102.

¹⁹⁴ Humphrey, "Conflicting Independence," 159-182. Using class as a center of tension between patriots and tenant farmers, Humphrey cites examples not only of resistance to mobilization, but provides examples of anti-patriot, non-Tory inspired insurgency that suggests the formulation of a class consciousness. Humphrey also looks at the Revolution's outcome, distinguishing the success of large land holders from the failure of tenancy land users to achieve true independence.

CHAPTER 3

RURAL VIRGINIA'S REVOLUTIONARY WAR MEMORIES

As mentioned in the first chapter, the historiography detailing the experience of rural Virginia in the American Revolution is lacking. Historians work with the evidence available to them, and backcountry residents left precious few diaries, journals, and pamphlets with which to gauge the Revolution's various meanings to the farmers, planters, slaves, and laborers around which the war and its consequences took shape. The people from the Revolutionary generation nestled in the backwoods regions are as much on the margins of present day historiography as they were in relation to the great plantations of the Tidewater during the early phases of the Age of Revolution in the Atlantic World. Outside of histories compiled by dedicated local historians, the veterans of Fauquier County and its neighbors constitute a historiographical blind spot, a population too close to the center for consideration as a peripheral field, yet too removed from the center to have much transnational or Atlantic World relevance. The gap in peer reviewed studies focused on rural Virginian communities represents an excellent opportunity for future studies, but it also means fewer secondary source materials from the academy against which to measure findings.

Applied history resources outside the academy, however, may prove highly useful in expanding our understanding of the Revolution for rural historical actors. *Southern Campaign American Revolution Pension Statements & Rosters* is an online resource privately owned and operated by two nonprofessional historian/paleographers who completed an extraordinary feat of scholarship by transcribing nearly three thousand pension applications and land bounty warrants as well as hundreds of muster rolls and

rosters. These transcriptions are available to the public free of charge and constitute an invaluable resource for this study.¹⁹⁵ Memories of the Revolutionary War as told by its participants contribute both qualitative and quantitative information useful in exploring in more depth the question of whether the mobilization system in rural Virginia followed the state of Virginia's broader military assemblage pattern.

Three sections comprise this chapter, with each section leaning heavily upon Revolutionary War pension applications and land bounty warrants as the sources of analysis. Methods utilizing narratives compiled by official organizations present some problems when constructing a historical argument. As such, the chapter begins with a section discussing the relevancy of these primary sources and reviews the limits of their practicality as instruments of historical analysis. Written documentation, particularly on state-sanctioned instruments, typically enjoys a privileged position over oral testimony, and significant portions of the body of pension applications here studied are a form of oral history. Given the possibility of faulty testimony and the social structures surrounding the original collection of the information, we ought to measure the value of these applications as credible sources with a critical eye.¹⁹⁶ A review of a nineteenth-century controversial investigation provides a useful backdrop to accomplish this and

¹⁹⁵ For a monthly membership fee, the public may view high definition digital copies of the original documents and additional corresponding communications to and from the Pension Office of the War Department at fold3.com; see "Revolutionary War," fold3 by Ancestry, accessed July 10, 2017, <https://www.fold3.com/>.

¹⁹⁶ John Resch, *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic* (Amherst, MA: University of Massachusetts Press, 1999), 10, accessed July 18, 2018, Google Books.

demonstrates the hazards of taking veterans' accounts at face value and alternatively warns against a similar temptation to outright reject them.¹⁹⁷

The second section I measure the pension applications quantitatively to better see the social patterns influencing the community's execution of the war effort in Fauquier County. The final section focuses on useful fragments discovered within the texts, which tell us something about race and gender. Including the margins of the margins provides a cushion of qualitative data to soften the detached, objective data presentation of the previous section. If silences blanket the history of rural Virginia during the Revolution due to a lack of source material, then the history of black Virginians and white women is dually blanketed. The voices speaking out of the corners of the pensions herein studied may not say as much as hoped, but they provide depth to the social-historical flow of this section and to the paper's larger objective. The final section will give space for the voices of some of the veterans themselves providing perspective from the view of Fauquier County soldiers to determine whether their memories of the war furnish underlying hints of resentment regarding mobilizing for, and fighting in, the Revolution.

Frogs, Pensions, and Frauds

"Jo Dark...Jo Dark...Jo Dark..." For several nights, as American soldiers at an unspecified location began their ritual of settling down around their fires, a strange, froglike chirp, "Jo Dark...", cascaded from a few distant voices at the camp's edges to a camp-wide chorus. Whether Colonel William Darke understood that this amphibian camp song serenade was, in fact, the synthesis of his name with the croak of a frog,

¹⁹⁷ Woody Holton, "Not Yet": The Originality Crisis in American Revolution Studies," filmed April 9, 2015, YouTube video, 53:28 minutes, posted April 16, 2018, accessed July 18, 2018, <https://www.youtube.com/watch?v=L3oeZfN31J4>.

Revolutionary War veteran, Barney Miller does not say.¹⁹⁸ The rendering of this performance in a courtroom setting decades after the fact played a central role in authenticating the service of an old veteran hoping to receive government aid in the waning days of his life. On April 27, 1833, Justice of the Peace for Breckenridge County, Kentucky, Philip Lightfoot copied the above story as declared by Barney Miller, veteran and character witness for fellow soldier, Thomas Kincheloe of Fauquier County, Virginia. Miller answered a summons to vouch for Kincheloe's eligibility to receive a government pension for service rendered as a soldier in the Revolution. Miller used his memory and Kincheloe's independent knowledge of the above story as evidence by which he could swear to the service of a former fellow soldier. While this anecdote is light-hearted and fun (at Colonel Darke's expense), pension applications also provides greater historical significance upon closer examination.

First, it may prove helpful to examine the bureaucratic nature of the pension application. Debates and legislation about just veteran compensation date back as far back as the Revolutionary era, and the liberality of the federal government's purse ebbed and flowed over the decades.¹⁹⁹ Congress enacted several resolutions during the Revolution to see to the needs of incapacitated soldiers and widows.²⁰⁰ Militiamen and state troops who provided evidence of disability, or "invalid," resulting from Revolutionary War service became eligible for federal pensions by an act of Congress in

¹⁹⁸ Will Graves, trans., "Pension application of Thomas Kincheloe W1620," *Southern Campaigns Revolutionary War Pension Statements & Rosters*, accessed January 4, 2018, <http://revwarapps.org/w1620.pdf>.

¹⁹⁹ Lloyd de Witt Bockstruck, *Revolutionary War Pensions: Awarded by State Governments 1775 – 1874, the General and Federal Governments Prior to 1814, and by Private Acts of Congress to 1905* (Baltimore, MD: Genealogical Publishing Company, 2011), vii - xxii.

²⁰⁰ Local governments provided some relief to widows. Several payments for widows of dead soldiers appear in the Fauquier County Court Minutes; see John K. Gott, *Fauquier County Virginia Court Records 1776 – 1782* (Westminster, MD: Heritage Books, 2005).

1806; the law also clarified the eligibility of marines and navy servicemen.²⁰¹ Congress modified this act in 1808 to assume federal funding for all invalid pensions, including those previously paid to volunteers by individual states.²⁰² In 1818, Congress further liberalized the pension law to include unwounded veterans so long as they served nine months or longer.²⁰³ As the veterans of America's war for independence aged, certain of their peers came forward with exaggerated claims of military service and poverty, forcing the national legislature to balance budgetary prudence with compassionate dispersion of funds.²⁰⁴ Over the next decade, Congress initiated multiple changes to the law, and the legislative body's passage of "An Act supplementary to the 'Act for the relief of certain surviving officers and soldiers of the revolution'" on June 4, 1832 made possible the reception of partial pension benefits for militiamen who served in the Revolution for at least six months.²⁰⁵ The Act of 1832 opened the door to prepare for a great many pension applications with additional historically valuable narratives

The structure of the pension applications provides us clues to the nature of each veteran's type of service. The necessity of both Miller's and Catlett's certification of Thomas Kincheloe's service to establish government recognition is fortunate because

²⁰¹ Robert Mayo and Ferdinand Moulton, ed. *Army and Navy Pension Laws, and Bounty Land Laws of the United States, Including Sundry Resolutions of Congress, from 1776 to 1852: Executed at the Department of the Interior* (Washington: JNO. T. Towers, 1852), 64 – 66, accessed July 18, 2018, Google Books. For an abstract of pension related legislation, see "Timeline of Pension Applications," Kentucky Room, Cynthia/Harrison County Public Library, accessed February 23, 2018, http://cynthianalibrary.org/kentucky_room/pension_timeline.pdf.

²⁰² William Henry Glasson, "History of Military Pension Legislation in the United States" (PhD diss., Columbia University, 1900), 31 – 33, accessed July 18, 2018, Google Books.

²⁰³ "Statutes at Large," *The Library of Congress*, Digitized Material, accessed February 23, 2018, <http://www.loc.gov/law/help/statutes-at-large/15th-congress/c15.pdf>; see also <http://www.loc.gov/law/help/statutes-at-large/9th-congress/c9.pdf>; for the Library's homepage see, <http://www.loc.gov/law/help/statutes-at-large/>

²⁰⁴ Glasson, "History of Military Pension Legislation in the United States," Ibid, 35 – 38; "Timeline of Pension Applications," Kentucky Room, Ibid.

²⁰⁵ "Statutes at Large, Ibid. <https://www.loc.gov/law/help/statutes-at-large/22nd-congress/session-1/c22s1ch126.pdf>.

their added voices expand the narrative scope and historical value of the document. Kincheloe appeared before the Justices of the Breckenridge County Court on September 17, 1832, just a few months after the Act of 1832's passing, indicating that he failed to qualify under the previous requirement of two years minimum service. That the Justice of the Peace used witnesses to establish the authenticity of Kincheloe's service strongly suggests that Mr. Kincheloe sang "Jo Dark" as a militiaman, and not a soldier of the Continental Line.²⁰⁶ The law required that a militiaman applicant failing to produce documentation of service present "two credible witnesses" to testify of his character and service. In this case, George F. Catlett of Union County, Kentucky acted as Kincheloe's second witness and certified Kincheloe as serving in the same company as himself.

In some, perhaps many cases, pension and land bounty applications, typically presented in a court setting, represent primary sources of oral history once removed. A witness of events in time and space detailed an account of what happened from his or her limited perspective. On the receiving end of the spoken information is a translator operating under a specific set of rules. The translator transcribes the oral account of the witness by placing it into a written format, which in these cases, carries the weight and privilege of governmental officialdom. The speaker, audience, or both may make any

²⁰⁶ C. Leon Harris, trans., "Pension Application of William Ford S8506," accessed January 4, 2018, <http://revwarapps.org/s8506.pdf>; see Harris's comments at the bottom of the transcribed discourse regarding Ford's application; see also, *The Executive Documents, 25th Congress, 2d Session....1837-8*, vol. 5, *Pension Laws Now in Force*, accessed January 5, 2018, Google Books, which outlines the procedure for authentication of militia service in the footnotes of the section titled, "Declaration, In order to obtain the benefit of the Act of Congress passed June 7, 1832." The law required militiamen applying for pensions in Virginia and New Hampshire to present the same degree of documentation as continental establishment troops. Kincheloe, however, applied in Kentucky; see *Index to The Executive Documents, 25th Congress, 2d Session....1837-8*, 86 – 87, accessed January 25, 2018, Google Books; also see pages 3 – 87 for dates and the progression of language in pension focused legislation for Revolutionary War veterans passed by Congress from 1790 through 1838. Additionally, the book contains information regarding resolutions passed by Congress during the Revolution. See also, "Timeline of Pension Applications," Kentucky Room, *Cynthia/Harrison County Public Library*, accessed February 23, 2018, http://cynthianalibrary.org/kentucky_room/.

number of errors through the narrative generating process. Aside from the pensioner's dependence on memory decades after the fact, and reliance on his or her truthfulness, the transcriber may hear something incorrectly or omit details he felt unnecessary for the application. We are dependent upon the interpretation of an interpretation. Furthermore, the goal of the individual describing the oral history lends the account to the possibility of a skewed or falsified recorded narrative.

Veterans and their widows often requested pensions from a position of destitution brought on by age, injury, the diaspora of children and family, and economic forces outside of their control. Applicants often cite disabling blindness, amputation, and crushing poverty as causes for qualifying for government assistance. For instance, on April 14, 1818, Philip Lynor professed to the Fauquier County Court that he was “by profession a shoemaker...unable to work at my trade” and lived in the “Poor House” with his wife, while his children lived too far away to render assistance.²⁰⁷ On December 24, 1827 John Dulin, “a farmer” of “advanced age” declared he could no longer make “payment for his debts” on his farm. He says the farm was unprofitable due to “diminution for the products of the soil.”²⁰⁸ December 28, 1819, the Fauquier County Court recorded that David Ball, veteran of the 3rd Virginia Regiment under Captain John Blackwell “is in reduced circumstances” and “is blind.”²⁰⁹ Lynor's and Dulin's cases

²⁰⁷ Will Graves, trans., “Pension Application of Philip Lynor (Linor) S38143,” *Southern Campaign American Revolution Pension Statements & Rosters*, accessed January 25, 2018, <http://revwarapps.org/s38143.pdf>.

²⁰⁸ Harris, trans., “Pension Application of John Dulin S39468,” *Southern Campaign American Revolution Pension Statements & Rosters*, accessed January 25, 2018, <http://revwarapps.org/s38143.pdf>. Part of Dulin's record is presented with the pronoun “I” and is signed by him, suggesting that he wrote at least some of the record himself. The details of his business transactions related to his debts imply that Dulin possessed a higher than average education, although not likely a member of the gentry. He lists one enslaved man, a “Negro man Joe” as property.

²⁰⁹ Harris, “Pension Application of David Ball S37730,” accessed January 25, 2018, <http://revwarapps.org/s37730.pdf>.

came for review on the heels of Congressional changes in what constituted a qualified pensioner, while Ball's preceded a legislative change occurring the following year.²¹⁰

The timing of a veteran's decision to apply for a pension is significant relative to the passages of acts of Congress, and the potential for embellishment of past war service and present circumstance to better make the case for relief is a legitimate concern.

Unsurprisingly, fraudulent claims found their way to the War Department for payment, enough in fact, to warrant an official investigation in 1834, only a short time after Congress again expanded the federal pension program in June of 1832.²¹¹ Washington G. Singleton, an aggressive US District Attorney, received the assignment to investigate several suspicious claims largely emanating from two western Virginia counties.

According to Singleton, an unsavory group that he referred to as "the Lewis Speculating Gentry," initiated a swath of suspect pension claims in Harrison and Lewis counties.²¹²

Leon C. Harris, the online curator of the *Southern Campaign American Revolution Pension Statements & Rosters* digital collection, closely examined Singleton's fraud investigation by cross-examining over one hundred thirty pension applications submitted to the War Department from applicants with questionable credentials residing in these western Virginia counties.²¹³

The "Lewis Speculating Gentry" represented a cabal of busybody lawyers that made an enterprise out of embellishing pension applications on behalf of vulnerable,

²¹⁰ "Kentucky Room," *Cynthia/Harrison County Public Library*, accessed February 23, 2018, http://cynthianalibrary.org/kentucky_room/; see also *The Executive Documents, 25th Congress, 2d Session....1837-8*.

²¹¹ *The Executive Documents, 25th Congress, 2d Session....1837-8*, "Chapter XXXIV," 20, accessed February 14, 2018, Google Books.

²¹² Harris, trans., "Pension Application of David W. Sleeth S6111," *Southern Campaign American Revolution Pension Statements & Rosters*, "Appendix," accessed January 25, 2018, <http://revwarapps.org/s6111.pdf>.

²¹³ Harris, *Ibid*.

aging men with questionable lengths of war service. Harris determines that these lawyers victimized many of the men accused of fraud by charging them a fee to enhance their claim petition. Singleton expressed blatant contempt for this scheme in several written reports, which contain strongly worded commentaries against those applicants who he perceived as committing fraud. Of one deponent's testimony, David Sleeth, Singleton wrote on November 3, 1834, "There is no doubt of his being an imposture – he is a man of infamous charater."²¹⁴ Thomas Leach, another veteran under investigation, managed to draw out an even stronger response. On December 15, 1834, Singleton wrote of the 69-year-old applicant, "this man is as great an imposture as ever lived."²¹⁵ His description of one Arthur Trader, as a "Black & diabolical" fraud, is even less generous.²¹⁶

Coming across such strong statements against old men analyzed in parallel with their wartime narrative accounts is a somewhat jarring experience. The aging backwoodsmen of the Revolutionary generation hoped for financial aid from the government that Singleton represented, and the old provincials did not always have their paperwork in order. When asked by the court why he could not produce a written record of his service, Thomas Kincheloe declared that his "discharges were burned up the 14th of February 1784 by his house taking fire," a reason not uncommonly given by other veterans lacking written credentials for the pension applications here analyzed.²¹⁷ For Attorney General Singleton, such unfortunate paper trail losses exceeded probable cause of fraud. Singleton's orders came from the War Department, he answered to men with

²¹⁴ Harris, trans., "Pension Application of David W. Sleeth S6111.

²¹⁵ Harris, trans., "Pension Application of Thomas Leach S8837," accessed January 25, 2018, <http://revwarapps.org/s8837.pdf>.

²¹⁶ Harris, trans., "Pension Application of Arthur Trader S30169," accessed January 25, 2018, <http://revwarapps.org/s30169.pdf>.

²¹⁷ Graves, trans., "Pension application of Thomas Kincheloe W1620," accessed January 4, 2018, <http://revwarapps.org/w1620.pdf>.

powerful political connections, budgets to wrangle, and careers to advance, and he intended to make a good name for himself as an up-and-coming official by crushing men he considered to be old, rural fraudsters.²¹⁸

In a bureaucratic contest involving money, in which the goals of each party are at variance with one another, the degree to which one party, the other, or both twisted accounts to suit their purposes is difficult to ascertain. Of the 107 applications crossing Singleton's desk, he marked 97 as illicit, an astoundingly high percentage means less than one man in ten from this backcountry population obtained approval to receive a pension.²¹⁹ Such an extremely high rate of fraud gives cause to take stock of the situation more closely.

According to C. Leon Harris, pension applicants were not the only party susceptible to instances of twisting reality to suit their goals. When some angry deponents with rejected claims eventually challenged his integrity in court, Singleton himself demonstrated instances of very suspicious behavior.²²⁰ Ironically, when the outcry for an inquiry into Singleton's vigorous prosecution of questionably fraudulent claims gained strength, a fire destroyed all his relevant records (and strangely little else) preventing the case from proceeding to trial.²²¹ Somewhat tellingly, he prosecuted only one more case of pension fraud following the timely fire.²²² If somewhat overzealous and

²¹⁸ Harris, "Pension Application of David W. Sleeth S6111," "Appendix," 14 – 15;.

²¹⁹ Harris, *Ibid*, 14; see also, Harris, trans., *Ibid*, G.D. Camden, "Clarksburg Va 18th Jany. 1836," 7.

²²⁰ Harris, trans., "Pension Application of David W. Sleeth S6111," "Appendix," 17.

²²¹ Harris, *Ibid*.

²²² *Ibid*, 17; Singleton prosecuted one Joseph Ramsey from Wythe County in September of 1837; see Harris, trans., "Pension Application of Joseph Ramsey S7348," accessed February 23, 2018, <http://revwarapps.org/s7348.pdf>. Harris includes transcriptions of multiple letters in the online archive regarding Ramsey's overpayments, and with exception of problems associated with government overpayments, which Ramsay himself called attention to, his Revolutionary War pension continued throughout his life.

crass toward the pensioners in his jurisdiction, it should be recalled that the purpose of Singleton's investigation was to root out individuals claiming lengths of tours of duty falsely. Certainly, some men received pay to which they held no title, while the pay of others with valid claims marked as fraudulent was withheld unjustly, constituting not only a miscarriage of justice, but is also a problem for historical quantification of war service.

While many lacked the means to protest the loss or rejection of pension funds, several men successfully appealed Singleton's decision and enjoyed restored benefits. We must therefore look critically at the inconsistency of the War Department's judgment as well as the inconsistencies of veterans' memories. Leach, the great "imposture," came from a whole family of Fauquier County servicemen. George, Valentine, and Burdett Leach each served at various stages of the war and often substituted for one another to compensate for injuries and other family circumstances, which may explain why the elderly Thomas had difficulty keeping his deployments straight as mentioned by Singleton.²²³ Upon the sworn testimony of his brother George in February 1838, Thomas' service record received official certification.²²⁴ Moreover, David Sleeth's "infamous character" won an appeal, overturning Singleton's judgment and leading to a restoration of Sleeth's pension.²²⁵

²²³ Harris, trans., "Pension Application of George Leach W27584," accessed January 23, 2018, <http://revwarapps.org/w27584.pdf>, Graves, trans., "Bounty Land Warrant of Valentine Leach VAS856," accessed January 23, 2018, <http://revwarapps.org/VAS856.pdf>, Graves, trans., "Pension application of Burdett Leach (Leech) W3567," accessed January 23, 2018, <http://revwarapps.org/w3567.pdf>.

²²⁴ Harris, trans., "Pension Application of Thomas Leach S8837," "NOTE," accessed January 25, 2018. Also, from Singleton's report, it appears that both Thomas and George experienced a disruption in their benefits owing to assessments levied by Singleton.

²²⁵ Harris, trans., "Pension Application of Samuel Harbert S15447," accessed January 25, 2018, <http://revwarapps.org/s15447.pdf>. "In the only criminal trial had by reason of Mr. Singleton's investigations & reports, that of the U. S. vs David W. Sleeth, the accused was acquitted & his pension subsequently restored."

Harris concludes that the department, including the Commissioner of Pensions, often operated outside the rules of the law, taking liberty with more discretionary authority than Congress intended.²²⁶ We find evidence of this bureaucratic excess in later primary sources. A letter written by attorney, J. V. Boughner on June 8, 1857 in behalf of the heirs of deceased veteran Peter Haught, convincingly demonstrates the arbitrary nature of rejected claims. After establishing a host of witnesses supporting the late Haught's military service and pointing out the similarities between his rejected claim with a Zachariah Piles's approved claim, Boughner (clearly bothered) bluntly asks, "I would desire to know upon what ground your Beaureau has discriminated between Haught and Piles."²²⁷ The following year, Boughner references in another letter that Haught's claim "was admitted by the govt. to wit, on the 6th of April 1857."²²⁸

Singleton's investigation centered itself in a region some distance from Fauquier County, but the West Virginia probe brought some Fauquier County soldiers into its orbit. Twenty-three of two-hundred-seventy-two pension applications of Fauquier County veterans received at least one rejection notice from the Pension Office.²²⁹ The examination of the Singleton investigation brings to the surface legitimate concerns about the authenticity of narrative accounts historians use in primary sources such as pensions and land bounty applications. Inconsistencies in memory, always a potential for error,

²²⁶ Harris, trans., "Pension Application of David W. Sleeth S6111," "Appendix," 15.

²²⁷ Harris, trans., "Pension Application of Peter Haught S6981," accessed January 25, 2018, <http://revwarapps.org/s6981.pdf>.

²²⁸ "Revolutionary War," fold3 by Ancestry, "Pension Application of Peter Haught S6981," accessed January 26, 2018, <https://www.fold3.com/image/23029843>. Successful appeals, of course, are subject to multiple interpretations, diagnosing departmental reverses as responses to political pressure first among them. The extent of the bureaucratic wrangling involved in many of these cases, however, is quite remarkable. Fold3 uploaded 132 digital images of letters related to Haught's pension and subsequent appeal.

²²⁹ See author's spreadsheet tab titled, "Demos" in the *Social Markers* spreadsheet. The spreadsheet tabulates information from the pension applications regarding rejected pensions.

also warrant a critical eye. Alternatively, analyzing the overzealousness of Singleton's investigation reveals the error in dismissing invalid veteran testimonies on the grounds that their stories are either too exaggerated or false.²³⁰

Global War, Local Community

While Fauquier County began a spirited armed resistance against England more unified across its socioeconomic classes, evidence suggests that the backwoods community eventually fell into the broader mobilization pattern of its older sister counties that comprised the more settled regions of Virginia. As the war and its related economic problems progressed, fewer and fewer backcountry Virginians volunteered. As this section will demonstrate, drafts and substitutes made up an increasingly larger proportion of the county's pool of enlistees, particularly for its militia in the third act of the war.

This section breaks down the military service of Fauquier County veterans into three primary forms of Revolutionary War service tours: enlistees, substitutes, and draftees. Each subheading interweaves discussions about a fourth form of Revolutionary War service, veterans whose tour types overlapped the three primary forms of service, into each veteran group's data analysis. The data outlined in this section originates from a review of 272 Revolutionary War pension applications provided by the *Southern Campaign American Revolution Pension Statements & Rosters*. As mentioned above, the data constitutes the quantification of how veterans remembered the war and their role in it. The ages and economic circumstances of these men when the Pension Office collected their wartime narratives make errors in deployment and enlistment dates likely. Though the applications are somewhat formulaic, each is distinctive and unique, adding

²³⁰ Resch, *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic*, Ibid, 177 – 179.

qualitative value and complicating this study's quantitative analysis. Some applications reference dates of birth, while many others fail to do so. Some men provide specific dates of enlistment and colorful details, but others recall only the most general information. A few pensions contain property lists itemizing the few possessions owned by some veterans at the time they sought for economic aid. Despite these inconsistencies in form, patterns emerge by applying a qualitative method to the study of these primary source documents.

I compiled a series of spreadsheets to provide the analytical tool for the quantification of the data presented in this section.²³¹ My *Social Markers* spreadsheet utilizes multiple spreadsheet tabs which provide information more useful in pattern identification. The data sheet titled "Demos" comprising a section of *Social Markers* assesses pension applications by tabulating social information from each veteran's request. The following are the spreadsheet column titles describing the information searched for within each pension application: Property List, Physical Description, Rejected Claim, Race-Gender-Women, Married, Widow's Application, Bible Reference, Debt, Shoemaker, Blacksmith, Farmer, Service Type, Renting/Owning Land, At Battle of Yorktown. Pensions containing information applicable to column headings vary widely, providing limited qualitative value, but yield interesting insights regarding veterans'

²³¹ The following sources provided additional information against which to compare the pension application data in the spreadsheets discussed in this chapter, see Joan W. Peters, ed., *Military Records, Patriotic Service, & Public Service Claims From the Fauquier County, Virginia Court Minute Books: 1759 – 1784* (Westminster, MD: Heritage Books, 2007); Peters, ed., *Fauquier County, Virginia's Clerk's Loose Papers, A Guide to the Records, 1759-1919* (Westminster, MD: Heritage Books, 2001); Peters, *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia*; Netti Schreiner-Yantis and Florene Speakman Love, eds., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia* (Springfield, VA: Genealogical Books in Print, 1987).

memories of the war. “Tour Type” quantifies how many veterans recall enlisting, substituting, reenlisting, or entering service as a draftee.

Additional sheets break each “Tour Type” column into subsections by taking stock of the years veterans entered the service, as well as the method by which they came to serve, according to veteran memories as outlined in the pension application narratives. Sub-heading spreadsheets titled, “Enlisted,” “Substitutes,” and “Drafted” illustrate the times in which a given soldier claimed to enter service between the years 1775 through 1783. Each spreadsheet identifies the form of tour the veteran remembers, allowing for easy identification of men who served tours under more than one service entry type.²³² In addition to providing years, tour of duty lengths, militia service, service in the Continental Line, and method of entry into the military, the spreadsheets I constructed also supply date of birth and marriage dates if available on a given application. Synthesized, the various spreadsheet social data markers allow us to investigate social patterns affecting one of the primary means by which lower-class Virginians could exercise agency and bargain with the state and its wealthier citizens regarding terms of military service and the formulation of citizenship.²³³ Historian Michael McDonnell explores this concept thoroughly in his book, *Politics and War*.²³⁴

²³² For example, by looking at the spreadsheet “Enlisted,” we see that Littleton Adams claimed he enlisted in September of 1775 (indicating association with the Culpeper Minutemen), that he enlisted again in 1777, and again in 1781. It is also apparent from the information on the spreadsheet that Adams also served as a substitute. By reviewing the “Substitute” tab, we see that Adams served his 1777 deployment as a substitute. The “Enlisted” “Substitute 1” and “Drafted” spreadsheets use identical column headings to direct the collection and interpretation of data.

²³³ The “Substitute 2” spreadsheet, however, looks for additional information. The unique names of the column headings in this spreadsheet are: “Substitute for Family,” “Sub from Out of County,” “Times Substituted,” “Substituted For,” “Names of Hired Subs,” “Previously Served Enlisted, Draft, or Sub,” “Served After Sub Service,” “Length of Sub Tour,” and “Year as a Sub.”

²³⁴ McDonnell, *The Politics of War*, 385. The concept of negotiation over the course of the war between classes in Virginia constitutes a major theme explored by McDonnell.

Enlistment data extracted from the pension applications indicates that a substantial number of Revolutionary War veterans from Fauquier County did not consider themselves as volunteers. Volunteerism deteriorated markedly in the later years of the war. Of the two hundred twenty-two pension applications here analyzed, one hundred fifty-five applicants referenced a variation of the word “enlist,” and thirty of these soldiers using that word served on more than one deployment. Eighty-seven express a memory of being drafted, a dozen reference militia service, and forty-five applicants mention serving as a substitute. Three men specifically mention they did not enter service as a substitute, and only five veterans reference the word “reenlist.” Based on the date of birth information supplied on twenty-nine of the pension applications, the average age at which each enlistee served his first tour is roughly twenty-years-old, with one man enlisting at age thirty-six and a boy enlisting at the age of ten. The breakdown of enlistment years is as follows (some men enlisted more than once): twenty-three entered service in 1775, forty-six in 1776, fifty-five in 1777, twenty-one in 1778, eleven in 1779, eighteen in 1780, eighteen in 1781, and only one man enlisted in 1782.

The high rate of substitutes toward the end of the conflict is indicative of war fatigue and the toll it took on the enthusiasm expressed by the backcountry patriots in 1775 and 1776. Substitutes represent a much smaller population within the study sample of these 272 applications. The average age of these men was about twenty-and-a-half years old. Of the forty-eight men claiming to serve as a substitute, twenty-seven of them mention enlisting, thirty-three refer to the draft, and four use the word “volunteer.” Based on the pension application data, only six Fauquier men served as substitutes for conscripts living outside the county and ten Fauquier veterans of previous tours hired a

substitute to serve in their behalf at least once. Five men substituted in the years 1775 and 1776, two in the years 1778 and 1779, eight in 1780, twenty-eight in 1781, and none in 1782. Fourteen of the forty-eight substitutes served in place of a family member with seven subbing in more than once and fourteen sub veterans returning to serve another tour following their first as a substitute. As the data shows, Fauquier County eventually trended in the same direction as its peers.

Fauquier County Veteran memories of the draft coincides with Virginia's overall mobilization pattern, further suggesting that the erosion of the county's earlier unity across its social strata manifested in the war's later years. This holds especially true for militia service. Eighty-two Fauquier veterans describe the draft in their testimonies. Twenty-four of this group also mention enlisting, and seventeen use the word "volunteer" at some point in their application. Three men say their draft took place in 1776 and nineteen, five, and five state their conscriptions came in 1777, 1778, and 1779 respectively. Draftees significantly increased in 1780, the timeframe in which England gained momentum in the southern colonies.²³⁵ Twenty-six of the pensioners reference 1780 as the year they were drafted into service with 1781 showing an exceptionally high representation of Fauquier County draftees. Fifty, well over half of the overall drafted sample population, saw service in the year 1781. Thirty-seven of Fauquier drafted militiamen here sampled, just under half, served more than one tour. The average draftee's age stayed mostly consistent year over year, being approximately twenty-three years old. The year 1777 shows an average age of twenty-six. Most of the war's years saw a high degree of age diversity among draftees, some years the drafted age ranges

²³⁵ McDonnell, *Politics of War*, 381 – 391.

between twelve to as old as forty-seven. The draftee pool of veterans in this grouping represents an extraordinarily high proportion of militia service members; of the three groups here categorized, the draftee pool far exceeds the others in terms of militia service. Based on the evidence within the sample, conscripted men, not volunteers, nearly universally filled service in the Fauquier County militia with the number of militiamen also serving in the Continental Line constituting a ratio of eight to eighty-two, or about ten percent of the drafted population sample.

The need for drafting men to satisfy the requirements of the army and the bargaining power poor white Virginians achieved through leveraging substitution of service indicates a type of class awareness and identity was at play.²³⁶ Such an analytical approach is useful in a stratified society; however, it may omit small but important qualitative pieces of the story. For example, not all enlisted men were uneducated; alternatively, not all members of the gentry were advantaged with a high degree of literacy as we see from pieces of social data found in the pension records. Richard Bailey, a Fauquier resident, tells the Circuit Court for the County of Lauderdale, Alabama that he “was born educated & resided” in Fauquier County.²³⁷ As Bailey does not show up on any tithable records, he likely lived in Fauquier as an unpropertied resident. He may not define “education,” but his choice of the word is interesting and prompts a deeper inspection into the literary status of Fauquier County soldiers and militiamen. Conversely, a government official writes on the Bounty Land Warrant of James Davis, a company grade officer, that “his two children are very illiterate – cannot write their

²³⁶ Michael A. McDonnell, “Class War? Class Struggles during the American Revolution in Virginia,” *The William and Mary Quarterly*, Third Series 63, No. 2 (Apr., 2006): 321 – 326.

²³⁷ Harris, trans., “Pension Application of Richard Bailey R387,” accessed February 24, 2018, <http://revwarapps.org/r387.pdf>.

names,” which Green takes to mean that “the father is presumed to have been either too ignorant or too negligent” to file the claim on his own. Unfortunately, further examination of this sample of pension applications reveals very little in the way of direct references to education or literacy. This unexpected inversion of the educated gentry and the illiterate poor white Virginian, however, adds qualitative depth cautioning us against sweeping across history with too large a broom and reinforces the idea of a shared history in which a diverse group of individuals participated.

One clue granting us at least some measurement with which to estimate a degree of literacy are the signatures on the pension applications. As referenced in an earlier chapter, scholars reckon the literacy rate of white Virginians in the colonial and early post-colonial years at twenty-five percent or less.²³⁸ Indexing the pension applications containing applicant signatures reveals that over half of the Fauquier soldiers and militiamen were literate enough to sign their names.²³⁹ It is possible, even likely, that the degree of literacy for many Fauquier veterans stopped with their signature. Additionally, learning to read or write may have occurred in the post-war world. While not a perfect method, gauging veteran signatures on these documents provides some standard of objective measurement for us to better understand the disposition of rural Revolutionary War soldiers. In a society in which only one in four white male Virginians could sign their name, the fact that over fifty percent of the pension applications submitted by

²³⁸ Rhys Isaac, “Dramatizing the Ideology of Revolution: Popular Mobilization in Virginia, 1774 to 1776,” *The William and Mary Quarterly* 33, no. 3 (Jul., 1976): 361 – 362; McDonnell, *The Politics of War*, 3.

²³⁹ Literacy information is measured on the author’s spreadsheet, *Literacy*, under the column, “Signed Name.” Of the 272 applications studied, veterans completed names on 174. Third parties, including widows, completed the remainder.

Fauquier County veterans contain full signatures is significant when considering the relationship between local gentry and the common Virginians.²⁴⁰

Potential differences in the degree of education held by these rural militiamen and soldiers notwithstanding, the broad view data sample analysis seems to support Michael McDonnell's claim that Virginia's war effort suffered tremendously from its inability to mobilize a larger, more effective force to contend with the British when viewed in terms of militia service. It appears from the evidence that this largely holds true beyond the confines of the more established regions of the Old Dominion.

Oral History, Memory, and Mobilizing for Invalid Status

Pension applications provide some clues as to how yeomen and lower class white Virginians from Fauquier County conceptualized service in the war. The applications contain rare glimpses into a world in tremendous upheaval, the beginnings of the Age of Revolution, as perceived by historical actors much closer to the margins of influence than to its center. They are excellent resources in a social history research project. For example, Thomas Kincheloe's pension application, mentioned earlier in the chapter, provides multiple perspectives of how the rank and file resented the gentry dominated officer corps.²⁴¹ In his testimony on behalf of Kincheloe's pension eligibility, Henry H. Floyd, a member of one of Kincheloe's companies, said "he remembers to have heard Kincheloe complain that he had been drafted to serve."²⁴² Further examination of this application's series of documents uncovers other bits of common Virginian resistance to

²⁴⁰ Isaac, "Dramatizing the Ideology of Revolution: Popular Mobilization in Virginia, 1774 to 1776," 361 – 362.

²⁴¹ Graves, trans., "Pension application of Thomas Kincheloe W1620," accessed February 24, 2018, <http://revwarapps.org/w1620.pdf>. Barney vouched for Kincheloe.

²⁴² Ibid, Graves, "Kincheloe."

the gentry, more mischievous than rebellious, but resistant nonetheless. Kincheloe's second witness did not meet him until well after the war's end. The shared memory of mutually experienced events authenticated Kincheloe's service for veteran Philip Lightfoot. He tells of a soldier named Huffman who stole a keg of cider and "...filling it full of sand and syncing it to escape detection."²⁴³

The stories of pesky resistance connecting Kincheloe and Philips in memory tells us something of the resentment these men held toward their social betters, the high-status gentlemen who carried company-grade ranks. With a knack for storytelling, Lightfoot recollects another shared memory to further corroborate Kincheloe's service in the war. He recalls an instance in which Colonel Darke (of "Jo Darke" fame) and his "waiter's horses were killed by a stroke of lightning while standing in a sunk piece of ground and there was but a small cloud. And but little appearance of danger..." The trace of glee expressed in Lightfoot's recollection speaks further of a sense of class other. In the context of a class-based analysis, it is significant that such a memory further connected him with other men serving in the army creating a sense of shared identity and common-class group consciousness.

The Court Minutes also give us hints that the local gentry and common Virginians in Fauquier County were not always on the same page. On September 28, 1778, John Rust "unwillingly detained" a lower-class white Virginian, John Whitten, for desertion. Upon hearing Whitten's case, the court determined that Whitten did not enlist "and therefore ought to be discharged."²⁴⁴ We may interpret Rust's detention of John Whitten as expressive of a larger problem surfacing within the county. Desertion, abandonment

²⁴³ Ibid, Graves, "Kincheloe."

²⁴⁴ Gott, *Fauquier County Virginia Court Records 1776 – 1782*, 46.

of military obligation, and gentry overreactions in their treatment of individuals with questionable military responsibilities suggests a level of elite frustration with their lower-class constituents.

While irritation and anxiety certainly got the better of many elite members of both rural and long-established Virginian communities, not all the lower-class references to gentry field commanders are negative. Elias Edmonds, a young Fauquier County gentleman, began his military career as a lieutenant in 1777. He rose to the rank of colonel in command of Virginia's 2nd Regiment of Artillery and was present at the British surrender at Yorktown. David P. Shook, court clerk of Ripley County, Indiana records Isaac Way's memory of Colonel Elias Edmonds. Way remembers a moment in which Colonel Edmonds removed the bandages from his head and face to get a look at his wounds, and "telling him that he was too disabled to serve as a soldier, that there are already too many such man in the service and offered him a discharge."²⁴⁵

William Benson's memory of "Cirnel" Edmonds as written by Benson reads, "I live in hopes this world. Poor Dear Colonel Edmonds the last time I seed him was at Fauquier court house, and we drank som grog together for the last time that I ever seed him in this world or ever shall again he is gone to the other world." The phonetic spelling, the choppy sentence structure denoting labored writing, and the authenticity of the semi-literate author's expression collaborate to construct a surprisingly affectionate lower-class memory of a Fauquier County gentry officer. A letter Benson wrote in connection with his application titled, "The Remembrance of old times 1784 and 85 and 86" describes some of his earlier childhood provides additional context. By the time

²⁴⁵ Graves, trans., "Pension application of Isaac Way S16568," accessed February 23, 2018, <http://revwarapps.org/s16568.pdf>.

Benson turned eleven, both his parents were dead, and he moved in with his uncle. He outlines his entry into the army at age eighteen and summarizes his memory of military service, concluding his letter on a note of victory, “N the year 1781 Lord Cornwalles became A presoner.”²⁴⁶ The elderly William Benson’s reflection of his Revolutionary War experience is a space of disease and “seage,” but also a place of belonging and purpose, more so for Benson than the memory of an overbearing force of elite willpower against which to resist.

Other pension applications additionally contain somber notes of the war’s memory. William Young shares his first memory of battle with the court clerk of Muhlenberg County Kentucky, “...we then joined the Army at what was called White Marsh Camp at which place we had a severe duty to perform & where I heard the first gun fired that was intended to kill my fellow creatures.”²⁴⁷ Young’s use of the word “severe” to describe his militia service and his memory of the sound of gunfire intended to kill other human beings as alien and unnatural gives us an indication of the gravity with which some rural veterans interpreted their role as actors in war. The pension application of Benjamin O’Bannon provides some context in the other direction. O’Bannon’s fellow soldier and service witness, John H. Jones, sheds light on the Tory and Patriot punitive dynamics of the Revolution in his testimony, “O’Bannon did kill a Tory Captain by the name of Black -- and that he brought Black's coat to his father's house with a bullet hole in the back of it.”²⁴⁸ Jones’s memory of a war trophy taken from

²⁴⁶ Harris, trans., “Pension Application of William Benson W5218,” accessed February 23, 2018, <http://revwarapps.org/w5218.pdf>.

²⁴⁷ Graves, trans., “Pension application of William Young S14913,” accessed February 23, 2018, <http://revwarapps.org/s14913.pdf>.

²⁴⁸ Graves, trans., “Pension application of Benjamin O’Bannon S31886,” accessed February 22, 2018, <http://revwarapps.org/s31886.pdf>.

the lifeless body of a South Carolinian shot from behind speaks of the war's human costs and the powerful imprint select moments within the context of the war made upon its rural participants.

On occasion, the pension applications provide insight into how women interpreted the war. Hannah Ringo gave deposition as part of the ongoing pension conversation in behalf of Susan Bateman, widow of William Asberry. Ringo's memory of Bateman as a young woman gives us an indication of the community's wariness of the men who returned to the community after serving extended tours in the war. Hannah and Susan grew up as neighbors and she remembers that upon learning of William and Susan's courtship, Susan's father "objected to the marriage on the account...that...Asberry was a solider and...was thought a disipated man...unfit...for marriage..."²⁴⁹ Tithable records and census data fail to show a man with the last name Bateman, indicating that Susan's father was not a part of the gentry and suggesting Mr. Bateman's concern stemmed from worries over Asberry's "habits...contracted in the army" and not as a result of a gentry-common Virginian class dynamic.²⁵⁰ Susan Bateman's marriage to William Asberry also indicates that women from Virginia's backcountry considered themselves as agents, capable of defying authoritative norms to make and act on personal decisions.

Analyzing the pension applications as an extended conversation also reveals how relationships between black and white Virginians changed over time. As stated in an earlier chapter, the experience of black Virginians during the Revolution is almost completely absent in the written record. Only six of the two hundred seventy-two

²⁴⁹ Harris, trans., "Pension Application of William Asberry W2988," accessed February 15, 2018, <http://revwarapps.org/w2988.pdf>.

²⁵⁰ Graves, trans., "Asberry."

pension applications reviewed reference the word, “slave.”²⁵¹ Owing to changes Congress made to the Service Pension Act of 1818, a sixty-six-year-old Moses Allen appeared in an open court session of Shenandoah County to publicly declare the extent of his property to reverify his status as an impoverished farmer in need of government aid.²⁵² Among Allen’s itemized property, he lists “1 old black man,” and among his family he mentions, “my wife aged 32 years very infirm” and “1 free black girl aged 12 years who contribute but little...”²⁵³ Another Congressional change prompted a second court appearance in November 1829, in a West Tennessee Circuit Court. On this occasion, Allen lists as property “a negro woman & child” and as family “the negro woman and child above mentioned.”²⁵⁴ The transition of description of the little girl from 1820 to 1829 demonstrates a radical change in relationship. Allen perceived “1 old black man” as his property, but the little girl he describes as “free.” Nine years later, the little girl, now a woman with a child, is categorized both as property and family. Unlike some other pensioners who list a person or persons as property, Allen does not use the word “slave.” We may wonder, however, at the parentage of the child and the “negro woman’s” role in this paradoxical relationship.²⁵⁵ The record fails to provide the names of either enslaved person. The successive statements here made by Allen give us a sense of historical

²⁵¹ Author’s spreadsheet, *Social Markers*, “Status References.”

²⁵² Harris, trans., “Pension Application of Moses Allen S2487,” accessed February 18, 2018, <http://revwarapps.org/s2487.pdf>.

²⁵³ Ibid, Harris, “Allen.”

²⁵⁴ Ibid, Harris, “Allen.”

²⁵⁵ It is important to note here that we may only speculate as to the nature of this young woman’s role as a slave. The Missouri Compromise of 1820 hardened the structure of racialized slavery in the South, so the possibility of an untoward relationship cannot be excluded. On the other hand, it is also a stretch of speculation to assume guilt of impropriety without further evidence and investigation. For a reference on the impact of the Compromise on enslaved black women relative to white slave masters, see Melton A. McLaurin, *Celia, A Slave: A True Story* (New York, NY: Abon Books, 1991).

motion, a transition from the Revolutionary generation's conception of race, gender, and labor to the eighteenth century's amplified conception of paternalism.²⁵⁶

A detailed analysis of Revolutionary War pension application discourse is a very useful way to establish historical context for bottom-up history. Michael McDonnell's recent scholarly work originated from an important discovery he found within a Fauquier County widow's pension application narrative. McDonnell's application research led him to Ann Blackwell's descriptive memory of how "a mutiny took place and Capt Hull was killed."²⁵⁷ The finding of this violent event came as a shock to McDonnell and served as the springboard from which he launched his compelling argument in *The Politics of War*.²⁵⁸ The analysis of pension applications for a study of Fauquier County supports McDonnell's claims and demonstrates the strains the war placed on existing social tensions. Closer analysis, however, also shows how complex and individualized the war's experiences were for the people of Fauquier County. For some lower-class white Virginian veterans positively described their gentry officers.

An even more detailed textual study of these pension applications in the future will certainly unfold new understandings of the Revolution in rural Virginia. This study barely scratches the surface of what scholars might achieve in taking these sources of

²⁵⁶ McLaurin, *Celia, A Slave*. Assuming the age recorded by Shenandoah Chancellor, Dabney Carr on Allen's initial application of 1818 is correct at age sixty-four, Allen enlisted in service at Fauquier Courthouse in his twenty-second year. None of the surviving tithable records of the Revolutionary timeframe mention a Moses Allen, which indicates an unpropertied young enlistee who obtained his human property sometime during his postwar years; see Joan W. Peters, *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia*; Netti Schreiner-Yantis and Florene Speakman Love, eds., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia* (Springfield, VA: Genealogical Books in Print, 1987).

²⁵⁷ Harris, trans., "Pension Application of Edwin Hull W14316," accessed February 23, 2018, <http://revwarapps.org/w14316.pdf>.

²⁵⁸ Michael McDonnell, *The Politics of War*, 1 – 6; see also Harris, trans., "Edwin Hull W14316." Ann Blackwell states that "Capt Hull, was marred in his Regimentals..."

memory as serious pieces of historical evidence. The exclusion of documents of this kind inadvertently contributes to the kind of silences in story and narrative described by Haitian anthropologist Michel-Rolph Trouillot. Trouillot's book, *Silencing the Past: Power and the Production of History*, describes how narratives intentionally, or inadvertently, omit elements of the story from the historiography. In turn, these silences affect the creation of history, the stories that people tell about themselves which directly influences the structures of society.²⁵⁹ Introducing pension applications as a central piece of a scholarly study is risky, but necessary to flesh out the faces of people left out of the grand narratives who remain hidden behind the remaining fragments of quantitative data, such as census and tithable records.

Class distinctions and the chasm of economic and political influence separating the yeomen and lower-class white Virginians from the gentry certainly influenced the prosecution of the war. Mobilization, as McDonnell argues, felt the debilitating effects of lower-class resistance. Much evidence of class-based opposition to fighting for the patriot cause exists to support the militarily disabled Old Dominion claim. Resistance against a more unified and mobilized Virginia, however, was multidirectional. The agency of enslaved Virginians' and their ability to resist is largely silent in the records, but very present in how they influenced mobilization behaviors during the war. As discussed in chapter two, the effects that enslaved Virginians projected onto the Old Dominion's ability to mobilize its white population is difficult to quantify, but the presence of people forced to labor against their will haunted potential soldiers with untiring anxiety associated with imagined fifth column activity and the threat of violent

²⁵⁹ Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston, MA: Bacon Press, 2015).

rebellion in their absence. The payment to slave patrollers, the terrors employed by the court against the enslaved to enforce submission and obedience, and the short deployments of Fauquier officers suggest a community highly aware of the tenuous hold it possessed over forced labor. For the gentry who owned many slaves, the hiring of an overseer made militia service, or service with the Continentals, possible. Yeomen with one or two slaves who had no way to supervise them in their absence had much less flexibility. A tour of duty for them meant a higher risk of returning home to a farm with only himself to work the ground. In one sense, military service constituted a class privilege, in another sense; it exposed the vulnerability of Virginians on the lower end of the socioeconomic order. Future studies of rural Virginia during the Revolution ought to focus more specifically on the impact that enslaved Virginians imposed upon the Old Dominion during the American Revolution, and how their resistance exacerbated or calmed class feuds among the backcountry gentry and provincial small farmers.

Epilogue: The Cadence of Liberty

After paying his or her ten cents to purchase the June 1906 issue of *Colliers*, *The National Weekly*, the purchaser may wonder at The Natural Food Company's advertisement for Shredded Wheat depicting a "Plucky" Japanese soldier as he or she turns the magazine's cover page to scan the Table of Contents. The magazine's outline is center page, surrounded by advertisements for luxury items such as linen and typewriters.²⁶⁰ The reader may briefly ponder the meaning of E.W. Kimble's political commentary expressed in his cartoon referencing the Hepburn Bill on page six, and on the following page, the reader may skim the brief editorials ranging in topics from Karl Marx to rubber stamping on page seven. On page eight, the magazine's aesthetic palette abruptly shifts from black and white to careful splashes of rich, if somewhat subdued and texturized color. Below the painting, at the bottom center of the page is the artist's name, Howard Pyle.²⁶¹

By this time, Howard Pyle achieved notoriety depicting exciting adventures in his paintings, images that simultaneously told captivating stories while leaving the observer with a sense of mystery of what went before, and what was yet to come for his imagined subjects. Typically, these stories involved the drama of the high seas and pirates. The image that captured the reader's attention in the June 2, 1906 issue of *Collier's*, however, is one depicting another of Pyle's subjects of fascination, his nineteenth and twentieth-century interpretations of imagined moments in the American Revolution. In, *The Nation*

²⁶⁰ The Natural Food Company, "The Plucky Little Jap," *Collier's*, 37 no. 1-14 (1906), accessed February 15, 2018, HathiTrust's digital library, <https://babel.hathitrust.org/cgi/pt?id=pst.000068357733;view=1up;seq=260>.

²⁶¹ Howard Pyle, "The Nation Makers," *Collier's*, accessed February 15, 2018, <https://babel.hathitrust.org/cgi/pt?id=pst.000068357733;view=1up;seq=260>.

Makers, Pyle chose to place the observer into the story of the Battle of Brandywine on September 11, 1777, a battle that stands out as one of the largest in terms of casualties and combatants during the war.²⁶²

Like several of his most immersive paintings, the threat posed to the protagonists lies off canvas, a threat lurking menacingly in the periphery. The unseen danger is present and real, here discerned in the haggard, grayish yellow faces of the men comprising Pyle's version of an early-war Virginia regiment. Most of these men are a motley bunch, a gaggle on the move. The formation is untidy, the muskets point in various directions, and the faces are homely. The image is nevertheless captivating and beautiful with a rhythm stemming from the palette of carefully placed colors that Pyle uses throughout the portrait - red, white, and blue situated to form a pattern not dissimilar from the American flag represented left of center.

The Nation Makers is not the celebratory display that Archibald Willard presents in his patriotic centennial painting, *The Spirit of '76*.²⁶³ Where Archibald's interpretation portrays the image of men on the march in a victory parade, Pyle's knack for telling a vast story of human drama in a singular image here communicates fear, uncertainty, and resolve. One man in the forward line clasps a hand to his face in agony, and behind him men's mouths are agape, and amid the formation an arm from an unseen character flails helplessly with its hand grasping at thin air. Pyle's composition of subject is slightly

²⁶² Robert Harvey, *A Few Bloody Noses: The Realities and Mythologies of the American Revolution* (New York, NY: The Overlook Press, Peter Mayer Publishers, Inc., 2001), 450; for a firsthand account of the battle see, Joseph Townsend, *Some Account of the British Army, Under the Command of General Howe, and of the Battle of Brandywine on the Memorable September 11th, 1777 and the Adventures of that Day, Which Came to the Knowledge of Joseph Townsend, Late of Baltimore, MD* (New York, NY: Arno Press, Inc., 1969).

²⁶³ Gerald Ensley, "Spirit of '76' alive and well in Port St. Joe," *Tallahassee Democrat, AP Regional State Report – Florida - Associated Press DBA Press Association* (July 08, 2017).

unbalanced, the main body of men approach the painting's center line from the right creating a sense of dramatic motion.

Pyle's narrative also gives us subtle hints of the late eighteenth-century social and ideological tensions personified by the later Hamilton and Jefferson rift. Ahead of the Virginia formation marches an unnamed gentleman officer, likely one of high rank in the Virginia aristocracy. Pyle depicts this gentry patriot as both erect and solitary, a stoic leadership presence directing the advance through knee-high bucolic looking grass. One of Pyle's foremost figures relative to the painting's central line, however, is a skinny young man with a bandaged head and a dirty, hard-lined face. Unlike the near perfectly vertical stance of his commanding officer, this young rebel leans slightly forward; instead of the detached calm expression of the gentry officer, the young man sets his jaw in fierce defiance. His tattered shirt hangs loosely over his thin frame and wiry arms. He is armed with a pair of drumsticks in one hand and the regimental drum in the other, which Pyle depicts as slung over the boy's sharp-edged shoulders. The unnamed young fifer is the embodiment of cadence and resolve amidst chaos while the officer constitutes a stern, calming presence of leadership. In reflecting on the painting, we might ask: What is the gentry officer without the young man and the other rabble-rousers?

The impoverished conditions of the Fauquier County pensioners sheds light on the tragic outcomes for so many men who took up arms during the Revolution, entering service either by fiat or voluntarily with hopes of achieving a better quality of life at war's end. Conversely, we might also consider what the rabble is without the gentry; the burning of Norfolk and the treatment of Native Americans in the western lands reminds us that people, under certain conditions, may indeed act as a mob in need of redirection.

These tensions of how to direct and redirect influence and from where such powers come have a very Jeffersonian and Hamiltonian adversarial dynamic, a modified Spirit of '76 that epitomizes the politics and much of the dialogical volumes that instruct the discourses of both history and political science scholars.

It was at Brandywine that Captain John Chilton and several others of the Fauquier County community perished.²⁶⁴ For many, if not most, of the men composing the various elements of the Virginia Line in combat that day, the ideals of liberty and freedom most likely meant an independence and self-sufficient sovereignty restricted mostly to themselves as white males. Although, how intensely such hopes played out in the minds of the participants undoubtedly varied by individual. For the elite, ambitions of maintaining their elevated status in the existing Old Dominion hierarchy dominated the Revolution's meaning, particularly in the early phases of the war.²⁶⁵ For the yeomen and lower-class rural whites for whom seeds of consciousness and self-awareness came into sharper focus as the war dragged on, hopes of broken economic barriers and civic representation within their agrarian slave-society soon transitioned into demands and expectations.²⁶⁶ What perhaps these men on the various tiers of the reconfiguring socioeconomic strata did not know, or refused to understand, is that each step forward on that battlefield was not only a step closer to independence from England. Intentionally or not, the motion of these soldiers encapsulated so well by Pyle, played a vital role in making concrete and accessible the abstract ideas and hyperbole that swirled throughout

²⁶⁴ Michael Cecere, *They Behaved Like Soldiers* (Bowie, MD: Heritage Books, Inc., 2004), 67.

²⁶⁵ Michael A. McDonnell, "Class War? Class Struggles during the American Revolution in Virginia," 305-344.

²⁶⁶ McDonnell, "Class War?"

the thirteen colonies, steps forward for the greater parity of all Virginians, indeed for many people throughout the Revolutionary Atlantic.

The rabble represented behind and around the two men in Pyle's painting highlighted above often used their agency to go their own way, deserted, or refused to answer muster calls during moments of crisis, but enough of them held together at critical moments to succeed in severing the political bands with the mother country.

Unfortunately, as history shows, all clocks failed to strike simultaneously, and the comprehension and scope of the idealistic meanings underwriting the American Revolution did not coagulate into a unitary and universal application of principle at the war's end. We may therefore conceptualize the American story of Revolution and independence as a long process in which a diverse cast of historical actors spread over time and space alternately took the drum and field against a variety of long trains of abuses, some more bitter and entrenched than others. Independence, it turns out, was a jagged, uneven process with advances, retreats, and moments of regrettable deviation, a collective and individual journey, not a teleological destination.

Each man and woman who took, and takes, the field to defend inherent rights of individual persons, in whatever phase in the long war for independence that he or she may find themselves engaged, adds a meaningful voice of affirmation to the mission statement of the United States of America. The ideas of the Revolution took time to germinate into a shared understanding, but the development, constitution, and reconstitution of an ever-evolving American identity is what transforms historical actors from mere units in a network to members of a community. As historian Gordon Wood wrote, "Only the beliefs of the Declaration of Independence could form what Lincoln

called ‘the electric chord’ linking the variety of Americans together...’blood of the blood, and flesh of the flesh.’”²⁶⁷

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.

The debate over how well or poorly Americans achieved and presently emulate their declared idealism continues. In viewing the Revolution as a process, however, we may see the American Revolution as not one of abject failure or simply as a war for economic independence. That such a debate as to the meaning of the Revolution even exists, that Americans may challenge the traditional narratives, and that challenges may be counter-challenged, is demonstrative of the increments of success that Americans achieved over the course of their human and inhuman events.

²⁶⁷ Gordon S. Wood and Louise G. Wood, “Introduction,” *Russian-American Dialogue on The American Revolution*, eds. Gordon S. Wood and Louise G. Wood (Columbia, MO: University of Missouri Press, 1995), 1.

Couching a similar idea in a statement regarding myth and symbol is a comment made by historian Donald S. Lutz, “Essentially a people share symbols and myths that provide meaning to their existence together and link them to some transcendent order...it is this sharing, this basis for their being a people rather than an aggregate of individuals,” Donald S. Lutz, *The Origins of American Constitutionalism* (Baton Rouge, LA: Louisiana State University Press, 1988), 6.

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Appendices

Appendix

Over the past several decades, local historians contributed significantly to Fauquier County's understanding of its colonial past. John P. Alcock's *Fauquier Families 1759 – 1799* consolidates much of the existing primary source material in abbreviated abstracts functioning as an index and secondary verification source for many of the other sources here cited.²⁶⁸ Providing much needed insight into some of the religious tension experienced in the county's early years is Baptist minister, and one-time president of the Southern Baptist Historical Society, John S. Moore's book, *A History of Broad Run Baptist Church: Fauquier County, Virginia 1762 – 1987*.²⁶⁹ References in the court minutes corroborate some of the challenges early rural Baptists faced in their struggle for recognition.²⁷⁰ Peters' two volume *Brent Town & The Elk Run Valley: A History* is a well-researched colonial history of the soil-rich southern part of Fauquier County.²⁷¹ Joan W. Peters' transcriptions of eighteenth-century loose clerk's papers and court documents make a comparative study of tithable/property information possible. Her compilation books yield some helpful commentary but are most useful as a reservoir

²⁶⁸ John P. Alcock, ed., *Fauquier Families 1759 – 1799: Comprehensive indexed abstracts of Tax & Tithable Lists, Marriage Bonds, Minute, Deed, and Will Books, and Others* (Athens, GA: Iberian Publishing Company, 1994).

²⁶⁹ John S. Moore, *A History of Broad Run Baptist Church: Fauquier County, Virginia 1762 – 1987* (Gainesville, VA: Broad Run Baptist Church, 1987).

²⁷⁰ Minute book source *Fauquier County Courthouse, Minute Book, 1773-1780*, The Virginia Room, Warrenton Public Library, VA, The Genealogical Society of Utah, 1951, microfilm, film no. J2103. The Court Minutes for May 28, 1781 reference David Thomas, Robert Sanders, and John Monroe as "Dissenting Teachers." See, John K. Gott, *Fauquier County Virginia Court Records 1776 – 1782* (Westminster, MD: Heritage Books, 2005), 124 - 125. Gott transcribed abstracts of Fauquier County Court Minutes for the years 1776 through 1782. The context surrounding this court minute entry demonstrates some of the social shifts taking place in the county. Thomas, Sanders, and Monroe are categorized as "Dissenting," but the court issued each of them a license to perform marriages.

²⁷¹ Joan W. Peters, *Brent Town & The Elk Run Valley: A History, vol. 1, From Acquisition to Settlement 1688 – 1800* (Fairfax, VA: Spectrum Creative, LLC, 2010); *Brent Town & The Elk Run Valley: A History, vol. 2, The Families and Homes 1759 – 1805* (Fairfax, VA: Spectrum Creative, LLC, 2010).

of economic and civic primary source information.²⁷² John K. Gott compiled a great deal of Fauquier County historical data very practical for genealogists, but the material Gott collected over his decades of research also proves a useful starting point from which to begin a critical historical analysis. His collaboration with fellow local historian Russell Triplett in, *Fauquier County in the Revolution* is particularly instructive.²⁷³ The information the sources provide tends towards raw data rather than analysis, but the value added to the history of rural Revolutionary Virginia by these historians is difficult to overstate.

Research supplied by historian Dr. John H. Gwathmey in, *Historical Register of Virginians in the Revolution*, corroborates much of the militia information provided by Gott and Triplett.²⁷⁴ The information provided by Peters, Russell, Gott, and Gwathmey converse well with primary source compilations composed by other Heritage Books authors. Sandar Barlau's *Some Slaves of Fauquier County, Virginia: Volume I, Will Books 1-10, 1759-1829* furnishes will book information relative to enslaved Virginians of whom the official record is often silent. Her compilation provides a useful resource to verify Peters' transcriptions of tithable data.²⁷⁵ Two other compilations performing a similar role are Netti Schreiner-Yantis and Florene Speakman Love, *The Personal*

²⁷² Joan W. Peters, *The Tax Man Cometh: Land and Property in Colonial Fauquier County, Virginia: Tax Lists from the Fauquier County Court, Clerk's Loose Papers, 1759-1782* (Westminster, MD: Heritage Books, 1999); Joan W. Peters, *Military Records, Patriotic Service, & Public Service Claims from The Fauquier County, Virginia Court Minute Books, 1759-1784* (Westminster, MD: Heritage Books, 1999); Joan W. Peters, *Fauquier County, Virginia's Clerk's Loose Papers, A Guide to the Records, 1759-1919* (Westminster, MD: Heritage Books, 2001).

²⁷³ T. Triplett Russell and John Gott, *Fauquier County in the Revolution* (Westminster, MD: Heritage Books, 2007).

²⁷⁴ John H. Gwathmey, *Historical Register of Virginians in the Revolution* (Richmond, VA: The Dietz Press, 1938).

²⁷⁵ Sandra Barlau, ed., *Some Slaves of Fauquier County, Virginia, Volume I: Will Books 1-10, 1759-1829* (Berwyn Heights, MD: Heritage Books, 2014).

*Property Tax Lists for the Year 1787 for Fauquier County, Virginia*²⁷⁶ and Ruth and Sam Sparacio's compilation of land tax records in, *Virginia County Court Records Land Tax Book: Fauquier County, Virginia 1787-1791*.²⁷⁷ Insight into military service associated with the Third Virginia Regiment is laid out by Michael Cecere's transcription of Captain John Chilton's diary and letters in, *They Behaved Like Soldiers*, giving historians a glimpse into the war experience of one of Fauquier County's gentlemen soldiers.²⁷⁸

²⁷⁶ Netti Schreiner-Yantis and Florene Speakman Love, trans., *The Personal Property Tax Lists for the Year 1787 for Fauquier County, Virginia* (Springfield, VA: Genealogical Books in Print, 1987).

²⁷⁷ Ruth and Sam Sparacio, trans., *Virginia County Court Records Land Tax Book: Fauquier County, Virginia 1787-1791* (Westminster, MD: Heritage Books).

²⁷⁸ Michael Cecere, *They Behaved Like Soldiers* (Bowie, MD: Heritage Books, Inc., 2004).