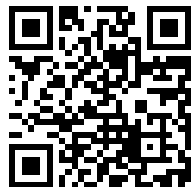

This is a reproduction of a library book that was digitized by Google as part of an ongoing effort to preserve the information in books and make it universally accessible.

Google™ books

<https://books.google.com>



B

846,928

religions, which might be supported by the citizenship. This was called the movement for "a general assessment." At the fall session of the Assembly petitions pro and con poured in. One from Caroline approved the exemption of dissenters from supporting the Church of England, but insisted "that as public worship is a duty we owe, it ought to be enjoined and regulated by the Legislature so as to preserve public peace, order and decency, without prescribing a mode or form of worship to any."¹

A petition from Lunenburg, caustic and bitter in some of its terms, even charged the dissenters with fraud in getting up the great petition of 1776. It contained this sentence: "The undue means taken to overthrow the established church, by imposing upon the credulity of the vulgar, and engaging infants to sign petitions handed about [by] dissenters, have so far succeeded as to cause a dissolution of our usual mode of support."²

Due to a variety of reasons during the next few years there was possibly something of a decline in the support of religious affairs; at least some alleged that to be the case. This was referred, by some, as for example, those sending up a petition from Amherst, to the withdrawal of the salaries. The decline noted was likely more in the Established Church from which compulsory support was withdrawn. However, the citizenry was in no condition to support bountifully any church, for these were the days when the Revolutionary War was in progress, and Virginia went far toward impoverishing herself in men, money and material resources in supporting that cause. And during the progress of events the vestries did not escape wholesale criticism. The fact that they were a self-perpetuating body irritated some; they still administered the poor relief, and in some parishes vestrymen were not in full sympathy with the Revolution.³

Requests began to come in to the legislature for the dissolution of certain vestries, and the movement to that end took such shape that the vestries were finally entirely "dissolved"—abolished.

In the bill of 1776, says Jefferson in his autobiography, "was inserted an express reservation of the question, whether a general assessment should not be established by law, on everyone, to the

¹Journal H. of D., Oct. 1777, 14.

²Journal H. of D., 1777, 57.

³McClenahan, *Separation of Church and State in Virginia*, 54.

support of the pastor of his choice; or whether all should be left to voluntary contributions."¹

That question was debated by the legislature at every session thereafter until it was finally settled years later; and during the period it was a topic of conversation wherever the subject of religion and the church was discussed.

In favor of such a general assessment law, a petition from Lunenburg was presented to the General Assembly November 8, 1783. It is as follows:

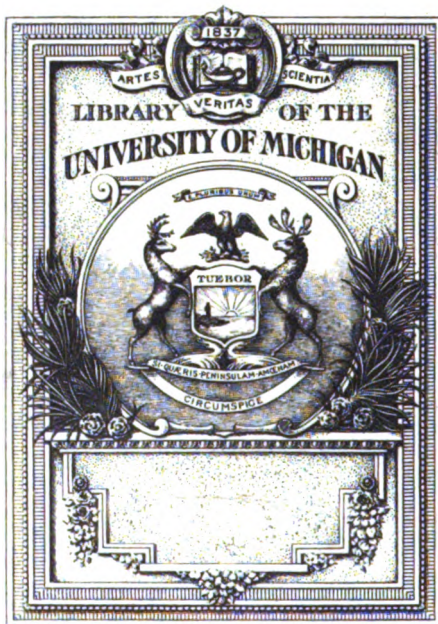
"The humble petition and remonstrance of all Sects and Denominations of Christians within the State; Sheweth That soon after the Declaration of Independency the General Assembly, with a view to the promotion of religious liberty and free Toleration, thought proper, by Act to suspend the collection and payment of the salaries formerly allowed by Law Inducted Ministers of the Gospel; whereby all the Citizens of the state became emancipated & free from contributions to any church revenue.

"That from that period we have with pain and regret, seen the propagation of the Gospel die away in many parts of the country; and its diligent and faithful ministers neglected; through a want of that Holy zeal in their adherents as Christians to support their respective churches with the Dignity becoming their profession; and public virtue as citizens, to propogate and cherish the sacred test of truth; as a necessary and indispensable branch of Civil Government.

"That the indifference and impiety of those who are careless of their own salvation, and equally deaf and negligent to all religions must greatly encrease the burdens of the people of God who would wish to support the Cause of Christianity (as they have done that of freedom), even with their last mite.

"That confined to Christianity alone; we wish for the establishment of a free and universal Toleration Subject to the Constitution; we would have no sect or Denomination of Christians privileged to encroach upon the rights of another. For the accomplishment of these desirable purposes we wish

¹Jefferson: *Writings* (Memorial Asso.), I, 58.



232
.L9
B43

THE OLD FREE STATE

A CONTRIBUTION TO THE
History of Lunenburg County
and
Southside Virginia

By

LONDON C. BELL

Ph.B., M.A., LL.B.

Life Member Virginia Historical Society and of
Ohio Archaeological and Historical Society



Volume I.

THE WILLIAM BYRD PRESS, INC., PRINTERS
RICHMOND, VIRGINIA

COPYRIGHT 1927

BY

LONDON C. BELL

TO THE MEMORY OF
MY FATHER
ISAAC BONAPARTE BELL
WHO EXEMPLIFIED IN HIS
CAREER THE NOBLEST TRA-
DITIONS OF THE "OLD FREE
STATE"

W. S. - 2011
No. 3
1-19-28
17545
2 v.

ILLUSTRATIONS

VOLUME I.

	PAGE
1. Plan of the Town of Lewiston.....	124
2. Map of Lunenburg (1746).....Facing	137
3. Peter Fontaine's Map (1752).....	141
4. Section of the Fry and Jefferson Map of Virginia (1787)	Facing 149
5. Revolutionary Muster Roll—Capt. James Johnson's Com- pany	Facing 216
6. Battle Flag of the <i>Flat Rock Riflemen</i>Facing	588

I

TABLE OF CONTENTS

VOLUME I.

	PAGE
CHAPTER I. 1607-1746	13
CHAPTER II. THE INDIANS	39
CHAPTER III. THE PIONEERS: SETTLEMENT; DEVELOPMENT	76
CHAPTER IV. LUNENBURG CREATED; Subdivided.....	132
CHAPTER V. THE FRENCH AND INDIAN WARS.....	155
CHAPTER VI. THE REVOLUTION	197
CHAPTER VII. THE WAR OF 1812.....	270
CHAPTER VIII. THE COURTS: COUNTY COURTS; CIRCUIT COURTS	286
CHAPTER IX. THE EARLY CHURCHES.....	346
CHAPTER X. SLAVERY, SECESSION AND THE CIVIL WAR Slavery and the Slave Trade.....	432
CHAPTER XI. SLAVERY, SECESSION AND THE CIVIL WAR The Rise of the Abolition Fanatics; Nullification at the North.....	493
CHAPTER XII. SLAVERY, SECESSION AND THE CIVIL WAR The Doctrine of Secession.....	530
CHAPTER XIII. SLAVERY, SECESSION AND THE CIVIL WAR Coercion of the States. The War for Southern Independence	559

Introduction



THE history of Lunenburg County and of Southside Virginia has suffered a strange neglect, and yet no other sections of the State are richer in facts and incidents which constitute the sum total of historical values.

Of the history of Southside Virginia, Dr. Philip Alexander Bruce says: "That history has been too long neglected, although, in some ways, the most characteristically Virginian of all. The spirit of Colonial times lingered there longest after Yorktown; the spirit of ante-bellum lingered there longest after Appomattox."¹

He explains the reason why the spirit of these eras so lingered. It was, he says, "Because Southside Virginia remained, during both eras, the greatest scene of tobacco culture in the State. This meant that it was the principal site of the plantation system, upon which the fabric of rural Virginian social life rested from the beginning. . . . Slavery had been abolished, it is true, but both the white and black survivors knew no other economic conditions than those which had come down from the past; and such conditions, in a modified form, necessarily outlived the war for a considerable length of time."²

No history of the Southside, as such, has ever been written. Judge Walter A. Watson probably contemplated such an enterprise, or possibly a more restricted work confined mainly to Nottoway and Amelia Counties. He jotted down many historical and genealogical notes, and these after his death were edited by his widow and published under the title of *Notes on Southside Virginia*. But Judge Watson died before he had made an adequate collection of notes, and before any attempt was made to systematize and formulate such material as he had gathered. Valuable as are his jottings, they are, as the title chosen for their

¹William and Mary Quarterly (N. S.), Vol. 6, p. 358, reviewing Watson's *Notes on Southside Virginia*.

²Id.

publication indicates, merely notes—they were in no true sense a history of the Southside or any part of it, though they contain valuable historical items. Moreover his notes were largely confined to Nottoway and Amelia Counties.

What Dr. Bruce says of the history of the Southside, in general, is particularly true of Lunenburg.

Lunenburg is not only typically Southside Virginian, but ancient Lunenburg embraced a vast, if not a major part of the section thus designated. Moreover the spirit of the Colonial and the ante-bellum days probably lingered longer in Lunenburg than in any other part of the Southside, for it remained longer than almost any other County of that section isolated from railroads. Indeed the flavor of the ante-bellum era still lingered there in the days of the writer's boyhood, and the plantation system of which Dr. Bruce speaks in the quotation above was then quite as general as it was during the years immediately following the war.

The history of Lunenburg's institutions is largely the history of similar institutions in the other Counties of the Southside. Lunenburg originally embraced Mecklenburg, Charlotte, Halifax, Pittsylvania, Henry, Patrick, Franklin, and the greater part of Bedford and Campbell, as well as a part of Appomattox. The history of Lunenburg, especially in its earlier years, is therefore in large measure a history of much of the Southside.

The present history of Lunenburg County is distinctly a pioneer effort. With the exception of a brief sketch by the present writer, printed in a local newspaper a few years ago, no history or historical sketch, even, of the County has ever been printed; or if so it has escaped our researches. Not even, it appears, has there ever been issued so much as a handbook or pamphlet respecting the County. Histories and handbooks have appeared of some of the younger Counties, daughters and granddaughters of *The Old Free State*—as the County originally existed—but for the parent County, with a rich and interesting past, through the one hundred and eighty years of its existence, no historian has arisen to record her history.

The late Captain Cornelius Tacitus Allen, gathered material for a history of the County, or rather for a series of sketches of

Lunenburgers, but his manuscript, as well as the data he had collected, were destroyed by fire while in the process of preparation, and this destruction happened at a time when he was too far advanced in years to attempt the enterprise again. Captain Allen was, so far as is known, the only other person who has essayed a work on the history of the County, and his work scarcely contemplated so broad a field, but was, as he explained to the present writer, designed to be only a series of biographical sketches. Whatever the scope he set for the limits of his work, it is much to be regretted that it did not materialize, for he was an engaging writer and devoted to the people and the traditions of *The Old Free State*.

That his volume would have been a contribution of first importance to the history of the County does not admit of doubt. And though his volume never materialized, he is, in a sense, due the honor of being the County's first historian, for he labored to that end, and produced at least a considerable part of the manuscript, and that it did not issue in print was not his fault, but his misfortune. It is a pleasure to call attention to his efforts, and to bespeak for his memory the honor that is due him therefor.

Captain Allen, though the manuscript of the volume he intended to print was destroyed, left a valuable contribution to the Civil War history of Lunenburg, in the record he preserved of the part he and his company had in that conflict. This manuscript is several times quoted in this work.

In the present volumes an effort is made to give something of the history of the Aborigines of the section; some account of the early pioneers, the first settlers of the territory; to afford some idea of the characteristics of the country at the time; and to trace the growth of the section. The legislative history of the County, its original creation, and the subdivision of the original area embraced in the County into the ten Counties, which now occupy that territory, is traced with some degree of care.

A glimpse is afforded of the characteristics and the personnel of the early institutions of the County; the courts; the vestries; the churches; and a description of their offices and functions is attempted.

The part the County had in the French and Indian Wars; in the Revolution; in the War of 1812; and in the Civil War is described with relative fulness. The discussions of these military matters have necessarily led the writer beyond the immediate limits of the County. But it has been deemed necessary, at least desirable, to treat these events with relative fulness in order that the proper background and perspective may be had of the part Lunenburg and Lunenburgers had in these matters of major importance to the country as a whole.

As respects in particular the space that has been devoted to the several chapters dealing with the subjects treated under the general head of *Slavery, Secession and the Civil War*, the writer is well aware that much of this material has to do with the general subject, rather than with the local history of Lunenburg; but it has been his purpose to interpret the views of Southerners in general and Lunenburgers in particular, respecting these matters, as essential to a correct understanding of the motives, the views and the acts of the Lunenburgers in the Civil War period. Viewed in this light, Chapters X, XI and XII are a necessary (if somewhat lengthy) preparation for Chapter XIII, of Volume I, which specifically deals with the part the Lunenburgers took in the Secession Movement, and in the Civil War itself.

The authentic history is given, possibly for the first time in any printed work, of how Lunenburg earned the sobriquet of the "Free State."

In the second volume some account is given of the period following the War, including the days of the Carpet-Bagger, and the era of "Reconstruction"—so-called; an account is given of Dr. Boswell's invention of the airplane; the names of the representatives in the House of Burgesses, in the Legislature and in Congress are preserved in a separate chapter; while the major part of the volume is devoted to genealogies and to genealogical material. From some standpoints, the greatest importance of the present work lies in the genealogical value of these last named chapters.

CHAPTER I

1607-1746



THE *Sarah Constant*, *Goodspeed* and *Discovery* anchored off Jamestown Island, Virginia, May 13, 1607. This was the initial act in making the first permanent English settlement in America.

The settlement was made under the auspices of The London Company, who had received a Royal charter or patent in 1606. The Jamestown settlement owed much less than is generally supposed to the famous Captain John Smith.

The hope was that these early explorers would find a shorter route to the East Indies; it was therefore among the instructions respecting this voyage of Captains Newport, Gosnold and Ratcliffe to Virginia that:

“When it shall please God to send you to the coast of Virginia, you shall do your best endeavor to find out a safe port in the entrance of some navigable river, making choice of such a one as runneth farthest into the land, and if you happen to discover divers portable rivers, and amongst them any one that hath two main branches, make choice of that which bendeth most toward the sea.

“When you have made choice of the river on which you mean to settle, be not hasty in landing your victuals and munitions, but first let Captain Newport discover how far that river may be found navigable, . . .

“You must observe if you can, whether the river on which you plant doth spring out of the mountains or out of lakes. If it be out of any lake, the passage to the other sea will be more easy, and [it] is like enough, that out of the same lake you shall find some spring which run[s] the contrary way toward the East India Sea; for the great and famous rivers of Volga, Tan[a]is and Dwina have three heads near joyn[e]d;

and yet one falleth into the Caspian Sea, the other into the Euxine Sea, and the third into the Paelonian Sea."¹

It was therefore not an accident that the settlement was not made on the seacoast, for example at Cape Henry, where a pause of several days was made, before seeking to penetrate some navigable river inland.

Not only because of these instructions, but because it was the natural and inevitable course of events, the settlements gradually developed along the rivers from the coast westward.

Another of the instructions to the colonists was to make enquiries respecting, and to try to find, Sir Walter Raleigh's lost colony. It will be remembered that Sir Walter Raleigh sent out an expedition under Arthur Barlow and Philip Amidas which landed on the American coast July 4, 1584, it then passed into Ocracoke Inlet, and took possession in the right of the Queen and Sir Walter Raleigh. Then upon their return in September, the Queen named the newly discovered land "Virginia." Sir Walter hastened to send forward colonists. A fleet of seven ships sailed from Plymouth, April 9, 1585, carrying two hundred settlers. The fleet was commanded by Richard Grenville, and the party included Thomas Cavendish, the future circumnavigator of the globe, and Captain Ralph Lane, who was designated governor of the new colony. The landing, at Wakokon, the place to which Barlow and Amidas had come the year before, was made June 26, 1585. The locality was, of course, in the present state of North Carolina.

The colonists were left on Roanoke Island, and Grenville sailed back to England.²

This colony abandoned the place and were taken back to England by Sir Francis Drake in 1586. They landed at Plymouth, July 28, 1586.

"A day or two after the colonists left, a ship sent by Raleigh arrived, and fourteen or fifteen days later came three ships under Sir Richard Grenville, Raleigh's Admiral. Grenville spent some time beating up and down Pamlico Sound, hunting for the colony,

¹Arber's *Travels and Works of Captain John Smith*, i, pp. XXXIII-XXXV. Bulletin of Va. State Library, Vol. 9, p. 24.

²Tyler: *England in America*, 24.

and finally returned to England, leaving fifteen men behind at Roanoke to retain possession."¹

This was Raleigh's second settlement.

Raleigh, in an effort to make the settlement permanent, sent a third fleet. It carried one hundred and fifty settlers, and sailed from Plymouth, May 8, 1587. Among the colonists were about twenty-five women and children.²

The fifteen left in 1586 had all perished before the third expedition arrived.

Although it was not the original intention, yet because the pilot Simon Ferdinando would not take them farther—they had been directed to go to the Chesapeake Bay—the expedition established themselves at the previously occupied locality at Roanoke.³

John White was the Governor of this colony, and he made a friend of Manteo, a Croatoan Indian, and through him of his tribe, but the other tribes remained hostile.

White returned to England for supplies, reaching there November 8, 1587. He had the understanding with the colonists that if the settlers ever found it necessary to remove from the island they were to leave behind them an inscription, and were to add a cross if they left in danger or distress.

On account of the turbulent condition of affairs in England, when he arrived, the threat of the Spanish Armada, and the refusal of the Government to allow ships to be used for such an expedition as a relief voyage to the colonists, White, who had left his daughter and grand-daughter in Virginia, was not able to get back to Virginia until August 17, 1591. Raleigh had endeavored twice before to send expeditions, but had been unsuccessful.⁴

When White arrived, "as he climbed the sandy bank, he noticed carved upon a tree in Roman letters 'C R O,' without a cross, A little further on stood the fort, and there White read on one of the trees an inscription in large capital letters, 'CROATOAN.'⁵

¹Tyler: *England in America*, 26; Citing Hakluyt, *Voyages* III, 323, 340.

²Tyler: *England in America*, 27.

³Id.

⁴Tyler: *England in America*, 31.

⁵Id. 32.

"This," says Dr. Tyler, "left no doubt that the colony had moved to the island of that name south of Cape Hatteras and near Ocracoke Inlet. He wished the ships to sail in that direction, but a storm arose, and the captains dreading the dangerous shoals of Pamlico Sound, put to sea and returned to England without ever visiting Croatoan."¹

"White never came back to America, and his separation from the colony is heightened in tragic effect by the loss of his daughter and grand-daughter."²

What became of these last colonists has been a matter of much speculation.

Lawson, the earliest historian of North Carolina, was of opinion that they amalgamated with the Indians. In confirmation of this, he stated that he had learned "from the Hatteras Indians that several of their ancestors were white people, and could talk in a book. The truth of which is confirmed by gray eyes being among these Indians and no others."³

Possibly the most intelligent and exhaustive discussion of the fate of the lost colony is that of Sams,⁴ who devotes a chapter to the subject. His conclusion is that although no cross was carved in connection with the word Croatoan, to indicate that the colony left in distress, yet they were attacked and many of them massacred. He believes that the colonists had decided to remove to Croatoan, and were arranging to peaceably depart when they were attacked by Powhatan and Wan-Chese, who knew of their plans, and who were lurking nearby waiting for them to vacate the fort, and attacked them as they proceeded from the fort to the boats. Some of the colonists, however, escaped and their ultimate fate is a matter of conjecture.

In support of his conclusions, Sams adduces the fact that Powhatan told Captain Smith, while he held him a captive, of "certain men cloathed at a place called O-Can-a-ho-nan,

¹Hakluyt, *Voyages* III, 350-357.

²Tyler: *England in America*, 32. His granddaughter was Virginia Dare, the first child born of English parents in the new world.

³Lawson, 62 et seq.

⁴Conway Whittle Sams: *The Conquest of Virginia, The First Attempt*, Chapter XXII.

cloathed like me," and that "Powhatan confessed that he had been at the murder of that (Raleigh's) Colony, and showed a musket barrel and a brass mortar, and certain pieces of iron which had been theirs."¹

Strachey also makes the statement that Ma-Chumps² said that "at Rit-a-noe, the Wer-o-ance E-y-an-o-co preserved seven of the English alive—four men, two boys and one young maid (who escaped and fled up the river of Cha-noke³) to beat his copper, of which he hath certain mines at the said Rit-a-noe, as also at Pam-a-wank are said to be store of salt stones."⁴

Some have supposed that a part of Raleigh's Lost Colony may have found their last resting place in the soil of Lunenburg; and while the matter is, and probably always will be, one of conjecture and speculation only, it is an interesting one.

Just above the head spring of Mason's Creek, about two miles west of Oral Oaks, on lands at one time owned by Benjamin Bishop (colored), was a plot of ground enclosed by a rude rock wall. The enclosure was about twenty by forty feet, and its construction far antedated the settlement of this section by the white man. Finding this structure, which was already old, when the first settlements were made, the colonists came to speak of this as the Old Indian Grave Yard. Its antiquity is indicated by the traditions of the section.

The writer's grandfather, John Davis Bell, lived on what is known as Bell's branch of Mason's Creek. There the writer's father, Isaac Bonaparte Bell, was reared, on the plantation adjoining the old Garland Homestead, which was to be acquired by him, and named Wilburn. On a farm just across Mason's Creek lived Mr. Harrison J. Elder, who was an old man, about seventy-five years of age, when Isaac Bonaparte Bell (b. 1847) was a boy. Writing in 1913, Isaac Bonaparte Bell said that he had heard "Mr. Harrison J Elder, who has now been dead some twenty-five years, and who was, when he made the statement, more than seventy years old, say that

¹Id. 321, citing *True Relation*, 28, Statement on the Margin of Purchase, IV, 1728.

²A brother-in-law of Powhatan.

³The Chowan.

⁴Strachey's *History of Travaile, etc.*, 26.

he had heard his father *say that he had heard his father say that* the place was known as the Old Indian Grave Yard. So it appears even by this tradition that the place has been so designated for more than one hundred and twenty-five years. The late Jesse D. Abernathy, who died many years ago, a very old man, made a similar statement about his grandfather having known it as the Old Indian Grave Yard."¹

At the time the Lunenburg plank road was built from Black's and White's (now Blackstone) the wall of this enclosure was demolished by "one Pratt to get stone to build a wall for a sawmill operated by him about 1856."²

About the year 1875 Boswell and Allen operated a sawmill near this place, and a number of the laborers decided to excavate a part of the old grave yard. "Upon opening one of the graves, or digging into the ground (for no specific trace of any one grave could be seen), they struck upon what was one of the graves found it about two and a half feet [deep] when they evidently reached the bottom and at the bottom was a black mold of earth about an inch or inch and a half thick, but no bones were found nor any Indian relics. When this mold was found caution was taken, and they found nails that had corroded until they could be broken between the fingers. All of these nails pointed downward, and the heads upward, and the theory of the parties was that the corpse was buried in a dugout trough, with the lid nailed down. . . . If this was a graveyard of prehistoric Indians, it seems some Indian relics would have been found . . . if it was before the advent of the white man where did they get the nails? . . . They were certainly iron nails. The writer [Isaac Bonaparte Bell] saw some of them himself."³

Some have supposed that a part of the Lost Colony may have finally come to this locality, sustained themselves for a time, and buried the first of the group to die in this old graveyard.

¹Manuscript of the late Isaac Bonaparte Bell.

²Id.

³Isaac Bonaparte Bell, Manuscript.

Strachey's reference to the Chowan¹ in connection with the escape of a part of the Lost Colony is interesting.

The opening of the Chowan into Albemarle Sound is a much wider estuary than the mouth of the Roanoke. It could easily be mistaken for the larger stream of the two. Remembering that it was the hope and the dream of the English who early came to these shores, to find a passage by water entirely through the land to an ocean on the west, it was natural for these abandoned and despairing survivors of the ill-fated colony to attempt to find the hoped for western outlet, or at least more hospitable reception by exploring in that direction.

If, then, in escaping from the murderous Powhatan and his confederates, the survivors entered the Chowan, as Strachey avows some of them did, it is not unreasonable to surmise that they took the more westerly branch, when they came to the junction of the Meherrin and the Blackwater, and followed the Meherrin to the mouth of Bears Element Creek, this to the junction of Little Bears Element Creek with Mason's Creek, and Mason's Creek to its head. Here they would have found themselves in an uncharted area, with nothing to guide them as to the direction they should take. No route to the "East India Sea" would have been discovered, and hope by this time may well have been succeeded by despair. Here they would have been at the location of the Old Indian Graveyard, near Oral Oaks, in Lunenburg.

Another conjecture, however, respecting this old graveyard is that it may be the last resting place of some of Nathaniel Bacon's followers, who, after his death, sought refuge from the wrath of Sir William Berkely, in the wilds of this, then unsettled, section.

In 1607 the sole settlement was at Jamestown.

In 1611, in addition to Jamestown, settlements had been made at Point Comfort, and at Coxendale on the James a considerable distance above the mouth of the Appomattox; by 1619 many settlements had been made on both sides of the James, between Jamestown and Coxendale, as well as on the eastern

¹Strachey's *Historie of Travaile*, etc., 26.

shore, at Smith's Island and Savage's Neck; and between that date and 1632 the plantations along the James multiplied and expanded, and extended northward along the coast and westward up the York River. Kent Island in the Chesapeake was settled (1631), and settlement of Accomack expanded northward. By 1652 settlements were made all along the Chesapeake, and along the Potomac, Rappahannock, Piankitank, York and Chickahominy rivers. By 1671 most of the Tidewater area of Virginia had been settled. Occupation by 1702 had extended to the lower reaches of the Piedmont—the foothills immediately adjoining the Tidewater; and by 1729 practically all of the Piedmont had been settled, though sparsely, and a settlement had been also planted in the Shenandoah Valley.

From this date on to 1746, the occupation of the Valley progressed, while the Piedmont received important acquisitions to its population.

In these classifications of the grand divisions of Virginia, we are regarding the State as falling into the Tidewater, or coastal plain, extending from the seacoast to the fall line; the Piedmont extending from the Tidewater to the crest of the Blue Ridge; the Valley extending from the Piedmont to the crest of the Alleghanies; and the Trans-Alleghany Area to the westward.

Lunenburg therefore belongs to the Piedmont, although it is usually spoken of as one of the "South Side" counties—that is on the south side of the James River.

The Colonists who landed at Jamestown numbered one hundred and five. At the end of about twelve years, in 1619, the Colony consisted of about six hundred persons—men, women and children. In March, 1622, the population numbered twelve hundred and forty, of whom three hundred and forty-seven were killed in the Great Massacre, on March 22, at almost the same instant. In February, 1625, the population numbered one thousand, two hundred and twenty-seven, which number included twenty-three negroes and two Indians.¹

¹Brown's *First Republic*, p. 627; Bulletin Virginia State Library, Vol. 9, p. 34.

In 1640 the population was estimated to be 7,466; in 1648 at 15,000; in 1659 at 30,000; in 1671 at 40,000; and in 1675 at 50,000. By 1717 the population was believed to number 100,000,¹ and in 1754 the number was estimated to be 284,000.²

The populations were as indicated above, in communities somewhat widely separated from each other. They were in many instances, in a single location, entirely or practically resident upon a single estate or plantation. Encompassed about by the Indians, and living in a new and unsubjected wilderness, the Colonists early felt the need of adopting measures for mutual aid and common protection.

It thus resulted that in 1619, at a time when the plantations of the Colony were but eleven in number, and when the population was but six hundred, the first popular representative legislative assembly of America was convened.

The London Company, highly disapproving of the "insufferable Tyranny and iniquity," and the "ill Government" of Sir Thomas Smith and Captain Argall, had authorized writs for a General Assembly "with two Burgesses from each Plantation freely to be elected by the inhabitants thereof."³

The date of the gathering of this Assembly is a notable date in history. It, the first popular representative legislative Assembly of America, met in the little wooden church at Jamestown on July 30, 1619, with twenty-two representatives present.

Concerning the calling of this Assembly, the historian Stith says (at page 160):

"And about the end of June [1619], he [Sir George Yeardley] called the first General Assembly that was ever held in Virginia. Counties were not yet laid off, but they elected their Representatives by Townships. So that the Burroughs of James Town, Henrico, Bermuda Hundred, and the rest, each sent their members to the Assembly. And hence it is that our Lower House of Assembly is called the House of Burgesses, a name proper to the Representatives of Burroughs or Towns; and it hath, by Custom, ever since re-

¹U. S. Census, 1910, Abstract, p. 567, N.

²U. S. Census.

³Brown's *First Republic*, p. 312.

tained that Appellation altho' the Burgesses, or members for Towns and Corporations, are very few and inconsiderable at present [1747] in comparison of the Representatives of Counties."

The plantations which elected representatives to this General Assembly, and the names of the representatives were as follows:

Argall's Gift: Thomas Pawlett, Edward Gourgaing.
 Charles City: Samuel Sharpe, Samuel Jordan.
 Flowerdieu Hundred: Edmund Rossingham, John Jefferson.
 Henricus: Thomas Dowse, John Polentine (probably Pol-longton).
 James City: William Powell, William Spense (Spence).
 Kiccowtan: William Tucker, William Capp.
 Lawne's Plantation: Christopher Lawne, Ensign Washer.
 Martin's Brandon: Thomas Davis, Robert Stacy.
 Martin's Hundred: John Boys, John Jackson.
 Captain Ward's Plantation: John Warde, John Gibbes.
 Smythes Hundred: Thomas Graves, Walter Shelley.¹

In authorizing the election of representatives from these several plantations, there must have been instructions given or at least an understanding, more or less definite as to boundaries of the areas embraced in each. They were undoubtedly very general, in most instances.

These plantations were the forerunners of shires and counties later, under the names used for the plantations, or under other names embracing the plantations as well as additional areas.

We are especially interested in Charles City plantation, for it gave the name for the county subsequently created, which embraced at least the greater part of Lunenburg. Charles City was located in 1613, and we learn from Brown's *First Republic*,² that it "extended from the said pale [run by Dale between the James River and the Appomattox River], [and] included the

¹Journals of House of Burgesses, 1619-1658/9, vii.
²pp. 313-14.

neck of land now known as Jones Neck, eastward, down James River, on both sides, to the mouth of the Chickahominy River.”

The Fourth Charter of the Colony provided that:

“the Governor should call together the General Assembly once a year, and not oftener, unless on very extraordinary, and important occasions,¹ and should ‘imitate the policy of the form of government, laws, customs, manner of tryal, and other administration of Justice used in England . . . ;’ while the instructions to Governor Wyatt at the same time ordered him to provide for ‘dividing the Colony into cities, boroughs, &c. . . . and to appoint proper times for administration and law suits.’”²

Inferior Courts were created, and beginning with the year 1622 were appointed to be held in convenient places, in order to relieve the Governor and Council of too great a burden of business, “and to render justice more cheap and accessible.”

“This,” says Stith, “was the Original and Foundation of our County Courts; altho’ the County was not yet laid off in Counties, but still continued in Townships and particular Plantations, as they called those settlements, which were not considerable enough to have the Title and Privileges of Burroughs.”³

Hening (in Vol. 1, p. 224) quotes the word “shires” for the original divisions of the Colony; but, as pointed out by Mr. Morgan Poitiaux Robinson, he also in the same volume (page 223) mentions the appointment of sheriffs for the several “counties,” which, says Mr. Robinson, is the earliest use of the word “county” officially he has been able to locate. This was in 1634.⁴ Hening, in this same volume (pp. 272-3) uses the expression “Countie Courts” for the first time.

In 1634 Virginia was divided into eight shires or counties, which were nothing more nor less than our Plantations of 1619

¹Barton’s Virginia Colonial Decisions, i, p. 62.

²1, Hening, pp. 113, 115, 116.

³History of Virginia, p. 207-8.

⁴Bulletin Va. State Lib., Vol. 9, p. 32, note by Mr. Robinson.

grown up to somewhat greater stature. The brief record in Hening's Statutes at large, is as follows:

"In 1634. The Country divided into 8 shires, which are to be governed as shires in England."¹

The designation of shires was not continued. In all cases thereafter, the sub-divisions are spoken of as counties.

The names of these shires were: James City, Henrico, Charles City, Elizabeth City, Warwick River, Warrosquyoake, Charles River, and Accowmack.²

We are interested in three of these original shires or counties—Charles City, James City and Warrosquyoake—especially Charles City, for it was from its area that Lunenburg was formed, as we shall see.

At its creation, in 1634, Charles City County "extended on both sides of the river [James],—on the south side from Upper Chippokes Creek to Appomattox River, and on the north side from Sandy Point to Turkey Island Creek,"³ and had a population of five hundred and eleven persons.⁴ Warrosquyoake extended from Chuckatuck Creek to Lawne's Creek,⁵ and contained five hundred and twenty-two inhabitants.⁶

In 1637 the County's name was changed from Warrosquyoake to Isle of Wight.

James City County, in the original division of 1634, extended on both side of James River—on the south side from Lawne's Creek to Upper Chippokes, and on the north side from Skiffs Creek to above Sandy Point.⁷ It contained eight hundred and eighty-six inhabitants.⁸

As stated, Isle of Wight County, under the name of Warrosquyoake, was one of the original shires or counties into which the Colony was laid out in 1634. Although we have not come across the act, Hening, in the index to his first volume (p. 599), says that the change of name was made in 1637.

¹1, Hening, p. 224.

²Id.

³Tyler's *Cradle of the Republic*, p. 198.

⁴Bruce's *Economic History of Virginia*, i, pp. 319-20.

⁵Tyler's *Cradle of the Republic*, p. 198.

⁶Bruce, Id.

⁷Tyler's *Cradle of the Republic*, p. 198.

⁸Bruce's *Economic History of Virginia*, i, pp. 319-20.

At the session of January, 1639-40, an act was passed entitled: "An Act Concerning the Bounds of Isle of Wight, Upper Norfolk and Lower Norfolk Counties." It was as follows:

"It is thought fitt and enacted for a finall Determination of all differences between the Isle of Wight county and the Upper and Lower Norfolk counties that the Isle of Wight county shall begin at Lawnes Creek and from thence to extend down along the main River unto the plantation of Richard haies formerly belonging unto John Seward including the s^d plantation & famelies and from thence to extend from the main River into the Woods Southerly unto the plantation of William Nowell and Mr. Robt. Pitt including likewise the s^d plantation and families and from thence Southerly as afores^d. And the Upper county of New Norfolk to begin at the afores^d plantation of Rich^d Haies and from thence into the Woods Southerly as aforesaid and by the main River from thence to extend down by the main River unto the creek near the plantation of Francis Bullock being the first creek to the Westward of Cranye Point including the plantation of the s^d Francis Bullock and no ways intrenching upon the Western branch of Elizabeth river nor the creek thereof w^{ch} do belong to the county of Lower Norfolk. These bounds being sett and Limited by the consent and agreem^t of the Burgesses for the s^d counties. And it is further thought fitt that these bounds be as well for the s^d parishes as the counties and that all former Acts of Assembly concerning the same by virtue of this Act be repealed and made void."¹

The boundaries of Isle of Wight County were further dealt with by an act of the "Grand Assemblie holden at James City the second day of March, 1642-3," as follows:

"Be it also enacted and confirmed, for a final determina-

¹Bulletin, Va. St. Lib., Vol. 9, p. 197-8. The copy of the Acts for the session of Jan. 6, 1639, in which the above appears, was discovered April 20, 1916, by Mr. Earl G. Swem, Asst. State Librarian. See note thereon in Bulletin mentioned at p. 198.

tion of the Isle of Weight County, Upper and Lower Norff: Countyes that the Isle of Weight County shall begin at Lawne's creek and from thence to extend downe the maine river unto the plantation of Rich: Hayes formerly belonging unto John Howard including the said plantation and family from thence to extend from the main river unto the woods southerly unto the plantation of William Nowell and Mr. Robert Pitt including likewise the said plantation and familys and from thence southerly as aforesaid.

"And the upper county of New Norff: to begin at the aforesaid plantation of Rich: Hayes and from thence unto the woods southerly as aforesaid, and by the mayne river, from thence to extend down by the mayne river into the creeke near unto the plantation of ffrancis Bullock being the first creek to the westward of Crayne Poynt, including the plantation of the said ffrancis Bullock, and no waies trenching upon the western branch of Elizabeth River, nor the creeks thereof which do belong to the county of Lower Norff.

"These bounds being set and lymitted by the consent and agreement of the burgesses for said countyes."¹

Surry County was formed in 1652. The act creating it is not extant, and the first time its name appeared, as far as can now be established, was on November 25th, 1652, when at a meeting of the House of Burgesses, the record shows "The names of the Burgesses for the several plantations." Among the rest is the following entry:

"Surry County	{	Mr. Wm. Thomas
		Mr. Wm. Edwards
		Mr. Geo. Stephens" ²

Dr. Lyon G. Tyler says:

"Lands in Surry are shown by the Land Grants to have been in James City County previous to December 6, 1651. Its first justices were appointed in April, as shown by the County records. (See William and Mary Quarterly, viii, 165.) So it

¹, Hening, p. 247.

², Hening, p. 373.

was certainly formed at the Assembly which met at this time, April, 1652.”¹

Charles City County was divided by an act passed in 1702. The provisions of this act do not appear in Hening, although it is mentioned by title. Through the enterprise of the Virginia State Library and of Mr. Morgan P. Robinson the text of the act was secured from the Public Record Office in London. It is as follows:

“CHAP. III.

“An Act for Dividing Charles City County.

[Passed August 25, 1702.]

“Whereas Sundry & diverse inconveniences attend the Inhabitants of that part of Charles City County w^{ch} lyes on the South side of James river when they have any occasion to prosecute Law Suites in the s^d County Court or go to any other publick meeting by reason of the Difficulty in passing James River Be it Enacted, by the Govern^r Councill & Burgeses of this present Gener^l Assembly And by the Authority thereof And it is hereby Enacted that on and after the 23^d day of Apr^l w^{ch} shall be in the year of our L^d God 1703 the s^d County of Charles City be divided into two distinct Counties so that James River divide y^e Same And that, that part of the said County w^{ch} is & lyes on the North side of the said James river shall forever thereafter be called & knowne by the name of Charles City County. And that that part of the s^d County w^{ch} is & lyes on the South side of the said river shall remain and for ever thereafter be called & knowne by y^e name of Prince George County, & for the due administration of Justice. Be it further Enacted by the Authority afores^d & it is hereby Enacted y^t after the time afores^d a Court for the said Prince George County be constantly held by the Justices thereof upon the Second Wednesday of every month in such manner as by the Laws of this Country is Provided And shall be by their Commission directed & whereas the towne Land Lying at fflowerdy hund^d was purchased by the intire County of Charles

¹Bulletin, Va. St. Lib., Vol. 9, p. 87, note 73.

City as then it was all y^e charges about the Same being equally Levied upon the whole number of Tithables of the said County Be it Enacted by the Authority aforesaid & it is hereby Enacted that one third of the Tob^o arising from the Sailes of the said towne Land to the Several takers up thereof be repaid to the Inhabitants that shall be for the time being on the North side of the s^d James river in Charles City County upon y^e taking up of the said towne Land.”¹

Brunswick County was formed from Prince George County in 1720. The act establishing the County is as follows:

“At a *General Assembly*, Begun and holden at the Capitol, in the City of Williamsburg, on the second day of November, in the seventh year of the reign of our sovereign lord George the first, by the grace of God, of Great Britain, France and Ireland, King, defender of the faith, &c.; and in the year of our lord, 1720.

“CHAP. I.

“An act for erecting the counties of Spotsylvania and Brunswick; and granting certain exemptions and benefits to the inhabitants thereof.

“Preamble, That the frontiers towards the high mountains are exposed to danger from the Indians, and the late settlements of the French to the westward of the said mountains.

“Enacted, Spotsylvania County bounds upon Snow Creek up to the Mill, thence by a south-west line to the river North-Anna, thence up the said river as far as convenient, and thence by a line to be run over the high mountains to the river on the northwestside thereof, so as to include the northern passage thro’ the said mountains, thence down the said river until it comes against the head of Rappahanock, thence by a line to the head of Rappahanock river; and down that river to the mouth of Snow creek; which tract of land from the first of May, 1721, shall become a county, by the name of Spotsylvania County.

“Brunswick County, begins on the south side the river

¹Bulletin, Va. St. Lib., Vol. 9, p. 199.

Roanoke, at the place where the line lately run for ascertaining the uncontroverted bounds of this colony towards North Carolina, intersects the said river Roanoke, and to be bounded by the direction of the governor with consent of council, so as to include the southern pass; which land from and after the time that it shall be laid off and bounded shall become a county by the name of Brunswick County.

“That fifteen hundred pounds, current money of Virginia, be paid by the treasurer, to the governor, to these uses, viz.:

“Five hundred pounds for a church, court house, prison, pillory and stocks, where the governor shall appoint them in the county of Spotsylvania, and the governor to employ workmen, provide materials, &c.

“One thousand pounds, to be distributed in arms and ammunition, among such persons as shall hereafter go to seat the said counties, that is, to each Christian titheable, one firelock, musket, one socket, bayonet fitted thereto, one cartouch box, eight pounds bullet, two pounds powder, until the whole one thousand pounds be laid out. The account whereof is to be desired to be laid before the general assembly.

“Those arms are appropriated to the defence of the said counties, and the land as well as personal estate of the parties that take them, is made liable to see them forthcoming in good order.

“The arms to be stamped with the name of the county, and liable to the seizure of any military officer, if found within the bounds.

“That five hundred pounds more be paid by the treasurer to Nathaniel Harrison, esq., Jonathan Allen, Henry Harrison, & William Edwards, gentlemen, or the survivors of them, or in case of their refusal, to such others as the governor shall name, to make up the like number, to be by them laid out for a church, court-house, prison, pillory and stocks, where they shall think fit, in the County of Brunswick, and are required to account to the general assembly.

“Inhabitants of the said counties are made free of publick levies for ten years from the first of May, 1721.

“The whole county of Spotsylvania made one parish, by the

name of St. George; and that of Brunswick one, by the name of St. Andrew.

"Because foreign Protestants may not understand English readily, if any such shall entertain a minister of their own, they and their titheables shall be free for ten years, from the first of May, 1721.

"Until the governor shall settle a court in Spotsylvania, the justices of the several counties of Essex, King and Queen, and King William, take power over them by their warrants, and the clerks of the said courts by their process returnable to their said courts, in the same manner as before the said county was constituted, directing the process always to the sheriff.—And the court of Prince George County has the same power in Brunswick: But the sheriff of Prince George to have doublefees.

"Court-day in Spotsylvania is the first Tuesday of the month, and Brunswick the first Thursday."¹

Although the county was created by the act of 1720, the county seems not to have been organized until 1732. In proof of this fact, Mr. Robinson adduces a copy of the record of the first meeting of the Justices of Brunswick County, held May 2, 1732, which has been preserved in private hands, Order Book No. 1, having been destroyed sometime since.²

It seems that after the act of 1720, foregoing, because of the sparseness of population and for other reasons the organization of the county was allowed to remain in abeyance until a revival of interest developed about 1732. In the same month in which the first meeting of the justices was held, May, 1732, a considerable area was added to Brunswick County by the following enactment:

"An act for adding part of the Counties of Surry, and Isle of Wight, unto the county of Brunswick; and part of the Parishes of Lawn's-Creek, Southwark and Warwick'squeak, in the said Counties of Surry, and Isle of Wight, unto the Parish of St. Andrew, in the said County of Brunswick.

¹4, Hening, pp. 77-79.

²See Bulletin Va. St. Lib., Vol. 9, p. 75, Note 11.

“I. Whereas by reason of the small number of titheables in the County of Brunswick, the poll taxes must necessarily be very grievous and burdensome to them; which, by an addition of part of the counties of Surry, and Isle of Wight, would be remedied, and divers of the inhabitants of the two last mentioned counties, would thereby also be freed from hardships and inconveniences, which at present they labour under, with respect to the remoteness of their situation from the court-houses of their said counties, and their parish churches, respectively; and after such addition, there will remain a sufficient number of titheables in said counties of Surry, and Isle of Wight, respectively, to bear the public taxes:

“II. Be it enacted, by the Lieutenant-Governor, Council and Burgesses, of this present General Assembly, and by the authority thereof, That from and after the first day of January, next after the end of this session of assembly, those parts of the said counties of Surry, and Isle of Wight, which lie between, and are included within the bounds hereafter mentioned, and the lower bounds of the said County of Brunswick, as it now stands (that is to say), a straight line to be run from the mouth of a branch of Nottoway river, called Chetacrie, between Colonel Harrisons quarter, and Mathew Parham's in said County of Surry, to Meherrim river, to the line dividing the said Counties of Surry, and Isle of Wight, and from thence down that river, to the line dividing this country and North Carolina be annexed and united to the said county of Brunswick, and for ever thereafter shall be taken and reputed a parcel thereof; and be divided and exempt from the said Counties of Surry, and Isle of Wight, respectively, and from all dependances, offices, and charges, for or in respect thereof, and also discharged from all duties whatsoever, relating to the same.

“III. And be it further enacted, by the authority aforesaid, That those parts of the said Counties of Surry, and Isle of Wight, so as aforesaid annexed and united to the said County of Brunswick, be also from and after the said first day of January, annexed and united to the parish of Saint Andrew,

in the said County of Brunswick, and be divided and exempt from the parishes Lawn's-Creek and Southwark, in the said County of Surry, and the Parish of Warwicksqueak, in the said County of Isle of Wight, respectively, to which the same do at present belong; and all dependances, offices, charges, and contributions, for and in respect thereof, and all parochial duties whatsoever, relating to the same; any law or usage to the contrary of any of the premises, in any wise, notwithstanding."¹

The historian Howe, the author of what was for many years regared as the standard history of Virginia, says: "Brunswick was formed, in 1720, from Surry and Isle of Wight."² His error is probably accounted for by reason of the fact that the act of 1720 originally creating the county did not name the county from which the area was taken; and by reason of the further fact that the act of 1732 added parts of Surry and Isle of Wight to Brunswick. There seems no good reason, however, why he should have concluded that because territory from these counties was added in 1732, the area originally embraced in the county in 1720, was taken from these counties also. This misinformation given by Howe has been the source of a great deal of annoyance and confusion, especially to genealogists in their endeavors to follow their lines by aid of early marriage, will and deed records. In such quests, the correct "descent" or "genealogy" of the counties is scarcely less important than the genealogies of the families.

Relying upon his statement the primary search for the record of the ancestors of an early Lunenburger would be through the records of Lunenburg, Brunswick, Surry and Isle of Wight; while the correct "ancestry" of Lunenburg County is back through Brunswick, Prince George and Charles City Counties. This is the primary line. We have shown above to what extent James City County and Isle of Wight County contributed to the territory of Surry, and of Brunswick.

The historian and the genealogist are under a debt of gratitude

¹4, Hening, p. 355-6.

²Howe: *Virginia, Its History and Antiquities*, p. 205.

to Mr. Morgan Poitiaux Robinson for clearing up the facts and correcting Howe's error. This he has done in Vol. 9 of the Bulletin of the Virginia State Library.

He in turn acknowledges his indebtedness to Mr. (now Rev.) William Clayton Torrence, who at the time Mr. Robinson wrote (1916) was Secretary of the Valentine Museum, Richmond, Virginia. On pages 76 and 77 of the Bulletin aforesaid he prints a very valuable note on the subject, furnished him by Mr. Torrence, which is, in part, as follows:

"The following facts have been brought together to prove that Brunswick County (while it unquestionably received later accessions of territory from Isle of Wight and Surry Counties) was in its original formation created from part of the territory of Prince George County.

"By Act of Assembly, November, 1720, the counties of Spotsylvania and Brunswick were created. 'Brunswick County, begins on the south side the river Roanoke, at the place where the line lately run for ascertaining the uncontroverted bounds of this colony toward North Carolina, intersects the said River Roanoke, and to be bounded by the direction of the governour with consent of council, so as to include the southern pass; which land from and after the time that it shall be laid off and bounded shall become a county by the name of Brunswick county.' (Hening, 4, p. 77, et seq.) After directing the erection of public buildings and the distribution of arms, reciting the privileges of inhabitants and declaring the jurisdiction for Spotsylvania County to reside in the justices of Essex, King and Queen and King William Counties, the act further recites, 'And the Court of Prince George county has the same power in Brunswick.'

"It will be noticed that the act does not state from what counties Spotsylvania and Brunswick Counties were erected but the settling of jurisdiction in the magistracy of specifically named counties is very good circumstantial evidence that Spotsylvania and Brunswick were erected from parts of the territory of the counties whose magistrates were invested with jurisdiction until a final organization should be effected. Therefore from the provisional jurisdiction given the magis-

tracy of Prince George County in the new county of Brunswick we infer that the first territory laid off into Brunswick was taken from Prince George.

“The Land Patents seem, however, to settle definitely that Brunswick County was set off from Prince George. Reference to any map of Virginia will show that the dividing line between the present Dinwiddie County (which was until 1752 a part of Prince George) and the present counties of Greensville (which was until 1781 a part of Brunswick) and Brunswick is the Nottoway River. Now, in the year 1720, when the act establishing Brunswick County was passed, there were no Dinwiddie and Greensville Counties; therefore the Nottoway River was in Prince George County, as is also well established by the following patents: in August, 1720, John King was granted 97 acres in Prince George County on south side of the Nottoway River beginning at the first falls above Sturgeon Run; at the same time John Wall was granted 185 acres in Prince George County on south side Nottoway River above the mouth of Waquiyoah (at present Waqua) Creek (Register of the Land Office, Patent Book, No. 11, pp. 39, 40). All maps show that the territory to the south of Nottoway River is in either Brunswick or Greensville County. The Sturgeon Run (now Creek) and Waquiyoah (now Waqua) Creek are today in the county of Brunswick.

“Though the act creating Brunswick County was passed in 1720 there was apparently no court held for that county until 1732, when on May 2, 1732, by commission from the governor, dated April 22, 1732, a court met and organized. No records of proceedings in Brunswick County prior to this date have ever been found.

“From the evidence adduced it seems quite clearly to have been the case that in 1720 Brunswick County was created from Prince George, and that on account of the sparseness of population no court was held until May, 1732, and that at that time territory was added to Brunswick from the Counties of Isle of Wight and Surry, thereby adding more tithables and by the increase in population warranting the establishment of a regular court and forever removing jurisdiction over Bruns-

wick affairs from the hands of the Prince George magistracy."

In August, 1734, Amelia County was formed chiefly from the territory of Prince George, but a part of Brunswick was cut off and added to the new County.

The act (Chap. XXXI), in part, is as follows:

"An Act for dividing the County of Prince-George, and Parish of Bristol; and adding part of the County of Brunswick, to the new erected County.

"I. Whereas divers inconveniences attend the upper inhabitants of the County of Prince George, by reason of their great distance from the court-house, and other places usually appointed for public meetings, Be it enacted, by the Lieutenant-Governor, council, and Burgesses, of this present General Assembly, and it is hereby enacted by the authority of the same, That from and immediately after the twenty-fifth day of March, now next ensuing, the said County of Prince George, and that part of the parish of Bristol which lies in the same, be divided, from the mouth of Namozain Creek, up the same, to the main, or John Hamlin's fork of the said creek; thence up the South or lowest branch thereof, to White-oak Hunting Path; and thence, by a south course, to strike Nottoway river; And that all that part of said county, below these courses, be thereafter one distinct County, and retain the name of Prince-George County; And that all that territory of land, above the said courses, bounded southerly by Great Nottoway river, including part of the county of Brunswick, and parish of St. Andrew, so far as to take the ridges between Roanoak and Appomatox rivers; and thence along those ridges, to the great mountains, westerly by the said mountains, and northerly by the southern boundaries of Goochland and Henrico Counties be henceforth erected into one other distinct county and parish, and called and known by the name of Amelia County, and Raleigh parish."¹

The remainder of the act is unimportant for our purposes.

Dinwiddie County was formed from Prince George in 1752; Prince Edward from Amelia in 1754, and Nottoway from Amelia in 1789.

¹4, Hening, p. 467.

The act creating Dinwiddie County provided:

“That from and immediately after the first day of May next ensuing,¹ the said county of Prince George be divided into two counties; that is to say: all that part thereof lying on the upper side of the run which falls into Appomattox river, between the town of Blanford, and Bolling’s point warehouses, to the outermost line of the glebe land, and by a south course to be run from the said outermost line of the glebe land, to Surry County, shall be one distinct county, and called and known by the name Dinwiddie, and all that other part thereof, below the said run and course, shall be one other distinct county, and retain the name of Prince George.”²

The act creating Prince Edward County provided:

“That from and immediately after the first day of January next ensuing [The act was passed Nov. 17, 1753], the said county of Amelia be divided into two counties by a line to run from Ward’s ford on Appomattox river, to the mouth of Snail’s Creek on Nottoway river, and that all that part of the said county, which lies on the upper side of the said line, shall be one distinct county, and called and known by the name of Prince-Edwards, and that all that other part thereof, which is below the said line, shall be one other distinct county, and retain the name of Amelia.”³

A part of Prince Edward was cut off along with parts of Buckingham, Charlotte and Campbell, by the act of February 8, 1845, in order to form the county of Appomattox.⁴

By the act of the 22nd day of December, 1788, Nottoway County was formed. So far as the boundary of the County is concerned the act is as follows:

“Be it enacted by the General Assembly, That from and after the first day of May next, the County of Amelia shall be divided into two distinct counties, that is to say, all that part of the said County lying south of a line to begin at a place

¹The act was passed March 9, 1752.

²6, Hening, p. 254.

³6, Hening, p. 379.

⁴Acts 1844-5, p. 38.

called Well's bridge, on Namozene Creek, which divides the said County, from the County of Dinwiddie, thence running through the said county of Amelia, so as to strike the line of Prince Edward County, five miles west of a place called Ward's ford, on Appomattox river, shall be one distinct county, and called and known by the name of Nottoway, and the residue of the said county shall retain the name of Amelia."

It is provided by the act, that the justices to be named in the commission "shall meet at the new house of Peter Stainback in the said County," etc.¹

And in order to complete the list of counties formed from Prince George, the creation of Greensville County may be mentioned, although, like Amelia, Dinwiddie, Prince Edward and Nottoway, it only has collateral relation to the history of Lunenburg County.

By the act of November 28, 1780, the boundaries of Greensville County were defined in the following enactment:

"Be it enacted by the General Assembly, That from and after the first day of February next, the County of Brunswick shall be divided into two distinct counties, by a line to begin two miles above Chapman's ford on Maherrin river, and running a due south course to the boundary line between this State and North Carolina, and from the station aforesaid by another line due north by Nottoway river, and that all that part of the said county lying eastward of the said line, shall be called and known by the name of Greensville, and all the residue of the said county shall retain the name of Brunswick."²

By an act passed November 6, 1787,

"all that part of the County of Brunswick, lying to the eastward of a line to begin on the Carolina line, six miles above the termination of the boundary between said County and Greensville, and running from thence a direct course to where the line between the said counties crosses the river Meherrin,

¹12, Hening, p. 723.

²10, Hening, p. 363.

be added to and made a part of the said County of Greenville."¹

By an act of January 4, 1802, there was added to Greenville County,

"all that part of the County of Sussex, lying on the south side of the Three Creeks,—and bounded as followeth, to-wit: Beginning where the line of the said county of Sussex and Greenville crosses the said creeks, thence down the south side of the said creek, to the fork at the head of the Indian island, on the land of Lewis Thorp; thence down the most southern branch to the line of Southampton county."²

The foregoing gives a brief review of growth of the counties from the area of the original shire or county embracing the territory which was afterwards to be created into Lunenburg, and accounts for the subdivision of Prince George, thus defining the status of the whole original area at the time of the formation of Lunenburg as well as the subsequent subdivisions into the present (1925) County units.

¹12, Hening, p. 596.

²2, Shepherd, p. 347.

CHAPTER II

The Indians



RESPECTING the Aborigines who inhabited the territory embraced in Lunenburg County, both as it now exists, and as it was originally laid out, there is considerable difference of opinion among the authorities on the subject. These differences, however, have to do more with the tribal or ethnological identity than with the names of the tribes or nations.

The Meherrins, the Nottoways, the Genitoes, the Powhatans, the Occoneeches, the Sapponeys, the Tutelos (or Toteros), the Shakonis and Stukenhocks, the Catawbias, the Nansemounds, as well as the Tuscaroras and some others, are more or less identified with that part of Virginia, embraced originally in Lunenburg County.

The Nottoways and Meherrins were Iroquoian; the Genitoes were probably of Tuscaroran origin, and if so were Iroquoian in their origin also. The Occoneeches, the Sapponeys and the Tutelos were of Siouan origin, as were also, it seems, the Shakonis and Stukenhocks. The Powhatans were Algonquian.

Some time prior to 1700 the Occoneeches made their principal seat on the Occoneechee Island in Roanoke River near the present town of Clarksville, in Mecklenburg County—territory which of course was originally in Lunenburg. The Siouan Tribes and the Powhatans were not friendly, in fact, they were almost constantly at war. Moreover the Siouan Tribes identified with this region were in constant fear of attack by the Iroquois.

The Sapponeys and Tutelos occupied the foothills of the Piedmont Section: their hunting grounds extended from the mountains down into the regions where the Piedmont begins to flatten out and approach its eastward limits. The Iroquois or Five Nations were among the most powerful and warlike of the groups or confederacies into which the Indian Tribes of North America

were at that time grouped, under some character of rudimentary government.

The war-paths of the Iroquois extended from the section now embraced in New York State through Virginia and on southward. They passed through the foothills at the eastern base of the Virginia mountains, and consequently through the hunting grounds of the Sapponeys and Tutelos.

While the Five Nations (Iroquois) were not the most numerous of the Indian tribes or nations, they were among the most savage and ferocious, and they were presumably superior in numbers to the Sapponeys and Tutelos. After endeavoring for a considerable time to maintain their rights against the Iroquois, they finally were reduced to the necessity of withdrawing, leaving their former hunting grounds to the invading Iroquois. Being thus forced to abandon their old haunts, and being reduced in number and strength by their sanguinary conflicts with the Iroquois, it was natural that they should seek their kinsmen, the Occoneechees. The Tutelos (or Toteros), sometime between 1671 and 1701 "removed to the junction of the Dan and Staunton rivers, which form the Roanoke, where they established themselves, near their friends and kinsmen, the Occoneechees, occupying two of the islands in the Roanoke immediately below the forks, the Toteros settling on the upper island. At that time they numbered only about seven hundred and fifty."¹

The course of the history of the Sapponeys when they were forced to withdraw before the Iroquois, for a considerable period, is not clear. As we shall see, however, they were later found in this general section, considerably east of their former habitations.

Of all the tribes mentioned, as in one way or another connected with this Southside section of Virginia, it seems certain that those most definitely identified with the area that was to be Lunenburg were the Meherrins,² and the Nottoways. The rivers now bearing these names were so named by the English, or by the Indians themselves and the English continued the use of the

¹Edward P. Buford, address at the unveiling monument erected by the Colonial Dames, marking site of Fort Christanna, May 22, 1924, 5.

²The name is variously spelled: Meherine, Meherins, Meheron, Meheries, Mehering, Meherron. Hodge, Handbook of American Indians. The final and modern form of the word is Meherrin.

names, because of their location in the areas inhabited respectively by these tribes of the aborigines.

Of the Meherrins, Hodge says, they were "An Iroquoian tribe formerly residing on the river of the same name on the Virginia-North Carolina border. Jefferson confounded them with the Tutelo. According to official Colonial documents they were a remnant of the Conestoga or Susquehanna of upper Maryland, dispersed by the Iroquois about 1675, but this also is incorrect, as they are found noted under the name 'Menheyricks' in the census of Virginia Indians in 1669, at which time they numbered 50 bowmen or approximately 180 souls. (Neill, *Virginia Carolorum*, 326, 1886.) It is possible that the influx of refugee Conestoga a few years later may have so overwhelmed the remnant of the original tribe as to give rise to the impression that they were all of Conestoga blood. They were commonly regarded as under the jurisdiction of Virginia, although their territory was also claimed by Carolina. They were closely cognate with the Nottoway."¹

The Meherrins were Iroquoian linguistically.²

The Meherrins very early ranged over a considerable area now in North Carolina, and had a village on Meherrin Creek within the present limits of North Carolina. And while there was a controversy between the two colonies as to the dividing line, the Meherrins were usually regarded as under the jurisdiction of Virginia. This tribe so regarded the matter and by its treaty relations with Virginia clearly showed its tributary relation.

Of the Nottoways, Hodge says they were: "An Iroquoian tribe formerly residing on the river of the same name in S. E. Virginia. They called themselves Mongoae (Mongwe) and Nottoway, i. e., Nadowa (q. v.) 'adders,' a common Algonquian name for the tribes of alien stock. Although never prominent in history they kept up their organization long after the other tribes of the region were practically extinct. As late as 1825 they still

¹*Handbook of American Indians*, F. W. Hodge, Bulletin 30, Bureau of American Ethnology, Vol. I, p. 839.

²See chart following page 972, Vol. I, *Handbook of American Indians*, Hodge.

numbered 47, with a 'queen' on a reservation in Southampton Co. Linguistically they were closely cognate to the Tuscarora."¹

The English seemed to regard the designation Tutelo and Totero as applying to the same tribe—a particular tribe—while the Iroquois used the name Tutelo to designate all of the Siouan tribes of the southern section.

The tribe referred to in this way by the English was a tribe which was once located on the Roanoke river and afterwards on the Meherrin.

During the controversy referred to, affecting a disputed area, because of the respective contentions of North Carolina and Virginia, as to the proper location of the boundary line, it was agreed between them that neither would grant lands or permit settlements therein.

Virginia claimed the land north of a line run due west from the mouth of Weyanoke Creek (sometimes called Waycocon).²

North Carolina claimed up to a line run west from the mouth of Nottoway River.³

North Carolina did not respect its engagement in this regard, and Governor Spotswood declared that it had surveyed lands even north of the line defining its claim; that is north of a line run west from the mouth of Nottoway River.

During the controversy the Governor wrote this interesting observation: "I am of opinion that it were much better for both Governments to lose the Land in controversy than to leave undecided, for as it is impossible to restrain people from seating themselves on that Land, where they live without either Religion or Government. It may be very difficult when their numbers increase to reduce them again to either."⁴

The Dividing Line was finally run in 1728 and 1729 when the Commissioners for Virginia were William Byrd, Richard Fitz-William, and William Dandridge, and those for North Carolina, Christopher Gale, John Lovewick, Edward Moseley and William Little. The surveyors were Alexander Irvin and William Mayo

¹*Handbook of American Indians*, Hodge, Vol. 2, p. 87.

²*Spotswood Letters*, Vol. I, p. 44.

³*Spotswood Letters*, Vol. II, p. 72.

⁴Apr. 5, 1717, Letter to the Lords Comrs. of Trade and Plantations, *Spotswood Letters*, Vol. II, p. 229.

in behalf of Virginia, and Edward Moseley and Samuel Swann of North Carolina. The Rev. Peter Fontaine accompanied the Commission as Chaplain, William Byrd gives the History of the Dividing Line, in his papers printed as the *Westover MSS.*

The line thus run became the boundary between the two states, and became the line defining the southern boundary of Lunenburg County at the time it embraced the territory now comprised in Mecklenburg, Halifax, Pittsylvania, Henry and Patrick, all border counties.

There was conflict of some character between the Meherrin Indians and the white settlers in 1710,¹ but what has been by some referred to as an attack by the Meherrins upon the white settlements was probably not exactly warfare, but a conflict of some character because of unwarranted encroachment upon their lands.

The incident was likely that referred to in the first of Governor Spotswood's letters, in which we find mention of the Meherrins. In a letter to Colonel Edward Hyde, Governor of North Carolina, the date of which is missing but which was written in 1710, the year in which he became Governor of Virginia, he said:

"I'm sorry to hear that our Tributary Indians disturb or injure any of her Maj'tys Subjects and shall take care to prevent as much as I can any ground of Complaint as to the Meherine, but if those injurys are done to persons within the controverted bounds, I think they have as little reason to complain as they have right to be there."²

The writer of this letter was Alexander Spotswood, who at the age of thirty-four became Lieutenant-Governor of Virginia. He was the deputy or lieutenant for George Hamilton, Earl of Orkney, one of the absentee Governors of Virginia. Hamilton never came to Virginia, although he was its nominal Governor for about forty years. Governor Spotswood has been described, perhaps not extravagantly, as "the noblest figure of his day in America, and the greatest of all the Colonial Governors of Virginia."

¹Edward P. Buford, *Christanna Address*, 7.

²*Spotswood Letters*, Vol. I, p. 45.

The administration of Governor Spotswood extended from June 23, 1710, to September 27, 1722. He was a conscientious Governor and an able judge, moreover he was a clear and accurate writer. Fortunately many of his letters and official documents have been preserved, and printed as the *Spotswood Letters*.

In September, 1711, the Tuscarora Indians, in conjunction with the Pamlico tribe began what is known as the Tuscarora war. The settlements on the Roanoke, the Chowan and the Neuse were attacked, and the war extended into South Carolina. It continued until 1713 resulting in the defeat of the Tuscarora.

At the beginning of this war, Baron Christopher de Graffenreid was taken prisoner. Governor Spotswood on October 15, 1711, wrote the Council of Trade an account of the outbreak against the settlements.

“On the 22nd of the last month some towns of the Tuscarora Indians and other nations bordering on Carolina, made an incursion upon the head of Neuse and Pamlico Rivers, in that province, without any previous declaration of war or show of discontent, and having divided themselves into partys at Sun rise (which was the signal for their bloody design) began a barbarous massacre, of the Inhabitants of the Frontier plantations, killing without distinction of age or sex, 60 English and upwards of that number of Swiss and palatines, besides a great many left dangerously wounded. The Baron de Graffenreid, Chief of the Swiss and Palatines’ Settlement there is also fallen into their hands and carried away Prisoner.”¹

James Lawson, Surveyor General of North Carolina, was put to death; it is said he was burned at the stake.²

He was the historian of North Carolina, whose volume was published at London in 1709. He was the companion of the Baron at the time they were captured by the Indians. But the Baron’s superior tact enabled him to escape Lawson’s terrible fate.

Governor Spotswood interested himself in securing the Baron’s release, and one of the evidences of the high quality of his

¹*Spotswood Letters*, Vol. I, p. 116.

²*Spotswood Letters*, Vol. I, 116, note.

ability is the fact that by December 28, 1711, but three months after the massacre and while the conflict was raging in the Carolinas, he was able to negotiate a treaty with eight towns of the Tuscaroras, and to secure the promise of "their interposing for the delivery of the Baron de Graffenreid out of the hands of the Enemy."¹

While the Baron was a prisoner he was obliged "to conclude a Neutrality for himself and his Palatines" and thereafter lived "undisturbed by the Heathen."²

That the Baron owed his deliverance from the Tuscaroras to Governor Spotswood's efforts clearly appears from a letter of December 28, 1711, to Lord Dartmouth, wherein the Governor complains of the refusal of the House of Burgesses to approve the treaty with a part of the Tuscaroras, and of their preparation for making war on the Tribe as a whole, although the party with whom the treaty was negotiated denied participation in the Massacre and expressed a desire to continue in friendship. In this letter the Governor said:

"But all these professions would not satisfy the House of Burgesses—they would give no credit to any of their promises, tho' at that time they had before them a letter of the Baron de Graffenreid wherein he acknowledges his deliverance out of the hands of the Indian Enemy to be owing to the good offices of those Indians, in pursuance of their promise to me."³

But the Baron's situation became impossible in North Carolina. The Government of that Colony either could not or would not afford him and his Colonists any protection. The people of his settlement came to such "despair that they have burnt their own houses rather than be obliged to stay in a place exposed to the Incursion to the Indians, and want all necessitys."⁴

To these extremeties they were driven by "The shortness of their crops, occasioned by their Civil Dissensions last summer and an unusual Drowth that succeeded, together with the Rava-

¹*Spotswood Letters*, Vol. I, 130.

²*Spotswood Letters*, Vol. I, 142.

³*Spotswood Letters*, Vol. I, 135.

⁴*Spotswood Letters*, Vol. I, 137.

ges made by the Indians among their Corn and Stocks [which gave] a dreadful prospect of a Famine."¹

The treatment of Baron de Graffenreid by the North Carolinians is further indicated by his disclosures to Governor Spotswood, who passed the same on to the Council of Trade, in a letter dated February 8, 1711 [1712]. Speaking of the Baron, he says he is

"persecuted by the people of Carolina for not breaking with the Indians, tho' they [the Carolinians] will afford him neither provisions of war or Victuals nor Assistance. . . . He has always declared his readiness to enter into a war as soon as he should be assisted to prosecute it, but it would be madness in him to expose his handfull of people to the fury of the Indians, without some better assurance of help than the present confusion in that province gives him reason to hope for, and the Indians would soon Either Entirely destroy that settlement or starve them out of the place by killing their stock and hindering them from planting corn. In the meantime the people of Carolina receive very great advantage by this neutrality, for by that means the Baron has an opportunity of discovering and communicating to them all the designs of the Indians, tho' he runs the Risque of paying dear for it if they ever come to know it. This makes him so apprehensive of his danger from them, and so diffident of help or even justice from the Government under which he is that he has made some efforts to remove with the Palatines to this Colony upon some of her Majesty's Lands; and since such a number of people as he may bring with him, with what he proposes to invite over from Swisserland and Germany, will be of great advantage to this Country and prove a strong Barrier against the incursions of the Indians if they were properly disposed, above our Inhabitants, I pray your Lordship's directions what encouragement ought to be given to their design, either as to the quantity of Land or the terms of granting it."²

The Baron carried out his design of quitting North Carolina,

¹*Spotswood Letters*, Vol. I, 132-3.

²*Spotswood Letters*, Vol. I, 142-3.

where he had founded New Berne. He sold all his landed interests in North Carolina to Thomas Pollock for eight hundred pounds.¹

Sometime between February and May, 1712, he moved to Virginia, for on May 8, 1712, in a letter to the Council of Trade, the Governor wrote:

“According to what I had the hon’r to write to Your Lord’ps in my last, The Baron de Graffenreid is come hither with a design to settle himself and sev’l Swiss familys in the fforks of Potomac, but when he expected to have held his Land there of her Majesty, he now finds claims made to it both by the Proprietors of Maryland and the Northern Neck.”²

It was with some of the artisans that Baron de Graffenreid brought from Germany that Governor Spotswood inaugurated the iron industry at Germanna, in 1714, himself then undertaking the enterprise, which he had brought to the attention of the Assembly in 1710. The Assembly had taken no action in support of his recommendations.

The Baron, of course, in view of the disputes over the Northern Neck between Lord Baltimore and Lady Fairfax, did not make a permanent home there. He resided, it seems, a considerable part of the time at Williamsburg, as did his son, Christopher, who married in Charleston, S. C., February 22, 1714, Barbara Tempest (nee Needham, daughter of Sir Arthur Needham).

She was evidently the Mrs. De Graffenreidt who in the *Virginia Gazette* of October 21, 1739, announced an entertainment to be given at her house in Williamsburg.

The Baron’s grandson, Tscharner De Graffenreid, who was born in Williamsburg, settled in Lunenburg County, where he was a Justice of the County Court in 1764. Tscharner De Graffenreid had fourteen children, and their descendants are legion throughout the United States. His descendants married into the Boswell, Maury, Kirkland and many other families of

¹*Spotswood Letters*, Vol. I, 116, note.

²*Spotswood Letters*, Vol. I, 152. See note as to disposition of the conflicting claims. For details regarding Northern Neck Grant and subsequent disputes and litigations, see Kercheval’s *History of the Valley* (2nd Ed.), 1850, 138-52.

Lunenburg. Some of these descendants are traced in the De Graffenreid, Boswell, and other genealogies in these volumes.

From the beginning of his administration Governor Spotswood evinced a lively interest in educating and christianizing the Indians; and the conduct of his office throughout was characterized by a policy of justice and humanity toward them. As early as November 11, 1711, he wrote Lord Dartmouth of having "so much at heart the conversion of those heathen" that he was using his "utmost endeavors for accomplishing this Design." So earnest was he that he had offered to the Indians to remit "their annual tribute of skins [a revenue he was personally entitled to] so long as they permitted their children to be brought up at the College."¹

He had considerable difficulty in allaying the suspicions of the Indians, but he finally convinced them of the integrity of his intentions,

"whereupon the King of the Nansemonds has sent his son and cousin, and the Nottoways and Meherrins have sent each two of their Chief men's sons to the College, and consented that they shall be brought up in the Christian faith. I have taken care for their encouragement to have them well cloathed and kindly treated, and the Queen of Pamunkey, upon seeing their good usage, has likewise promised that her son and one of the sons of the chief men of that Nation shall be speedily sent, and I expect one from the Chickahominys."²

In this letter and also in one of the same date (November 11, 1711) to the Bishop of London the Governor expressed the hope of obtaining some of the children of the Tuscaroras Indians "to be educated at our College" as, not only "the surest means to keep them in friendship with her Majesty's Subjects, but may (I hope), prove a good step toward the Conversion of that whole Nation, which is the most consid'ble in these parts."³

The Governor was especially concerned respecting the Tuscarora Tribe, because they were not one of the parties to the

¹William and Mary, of course.

²*Spotswood Letters*, Vol. I, p. 125.

³*Spotswood Letters*, Vol. I, pp. 124, 126.

treaty known as the Articles of Peace of 1677, by which each Indian town agreed to pay three arrows for their land, and twenty beaver skins for protection, every year. A part at least of the Tuscarora (and it seems by far the greater part) had participated in the massacre in North Carolina in September, 1711. It was highly gratifying to the Governor therefore that he was able to dissuade so considerable a part of them from their warlike pursuits and induce them to enter into a treaty, in December of that year,¹ which contemplated, among other things, the education of their children at the College. But while these were given instruction, and were treated with every reasonable consideration, they were in fact hostages to assure the peace between the two peoples.

In a letter of November 17, 1711, he refers to his "progress to our Southern Frontiers to meet the Deputys of the Tuscarora Indians."²

The meeting he tells us was at Nottowaytown, where among other proposals he made was one that "they should deliver two children of the great men of each town to remain as Hostages and to be educated at our College."³

In a letter to the Council of Trade, December 28, 1711, he writes:

"Since my last to your Lord'ps (whereof a duplicate is inclosed) the Hostages demanded of the Pamunky and Chickahominy Indians have been delivered, and even more of the former than was expected. . . . so that there are now Hostages from all the Towns of our Tributary Indians."⁴

In a communication to the Council of Trade, dated July 26, 1712, in answer to an enquiry concerning the "Strength of our Neighbors," the Governor wrote:

"I suppose to be meant of the Neighboring Indians (for there are no other foreign Nations near this Colony), in answer to which there are nine Nations of Indians Tributary to

¹*Spotswood Letters*, Vol. I, 135.

²*Spotswood Letters*, Vol. I, p. 121.

³*Spotswood Letters*, Vol. I, p. 121.

⁴*Spotswood Letters*, Vol. I, p. 129.

this Government, Vizt.: The Pamunkys, Chickahominys, Nansemunds, Nottoways, Maherins, Sapons, Stukanocks, Occoneechees and Totteros, whose number of men, women and children do not exceed 700 in all, and of these there may be reckoned 250 fighting men. These are all in an Entire Subjection to this Government and live quietly on our Frontiers trafficking with the Inhabitants their skins and Furs for Cloathing, powder, Shott and other European Manufactures.”¹

He continues :

“The next Nation of Indians with whom we have had frequent correspondence and who are most like to annoy us is the Tuscaruro, said to be about 2,000 fighting men. They live within the bounds of Carolina, and before the late massacre, committed there by some of them and others, had a constant trade with our Inhabitants for the like Commoditys as our own Indians, but since that time I have prohibited all Commerce with them till they give satisfaction for the murders committed in Carolina.”²

In the course of his administration the Governor decided that the Indians and the English should be further separated, that a definite frontier should be established, the trade with the Indians regulated, and the place where it should take place declared, and that forts should be built. He also concluded that it would be better to educate the Indian youth at schools established near their own towns, at these forts, than at the College at Williamsburg.

With these ends in view, he secured the passage by the General Assembly on November 16, 1714, of “an act for the better regulation of the Indian trade.”

Among other provisions of the act was one incorporating “The Indian Company.” It was Governor Spotswood’s intention that trade with the Indians should be exclusively conducted through the agency of this company. The general purport of

¹*Spotswood Letters*, Vol. I, p. 167.

²*Id.*

the act has been briefly, but well, stated by Dr. Henry R. McIlwaine¹ as follows:

"In the Act for the better regulation of the Indian trade, it was provided that all trade with the Indians in Virginia, both tributary and 'Foreign,' should be carried on at one place, namely, the new settlement of Christanna on the Meherrin River, in Open Market, by the agents of a company that was to have a strict monopoly of the trade for twenty years. In return for the privileges granted, the Company was to contribute toward the erection of the magazine to be built at Williamsburg as a storehouse for the ammunition and arms of the Colony, to take its supply of powder used in the Indian trade from this magazine, always putting in an equal amount of fresh powder—this to prevent the powder in the magazine from being impaired with age—to erect a schoolhouse for the Indian children at Christanna, and after the lapse of two years to assume the maintenance of the fortifications at that place and of the guard of twelve men with an officer. Some of the advantages to flow from this law were the prevention of illicit and harmful trade with the Indians, the easy suppression of trade altogether when it seemed advisable, the great extension of the trade in proper articles and under correct regulations by making it possible for the people of the country in general to subscribe to the stock of the Company, the gradual education of the Indians by means of the instruction in the school and by the trade itself and their sure conversion into friendly and civilized neighbors."

This was a noble conception of policy for that day and time; the act, however, was repealed in 1717, evidently because of opposition to the monopolistic features respecting the trade, the feeling being that to confine the place of trading to one locality created undue hardship, and moreover, and possibly more important still, was the feeling that the prices, at which articles were bought and sold under such circumstances, were largely if not wholly arbitrary.

¹Librarian of the Virginia State Library, in Introduction to Journal of the House of Burgesses, 1712-1726.

The establishment of Christanna, the building of the fort there, and all of the attendant circumstances are important to the student of the history of Lunenburg and this general section of Virginia for they leave no reasonable doubt as to the approximate location of the frontier at that time. The fact is shown not only by the location of the settlement itself, but by the character of it, and also by the Governor's several references to the neighboring frontiers in his official correspondence.

The site chosen was on the south side of the Meherrin River in what is now Brunswick County.¹

It has been marked by a monument erected by the Society of the "Colonial Dames of America in the State of Virginia," which was dedicated May 22, 1924, on which occasion Honorable Edward P. Buford, of Lawrenceville, delivered a notable address, which we have had occasion several times to refer to in these pages.

The site of the fort conveyed to the Colonial Dames, September 24, 1923, is described in the deed² from T. E. Jones, N. S. Jones and W. M. McAden, as three and three-fourth acres of land, situate in Meherrin District in the County of Brunswick,

"and being that portion of the tract of land known as 'Fort Hill' plantation, which includes the site of the frontier fort erected in the year 1714, during the administration of Alexander Spotswood, Governor of the Colony of Virginia, and known as 'Fort Christanna'; to have and to hold the tract or parcel of land hereby conveyed, for such uses as the party of the second part may deem proper for perpetuating the memory of historical events connected with the said fort, and of the site and location thereof."

The early treatment of the Indians in Virginia was not so harsh as has been generally supposed. Reckless and irresponsible historians, in strained attempts to make invidious compari-

¹E. P. Buford, dedicatory address, May 22, 1924, Brunswick Times-Gazette Print, Lawrenceville, Va., 3.

The scholarly R. A. Brock seems to have been in error in his introduction to the *Spotswood Letters*, in stating that the site of Fort Christanna is in "what is now Southampton County" (p. XII).

²Deed Book 77, p. 217, Clerk's Office of Brunswick County, Va.

sons, have given an altogether erroneous impression. For example, Wheeler has said:

“While Massachusetts, Virginia, and others were laying the foundation of their colony on the bones of the aborigines, and cementing their structure with blood, North Carolina was quietly pursuing her course, unmolested by the Indians, and respecting their rights.”¹

This is written on a page, where he was referring to events of Governor Spotswood’s administration, and on which he had quoted a letter written by him.

Baron de Graffenreid testifies that one of the causes of the war which the Indians made upon North Carolina, which well-nigh exterminated the Colony, including the Swiss, “was the great carelessness of the Colony,” and “the harsh treatment of certain surly and rough English inhabitants who deceived them in trade, and would not let them hunt about their plantations, and under this excuse took away from them their arms, munitions, pelts or hides, yes, even beat an Indian to death,”² and he declares, respecting the conduct of the war, “there was nothing to be done with these wrong-headed Carolinians.”³

History abundantly bears testimony to the fact that while as a result of the North Carolinian policy, that Colony was in a life and death struggle with the Indians, Virginia under Spotswood was entirely at peace with them, and was educating their children at William and Mary College and otherwise treating them with the greatest consideration, generosity and justice.

Conceding the right of the white man to be on these shores at all, the general course of the early Colonial Government in Virginia toward the Indians was just and humane. Bloody encounters did occur, but beginning with the great massacre at Jamestown, the Indians were the aggressors and the white Colonists did but fight for their very existence. And surely nothing appears in the Colonial history of America, more kindly, humane

¹John H. Wheeler, *History of North Carolina*, Vol. I, 36.

²*History of the de Graffenreid Family*, 87.

³*Id.*, 93.

and praiseworthy than Governor Spotswood's policy toward these aborigines.

Hugh Jones, Chaplain of the Assembly in Virginia, in his book *Present State of Virginia* (published in 1724) has borne testimony not only to the Governor's magnanimous policy, but speaking of the Saponies in particular, says:

"The Indians so loved and adored him, that I have seen them hug him, and lift him up in their arms, and fain would have chosen him for a King of the Sapony nation."

On this subject, Mr. Jefferson has testified as follows:

"That the lands of this country were taken from them [the Indians] by conquest, is not so general a truth as is supposed. I find in our historians and records, repeated proofs of purchase, which cover a considerable part of the lower county; and many more would doubtless be found on further search. The upper country we know has been acquired altogether by purchases made in the most unexceptionable form."¹

However unexceptionable the policy of the Government was toward the Indians, the marking of the frontier by the settlement and the Fort at Christanna was an important step in that inevitable and relentless progress of the white man as a result of which the red men were pressed westward, and still farther westward as the white population increased and their habitations expanded.

Exactly when, and under what circumstances Governor Spotswood selected the site of Fort Christanna, we do not know. Probably he had visited the spot, or had reliable information respecting it, as early as his recommendation to the House of Burgesses on the subject. In any event he had visited the place before January, 1715. This we know from his letter to the Bishop of London, dated January 27, 1714 [1715] in which he spoke of a

"six week's constant abode in the woods," and continues:

"It was then I formed a settlement on the Frontiers for ye

¹Thomas Jefferson: *Notes on the State of Virginia*, 98.

Tributary Indians, pursuant to their Treatys, and by the Temptation of a fine Tract of Land of Six Miles Square, the building a Fort thereon and placing a Guard of Twelve men and an officer to be assisting to them, I engaged the Saponie, Oconeechee, Stuckanox and Tottero Indians (being a people speaking much the same language, and therefore confederated together, tho' still preserving their different Rules), imediaately to remove to y't place, which I have named Christ-Anna. I have hitherto met with some difficulty to remove the Nottoways, in regard to their unwillingness to live in the neighborhood of the Saponies, and that the place at which I intended to have seaten y'm did not answer the Character I had of it, but by the means of a late Act which I have obtained to be pass'd in the assembly here, confining all the Trade with ye Indians on ye So. Side of James River (which are the most considerable of all our Tributarys), to Christ-Anna alone, I doubt not I shall be able to engage all those Indians in a short time to remove thither."¹

And farther on in the same letter he said:

"The General Assembly having entrusted me with a sum of money for finishing the Fort at Christanna and for defraying the charge of ye guard for 2 years, I intend, God willing, in the month of March, to take another Progress thither, and to stay about six weeks or two months, both to see the Trade settled and to encourage the other Tributary Indians to remove thither, as well to influence by my presence the putting their children to school. I have already establish'd there a School-Master, one Mr. Charles Griffin, at the Salary of fifty pounds a year, which I have engag'd to pay out of my own pocket during my continuance in the Government, or that other provision be made for him. At this school I intend not only that all ye children of the Saponie and other Indians aforementioned shall be educated, but y't the Nottoways shall also, according to their Treaty, send twelve of theirs untill further provision be made for a School at their own Town," etc.²

¹*Spotswood Letters*, Vol. II, p. 88.

²*Spotswood Letters*, Vol. II, p. 90.

From the Governor's letters we gather numerous items of interest respecting the Indians of our immediate concern the Nottoways and the Meherrins.

The Nottoways were not always in a pacific and amiable frame of mind for Governor Spotswood was called upon to answer charges made to the Lords Commissioners of Trade and Plantations, respecting his imprisonment of the King of the Nottoways and six of his Chief men. This answer he made in a letter dated February 7, 1715 [1716], in which he referred to the Journal of the Council of May 10, which he declared "plainly show that the cause of commitment of those Indians was not" what had been reported to the Lords Commissioners—that they had merely petitioned for relief from starving—"but for their obstinate Refusal to deliver Hostages for their fidelity, as by their Treaty they were obliged to do, and for such an insolent behavior as was never before seen at the Council Board, and which strangely startled the Govenour and Council to behold all of a sudden in these Tributarys."¹

This letter throws some light upon the dignity, or lack of it, in the station of their Chief or King. He says:

"And tho' the Chief Person of the Indian Nation is distinguish'd amongst themselves by the Title of King, yet everyone knows that those Kings are of no great Consideration among the English, nor of much authority among their own People, and as to the Nottoway Nation in particular, I will maintain that there is not so great distinction between their Kings and their People as there is between a corporal and the private centinels of a company in regular Troops."²

On June 3, 1715, Governor Spotswood reported respecting the Christanna Settlement to The Lords Commissioners of Trade as follows:

"I have been for a good part of last Spring, employ'd in finishing the fortifications of Christanna, and in settling there a Body of our Tributary Indians to ye number of 300 men

¹*Spotswood Letters*, Vol. II, p. 199.

²*Spotswood Letters*, Vol. II, p. 200.

women and children, who go under the general name of Saponies, and as they seem to be much pleas'd with their present settlement, well affected to ye English and reckoned a brave people, I hope by their means, and the Guard of White men placed among them at the fort The Neighboring frontiers will be better guarded than heretofore against the incursions of any Foreign Indians, especially when this place is further Strengthened by the Addition of the Other Nations of Indians w'ch I acquainted your Lo'ps in my last, had a desire to incorporate with the Saponies, and have by their messengers inform'd me that they only delay their coming till the Senequas, who are haunting near their habitations (and with whom they are on no good terms), are removed."¹

In a previous communication the Governor had written that he was going out upon another expedition into the woods, where before his return he expected to meet the deputies "of three or four Nations of remote Indians," but without naming the tribes or nations, "and hope to be able in my next to give a particular Acc't of their peacable disposition toward his Maj't's subjects."²

While Governor Spotswood was at Christanna in the Spring of 1715 he was visited by the King of the Tuscaroras, who came to give assurance of a desire to "live in a good corresponsce with the Governm't."³

The Governor took the occasion to "settle the Limits of the hunting-grounds of the Tuscaroras and our Tributarys, that they may not interfere with one another, and also to engage them to be conformable to a late Law passed prohibiting all Indians from coming near the dwellings of any of the English. I have learned," he adds, "enough of the temper of the Indians to be fully convinc'd of the necessity of this regulation."⁴

In a communication to the Lords Commissioners of Trade and Plantations, dated February 7th, 1715 [1716], in answering certain criticisms lodged against him, the Governor wrote:

¹*Spotswood Letters*, Vol. II, p. 113.

²Letter of March 28, 1715, Vol. II, p. 108.

³Vol. II, p. 114.

⁴*Spotswood Letters*, Vol. II, 114.

"I own there is a Fortress, with five Bastions, built on the Maherin River, and a settlement fortified with a Block-house and Pallisade on ye Rapidanne, both of them designed as places of Rendevous,"¹

and in the same letter, he added,

"in the Treatys w'th the Sapony, Nottoway and Tuscaruro Indians, w'ch were under several days' deliberation of the Council here, every member of the Board concurr'd with me in making it an Article that those Forts should be built at the Indian Settlements."²

Governor Spotswood made a trip from Williamsburg to Christanna, in April, 1716. He arrived on the second day after his departure from Williamsburg, spent six full days at the Settlement, and returning occupied two days, making ten in all. We do not discover any specific account of this trip in his correspondence. Whether he made a report of it which has been lost, or whether the events of it were of too routine and unimportant a character to officially report we can only conjecture.

On this trip he was accompanied by John Fontaine,³ a cultured Frenchman, who had the year before (on June 7, 1715) come to Williamsburg, and who because of his education, culture and companionable qualities had found high favor with

¹*Spotswood Letters*, Vol. II, p. 194.

²*Id.*, p. 195.

³This John Fontaine was a son of Rev. James Fontaine and Ann Bourciquot. He was a brother of Rev. Peter Fontaine, Minister of Westover Parish, whose son, Peter Fontaine, Jr., was present at the organization of Lunenburg County, and was the first surveyor of the Southern District of the County. Rev. Peter Fontaine's daughter, Marianne Fontaine, married Isaac Winston. John Fontaine, the companion of Spotswood on the trip to Christanna, was the uncle of Peter Fontaine, Jr., Surveyor of Lunenburg County, and of Marianne Fontaine, who married Isaac Winston. The descendants of James Fontaine and Ann Bourciquot (the parents of the John Fontaine of the Spotswood expedition to Christanna are legion throughout Virginia and elsewhere. Among them are Matthew Fontaine Maury, the great geographer of the seas, and Gen. Dabney H. Maury. These are descendants of Abram Maury, also of Lunenburg County.

The writer's wife (Mary Walden Williamson) is one of these Fontaine descendants. See the Williamson Genealogy in these volumes.

the Governor. He was fourth in descent from John de la Fontaine (born A. D. 1500, in the province of Maine, near the border of Normandy, who held a commission in the households of Francis I, Henry II, Francis II, and Charles IX, of France, continuously, and who was martyred as a Protestant in 1563).

His journal of this trip is printed in *Memoirs of a Huguenot Family*,¹ and remains possibly the most graphic description extant of the Christanna Settlement. His account of the observations he made of the Indians at that time are of sufficient importance to warrant reproduction at some length.

"The Governor," he says, "proposed a journey to his settlement, on Meherrin River, called Christanna," and he begins his entry as follows:

"April, 1716, Williamsburg.—The first day, Governor Spotswood and I set out from Williamsburg about eight of the clock in the morning, and we went to Jamestown in a four wheeled chaise. Jamestown is eight miles from Williamsburg, and situated close upon James River. This town consists chiefly in a Church, a Court House, and three or four brick houses, it was the former seat of the Government, but now it is removed to Middle plantation, which they call Williamsburg. The place where this town is built is on an island, it was fortified with a small rampart with embrasures, but now all is gone to ruin."²

Continuing he tells of leaving the chaise at Jamestown, having horses ferried across; of coming to a "place called Simmons' Ferry, upon Nottoway River," of having to swim the horses over, and cross themselves in a canoe, because "there was a great fresh in the river," of coming to one of "Mr. Hicks' plantation, upon one branch of Meherrin River, called Herring Creek," and of making "in all this day 65 miles."

Of the second day's journey he says:

"We set out with a guide for Christanna, for this house

¹Ann Maury, George P. Putnam & Co., 1853.

²*Memoirs of a Huguenot Family*, 270-71.

[apparently the house at Mr. Hicks' plantation, where they spent the night] is the most outward settlement on this side of Virginia, which is the south side. We have no roads here to conduct us, nor inhabitants to direct the traveller. We met with several Indians, and about twelve we came to Meherrin River opposite to Christanna Fort

"About half after twelve we crossed the river in a canoe, and went up to the Fort, which is built upon rising ground. It is an enclosure of five sides, made only with palisadoes, and instead of five bastions, there are five houses, which defend the one the other; each side is about one hundred yards long. There are five cannon, which were fired to welcome the Governor. There are twelve men here continually to keep the place. After all the ceremony was over, we came into the fort and were well entertained. The day proving wet and windy, we remained within doors, and employed ourselves in reading of Mr. Charles Griffin his observations on the benefit of a solitary life. We reckon that we made this day fifteen miles; in all, from Williamsburg, eighty miles."¹

Of his third day he says:

"About nine in the morning we got up and breakfasted. Mr. Griffin, who is an Englishman, is employed by the government to teach the Indian children, and to bring them to Christianity. He remains in this place, and teaches them the English tongue, and to read the Bible and Common Prayers, as also to write. He hath been now a year amongst them, and hath had good success. He told the Governor that the Indian Chiefs or great men, as they style themselves, were coming to the Fort to compliment him. These Indians are called Saponey Indians, and are always at peace with the English; they consist of about two hundred persons, men, women and children; they live within musket-shot of the fort, and are protected by the English from the insults of the other Indians, who are at difference with the English; they pay a tribute every year to renew and con-

¹Id., pp. 271-2.

firm the peace, and show their submission. This nation hath no King at present, but is governed by twelve of their old men, which have power to act for the whole nation, and they will all stand to everything that these twelve men agree to, as their own act.

“About twelve of the clock the twelve old men came to the fort, and brought with them several skins, and as soon as they came to the Governor, they laid them at his feet, and then all of them as one man made a bow to the Governor; they then desired an interpreter, saying they had something to represent to him, notwithstanding some of them could speak good English. It is a constant maxim amongst the Indians in general, that even if they can speak and understand English, yet when they treat of anything that concerns their nation, they will not treat but in their own language, and that by an interpreter, and they will not answer any question made to them without it be in their own tongue.

“The Governor got an interpreter, after which they stood silent for a while, and after they had spit several times upon the ground, one of them began to speak, and assured the Governor of the satisfaction they had of seeing him amongst them, and of the good-will they had towards the English. They said that some of the English had wronged them in some things, which they would make appear, and desired he would get justice done to them, that they depended upon him for it; which the Governor promised he would, and he thanked them for the good opinion they had of his justice towards them; whereupon they all made a bow, and so sat down on the ground all around the Governor.

“The first complaint they made was against another nation of Indians called Genitoes, who had surprised a party of their young men that had been out a hunting, and murdered fifteen of them, without any reason. They desired of the Governor to assist them to go out to war with these Genito Indians until they had killed as many of them; but this the Governor could not grant. He told them he would permit them to revenge themselves, and help them to powder and

ball, at which they seemed somewhat rejoiced. They also complained against some of the English, who had cheated them. The Governor paid them in full for what they could make out that they were wronged of by the English, which satisfied them, and afterwards he made them farewell presents, and so dismissed them.

“About three of the clock, came sixty of the young men with feathers in their hair and run through their ears, their faces painted with blue and vermillion, their hair cut in many forms, some on one side of the head and some on both, and others on the upper part of the head, making it stand like a cock’s-comb, and they had blue and red blankets wrapped about them. They dress themselves after this manner when they go to war the one with the other, so they call it their war-dress, and it really is very terrible, and makes them look like so many furies. These young men made no speeches, they only walked up and down, seeming to be very proud of their most abominable dress.

“After this came the young women; they all have long straight black hair, which comes down to the waist; they had each of them a blanket tied round the waist, and hanging down about the legs like a petticoat. They have no shifts and most of them nothing to cover them from the waist upwards; others of them there were that had two deer skins sewed together and thrown over their shoulders like a mantle. They all of them grease their bodies and heads with bear’s oil, which, with the smoke of their cabins, gives them an ugly smell. They are very modest and very true to their husbands. They are straight and well limbed, good shape, and extraordinary good features, as well the men as the women. They look wild, and are mighty shy of an Englishman, and will not let you touch them. The men marry but one wife, and cannot marry any more until she die, or grow so old that she cannot bear any more children; then the man may take another wife, but is obliged to keep them both and maintain them. They take one another without ceremony.”¹

¹*Memoirs of a Huguenot Family, 272-75.*

Of the fourth day of his excursion, he says:

"In the morning I rid out with the Governor and some of the people of the fort, to view the lands, which were not yet taken up. We saw several fine tracts of land, well watered, and good places to make mills on. I had a mind to take some of it up, so I asked the Governor if he would permit me to take up 3,000 acres, and he gave me his promise for it. I went through the land I designed to take up, and viewed it. It lies upon both sides of the Meherrin River and I design to have it in a long square, so that I shall have at least three miles of the river in the tract. I am informed that this river disgorgeth itself into the Sound of Currytuck. This river, though large and deep, is not navigable, because of the great rocks it falls over in some places. There is a great deal of fish in this place; we had two for dinner—about sixteen inches long—which were very good and firm.

"I gave ten shillings to Captain Hicks for his trouble in showing me the land, and he promises that he will assist me in the surveying of it. We saw several turkeys and deer, but we killed none. We returned to the fort about five of the clock."¹

Of the fifth day he tells us that,

"After breakfast, I went down to the Saponey Indian town, which is about a musket-shot from the fort. I walked round to view it. It lieth in a plain by the river-side, the houses join all the one to the other, and altogether make a circle; the walls are large pieces of timber which are squared, and being sharpened at the lower end, are put down two feet in the ground, and stand about seven feet above the ground. These posts are laid as close as possible the one to the other, and when they are all fixed after this manner, they make a roof with rafters, and cover the house with oak or hickory bark, which they strip off in great flakes, and lay it so closely that no rain can come in. Some Indian houses are covered in a circular manner, which they do

¹*Memoirs of a Huguenot Family, 275-6.*

by getting long saplings, sticking each end in the ground, and so covering them with bark; but there are none of the houses in this town so covered. There are three ways for entering into this town or circle of houses, which are passages of about six feet wide, between two of the houses. All the doors are on the inside of the ring, and the ground is very level withinside, which is in common between all the people to divert themselves. There is in the center of the circle a great stump of a tree; I asked the reason they left that standing, and they informed me it was for one of their head men to stand upon when he had anything of consequence to relate to them, so that being raised, he might the better be heard.

“The Indian women bind their children to a board that is cut after the shape of the child; there are two pieces at the bottom of this board to tie the two legs of the child to, and a piece cut out behind, so that all that the child doth falls from him, and he is never dirty. The head or top of the board is round, and there is a whole through the top of it for the string to be passed through, so that when the women tire of holding them, or have a mind to work, they hang the board to the limb of a tree, or to a pin in a post for that purpose, and there the children swing about and divert themselves, out of the reach of anything that might hurt them. They are kept in this way till nearly two years old, which I believe is the reason they are all so straight, and so few of them lame or odd-shaped. Their houses are pretty large, they have no garrets, and no other light than the door, and that which comes from the hole in the top of the house, which is to let out the smoke. They make their fires always in the middle of the house; the chief of their household goods is a pot and some wooden dishes and trays, which they make themselves; they seldom have anything to sit upon; but squat upon the ground; they have small divisions in their houses to sleep in, which they make of mats made of bullrushes; they have bedsteads, raised about two feet from the ground, upon which they lay bear and deer skins, and all the covering they have is a blanket.

These people have no sort of tame creatures, but live entirely upon their hunting and the corn which their wives cultivate. They live as lazily and miserably as any people in the world.

“Between the town and the river, upon the river side, there are several little huts built with wattles, in the form of an oven, with a small door in one end of it; these wattles are plaistered without side very closely with clay, they are big enough to hold a man, and are called sweating-houses, when they have any sickness, they get ten or twelve pebble stones which they heat in the fire, and when they are red-hot they carry them into these little huts, and the sick man or woman goes in naked, only a blanket with him, and they shut the door upon them, and there they sit and sweat until they are no more able to support it, and then they go out naked and immediately jump into the water over head and ears, and this is the remedy they have for all distempers.”¹

He tells us that on the sixth day,

“The Governor sent for all the young boys, and they brought with them their bows, and he got an axe, which he stuck up, and made them all shoot by turns at the eye of the axe, which was about twenty yards distant. Knives and looking-glasses were the prizes for which they shot, and they were very dexterous at this exercise, and often shot through the eye of the axe. This diversion continued about an hour. The Governor then asked the boys to dance a war dance, so they all prepared for it, and made a great ring; the musician being come, he sat himself in the middle of the ring; all the instrument he had was a piece of board and two small sticks; the board he set upon his lap, and began to sing a doleful tune, and by striking on the board with his sticks, he accompanied his voice; he made several antic motions, and sometimes shrieked hideously, which was answered by the boys. As the men sung so the boys danced all round, endeavoring who could outdo the one the other

¹*Memoirs of a Huguenot Family, 276-78.*

in antic motions and hideous cries, the movements answering in some way to the time of the music. All that I could remark by their actions was, that they were representing how they attacked their enemies, and relating one to the other how many of the other Indians they had killed, and how they did it, making all the motions in this dance as if they were actually in the action. By this lively representation of their warring, one may see the base way they have of surprising and murdering the one the other, and their inhuman manner of murdering all the prisoners, and what terrible cries they have, they who are conquerors. After the dance was over, the Governor treated all the boys, but they were so little used to have a belly full, that they rather devoured their victuals than anything else. So this day ended."¹

His entry for the seventh day is as follows:

"After breakfast we assembled ourselves, and read the Common Prayer. There was with us eight of the Indian boys who answered very well to the prayers, and understood what was read. After prayers we dined, and in the afternoon we walked abroad to see the land, which is well timbered and very good. We returned to the fort and supped."

On the eighth day he says:

"About ten in the morning there came to the fort ten of the Meherrin Indians, laden with beaver, deer and bear skins, to trade, for our Indian Company have goods here for that purpose. They delivered up their arms to the white men of the fort, and left their skins and furs also. Those Indians would not lie in the Indian town, but went into the woods, where they lay until such time as they had done trading.

"The Governor and I we laid out an avenue about half a mile long, which gave us employment enough this day."²

¹*Memoirs of a Huguenot Family*, 278-9.

²*Id.*, 279-80.

On the ninth day they began their return journey to Williamsburg.

"About seven in the morning," he says, "we got a horseback, and were just out of the fort when the Cannon fired. We passed by the Indian town, where they had notice that the Governor was returning, so they got twelve of their young men ready with their arms, and one of their old men at the head of them, and assured the Governor they were sorry he was leaving them, but that they would guard him safe to the inhabitants, which they pressed upon him, so that he was forced to accept of it. They were all afoot, so the Governor to compliment the head man of the Indians lent him his led-horse. After we had rid about a mile, we came to a ford of Meherrin River, and being mistaken in our water mark, we were sometimes obliged to make our horses swim, but we got over safe. The Indian Chief seeing how it was, unsaddled his horse, and stript himself all to his belt, and forded the river, leading his horse after him; the fancy of the Indian made us merry for a while. The day being warm and he not accustomed to ride, the horse threw him before we had gone two miles, but he had courage to mount again. By the time we had got a mile farther, he was so terribly galled that he was forced to dismount, and desired the Governor to take his horse, for he could not imagine what good they were for, if it was not to cripple Indians.

"We were obliged to ride easy, that we might not get before our Indian guard, who accompanied us as far as a river, called Nottoway River, which taketh its name from the Nottoway Indians, who formerly lived upon this river. The place was about fifteen miles from the fort. When we parted with the Indians the Governor ordered them to have a pound of powder and shot in proportion to each man. So they left us, and we crossed the river and rid fifteen miles further, until we came to a poor planter's house, where we put up for that night. They had no beds in the house, so the Governor lay upon the ground, and had his bear-skin under him, and I lay upon a large table in my

cloak, and thus we fared until day, which was welcome to us."¹

Of the tenth day, being the last day of the return journey, he says:

"At five we got up, and at six we mounted our horses, and we took a guide who pretended to know the way, and bring us a short-cut, but instead of that, he took us about seven miles out of our way. When we found that he was lost, we dismissed him; the sun began to shine out clear, so the Governor he conducted us, and about four of the clock we came to James River and took the ferry, and about six of the clock we mounted our horses and went to Williamsburg, where we arrived about eight of the clock. I supped with the Governor; and being well tired, I went after to my lodgings and to bed.

"The journey coming and going, comes to 160 miles."²

In a letter dated April 16, 1717, the Governor speaks of keeping up the Fort at Christanna and maintaining a constant guard there "for the security of a Fronteer that lyes most exposed to the incursions of Foreign Indians."³

And in another of August 29, 1717, he tells of being at Fort Christanna on April 9th of that year, where he had gone to meet the Chief of the Catawba Nation, with sundry other Chiefs of the Nations in that Confederacy, when "a party of Northern Indians (of the 5 Nations under New York Governm't), with some Tuscoruros" attacked them at about daybreak, on the morning of the 10th, while they were encamped only about fifty yards from the fort, killing five, wounding two and carrying away some prisoners.⁴

It was impossible, he reported, "to express the rage of these people on this occasion."⁵

¹*Memoirs of a Huguenot Family*, 280-81.

²*Id.*, 281.

³*Spotswood Letters*, Vol. II, p. 233.

⁴*Spotswood Letters*, Vol. II, p. 257.

⁵Letter of May 30, 1717, to Secretary Methuen, *Spotswood Letters*, Vol. II, 251.

On June 24, 1718, he complains to the Board of Trade of the policy of the House of Burgesses as follows :

“His Majesty’s Recommendation of the Indian Company’s Expences on the publick Service of this Government has mett w’th the regard w’ch might be expected from men of such principles as compose the leading party in both Houses. The building the Indian School, the maintaining the guard at Christanna, and all ye charge of repairing that ffort, tho’ carefully enjoined by ye Act of Assembly to be performed by the said late Comp’ny, are now voted of no service to the Country. And the charge expended thereon refused to be paid And to render the whole proceedings of a piece, the Indian Hostages taken for ye security of the Colony are ordered to be sent back, the Indian Trade Voted to want No Regulation, the ffort Built for ye defence of that Frontier Resolved to be slighted. The Tributary Indians who, in Compliance of a Treaty, removed from a place of safety to that ffort, to serve as a Barrier to the Inhabitants, are voted to be entitled to no other protection than other Tributarys (who refused to perform their Engagements, and that for this extraordinary Reason, expressed in their votes because they were the only Nation of Tributarys who have complied with their Treaty.”¹

And finally on this subject he writes to the Board of Trade, September 27, 1718, as follows :

“The Saponie Indians Settled at Christanna, in pursuance of a treaty made w’th this Gov’t, were also threatened by the Northern Indians, and they went so far as to send a Message to the Officer commanding that Fort to demand that Nation of Indians to be delivered up to them, but tho’ our Assembly thought fitt to abandon those Indians by refusing to keep up the Guard of the Fort, as by the aforementioned treaty was promised, and tho’ they seem’d bent upon discouraging the late Indian Comp’ny from contributing any longer to the Support of the ffort by y’t extra-

¹*Spotswood Letters*, Vol. II, p. 282.

ordinary proceeding of theirs on ye 24th of May, when they Resolved that the Governm't be not enabled to make good its Engagem't to ye late Indian Comp'ny for rebuilding ffort Christanna, I could not think myself excusable in treating so inhumanely a people that had voluntarily submitted to the orders of the Government, desired to be Ruled according to such methods as we should direct, and agreed to have all their children brought up Christians at the school w'ch I have established there, And, therefore, I removed them all into the Fort, w'ch the late Indian Company, after their Dissolution, at the desire of The Gov't here, had rebuilt and made of sufficient strength to baffle any Indian Enemy."¹

The Governor then reports that the Northern Indians, realizing that they could not successfully attack the Indians fortified at Christanna "concluded a Kind of Treaty by w'ch they are to forbear any hostilitys against one another."

This is the last mention of Christanna in the official correspondence of Governor Spotswood, so far as is disclosed by the published documents. Two years later, on September 27, 1722, his term of office ended. He was succeeded by Hugh Drysdale, who died something less than four years from the time of taking office and Robert Carter ("King Carter"), as president of the Council served as acting Deputy for a little over a year until the arrival of Sir William Gooch.

The history of Fort Christanna after Governor Spotswood's time, until the fort was abandoned and the community dispersed, is involved in some obscurity.

One of the last acts of Governor Spotswood, before his term ended, was to attend the peace conference or Council held at Albany, New York, in September, 1722. It was also attended by the Governors of New York and Pennsylvania, and by the representatives of the Five Nations (the Iroquois), and their allies the Tuscaroras, Shawnees, and others, then principally residing on the Susquehanna. By the treaty there concluded, the Iroquois and their allies agreed with Virginia, and her

¹*Spotswood Letters*, Vol. II, p. 302-3.

tributary Indians, including those of North Carolina, that all hostilities between them should thereafter cease. The Potomac on the North and the Blue Ridge on the West were made the boundaries between them; in other words, the Iroquois agreed that in their Southern excursions they would not come south of the Potomac nor east of the Blue Ridge, without the consent of Virginia; and the other Indians, likewise agreed not to go North and West of those boundaries.

Seven years after Governor Spotswood's administration ended, we get some light upon the condition of the Meherrins and the Nottoways from mention of them by William Byrd in his *History of the Dividing Line*. He tells us that when he and his party reached the mouth of Nottoway River on April 2, 1729,

"In this camp 3 of the Meherrin Indians made us a visit. They told us that the Small Remains of Their Nation had deserted their Ancient Town, situated near the mouth of Meherrin River for fear of the Catawbias, who had killed 14 of their people the year before; and the few that survived that Calamity, had taken refuge amongst the English, on the East Side of Chowan. Tho', if the complaint of these Indians were true, they are hardly used by our Carolina friends. But they are the less to be pitied, because they have ever been reputed the most false and treacherous to the English of all the Indians in the Neighborhood."¹

And of the Nottoways he says that on April 7, 1729,

"In the morning we dispatched a runner to the Nottoway Town to let the Indians know we intended to visit them that evening, and our honest Landlord [Mr. Kindred] was so kind as to be our pilot thither, being about 4 miles from his house."²

"The whole number of people belonging to the Nottoway Town, if you include women and children, amount to about 200. These are the only Indians of any consequence now remaining within the Limits of Virginia. The rest are either

¹Byrd: *History of the Dividing Line*, I, 66-67.

²*Id.*, 71.

removed, or dwindled to a very inconsiderable Number, either by destroying one another, or else by the Small-Pox and other diseases.”¹

He bears testimony to the comparative futility of Governor Spotswood’s noble efforts to educate, civilize and christianize the Indians in these words:

“Many children of our neighboring Indians have been brought up in the College of William and Mary. They have been taught to read and write, and have been carefully instructed in the Principles of the Christian Religion, till they come to be men. Yet after they returned home, instead of civilizing and converting the rest, they have immediately Relapt into Infidelity and Barbarism themselves.”²

The settlement in 1722 at the peace conference in Albany of the long-standing differences between the enemy tribes as a result of a mutual desire for peace, engendered partly by the desire to prevent further extermination of the braves, ushering in, as it did a period which enjoyed, at least for a time, surcease from savage warfare, probably did more than any other one thing to bring about the abandonment of the settlement at Christanna. Settlements of the English expanded Westward and Southward to such extent that ten years after Governor Spotswood’s term ended Brunswick County was created (in 1732). This area embraced the Fort Christanna Settlement. The law requiring trading at that point only, had been repealed, the monopoly given the Company to trade exclusively with the Indians, had ceased. Thus one of the purposes of the settlement no longer existed. The creation of Brunswick County meant that the Christanna Settlement was no longer on the frontier, so its fort was useless. Moreover as a school for the instruction of the Indian Children, it was now misplaced, for the Indians had of course retired farther westward.

Nor does it appear that the succeeding Governors of Virginia took the same interest in, or had the sanguine hopes of Spots-

¹Byrd: *History of the Dividing Line*, I, 74.

²*Id.*, 74-5.

wood respecting the education and Christianization of the Indians. Perhaps they were right; perhaps Governor Spotswood had attempted the impossible. One writer has said:

“The Red Indian in reality, though not in the romance of Fenimore Cooper, was of all savages the most irreclaimable. Wild virtues, notably fortitude, he had, as well as keenness of sense and power of endurance, but his life was full of slaughter and rapine, his cruelty was fiendish.”¹

But Governor Spotswood's efforts show the quality of his heart, and his administration constitutes one of the brightest chapters in the record of the relations of the White man toward the Red man, on the American Continent.

The Sapponey Indians seem to have continued to make Fort Christanna their home for a considerable time after Governor Spotswood moved them into the fort in 1718.

Colonel William Byrd in the History of the Dividing Line, relates that, in 1728, while engaged in establishing the dividing line, he employed two Sapponey Indians from Fort Christanna, to assist them. One of them became sick, and could not accompany the party, but the other one, Bearskin, continued with them until the completion of the work. He kept the company supplied with game all the way to the mountains and back. “From him,” says Mr. Buford, “we derive nearly all we know of the language and folk-lore of the Sapponey tribe. As they advanced slowly westward along this line, cutting through thickets, wading swamps and fording rivers, he told them the names of the streams in his language, with the meaning in English; and sitting around the camp fire at night he taught them the secrets of the woods and the things of the Indian spirit world.”²

Upon the party's return from the mountains, they came by a route taking them near Christanna. Bearskin went ahead, and when the party camped “all the Grandees of the Sappony Nation,” says Colonel Byrd, “did us the honor to repair thither to meet us, and our worthy friend and Fellow Traveller, Bearskin, appeared among the gravest of them in his Robes of Ceremony.

¹Goldwin Smith, *The United States*, 26.

²Edward P. Buford, Address, *Fort Christanna*, 23.

Four Young Ladies of the first Quality came with them who had more the air of cleanliness than any Copper-Coloured Beauties I had ever seen."¹

The Fort Christanna Settlement was abandoned by the Sapponeys, according to Colonel Byrd, because one of their chief men was hanged for murder. Some of them, it seems a greater part of the tribe, joined the Catawbias, and some settled in Orange and Spotsylvania Counties, near Governor Spotswood's home, Germanna. Eventually most of this nation, between 1736 and 1740, removed to the region of the Susquehanna, in Pennsylvania, and in 1753 both the Tutelos and Sapponeys were adopted by the Cayugas, and they really lost their identity in becoming a part of the Six Nations.

The Meherrins, never numerous, disappeared early as a separate tribe. They may have, as Hodge suggests, lost their identity among the more numerous Conestoga. They are not mentioned in the official papers of Governor Dinwiddie, whose administration ended in 1758, although the term of his governorship was during a period when Indian affairs were uppermost in the public mind.

Mr. Jefferson, writing in 1781, merely mentions them as a tribe that once existed on the Meherrin River.²

The Nottoways were sufficiently important in Governor Dinwiddie's time for the Government, with which they were friendly, to use them as emissaries to the Tuscarora in an effort to get their aid in making war upon the French and Indians to the westward of the Colony.³

But they were probably not considerable enough in numbers to be of any importance as a military force. Mr. Jefferson, in 1781 says, "of the *Nottoways*, not a male is left. A few women constitute the remains of that tribe. They are seated on Nottoway River, in Southampton County, on very fertile lands."⁴

And Hodge says: "As late as 1825 they still numbered 47."⁵

While it does not appear that the Meherrins or the Nottoways

¹Byrd's Writings: *The Dividing Line*.

²Notes, 97.

³Dinwiddie Papers, Vol. II, 482, 507, 605, 641.

⁴Notes, 99.

⁵*Handbook of American Indians*, Vol. II, 87.

ever gave the white settlers any considerable trouble, Lunenburg as a Frontier County suffered at the hand of the Indians, especially during the period following Braddock's defeat, and when the Government was pursuing an ineffective course toward the French and Indians to the westward.

"The miscarriages in all our enterprises," says Peter Fontaine, Jr., "have rendered us a reproach, and to the last degree contemptible in the eyes of our Savage Indians, and much more inhuman French enemies.

"Those of the Indians that call themselves our friends despise us, and in their march through our inhabited country, when going to our assistance, insult and annoy us. It is not above a month ago since a party of about a hundred and twenty Cherokees, in passing through Lunenburg, insulted people of all ranks. About three weeks ago the Cattawbas behaved so ill in Williamsburg, that those in power were obliged to arm the militia, and the matter was near coming to extremities."¹

And in the same letter he further says:

"The County of Halifax, in the meantime, is threatened by our Indian enemies, and the people, in the upper part of that County, which by the late encroachments of our enemies is become a frontier, are in great consternation, and all public business at a stand. The poor farmers and planters have dreadful apprehension of falling into the hands of the savage."²

But the story of the measures taken against the Indians and the French, and Lunenburg's part in it will be told in another chapter.

¹Letter, June 11, 1757, Peter Fontaine, Jr., to Moses Fontaine. *Memoirs of a Huguenot Family*, 366-7.

²*Id.*, 367.

CHAPTER III

The Pioneers: Settlement and Development



It is not definitely known when the white man first saw the land later to be embraced in Lunenburg County. The earliest record of an expedition traversing this territory is that of Edward Bland and Abraham Wood, who in 1650 made an extended tour of certain parts of the Indian country. These men started from Fort Henry, where Petersburg is now located, on August 27, 1650, and presumably followed a course which crossed Nottoway River several times, crossed also Sapponey Creek in Dinwiddie County, traversed a part of Brunswick County, and progressed finally to Roanoke Rapids. Turning back at that point because of the suspicions and hostility of the Indians, they followed a course which circled to the west of two of the towns of the Nottoway Indians, and the night of September 3, 1650, camped a few miles south of the Nottoway River, evidently in modern Lunenburg County.¹

These men were interested in the Indian trade, and started out with the purpose of visiting the Tuscarora Indians in North Carolina, with the view of establishing trading relations with them. This purpose, however, they did not carry out, owing to the hostility of some of the Indians they encountered, which caused them to turn back at Roanoke Rapids.²

As they were traversing a wholly new area, and the physical features either had no name, or only Indian names, or such as there were, were unknown to them, they gave their own names

¹The narrative of this expedition was printed in England in 1651. See an account of it in *Tyler's Hist. Mag.*, Vol. VII, p. 164.

²Some have supposed the point they reached and at which they turned back was that of modern Clarksville, in Mecklenburg County. But the better considered judgment, in the writer's opinion, favors Roanoke Rapids.

to several places, streams, etc., which have not survived. Thus the name of an Indian town, in what is now northeastern Brunswick County, they called Farmer's Chase; the present Meherrin River they called Pennant's Mount River, after Captain Elias Pennant, a member of the party; they record a fact interesting as showing the territory occupied by the different Indian tribes. They mention a Nottoway Indian town on the south side of Meherrin River, where they met the principal chief of the Nottoways, who then being friendly protested against their purpose of visiting the Tuscaroras.¹

In their farther progress they came to the Indian town of Maharineck, which was two miles from the Maharineck River. When they reached this river they named it Woodford River—this presumably was the Nottoway they were crossing, and they named it in honor of Colonel Abraham Wood.

After having named the Meherrin River, Pennant's Mount River, they came to and crossed this river at or near the present town of Emporia, and apparently not recognizing it as the same stream named it Brewster's River, after another member of the party, Sackford Brewster. In their progress they finally reached the river Hacomawanack, which is the Roanoke River. Not liking the aboriginal name, they named it Blandina River after Edward Bland.

It is interesting in passing to note, in this connection, that the Abraham Wood of this expedition came to Virginia in 1620, "as a little boy of ten years, in the *Margaret and John*, commanded by Anthony Chester. This vessel had a great fight in the West Indies with two Spanish men-of-war and beat them off. During the mêlée the heroic surgeon-general of Virginia, Dr. Lewis Bohun, received a mortal wound. Little Abraham escaped unhurt, and in 1625 was living at Jamestown in the employment of Captain Samuel Mathews. He rose rapidly to public prominence, was a member of the House of Burgesses, a member of the Council of State, and in 1671 was one of the four major generals commanding the military establishment of Virginia. Besides going by himself on expeditions to explore the country to the

¹*Tyler's Hist. Mag.*, Vol. VII, p. 165.

westward, he was the patron of various other expeditions. He lived at Fort Henry, where Petersburg now stands, and his daughter, Margaret, married Captain Peter Jones, whose grandson, Peter, went with William Byrd to run the line between Virginia and North Carolina. Petersburg received its name from this grandson."¹

Many of the descendants of Abraham Wood and Captain Peter Jones are living now, in Lunenburg and throughout Southside, Virginia, and elsewhere. They are very numerous.

It is quite certain also that at the time of "Bacon's Rebellion," in 1676, white men penetrated this part of Virginia. Bacon "crossed the James River at his own house, at Curles, and surprising the Appomattox Indians, who lived on both sides of the river of that name, a little below the falls (now Petersburg), he burnt their town, killed a large number of the tribe, and dispersed the rest. . . . From the falls of the Appomattox, Bacon traversed the country to the southward, destroying many towns on the banks of the Nottoway, the Meherrin, and the Roanoke."²

After Bacon's death, when Governor Berkely was hunting down and summarily executing his followers, it is thought that some of these may have sought refuge in the wilds of this unsettled region, and some have surmised that a part of his followers probably found their last earthly resting place in the "old Indian Grave Yard," the place of mystery, near Oral Oaks, in the present County of Lunenburg.³

Other Indian traders, following the example set by Bland and Wood, undoubtedly penetrated this area before 1700. Soon after this date, as we have seen, Governor Spotswood established the Fort, and founded the Indian School at Fort Christanna. This was a little below the eastern boundary of Lunenburg, and it marks the approximate location of the frontier at that time. However, roving adventurers were usually found pressing forward in advance of the permanent pioneer settlers. The fact that they left no permanent evidences upon the public records, such as

¹Note by Dr. Lyon G. Tyler, in *Tyler's Quarterly Mag.*, Vol. VII, p. 169.

²Charles Campbell: *History of Virginia*, 307.

³See Chapter I, Vol. I.

the land grants, of their presence, by no means negatives the fact that they were there. These migratory individuals, with the enormous expanses of the unsettled wilderness before them, did not choose to go to the trouble and expense of securing grants for the land upon which they lived. They were a class distinct from the permanent settlers, and moved on farther into the unbroken wilds as permanent settlers encroached upon their solitudes.

The approach of the early pioneers and settlers into the original Lunenburg area was largely up the Meherrin and the Nottoway from the territory that is now Brunswick, and from the lower Appomattox, on up that stream and its branches, such as Bush Creek, Briery and Buffalo, and thence across to the branches of the Roanoke, such as Horsepen Creek, Ward's Fork, Turnip Creek, Falling River, Difficult Creek, Banister River and the waters of the Staunton and the Dan. It would be difficult to tell which route was followed by the greater number. Others came from the same general direction, that is, from the eastward up the Roanoke. Colonel William Byrd in his account of "A Journey to the Land of Eden"¹ records the fact that after leaving Bluestone Castle, September 20, 1733, he and his party proceeded up the river, "as far as Hagen's, above which about a quarter of a mile we forded into the little Island, and from thence into the Fork of the River. The water was risen so high, that it ran into the top of my boots, but without giving me any cold, although I rid in my wet stockings. We landed 3 miles above the point of the fork, and, after marching three miles farther, reacht the Tenement of Peter Mitchell, the highest Inhabitant on Roanoke River."²

It thus appears that at this date (September, 1733) the settlement highest up on the waters of the Roanoke was only about six miles westward of the confluence of the Staunton and the Dan, the place being very likely near the present western line of Mecklenburg County.

It is not difficult to trace the influence of Prince George in the settlement of the new territory. Scores and scores of the names

¹The name he gave a part of his lands on the waters of the Roanoke.

²Byrd: *A Journey to the Land of Eden*, 10.

of families in Prince George in the early days are found in the earliest annals of Brunswick and of Lunenburg; the names of some of these are permanently preserved in names of localities or natural features, such, for example, as Ledbetter and Mason's Creeks and Banister River.

No other circumstance contributed more to the encouragement of the settling of the then unexplored area than the travels and public services of William Byrd of Westover. As the Chief Commissioner of Virginia, for surveying the State line between Virginia and North Carolina, he was the first to penetrate, and to bring back to Williamsburg and the settled communities an accurate account of the territory. He went farther into the territory than did the North Carolina Commissioners, who abandoned the work after being in the field only about fifteen days in the fall of 1729.¹

There were few persons who could make closer and more accurate observations than William Byrd. His writings abound in evidence that he took note of everything of interest and value. The character of the lands and streams, the trees, shrubs, and plants and flowers, the wild animals and fowls, the reptiles, in fact, of everything one might then reasonably desire to know.

Not only did Byrd himself enter, and secure grants for, considerable tracts of lands, but he encouraged others to do so as well. To no other person is a greater debt due for pioneering work in this territory than William Byrd II, of Westover. He not only built the lodge known as Bluestone Castle, which he liked to visit, and where he spent no inconsiderable part of his time, but he located tenants upon several tracts of his lands and sold other parts to permanent settlers. Moreover, being the first to explore, he gave the names to various streams of this territory. In 1733, on his trip to the Land of Eden, he had in his party, among the "Gentlemen," Mr. Mayo, Captain Peter Jones, and Mr. Banister; and among the other attendants, Henry Morris. After recording the fact of reaching the tenement of Peter Mit-

¹Byrd does them the justice, however, in the *History of the Dividing Line* to record the fact that they did not leave him until they had consumed the last drop of liquor he had brought along. Then they left him suddenly high and dry.

chell, who was "the highest Inhabitant on Roanoke River," he says that "we forded a water, which we named Birches Creek, not far from the mouth, which it discharges itself into the Dan."¹ "From thence we rode through charming low-grounds, for six miles together, to a large stream, which we agreed to call Banister River."²

This stream, of course, was named for his companion on the journey, "Mr. Banister." This Mr. Banister was evidently John Banister, who as early as October 13, 1727, secured a grant for a tract of land on Roanoke River, and who afterwards became Colonel. He was prominent in the French and Indian war period, and married Elizabeth Bland, daughter of Colonel Theodrick Bland and Frances Bolling, daughter of Drury Bolling of Kippax.³

After reaching and naming Banister River, the account continues: "We proceeded through low grounds, which were tolerably wide for three miles together, as far as a small creek, named by us Morris's Creek."⁴

This creek they evidently named for Henry Morris, one of the party. Other streams which they discovered and named were Maosty Creek, Medway Creek, Peter's Creek, Jones' Creek, Jesuit's Creek. Mayo River also evidently received its name from Byrd's delightful companion of that name on this trip.

The territory into which the early pioneers came in settling this section was not altogether inviting; in fact, in some aspects it was most forbidding. But it had opportunities for freedom and liberty; and no doubt, independence of the vexations of thickly settled communities was one of the chief magnets which drew the early settlers hither. It is hard to reconstruct in one's mind and imagination the country as it was then. This territory, but a little over two hundred years ago, was a "waste, howling wilderness" tenanted only by the wild animals of the forest and the savage redskins. The changes which have taken place have come about, step by step, so gradually, as in some instances to be almost imperceptible; yet at the end of two centuries, the physical

¹This seems not to be the stream now known as Birch Creek which empties into the Dan west of New Ferry in Halifax County.

²Byrd: *A Journey to the Land of Eden*, 10.

³*Dinwiddie Papers*, II, 688, note.

⁴*A Journey to the Land of Eden*, II.

features are so changed, the progress so great, the development so marked, that it would be almost as impossible for one of the present day to re-visualize the country as it was then, as it would have been for the early pioneers of those far-off days to have looked into the future and to have foreseen the great empire now embraced in Lunenburg, Mecklenburg, Charlotte, Halifax, Pittsylvania, Patrick, Henry, Campbell and Bedford, filled with cities and towns, traversed by railroads and modern highways, and served by electric light and power systems, the telegraph, the telephone and the radio; the whole section largely cleared and in cultivation, and affording opportunities for thriving, growing and diversified industries.

Then the whole country was covered by a dense growth of forest trees; there were no roads, even the Indian trails were few, and walking and horse-back riding were the only possible means of travel. Roads, even the rude affairs of the early days for wheeled vehicles, were a later development.

So few and unusual were these simple trails, that they were important enough to be referred to as notorious descriptions, in land grants. For instance, "William Bolling's path," is the chief monument of location referred to in a grant of 400 acres of land to Abraham Legrand on June 1, 1750; and the person who took the trouble and went to the expense of blazing trees to indicate a route, and who chopped out sapling and underbrush to make progress along it easier was looked upon as, in a measure at least, a public benefactor.

Some idea of the character and condition of this section, at the time it was first settled by the white man, is afforded by a few of the early names. The Bear, the Buffalo, the Elk, the Otter, the Beaver, the Wild Horse, the Deer, the Goose, the Rattlesnake, the Wild Turkey, and the Sturgeon, vied with each other in giving names to such streams as Bears Element, and Bearskin Creeks, Buffalo Creek, Elk Creek, Otterdam Creek and Otter River, Beaverpond and Beaverdam Creeks, Horsepen Creek, Buckskin Creek, Rattlesnake Swamp and Rattlesnake Creek, Goose Creek and Sturgeon Run.

While the wolf does not seem to have been commemorated by the name of any particular stream in this section, this no doubt

resulted from the fact that no one stream was in particular noted above others as the habitat of this ferocious animal. That wolves were a public menace of some proportions is indicated by the bounties offered for their killing. The act of 1738¹ designed to encourage persons to brave the perils of the section, and to settle on the waters of the Roanoke and its tributaries, provided that they should not be entitled to rewards for killing wolves during the period they enjoyed exemption from taxation.

Reedy, Briery, Difficult, Rocky Run and Stony Creeks have names which convey some suggestion of obstacles encountered in penetrating and undertaking to subdue this section.

A study of the racial strains which mingled in creating the early population of the County would be interesting indeed. Even a cursory glance at the facts is instructive. The early settlers of Lunenburg were but two or three generations from Jamestown. The same family names are found at Jamestown and among the early settlers of Lunenburg. Allen, Betts, Bell, Jones, Coles, White, Dixon, Boswell, Garland, Stokes, Edlow, Gee are illustrations of this fact. All of these were at Jamestown as early as 1635 and all are represented among the pioneers of Lunenburg County. No attempt has been made to compile an exhaustive list. These names were noted more or less at random from Hotten's Lists, and also appear among the earlier patentees of land or are otherwise identified with the early history of the Lunenburg section.

The English, the Scotch, the French, the Swiss, the Welch, the Palatines, the American Indians mingled to produce a population with characteristics of which any people might well be proud.

The English were the most numerous, and embraced such well known names as Byrd, Randolph, Bolling, Garland, Coleman, Hardy, Buford, Bacon, Bell, Read, Bouldin, Jones and Bland.

William Byrd, second of the name in Virginia, of "Westover," Charles City County, was one of the very early and at one time possibly the largest of the land owners in ancient Lunenburg. In 1728 he was one of the commissioners on the part of the

¹⁵ Hening, 57-8.

State of Virginia to run the dividing line between Virginia and North Carolina. It was no doubt at that time his attention was attracted to the two islands in the Roanoke River, for which, together with other land aggregating 1,550 acres, he secured a grant on September 28, 1728. This estate, which the Byrds called "Bluestone Castle," passed to Sir Peyton Skipwith, who built upon it the fine old mansion known as Prestwould, about 1756.¹ The tradition is that Sir Peyton won this estate from Colonel Byrd in a game of cards.²

The house on this estate is built of stone, and from its river front "there is an entrancing view of the Dan and Staunton rivers at their confluence with the Roanoke. Between the first-named rivers lie the three islands, the center one of which, Occoneeche, was the stronghold of a tribe of Indians of that name, whom Nathaniel Bacon practically exterminated in a desperate battle."³

William Byrd, who conveyed the "Bluestone Castle" to Sir Peyton Skipwith, did not lack for a landed estate in Lunenburg, notwithstanding what he may have lost to Sir Peyton, for on April 16, 1742, while the territory was still Brunswick, he secured a grant for 105,000 acres "on both sides of Dan River, and on both sides of the several branches of the same, namely, Banister river, Medway river and Hicomony river." This family was one of the greatest distinction. The second William Byrd built the present "noble brick mansion at Westover, and gathered about him the finest library on the continent."⁴ "He . . . was by long odds the most accomplished man in America."⁵ Among others of his distinctions he was a Fellow of the Royal Society.

It was his son William Byrd (the third) who represented Lunenburg in the House of Burgesses from 1752 until he was appointed to the Council, a position of great honor and influence, in 1754. He is the ancestor of the present (1926) Governor of

¹Sale: *Historic Gardens of Virginia*, 308 et seq.

²Id.

³Sale: *Historic Gardens of Virginia*, 308 et seq.

⁴Tyler: *The Cradle of the Republic*, 228.

⁵Id.

Virginia, and of Commander Richard Evelyn Byrd, who was the first person to make a flight to the North pole in an aeroplane.¹

It seems that it was while William Byrd II was visiting his "Bluestone" estate, afterwards Prestwould, in what was later Lunenburg County, that he conceived the idea of founding Richmond and Petersburg. On September 19, 1733, he made this entry in his famous diary: "After returning to 'Bluestone Castle' from a trip to the islands, we laid the foundations of two large cities, one at Shaccoes, to be called 'Richmond,' and the other at the point of the Appomattox, to be called 'Petersburg.'"

Sir Peyton Skipwith who acquired the "Bluestone Castle" estate, and built Prestwould, was a descendant of Sir Grey Skipwith, who emigrated to America during the usurpation of Cromwell. He was twice married, first to Anne Miller, and next to her sister Jean, both daughters of Hugh Miller.² Jean, the second wife, was the designer and creator of the famous garden at Prestwould.

Berry Hill, the famous home of the Bruces in Halifax County, is a part of the William Byrd land formerly in Lunenburg County. In fact, this particular part of William Byrd's land seems to have been patented while the territory was still Prince George, before even Brunswick County was formed. Byrd sold this land to Richard Bland, Bland to Benjamin Harrison of Berkeley, Charles City County, and Harrison sold it to Isaac Coles, an ancestor of the Bruces. It later passed into the hands of General Edward Carrington and James Cole Bruce, and still later became the home of Malcolm Graeme Bruce.

Colonel Richard Randolph of "Curles" on James River was one of the early explorers and landlords of the territory of ancient Lunenburg. About 1730 he in company with Colonel Nicholas Edmonds and Colonel Clement Read went on an exploring expedition into what was later to be Lunenburg County.³ They penetrated the territory as far as what is now Charlotte County.⁴ Colonel Edmonds decided not to acquire any lands in

¹His flight was made May 9, 1926.

²For a genealogy of the Skipwith Family, see Slaughter: *Bristol Parish*, 225 et seq.

³Foote: *Sketches of Virginia* (Second Series), 574.

⁴Foote: *Sketches of Virginia* (Second Series), 574.

the section; "but," says Rev. Wm. Henry Foote, "Mr. Read and Colonel Randolph purchased largely."¹ Randolph's purchases were on the Staunton River.²

Colonel Richard Randolph was the son of William Randolph of Yorkshire England (b. 1651, d. 1711), who emigrated to Virginia about 1671 and settled at "Turkey Island,"³ James River, and founded the Randolph family of Virginia. He married Mary Isham, daughter of Henry and Catherine Isham of Bermuda Hundred. Probably no single couple, in the history of America, are the progenitors of so great a number of distinguished, able and worth-while persons. Their descendants embrace Sir John Randolph, Speaker of the House of Burgesses, and Treasurer of the Colony; Peyton Randolph, Governor of Virginia, and President of the first Congress; Thomas Mann Randolph, member of the Virginia Convention of 1776; Beverly Randolph, Governor of Virginia; John Randolph, Attorney General of Virginia; Edward Randolph, member of the Virginia Convention of 1776, of the Federal Convention of 1787, and of the Convention of Virginia of 1788, which ratified the Constitution of the United States, Governor of Virginia, Attorney General of the United States, and Secretary of State of the United States; John Randolph of Roanoke; Richard Bland; the immortal Thomas Jefferson; Chief Justice John Marshall; Richard Henry Lee, signer of the Declaration of Independence; Francis Lightfoot Lee, signer of the Declaration of Independence; Henry Lee, "Light Horse Harry" of the Revolution, and Governor of Virginia; William Stith, the historian; Bishop William Meade; Robert E. Lee; Henry St. George Tucker; John Randolph Tucker; General Richard Kennon; Commodores Beverley Kennon, Sen'r and Jr.; and James Pleasants, Governor of Virginia.⁴

¹Foote: *Sketches of Virginia* (Second Series), 574.

²*Id.*

³This island was so named by Captain Newport and Captain John Smith who discovered it in May, 1607. They were ascending the James seeking "the head of the river, the lake, the sea, the Appalata Mountains, or some issue." They found this islet on which were many turkeys and called it Turkey Island.—Vestry Book, Henrico Parish (Ed. by Brock), 167-8. See also Slaughter: *Bristol Parish*, 213, note.

⁴Slaughter: *Bristol Parish*, 221-222; Beveridge: *John Marshall*.

Colonel Richard Randolph married Jane Bolling, a direct descendant of Pocahontas, from whom John Randolph of Roanoke, their grandson, inherited his royal Indian blood, of which he was very proud. Richard Randolph died in England, December 17, 1748, in the fifty-eighth year of his age.¹ His will was dated November 18, 1747.² By it he gave to his son John all his land "on both sides Stanton or Roanoke River in Lunenburg County." These lands are now in Charlotte and Halifax Counties. He gave to his son Ryland land "at the fork of Appomattox River, situate on both sides the said River in the Counties of Goochland and Amelia." These lands are now in Cumberland and Prince Edward. At least a part of these lands given to Ryland later became the property of his brother John, who made his home upon them, and the plantation, at some time not precisely fixed, came to bear the name "Bizarre."

Richard Randolph's will empowered his executors to close certain contracts into which he had entered with various purchasers for the sale of portions of his located but unpatented lands, and of his unlocated lands in Lunenburg County at the rate of five pounds, current money, for every hundred acres of low ground, and of three pounds, twelve shillings, and six pence for every hundred acres of high ground.

These lands or the most of them were finally granted by the Colony or rather by the Crown on September 10, 1755. On that date grants for eleven tracts, aggregating a few acres less than forty thousand, were issued in the name of Richard Randolph.

John Randolph, son of Col. Richard Randolph, was living on the "Bizarre" lands at the time his famous son, John Randolph of Roanoke, was born. However, the son was not born there but at Cawsons, the home of his maternal grandparents, on the Appomattox River. The estate, Roanoke, "from which John Randolph of Roanoke derived his suffix, was the land, or a part of the land, on the north side of Staunton River devised to his father by Richard Randolph of Curles."³

¹Bruce: *John Randolph of Roanoke*, I, 17, citing John Randolph's Diary.

²Henrico County, Deed and Will Book 1748-50, Virginia State Library.

³Bruce: *John Randolph of Roanoke*, I, 18.

Clement Read, one of the party mentioned above, who explored this territory about 1730, acquired "about ten thousand acres on the waters of Ash Camp, Dunnivant and Little Roanoke. Mr. Read removed to his purchase, and made his residence at Bushy Forest, about four miles south of the present Village of Maryville."¹

He was born in the year 1707, and Foote tells us that he was "early bereft of his father."² Who his parents were, or where they resided, we are not informed, but "John Robinson, of Spottsylvania became his guardian." Robinson was a trustee of William and Mary College, was president of the Council, and from June 20 to September, 1749, served as Governor of Virginia, after the departure of Sir William Gooch.³

Clement Read was educated at William and Mary College, and in 1730 married Mary Hill, the only daughter of William Hill, an officer in the British Navy, the second son of the Marquis of Lansdowne. Hill had married the only daughter of Governor Edmund Jennings,⁴ and resided in that section of country created into Brunswick County. Powhatan Bouldin gives the date of his settlement at Bushy Forest as 1733.⁵ When that County was formed he became its first clerk, and was prominently identified with the politics, progress and development of the County, and the Colony for many years. He died January 2, 1763, and was buried at Bushy Forest,⁶ where his wife, who died November 11, 1780, in her sixty-ninth year, also is buried. They had five children, Isaac, Thomas, Clement, Margaret and Edmund.

The son, Isaac, was Colonel Isaac Read of the Revolution. He married a daughter of Henry Embry (or Embra) who with Clement Read were the first representatives of Lunenburg in the House of Burgesses.⁷

He became a Colonel in a Virginia Regiment in 1776, and

¹Foote: *Sketches of Virginia* (Second Series), 574.

²Foote: *Sketches of Virginia* (Second Series), 573.

³Stanard: *Colonial Register*, 19; Foote: *Sketches of Virginia* (Second Series), 573.

⁴Governor in 1706 (b. in Eng. 1659, d. in Va. Dec. 5, 1727)—*Colonial Register*, 18.

⁵*The Old Trunk*, 6.

⁶Foote: *Sketches of Virginia* (Second Series), 574.

⁷*Colonial Register*, 123.

joined Washington's army, but his career was early cut short. At the age of thirty-seven he died of some disease, in Philadelphia, while connected with the army.¹

Thomas Bouldin, whose father was an Englishman,² was born in Pennsylvania. He removed first to Maryland, and thence to Lunenburg County, Virginia, in 1744.³ He married in Maryland, Nancy Clarke, and one of their children was born on the Chesapeake Bay as they made their journey to Virginia. At the end of the water journey they had yet something more than a hundred miles of land travel before they reached their home in that part of Brunswick which is now Charlotte County. With her new-born babe, Mrs. Bouldin endured the hardships of the immigration with great fortitude but when she entered her log cabin home and found no place for her gold lace hat, for the first time, she wept.⁴ The old pioneer soothed her with the promise of as comfortable a dwelling place as the one she left in Maryland, a promise which he redeemed by building the second frame house built in what is now the County of Charlotte.⁵ The completion of it was celebrated by a "house warming" on a notable scale, an interesting account of which is given by Powhatan Bouldin, a descendant, in *The Old Trunk*.

Thomas Bouldin became a prominent and highly respected leader in the affairs of the section. "He was a merchant and farmer at the same time, and at different times sheriff, magistrate, and Colonel of the Militia. He was, besides, a most active and zealous member of the established church. Business was his *forte*, and the most distinctive trait of his character was his great moral and physical courage. He died in 1783, having lived in his adopted County thirty-nine years. . . . He was buried by the side of his wife, at the old homestead, which has been in the family one hundred and forty-eight years."⁶

¹Some mention is made of his son, Rev. Clement Read, in Vol. I, Chapter IX.

²*The Old Trunk*, 7.

³Id.

⁴Id., 10.

⁵Id., 8.

⁶This was written in 1888.

“He was the father of Major Wood Bouldin, an officer of the Revolution, the grandfather of the Hons. Thos. T., James W., and Louis C. Bouldin, great grandfather of the late Judge Wood Bouldin of the Supreme Court of Appeals of Virginia, and the ancestor of many bearing his name now residing in various parts of the United States.”¹ Powhatan Bouldin records the interesting fact of the old Bouldin homestead, that Nancy Clarke, the bride, brought with her from Maryland, a slip of Damask rose, which “now [1888] (after the lapse of 144 years) blossoms and blooms on the old place belonging to Judge Thomas T. Bouldin, one of her descendants.”

The Scotch were represented among the early inhabitants of Lunenburg by the Caldwells, the Calhouns, the Bells and others. One of the early groups was that led by John and William Caldwell, brothers. The exact time of the coming of the group may not be possible of determination, but its approximate date is easily established. In 1738, John Caldwell, and a group of which he was the leader, requested the Synod of Philadelphia to appoint representatives to visit Virginia and ascertain whether the Governor and Council would look with favor on their settling in Virginia.² Governor Gooch, when visited by these messengers, assured them that they might settle in Virginia, and would not be disturbed if they complied with the provisions of the Toleration Act.³ The occasion of the enquiry was that these persons were Presbyterians, and the Episcopal church was established by law in Virginia at that time, and it prescribed penalties for gathering to worship in any other form, and for absenting one's self from the established church.

The report of the mission was formally made to the Philadelphia Synod on May 28, 1739, but it may be that Caldwell and his associates were in the meantime advised of the favorable reception from Governor Gooch, and possibly proceeded to Virginia at once. They formed settlements on Cub Creek in Charlotte—this was where John Caldwell himself lived, and on Buffalo Creek in Prince Edward.

¹*The Old Trunk*, 8.

²Footnote: *Sketches of Virginia* (First Series), 103.

³See Vol. I, Chapter IX, hereof.

It seems probable that they bought lands under contracts, and that deeds were not made thereto until some time later. This surmise is based on the fact that no deeds to the parties are found recorded in Brunswick, before the formation of Lunenburg, although it is definitely known that they were residing in that part of Brunswick, cut off into Lunenburg, at the time the latter County was created; nor are any land grants in Brunswick County found as early as the settlement of this Colony. The earliest Brunswick grants found, to any of this group, are one to Thomas Caldwell, dated June 5, 1745, for 334 acres on the south side of "Bannister's" River, and another to William Caldwell, dated the same day, for 404 acres on the north side of "Banister" River opposite the fork. It was a custom, however, often indulged, to be in no hurry to secure grants. Often the parties made entry upon the land, had it surveyed, and with the County surveyor's certificate and plat, they felt secure and content to get the patents at their leisure. It is probable, however, as already suggested, that this Colony first settled upon lands which they purchased from those who had already secured grants therefor, or at any rate had made entries thereof. The Brunswick County records show that Richard Kennon conveyed lands by separate deeds to William, John and David Caldwell.¹ These deeds were made in 1750, and William Byrd, on April 3, 1750, conveyed to Alexander Caldwell a tract of land on the north side of Dan River.²

William Caldwell and John Caldwell were two of the twelve Gentlemen Justices to whom the Commission of the Peace was issued for the organization of the County, and they were both present May 5, 1746, when the first County Court met, and the County government was formally organized. This family was the only one which had two justices on the Court. Among the proceedings at the first session of the Court was the appointment of "William Caldwell Gent." to take the list of the tithables in the County from the mouth of Falling River to the mouth of Little Roanoke River.

The prominence and integrity of this family is not only at-

¹Deed Book 4, pages 58, 60 and 70.

²Lunenburg County, D. B. 1, p. 123.

tested by the public positions they held, and the leading part they took in civic and religious affairs, but by the fact that David Caldwell was the agent and attorney for William Byrd.

The John Caldwell named above was the grandfather of the South Carolina statesman, John Caldwell Calhoun.¹

The descendants of these early Caldwells, to say nothing of the other members of the group which accompanied them, are legion, and are found in practically every quarter of the United States.

The Swiss, numbered among the early inhabitants of Lunenburg, were the descendants of Baron Christopher De Graffenreid of Berne, Switzerland, "honorary citizen of London, Governor of Yverton, Lord of Worb, member of the Order of Sunshine, Knight of the Purple Ribbon, Master of Arts, Doctor of Laws, and Landgrave of North Carolina."²

The Landgrave was the son of Anton de Graffenreid, Lord of Worb, and was born on the fifteenth day of November, 1661.³ His mother was Catherine Jenner. His father is said to have been a quiet, frugal man who was content to live at home and follow in the footsteps of his father. The son, Christopher, however, was of a very different temperament. He was fond of travel and adventure, notwithstanding "misfortune went hand in hand with brilliancy and achievement."

Through the influence of Sir William Waller, who seems to have taken refuge in Switzerland, as a regicide, Christopher became interested in going to England, but this desire was not to be gratified without considerable opposition from his father, as well as some delay. He finally went to England, sought out Sir William Waller only to fail to find him because he was in prison for debt.⁴

Through a chance acquaintance with the Duke of Albermarle, son of General Monk, who became much attached to him, Christopher came to move continually in the society of courtiers, led a brilliant and eventful life, and was finally pre-

¹ Foote: *Sketches of Virginia* (First Series), 104.

² Thomas P. de Graffenreid: *History of the de Graffenreid Family* (1925), 58-59.

³ The ancestry of the de Graffenreid family is traced back to 1191, apparently with certainty. See *History of the de Graffenreid Family*, supra.

⁴ *History of the de Graffenreid Family*, 64.

sented to King Charles. He was a musician of no mean attainments and spoke four languages in addition to English, with which he made considerable progress. While in England, the Duke of Albermarle, who was Chancellor of Cambridge University, and who was not able to be present in person on one occasion to confer degrees, deputed his noble, versatile and talented young Swiss friend to represent him. The young man acquitted himself so well that the authorities proposed to confer upon him the degree of Doctor of Laws, which he modestly declined, but accepted a Master of Arts.

While in England, he fell in love with a niece of the Duke of Buckingham; his friends, including the Duke of Albermarle, looked with favor upon his pursuit of her hand. Being penniless, however, he applied to his father for funds to purchase a vacant commission in the army, which would have been sufficient for the husband of a lady of rank. Instead, his father, who had heard highly colored, and probably false accounts of his doings in England, ordered him from England. It is said that he was not provided with sufficient funds to make the entire journey home, but received remittances from time to time at different places. He spent some time in Paris where matters went quite as well with him as in London.

Eventually he returned to Switzerland, and on April 25, 1684, married Regina Tscharner, nineteen years of age, daughter of the "highly respected Beat Lewis Tscharner of very ancient lineage."¹

He became dissatisfied to remain in Switzerland and began to long to seek his fortune in the New World. One of the impelling motives was to retrieve his fortune, and be able to discharge his debts. The Baron in his own account declares that he began his journey secretly in order "not to be detained by the creditors and my own people."²

Upon reaching England he was urged to take a Colony to America. There were at that time in England about ten thousand Palatines, "among them many Switzers and people brought

¹For his ancestry see *History of the de Graffenreid Family*, 69 et seq.

²*The Landgrave's Own Story*—translated by Julius Goebel, Ph. D., and printed as Chapter X of the *History of the de Graffenreid Family*.

together from other provinces of Germany." A fund of 4000 pounds Sterling was provided him, largely by the Queen, who also granted him certain lands, "as much as we immediately needed, and moreover" gave "strong recommendations to the Governor of Virginia" in his behalf. Moreover the proprietors of Carolina made him very alluring promises. He fitted out an expedition, which he sent on in advance, he himself waiting for a Colony from Berne. They came to the coast of Virginia, where one of the ships "which was filled with the best goods and on which those in best circumstances were travelling, had the misfortune, at the mouth of the James River, in sight of an English man-of-war, which lay at anchor, to be attacked by a bold French privateer and plundered."¹ The survivors of the voyage, after they had "regained health in Virginia, where they were received very kindly," moved on into Carolina, where "the Surveyor General settled them on a point of land between the Nuse and the Trent Rivers. This place, called Chattoka, is where the city of New Berne was afterwards founded."²

This settlement of his Colony, the Baron charges, Surveyor General Lawson caused wrongfully to be made at this point "for his own advantage, because this was his own land, in order that it might be cleared by these people for his benefit."

In the fall of the same year the Baron followed with the Colony from Berne. When he arrived the Colony was in such straits that he had to send immediately to Pennsylvania and Virginia for flour and the necessaries of life.³

He seems to have managed the Colony with energy and ability "so that inside of 18 months these people were so well settled and had their affairs so well arranged that in this short time they had made more advancement than the English inhabitants in four years."⁴ However, due to a succession of events, and misfortunes over which he had no control, the

¹*The Landgrave's Own Story*—translated by Julius Goebel, Ph. D., and printed as Chapter X of the *History of the de Graffenreid Family*, 77.

²*Id.*

³*Id.*, 79.

⁴*The Landgrave's Own Story*—translated by Julius Goebel, Ph. D., and printed as Chapter X of the *History of the de Graffenreid Family*, 80.

Colony finally came to grief. The history of the adventures, misfortunes, sufferings and sacrifices of this generous-hearted nobleman read like the pages of a story book. No adequate account can be incorporated herein, but the story is interestingly told in his own words, in the *History of the de Graffenreid Family*, hereinabove referred to.

At one time before he finally left North Carolina, he and Surveyor General Lawson were taken prisoners by the Indians and condemned to death. Lawson was actually executed, while the Baron was finally spared after living for several days and nights in hourly expectation of being burned at the stake.¹ Even after his life was spared he was compelled to remain a prisoner among the Indians for several months while the war between the Indians and the whites was in progress.

The Baron, feeling himself unable to secure either justice or protection from the Carolina authorities, disposed of his property, which was heavily mortgaged, in North Carolina, and "let it be known," he says, "that I was going to Virginia to make the necessary arrangements there in the hope that they [his Colony] might settle there better than in Carolina At the same time it was impossible with my own strength and means to restore a Colony so ruined, and from Berne the prospects were not only poor, but no hopes of any assistance whatever had been given."²

Upon reaching Virginia, the Baron "went farther into Virginia toward the Potomac and Maryland in order to have everything ready with lodging, food and cattle. The place was not far from the falls of the Potomac."³

Governor Spotswood felt a hearty sympathy for the Baron, and endeavored first to get him located in the Northern Neck, but on account of defective land titles this project failed. Finally he employed a good many of his Colonists at the iron works at Germanna, the Baron himself living most of the time,

¹The Baron to Governor Hyde, Oct. 23, 1711, *History of the de Graffenreid Family*, 118 et seq.

²*Id.*, 100.

³*Id.*, 101.

it seems, at Williamsburg; but he had an interest in the mines with Governor Spotswood.¹

Even in Virginia his Carolina misfortunes followed him, for a resident of Carolina sold one of his notes to an English merchant who sought to have him arrested on the protested note. "But," says the Baron, to escape this "I hid myself."² In this extremity he consulted Governor Spotswood, who "knew nothing better to advise me than that I should betake myself to Europe,"³ and "after I had taken my leave of Governor Spotswood," says the Baron, "who at the last regaled me well; and in return for my present which I gave as a small token of the gratitude due him, he made me a return present in gold which far exceeded mine. I began my journey with the help of the Most High, right at Easter, 1713. Went by land clear through Virginia, clear through Maryland, Pennsylvania, Jersey, and came, the Lord be thanked, at length to New York, which is a pretty city well built in the Holland style upon an island, along by a fine sea harbor, and between two navigable rivers. The situation is especially convenient. It has a strong castle and the landscape round about it is charming. In the city are three churches, an English, a French, and a Hollandish, in which there is preaching also in German. There is all abundance and one can have whatever he wants, the best fish, good meat, grain, and all kind of vegetable products, good beer and all sorts of the most expensive wines.

"In this so pleasant a place I stayed ten or twelve days. After this I sailed in a sloop to England."⁴

He never returned to America. He died in 1735.

His son, Christopher de Graffenreid, described in genealogical tables as Christopher VI, was the son of the Landgrave, Baron Christopher, the founder of New Berne. He was born in Switzerland and came to America with his father or soon after his father's coming.⁵

On February 22, 1714, at Charleston, S. C., he married Bar-

¹*History of the de Graffenreid Family*, 110.

²*Id.*

³*Id.*

⁴*Id.*, 112-113.

⁵*Id.*, 149.

bara Tempest (nee Needham), daughter of the distinguished Sir Arthur Needham of Wymondsley, Hertfordshire, England. She was born in 1688; her mother's maiden name was Wingate. This couple first lived in Williamsburg, and the Virginia Gazette for February 18th to 27th, 1736, contained a notice of a ball to be given by Mrs. Barbara De Graffenreid on April 26, and an Assembly on the 27th. Colonel William Byrd, in his memoirs (page 336), mentions Madam De Graffenreid as living not far from Williamsburg, and the family Bible records the fact that Christopher VI died at his plantation on the James River, "on Sunday at sunrising, October 27, 1742," and that "Barbara his wife departed this life the 26th day of June, 1744."¹

While he seems to have had a town house in Williamsburg, the place where he died was probably in Prince George County. On February 27, 1734, he secured a grant for 1843 acres of land on both sides of Swiss Creek in Brunswick County, and in this Grant he is described as living in Prince George County.²

He had but one son, Tscharner De Graffenreid (b. Nov. 28, 1722, in Williamsburg, Va., and died in 1794, in Lunenburg County, Virginia). He was married four times, and had fourteen children, seven sons and seven daughters. A genealogical account of the family is embraced in Vol. II, Chapter V. *hereof*.

His descendants are numerous in Lunenburg, Prince Edward, Cumberland and Mecklenburg Counties, and indeed throughout a large part of the South today. Many of them reside in Alabama and Georgia.

The French were represented among the early inhabitants of Lunenburg by such families as the Fontaines, the Maurys, the Le Grands and the Michauxs. These French were the Huguenots who from the Massacre of St. Bartholomew to and after the Revocation of the Edict of Nantes suffered most infamous outrages, which forced hundreds of thousands to flee from that country. Of these Huguenots thus driven from France, John Jay said they "carried industry, intelligence and prosperity, light, truth and happiness to other lands, including our own."³

¹*History of the de Graffenreid Family*, 151.

²Records, Va. Land Office Book 15, page 432.

³Address before the Huguenot Society of America, at New York, Oct. 22, 1885.

No inconsiderable part of these French Protestants finally came to Virginia, and a very considerable number of their descendants found their homes in ancient Lunenburg. The part which the Fontaines and the Maurys have had in the history of their times is too well known to need repetition here, and the history of the Huguenot Emigration, a history which has been quite well written, cannot for lack of space be repeated here. Almost without exception, these refugees were persons of excellent qualities, peaceable citizens, and many rose to stations of very high importance.

Peter Fontaine, Jr., the son of the rector of Westover Parish, and nephew of John Fontaine, Governor Spotswood's friend, his companion on the trip to Fort Christanna and on the expedition of the Knights of the Golden Horse-Shoe, became the first surveyor of Lunenburg County, and later of Halifax County. He was Colonel of the County and one of its most prominent citizens. From a union of the Fontaine and Maury families, both from ancient Lunenburg, sprang one of the foremost men of science America has produced—Matthew Fontaine Maury.

That the Welch were represented among the early Lunenburgers we know from the fact that in 1726, John Davis, in order that there might be no mistake as to his identity, had himself described, in a grant for a tract of land issued to him at that time, as John Davis, "the Welchman."

The foregoing list embraces but a few of the representatives of outstanding families who helped to lay the foundations of the County. That the list is imperfect and incomplete is of course true. No invidious comparisons or distinctions are intended to be made by introducing it. Its sole purpose is to illustrate and substantiate the claim that many racial strains blended to produce a citizenship of which any state might well be proud.

That philosophical writer, to whom we are indebted for a valuable contribution to the history of Virginia,¹ Reverend William Henry Foote, D. D., has justly written:

¹*Sketches of Virginia*: Phila., 1850; and *Sketches of Virginia* (Second Series), Phila., 1855.

“The genealogy for the eighteenth century, of the Morton, Watkins, Venable, Allen, Womark [Womack], Smith, Spencer, Michaux, Wilson and Scott families, and many others that occupied Lunenburg, in its original boundaries, would offer to the philosophic observer of the human race subjects for profound reflection. Coming from different divisions of the European stock, mingling in society on the frontiers, amalgamating by marriage, moulded by the religious teachings of Robinson and Davies, and their associates and successors, they formed a state of society and morals, in which the excellencies of the original constituent parts have been preserved. The courtly manners of Williamsburg, the cheerfulness and ease of the Huguenots, the honest frankness and stern independence of the English country gentleman, the activity and shrewdness of the merchant, the simplicity of republican life—all have been combined. Removed from cities, and not densely crowded in neighborhoods, relieved from the drudgeries of common life, and stimulated to activity, to preserve a cheerful independence, the increasing population have improved the opportunities for moral, intellectual and spiritual advancement, and pious examples, of excellence in manners, morals and religion, and domestic intercourse, worthy of remembrance and imitation.”¹

Dr. Foote might well have called a much longer roll of these worthy families. In fact a complete roster would embrace a large part of the original settlers, and to give such a list would be quite impossible in a work of this scope. However, space may be accorded for a brief additional account of the genesis of the County embodying something of the chronology of the settlement of the territory and some additional names of pioneers.

Numerous grants to lands on Meherrin River were issued while the territory was still Prince George. Most of these were, it seems, in the present County of Brunswick, but some of them were most probably in the area afterwards laid off

¹Foote: *Sketches of Virginia* (Second Series), 575.

into Lunenburg; some of them seem to have been in that part of Lunenburg afterwards created into Mecklenburg County. John King and John Wall were granted lands in 1720 on the south side of Nottoway River; and the records of Prince George County show that Captain Wm. Browne and John Bradford surveyed lands on Meherrin River in 1721.

While Brunswick County was created by an act passed in November, 1720, apparently no court was held in the County until 1732. This would indicate that the County government was not organized until that time. But grants for land in that County begin in 1722. The first was dated May 15, 1722, and was issued to Robert Mumford and John Anderson for 2811 acres in the Fork of Cocks Creeks.¹

By 1726 lands in the heart of the territory to become Lunenburg were being patented. On July 7, 1726, Charles Kimball secured a grant for 280 acres of land on the "lower or inward side of the Reedy Creek of Meherrin river," and on the same day Honorable Nathaniel Harrison secured a grant for 100 acres on the north side of Meherrin River. In this same year Richard Blunt patented land on the north side of Meherrin River, Henry Lettbetter on the south side of Meherrin River, Richard Lettbetter on the south side of Meherrin River "and on the south side of the Rattlesnake swamp."²

Robert Henry Dyer, in 1727, secured a grant for land on Green Creek, John Banister for lands on the south side of the Roanoke, and John Marshall for lands on the south side of Meherrin River.

On September 28, 1728, William Byrd, Esq., secured a grant for 1550 acres on the north side of Roanoke River, including two islands,³ and on the same day Drury Stith secured a grant for lands on the south side of Meherrin River "a little below the Bent of the River."

In 1731 Joseph Boswell patented lands on Briery Creek, and Henry L. Edloe on Great Creek. In 1734 Baron Christopher

¹Land Office Records, 11, p. 88.

²It was from this family, an early name in Prince George, that Ledbetter Creek in Lunenburg undoubtedly took its name.

³Land Office Records, Book 13, p. 504.

De Graffenreidt secured a grant for 1843 acres of land on both sides of a creek of Meherrin River called Swiss Creek, and Richard Randolph in 1735 acquired a grant for 1782 acres in the Counties "of Brunswick and Prince George" on both sides of Bush River. In 1737 and 1738 William Byrd secured grants aggregating some five thousand acres on both sides of the middle fork of Roanoke River, on Blue Stone, on Briery Creek, Sandy Creek, and Dan River.

In 1738 Henry Embry secured a grant for land on Banister River, and in 1739 Richard Stokes patented a tract on the ridge between the heads of the branches of Morris' Creek and the stream in recent times known as Modest Creek, but which then bore another name. In this same year John Mason Junior secured a grant for 545 acres "on both sides of the Great Branch of the nap of Reeds Creek," and John Mason patented 388 acres on both sides of the Upper Fork of Bears Element Creek. It was from him that a branch of Bears Element Creek took its present day name of Mason's Creek.

In 1739, also, John Edloe secured a grant for land on the south side of the Flat Rock Creek, and on both sides of the Beaverpond Branches, John Jefferson lands on Cattail Creek, Lemuel Lanier and James Lanier in 1740 patented lands on Three Creek, John Harding on the south side of the Second Fork of Licking Hole. John Coles secured a grant for 5600 acres on both sides of Staunton River, including the Islands, while Colonel Henry Embry secured a grant for four hundred acres on the ridge "between the nap of Reeds Creek and Couche's Creek."

In 1742 William Byrd, apparently growing enthusiastic over the progress of development of the section, secured a grant for 105,000 acres "on both sides of Dan River, and on both sides of the several branches of the same, namely Banister River, Medway River, and Hicomony River," while Theophilus Field secured a grant for a tract "on the first great creek above Christianna Fort," and Col. Richard Randolph acquired by grant 10,300 acres "including a small island in Staunton River, commonly known by the name of Fishing Place, on both sides of said Staunton River and on both sides of Licking Hole Creek

and Black Walnut Creek." Benjamin Wynsley was granted 400 acres on Bears Element Creek, and Abraham Cocke 2003 acres on Hounds Creek.

In 1743 Clement Read was granted 500 acres on Waqua Creek, Lewis Delaney a tract of land on both sides of Flat Rock Creek and on the north side of Allens Creek, Philip Lightfoot 6588 acres on the north side of Meherrin River, Tscharner DeGraffenreidt, son and heir of Christopher DeGraffenreidt, 404 acres on the north fork of Swiss Creek, and Metcalf Dickenson 249 acres on Cedar Creek. In this year also Richard Kennon acquired 31,700 acres on Staunton River and on both sides of Cubb Creek.

In 1744 Abraham Michaux was granted 400 acres on Meherrin river and on both sides of Tassekiah (Tussekihah) Creek, and 400 acres on both sides of Couche's Creek, John Blackwell and Theophilus Field tracts on Nottoway River, while Richard Randolph acquired by grant 3,233 acres on the north side of Otter River, including the heads of branches of Buffalo Creek and Elk Creek.

In 1745 John Bolling secured a grant for 818 acres on the north side of Roanoke River, William Broadnax 521 acres on the branches of Reedy Creek, James Coleman 400 acres on the north side of Roanoke River, Edward Booker 694 acres on the north side of Staunton River, James Coleman 274 acres on Allen's Creek, John Ingram 2,476 acres on Williams Creek, and 250 acres on Ledbetter's Creek.

David Lee patented 1800 acres on Ward's Fork; Thomas Caldwell 334 acres on Banister River; William Petty Poole a tract on the stream known as Modest Creek; William Caldwell 400 acres on Banister River; and Young Stokes 2000 acres on present day Modest Creek.

Although Lunenburg was created by the act of 1745 and the County was organized May 5, 1746, many Brunswick County grants were issued for lands in Lunenburg for several years thereafter. This no doubt resulted from the fact that the surveys had been made while the territory was still Brunswick, and when the grants were finally issued they were issued as if the land were still in Brunswick County.

Grants issued for lands, describing the lands as if they were in Brunswick, but actually for lands in Lunenburg after the passage of the act creating Lunenburg, and many of them after the organization of the County in 1746, included the following:

To Edward Colwell, Jan. 12, 1746, for 2740 acres on Couche's Creek; to Timothy Murrell, Jan. 12, 1746, for 195 acres on Hounds Creek; to Drury Ragsdale for 370 acres on Falls Creek and Little Hounds Creek; to Thomas Mackhunny, Jan. 12, 1746, for 330 acres on Flat Rock Creek; to Joseph Morton, Jr., for 600 acres on Lickinghole Creek; to John Twetty on Jan. 12, 1746, for 1000 acres on Meherrin River; to John Cargill, Jan. 12, 1746, for 210 acres on Dan River; to Francis Callo-way, Aug. 20, 1747, for 244 acres on Buffalo Creek; to Richard Calloway on the same date for 244 acres on Buffalo Creek; to Thomas Lanier, Jan. 12, 1747, for 380 acres on Mitchell's Creek; to Benjamin Lanier, April 5, 1748, for 368 acres on Allens Creek; to Edward Jordon, April 5, 1748, for 654 acres on Couches Creek; to Nicholas Brewer, Aug. 20, 1748, for 254 acres on Beaverpond Creek; to John Caldwell, Feb. 10, 1748, for 1085 acres on Cubb Creek; to Armistead Burwell, Jan. 7, 1746, for 3404 acres on Finny Wood Creek; to Matthew Talbott, Jan. 12, 1746, for 600 acres "being an Island in Staunton River below the mouth of Seneca Creek"; to Theodorick Bland, Jan. 12, 1746, for 396 acres on Nottoway River; to Thomas Bouldin, Jan. 12, 1746, for 400 acres on Twitty's Creek and branches of Little Roanoke; to John Yeates, June 25, 1747, for 204 acres on Dan River; to Nicholas S. Lanier, Oct. 1, 1747, 415 acres on Mitchells Creek; to Byrd Thomas Lanier, Jan. 12, 1747, for 374 acres on Allen's Creek; to Isaac Collier, Jan. 12, 1747, for 755 acres on Otterdam Creek.

The foregoing grants, of course, comprise but a small percentage of those issued in Brunswick County for lands afterwards embraced in Lunenburg County. They are taken at random from the grant books in the Land Office of the State of Virginia, and are simply presented as typical of the thousands of grants issued during the time immigration to this territory was at its height, especially from about 1733 to 1747.

A very large part of the territory that was to become Lunen-

burg was entered and patented before the County was formed; it is altogether probable that a major portion of the area was granted before that date. But the unseated areas were by no means exhausted, as the records of the land grants issued in Lunenburg subsequent to its organization abundantly prove.

The first grant for land described as in Lunenburg was issued August 28, 1746, to James Parrish for 208 acres on the south side of Dan River including Wolf Island. The next was issued to Henry May on September 25, 1746, for 328 acres of land on both sides of Little Roanoke River and adjoining the lands of Richard Randolph; and the third was issued to Augustine Claiborne January 12, 1747,¹ for 656 acres on the north side of "Meherrin River."

The following list, taken more or less at random from the records of the Land Office, embrace but a small part of the grants issued after the formation of the County:

William Caldwell, April 5, 1748, 280 acres on a branch of Louse Creek;

William Carrington, July 25, 1749, 400 acres on Harricane Branch of Meherrin River;

Adam Cahoon [Calhoon], July 25, 1749, 800 acres on the branches of the middle and Horse pen forks of Cub Creek adjoining Joseph Morton;

William Love, July 25, 1749, 433 acres on both sides of Meherrin River;

David Caldwell, Sept. 5, 1749, a tract of land on both sides of Snow Creek;

James Gee, Dec. 15, 1749, a tract of land on the head branches of Bears Element Creek, adjoining Mason's land;

David Stokes, September 5, 1749, 400 acres on a branch of Grassy Creek;

Clement Read, June 1, 1750, 200 acres on the head branches of Roanoke and adjoining Abraham Womack, Thomas Spencer and others;

William Caldwell, Senr., June 1, 1750, 176 acres on Sandy Creek;

¹The date on the book is 1746, which seems a clerical error.

John Caldwell, June 1, 1750, 281 acres on Bannister River;
 Abraham Legrand, June 1, 1750, 400 acres near "William
 Bolling's path";

Edward Booker, July 12, 1750, 475 acres on the lower side
 of North Fork of Bears Element Creek, adjoining Poole's line;

Peter Jefferson, Nov. 3, 1750, 713 acres on the south side
 of Staunton River, adjoining Benjamin Clement;

John Davis, Nov. 3, 1750, 2443 acres on the south side of
 Roanoke River, adjoining Richard Fox;

Richard Cocke, Nov. 3, 1750, 190 acres on the Upper Side
 of Bears Element Creek, adjoining the lands of Mason, Booker
 and others;

Thomas Lanier, Aug. 5, 1751, 318 acres on the lower side
 of Butchers Creek;

Drury Allen, August 5, 1751, 400 acres on the head of
 Couche's Creek;

William Embry, Aug. 5, 1751, 119 acres on Reedy Creek;

John Mason, June 1, 1750, 788 acres on both sides of Upper
 Bears Element Creek, adjoining his own land;

Charles Stokes, June 1, 1750, 315 acres on Dry Creek;

Young Stokes and Henry Stokes, June 1, 1750, 480 acres
 on Tassakea [Tussekiyah] Creek;

Sir William Skipwith, June 1, 1750, 200 acres on Little
 Roanoke River;

David Stokes, June 1, 1750, 400 acres on Nut Bush Fork
 of the stream now known as Modest Creek;

John Edloe, July 5, 1751, 2000 acres on Crooked Creek, and
 2700 acres on Flat Rock Creek;

John Brunskill (Clk),¹ 400 acres on the middle fork of "Blew-
 stone";

Peter Fontaine, Aug. 3, 1751, 2000 acres on branches of
 Polecat Creek, Poplar, Reedy and Mill Creeks, adjoining John
 Burk's land;

William Saffold, Aug. 6, 1753, 293 acres on Beaver Pond,
 and Flat Rock Creeks, adjoining the lands of Edloe, Daw
 and others;

¹Rev. John Brunskill, at one time minister of Cumberland Parish.

Lunsford Lomax, Clement Read, Robert Jones and Nicholas Edmonds, April 20, 1753, 11,267 acres on Irwin River and Beaver and Ready Creeks;

Drury Stith, Henry Morris and Michael Cadet Young, Aug. 6, 1753, 3070 acres on Grassey Creek;

Theophilus Field, June 26, 1755, 1004 acres on Roanoke River and Nut Bush Creek;

Richard Randolph, on Sept. 10, 1755, 2350 acres on Blackwater; 14,000 acres on Little Otter, Falling and Goose Creeks; 2800 acres on Snow Creek; 13,550 acres on the north branch of Staunton River and the south branch of Goose Creek; 2800 acres on both sides of Staunton River; 780 acres on Blackwater; 400 acres on Gill Creek; 250 acres on Gill Creek; 1800 acres on Staunton River, including a small Island; 300 acres on Maggoty Creek; and 940 acres on Maggoty Creek;

John Chiswell, Sept. 10, 1755, several tracts on Sandy River;

Owen Sullivant, Sept. 10, 1755, 160 acres on Ward's Fork;

Matthew Talbott, Jr., Sept. 10, 1755, 400 acres on both sides of Johnsons Creek and South Branch of Otter River;

Henry Embry, Jr., Sept. 10, 1755, 400 acres on Great Toby's Creek;

Archibald Cary, Aug. 24, 1754, 10,650 acres on the north side of Goose Creek;

Matthew Marrantable, May 8, 1755, many tracts in several localities;

Peter Fontaine, Jr., May 15, 1755, 825 acres on both sides of the South Fork of Terrible Creek;

Michael Macdermoutdrove, Feb. 14, 1756, 400 acres on head branches of Roanoke River;

David Caldwell and Thomas *Rodgers*, Exors. of William *Rogers*, decd., Aug. 16, 1756, 300 acres on Turnip Creek;

William Hardy, Aug. 16, 1756, 400 acres on both sides of Crooked Creek adjoining Ragsdale;

Thomas Spraggin, Aug. 16, 1756, 454 acres on south side of Catawba Creek;

James Easter, Aug. 29, 1757, 683 acres on Ash Camp Creek at the mouth of Great Branch;

John Caldwell, Sept. 26, 1760, 324 acres on Great Louse Creek;

Stephen Edward Broadnax, Aug. 16, 1756, 413 acres on Miles Creek;

James Maury (Clerk),¹ Aug. 16, 1756, 400 acres on Little Buffalo Creek;

Silvanus Stokes, May 12, 1759, 400 acres on Middle Meherrin;

Field Jefferson, July 15, 1760, 2200 acres on the north side of Roanoke River;

Owen Sullivan, July 15, 1760, 225 acres on Sandy Creek;

James Caldwell, July 15, 1760, 225 acres on Sandy Creek;

William Caldwell, Aug. 7, 1761, 375 acres on Turnip Creek;

John Sullivan, Aug. 15, 1764, 400 acres on Stith Branch;

Thomas Shelborn, Aug. 15, 1764, 300 acres on Sneeds Creek;

David Garland, June 5, 1765, 380 acres on head branches of Flat Rock and Stoney Creeks, adjoining the lands of Brown and Bishop, and 400 acres on the head branches of Stoney Creek, adjoining Gill's lands;

John Jefferson, Aug. 29, 1766, 400 acres on both sides of Crupper Run;

Stephen Coleman, Sept. 22, 1766, 214 acres on the west Branch and Terry's Run;

John Garland, Dec. 1, 1779, 321 acres;

Peter Field Trent, May 13, 1780, 765 acres on Flat Rock, and Hound's Creek, adjoining the lands of John Hardy, Thomas Hardy, James Buford and others;

Peter Garland, Sept. 1, 1780, 31 acres on the north side of Meherrin River, adjoining the lands of John Rhodes, Wm. Turner and others;

William Stokes, Feb. 1, 1781, 9½ acres on Ready Creek;

Archibald Campbell, Sept. 1, 1780, 300 acres on the head branches of Naked Creek;

William Buford, Dec. 30, 1786, 430 acres on Moodys Branch;

William Hardy, July 20, 1787, 299 acres on the south Branch of Great Rounds [Hounds] Creek;

¹Plaintiff in the celebrated "Parsons Case," in which Patrick Henry made his great speech.

John Hardy, March 17, 1789, 474 acres on Flat Rock Creek;
Henry Gee, July 28, 1789, 43½ acres on Bears Element
Creek;

Wren Tisdale, July 24, 1789, 99 acres on the north side of
Meherrin River, adjoining the lands of Nicholas Hobson decd.

The act passed in 1745 provided that the County of Lunenburg should come into being on May 1, 1746. Four days later, on May 5, 1746, the Commission of the Peace was read, and the county machinery formally set in motion. The opening record, and proceedings of the first term of court are as follows:

“MAY COURT MDCCXLVI

LUNENBURG COUNTY &C

AT THE COURT HOUSE OF THE SAID COUNTY ON
THE FIFTH DAY OF MAY IN THE SIXTH YEAR OF
THE REIGN OF OUR SOVEREIGN LORD KING GEORGE
THE SECOND AND IN THE YEAR OF OUR LORD GOD
ONE THOUSAND SEVEN HUNDRED AND FORTY SIX.

PRESENT	JOHN HALL
WILLIAM HOWARD	JOHN CALDWELL
MATTHEW TALBOT	CORNELIUS CARGILL
LEWIS DELONY	ABRAHAM COOK
JOHN PHELPS	HUGH LAWSON
WILLIAM HILL	THOMAS LANEAR
AND WILLIAM CALDWELL	GENTLEMEN:

A COMMISSION OF THE PEACE for this county directed to the above mentioned persons and others, and a Dedimus Potestatem for administering the oaths and both bearing date the second day of this instant, were this day openly read:

Whereupon, the said William Howard and Lewis Delony, administered the oaths appointed by act of Parliament to be taken instead of the oaths of allegiance and supremacy and the abjuration oath unto the said William Hill and John Phelps, which they took, and then, subscribed the abjuration oath and also the teste, and then, the said William Howard and Lewis Delony admin-

istered unto the said William Hill and John Phelps the oath of a Justice of the Peace, and the oath of a Justice of the County Court in Chancery, which they likewise took; and then the said William Hill and John Phelps administered the said oaths appointed to be taken instead of the oaths of allegiance and supremacy unto the said William Howard, Matthew Talbot, Lewis Delony, John Caldwell, Cornelius Cargill, Abraham Cook, Hugh Lawson, Thomas Lanear, and William Caldwell who in like manner took the same and subscribed the said abjuration oath and teste, and then the said William Hill and John Phelps administered to them the said oath of a Justice of the Peace and the oath of a Justice of the County Court in Chancery which they likewise took.

The Court being thus constituted:

Clement Read Gent produced a Commission from the Honorable Thomas Nelson Esq'r Secretary of this Colony to be Clerk of this Court during pleasure, And thereupon, the said Read having first taken the oaths appointed by the Act of Parliament to be taken instead of the oaths of allegiance and supremacy and taken and subscribed the abjuration oath, and subscribed the test was sworn Clerk of this Court accordingly.

A Commission from the Honorable the Lieutenant Governor to Thomas Bouldin Gent to be Sheriff of this County during pleasure, was produced in Court by the said Thomas Bouldin and read, and thereupon, he together with Thomas Jones and John Owen his securities, entered into and acknowledged their bond in One thousand Pounds Sterling payable and conditioned as in the said condition as directed.

And then the said Bouldin having first taken the oaths appointed by Act of Parliament to be taken instead of the oaths of allegiance and Supremacy, and taken and subscribed the abjuration oath, and subscribed the teste, was then sworn Sheriff of this County.

A commission from the Masters and Professors of William and Mary College at Williamsburg to John Hall Gent, to be Surveyor

of the north district of this county was produced in Court by the said John Hall and read, and then, the said John Hall having first taken the oaths appointed by Act of Parliament to be taken instead of the oaths of Allegiance and supremacy, and taken and subscribed the Abjuration oath, and subscribed the teste, was sworn Surveyor accordingly.

A Commission from the Masters and Professors of William and Mary College at Williamsburg to Peter Fontaine Jr Gent, to be Surveyor of the south district of this county, was produced in Court by the said Peter Fontaine, and read, and then, the said Peter Fontaine having first taken the oaths appointed by Act of Parliament to be taken instead of the oaths of allegiance and Supremacy and taken and subscribed the Abjuration oath and subscribed the teste, was sworn Surveyor accordingly.

Gideon Marr Gent, having this day in Court took and subscribed the usual oaths to His Majestys person and government and also subscribed the Teste, took the oath by law appointed to be taken by Attornies practicing in the County Courts.

John Phelps Gent is appointed to take the list of Tithables in this county from the mouth of Otter River to the extent of the County upwards.

Mathew Talbot Gent is appointed to take the list of Tithables in this county from the mouth of Falling River to the mouth of Otter River.

William Caldwell Gent, is appointed to take the list of Tithables in this County from the mouth of Falling River to the mouth of Little Roanoke River.

Cornelius Cargill Gent is appointed to take the list of Tithables in this county from the mouth of Little Roanoke River to the

mouth of Blewstone, and so to the County line, and also in the fork of Roanoke.

William Hill Gent, is appointed to take the list of Tithables in this county from the mouth of Blewstone, to the mouth of Allen Creek.

Lewis Delony Gent, is appointed to take the list of tithables in this county from the mouth of Allens Creek down to the line that divides this from Brunswick County.

Hugh Lawson Gent is appointed to take the list of Tithables in this county from the line that divides this from Brunswick county upwards to the mouth of Hounds Creek.

Lidall Bacon Gent, is appointed to take the list of Tithables in this county from the mouth of Hounds Creek to the extent of the County upwards.

Lewis Deloney and Thomas Lanear, Gents are appointed Commissioners to attend the Surveyor of this County on the part of this County in order to meet the Surveyor and Commissioners appointed on the part of Brunswick County to direct the running of the dividing line between this, and that county according to the directions of the Act of Assembly for that purpose made, and it is ordered that the charge and expense thereof be equally defrayed by both counties.

An Indenture of Feoffment between Anthony Pouncy of the one part and John Owen of the other part was acknowledged by the said Anthony Pouncy and Lucy, the wife of the said Anthony Pouncy being first privily examined as the law directs, the same is ordered to be recorded.

An Indenture of Feoffment between Henry Reynolds of the one part and John Owen of the other part was proved by the oaths of the witnesses thereto subscribed and ordered to be recorded.

Richard Calloway is appointed Constable of this county and it is ordered that the said Calloway be sworn into his said office at the next court.

William Hunter is appointed a Constable of this County and it is ordered that the said Hunter be sworn into his said office at the next court.

Richard Griffin is appointed a Constable of this County and it is ordered that the said Griffin be sworn into his said office at the next Court.

James Coleman is appointed a Constable of this county and it is ordered that the said Coleman be sworn into his said office at the next Court.

David Dodd is appointed a Constable of this County and it is ordered that the said Dodd be sworn into his said office at the next Court.

Silvanus Walker is appointed a Constable of this County And it is ordered that the said Walker be sworn into his said office at the next Court.

James Easter is appointed Surveyor of the Road from the mouth of Ash Camp Creek the most convenient way into Col Randolphs Road, And it is ordered that Thomas Jones' male laboring Tithables, Clement Read's male laboring tithables and Philip Jones' male laboring Tithables assist in clearing the same.

Lewis Delony Gent, is appointed Surveyor of the River Road from the dividing line up to Allen Creek and it is ordered that the male laboring tithable persons convenient thereto assist in clearing the same.

William Howard Gent, is appointed Surveyor of the Road from Allen Creek to Butchers Creek and it is ordered that all male

laboring tithable persons convenient thereto assist in clearing the same.

Abraham Cook Gent is appointed Surveyor of the Road from Butchers Creek to Blew Stone, and it is ordered that all male laboring Tithable persons convenient thereto assist in clearing the same.

William Harris is appointed Surveyor of the Road from Blew Stone to Cargill's Ferry on Staunton River And it is ordered that all male laboring tithable persons convenient thereto assist in clearing the same.

John McKneese is appointed a Constable of this County, and it is ordered that the said McKneese be sworn into his said office at the next Court.

Richard Womack is appointed Surveyor of a road to be cleared from the Middle Fork of Little Roanoke into Falling River Road, and it is ordered that all the male laboring tithable persons belonging to Thomas Spencer, Joseph Morton, Richard Womack and Robert Childsress [Childress] assist in clearing the same. Ordered that the next Court be held at the house of Mr Thomas Bouldin

Ordered that the Court be adjourned till the Court in course.

Signed

JOHN HALL"

It does not affirmatively appear where this first term of Court was held. The opening order recites that it was held "at the Court House of the said County," but that court house was likely the residence of some citizen, which became the "court house" by virtue of the fact that the Court was there held. It was likely at the residence of Clement Read, the first clerk, who was to be one of the first burgesses from the county, or it may have been held at the residence of John Hall the first of those named in the Commission of the Peace for organizing the county. But these are mere conjectures. The second term was by an

order entered at the first term, directed to be held at the residence of Thomas Bouldin, the sheriff. This was within that part of Lunenburg, afterwards to be laid off into Charlotte County.

An order was entered at the June term, 1746, directing "that the court be adjourned till the court in course and held next month at Burwell's Quarter on Butcher's Creek." This was of course in the present county of Mecklenburg.

The following order was entered July 7, 1746:

"The Surveyor of this county is appointed to run a Line a dew west course from the center of the line that divides this from Brunswick County Twenty five miles and that he proceed on the same the last Monday in this month, and Lewis Deloney and David Stokes, Gent, are appointed Commissioners to attend the said survey and that they make Report thereof to this Court."¹

A line so run would fix the location of its terminus in the present county of Mecklenburg, not very far from Chase City, and the Court House was located within the eastern limits of that town as it now exists, but an order entered in September, 1747, declares that the location was ten miles nearer the Brunswick line than it should be.

The following appears upon the records of the court for August 4, 1746:

"Lewis Deloney and David Stokes, Gentlemen who were appointed Commissioners by the last court to attend the surveyor of this county in running a line a dew west course from the center of the line that divides this from Brunswick County, twenty five miles this Day Reported to the Court that the land whereon the said line terminated is Barren and that there is no spring convenient &c, whereupon James Murray came into court and proposed to build a Courthouse, stocks and pillory on his own Land — According to the Plan offered by Lewis Deloney Gent. and lodged in the clerk's office of this County, at the most convenient place, within a mile or thereabouts of the termination of the said Line by next October come twelve months and that in the meantime he would Build a convenient House to hold Court in which house should be finished and ready for the purpose by

¹O. B. 1, p. 35.

the next Court to be held for this County, which proposal the Court are of opinion is for the Benefit of the county and do accordingly agree to accept thereof and thereupon it is ordered that Lewis Deloney and John Hall Gent. take Bond and security of the said Murray for the performance and fulfilling of the said agreement."¹

"Lewis Deloney Gent. having proposed and offered to the Court to Build a sufficient and necessary Prison for the use of this County It is the opinion of the Court that he build such a Prison as will be convenient, strong and sufficient by the Twenty fifth day of December next, and that he also make and Build such necessary office in the Courthouse and a Press for the safe-keeping and preservation of the Law Books, Papers and Records which shall or may from time to time be left there, as will be needful and necessary as also a Table for the clerk to write on and that for the services aforesaid he bring in his Charge at the laying the next Levy for this County, and if upon examination of such account it shall be the opinion of the Court that the same is extravagant and his Charges unreasonable that then persons be appointed to view such works and services—and Report the value thereof to the next succeeding Court."²

It will be seen from the foregoing that James Murray agreed at the August term, 1746, to build within one month "a convenient House to hold court in," and have it ready for the September Court, 1746; and that the Court engaged him to build a court house according to the plans offered by Lewis Deloney, the same to be ready "by next October come twelve months," which it seems meant October, 1747.

Just what happened respecting the building of the court house is not known, but at the September term, 1747, the court entered the following order:

"This court from many month's experience taking into their consideration the many Grievances that attend the present situation of this Courthouse, which are as follows to wit: 'That the water near and convenient and which is now made use of is unclean, unwholesome, very bad and not fit to drink. That the

¹O. B. 1, 48-49.

²O. B. 1, 49-50.

place where the Courthouse is situate is not Central but Inconvenient to the majority of the Inhabitants of this County and is nearer the County line than the line that divides this from Brunswick County, by about Ten miles and is so illy scituated that it is Impracticable to have Convenient and necessary Roads to lead to it from hardly any part of the County.' It is therefore ordered that John Hall, David Stokes and Clement Read Gentlemen do Represent to the Honorable the Governor and Council of this Colony the several Grievances aforesaid in order to have them redressed, and to obtain such an order as will be for the ease and convenience of the Inhabitants of this County."¹

Neither the Court records, nor legislation, so far as our investigations have discovered them, disclose what action was taken or where the court house was located, if indeed its location was changed.

A legislative petition² presented to the General Assembly May 23, 1782, declares that the Court House is situate on a tract of land the property of a certain Mr. Joseph Smith "who admits the place is infested with persons violently suspected of Horse-stealing and sundry other crimes," and that the reputation of Smith is not above suspicion. The petition requests that the Court House be removed from that place to the place most "central." This petition is signed by considerably more than a hundred persons.

It was in response to this petition that the following act was passed in May, 1782, by the General Assembly:

I. Whereas it is represented to this present general assembly, that the situation of the present court house in the County of Lunenburg is inconvenient to the inhabitants thereof:

II. Be it therefore enacted, That the justices of the said County of Lunenburg, or a majority of them, shall provide for building, as soon as may be, a court-house, prison, pillory, and stocks, on some convenient place at or near the centre of the said county; and that after such buildings shall be *completed*, a court for the said county shall be constantly held at such place,

¹O. B. 1, p. 286.

²Preserved in the Archives of the Virginia State Library.

and that in the mean time, and until such buildings shall be *completed*, the justices may hold their sessions at such place as they may think most convenient.¹

The well founded tradition is that the court house of the county prior to that located under the Act of May, 1782, was located a mile and a half from the present court house on the left hand side of the road, as one travels from the Court House to Victoria. At a distance of one and a half miles from the court house on this road, a comparatively little used road turns out from it to the left; on the right hand side of this road at a distance of some two hundred yards can still be seen the remains of an old well,—the Court House well. The Court House stood between this point and the residence of the late William C. Tisdale, which was later built near the location of the old Lunenburg Tavern, at which Tarleton stopped on his raid through Lunenburg.

The tract of land embracing the old Court House site is now owned by Mrs. J. Caleb Gary of Lunenburg. It was formerly the home of her grandparents William and Jane M. Tisdale.

It seems that acting under the authority of the Act of May, 1782, the County Court fixed upon the location of the "convenient place at or near the center of the county" on the lands of Michael Johnson, as appears by the following order:

"In Lunenburg County Court September 12th, 1782.

Agreeable to an Act of Assembly, the center of the County having been ascertained upon the lands of Michael Johnson, it is ordered that Public Buildings, Courthouse, pillory and stocks, for the use of the County be forthwith erected at the place provided. The proprietor thereof gives bond with approved security for the performance of the said building and also convey to the Justices of the said County and their successors the tract of land whereon the said [Court House] is to be set in trust for the use of the said Michael Johnson and his heirs, but with full power whenever a majority of the said Justices and their successors shall disapprove of the conduct of the said Johnson to set [sell] the same and convey it away for his benefit for the best price that can be had of any person whose character may be thought unexceptionable."

¹*Hening*, XI, 31.

The justices of the County Court entered into an agreement with Michael Johnson for building the new Court House. The minutes of the County Court order book for the September term, 1782, contains the following entry:

"The Plan of the Court-House to be erected in this county by Michael Johnson, was read to him and accepted and ordered to be lodged among the records also the bond of the said Michael Johnson and his securities for the erecting of the said *Michael Johnson* & his sureties thereto and ordered to be recorded."

The indemnifying bond for the faithful performance of the building contract was as follows:

We, Michael Johnson, William Glenn, Robert Beasley, William Parrett, Daniel Melone and William Thackson are held and firmly bound unto Christopher Billups, Thomas Chambers, John Ragsdale, Jonathan Patteson, Charles Hamlin, Joseph Winn, Anthony Street, John Glenn, Stephen Edward Broadnax, Henry Stokes, Robert Blackwell, Frances DeGraffenreidt, John Ballard, Edward Jordon, Robert Dixon, Christopher Robertson, John Powell, Nicholas Hobson, and Edward Ragsdale, Gentlemen Justices of the County of Lunenburg and their successors in the just and full sum of Ten Thousand Pounds Specie for value received to the which payment well and truly to be made to the said Justices and their successors, we bind ourselves jointly and severally, our joint and several heirs, executors, and administrators firmly by these presents.

Sealed with our seals and dated this thirteenth day of September one thousand seven hundred and eighty two.

The condition of the above obligation is such that whereas by virtue of an act of Assembly for that purpose power is vested in the said Justices, or a majority of them to fix upon a place at or near the center of the said County for the erecting of a Court-house and other public buildings necessary for the holding of the Court of the said County, and whereas in consideration of the said Michael Johnson, his being a person of present character unexceptionable, and also of the said Michael Johnson, his erecting a Court House, Pillory and Stocks, the said Court-house to be agreeable to a plan proposed to and accepted by the said

Michael Johnson, which plan exhibited, is lodged in office of the records of the said County, reference being thereunto had may more fully appear, the said building to be completed in two years from this date, and also in consideration of the said Michael Johnson his giving a deed to the said Justices and their successors as is agreed to by the said Michael Johnson on record of the said Court this Term now if the said Michael Johnson shall well and truly erect the aforesaid buildings as aforesaid within the time limited as aforesaid and shall give the aforesaid deed as is aforementioned when thereunto required and shall faithfully comply and perform all and every of the aforesaid conditions as aforesaid, then the above obligation to be void, else to remain in full force and virtue.

MICHAEL JOHNSON (Seal)

WILLIAM GLENN (Seal)

His

ROBERT X BEASLEY (Seal)

Mark

WILLIAM PARROTT (Seal)

His

DANIEL X MELONE (Seal)

Mark

WILLIAM THACKSON (Seal)

At A Court continued and held for Lunenburg County the 13th day of September 1782.

The within written bond was acknowledged by the parties thereto subscribed and ordered to be recorded.

Teste :

WM. TAYLOR, C. C.

The tract of land on which the new Court House was erected was acquired by the following deed :

THIS INDENTURE made and concluded this 14th day of March, One Thousand Seven Hundred and Eighty Three, between Michael Johnson, of the County of Lunenburg, and Win-

ney, his wife, of the one part, and Christopher Billups, Thomas Chambers, John Ragsdale, Jonathan Patteson, Charles Hamlin, Joseph Winn, Anthony Street, John Glenn, Stephen Edward Broadnax, Henry Stokes, Robert Blackwell, Francis DeGraffenreidt, John Ballard, Edward Jordan, Robert Dixon, Christopher Robertson, John Powell, Nicholas Hobson, and Edward Ragsdale, Gent Justices, of the County of Lunenburg of the other part.

WITNESSETH: That the said Michael Johnson for and in consideration of five shillings current money to him in hand paid by the said Justices, the receipt whereof has hereby acknowledged, and for and in consideration of the said Justices their settling the Courthouse of the said County on the land of the said Michael Johnson, they the said Michael and Winney, his wife, [have] granted, bargained, sold, aliened, enfeoffed and confirmed, and by these presents do grant, bargain, sell, alien, enfeoff and confirm unto the said Christopher Billups and others and their successors forever all that tract or parcel of land situate, lying and being where the Court House of the said County by an order of the said Court is directed to be erected, and on which the said Michael now lives, containing by estimation two hundred and seventy acres be the same more or less, with all houses, buildings, yards, orchards, woods, ways, waters, profits and commodities thereto belonging, or in any wise appertaining, and the reversion and remainder thereof, and all the estate, right, title, interest, property, claim and demands of them, the said Michael and Winney, his wife, of, in and to the same with the appurtenances.

To have and to hold the said land and appurtenances, to them the said Justices and their successors upon condition, nevertheless, that whereas the said Justices and the said Michael, the said Justices on their part have in consideration of the said Michael, his enfeoffing them as aforesaid, agreed to erect the Court House of their County, on the land hereby conveyed so the said Michael on his part in consideration as aforesaid expressed and for the purpose of preventing any person or persons not approved of by the said Justices by reason of their bad fame or character from possessing or being seized of the aforesaid

premises with the appurtenances hereby convey, as aforesaid to the said Justices as aforesaid.

Now if the said Michael Johnson and his heirs and the said Winney or either of them shall not rent, lease, enfeoff or convey by any instrument of conveyance whatsoever the said land with the appurtenances to any person or persons without the consent of a majority of the Justices aforesaid, or their successors, and also shall not possess *and* person or persons of any estate whatsoever in the said land and premises without such consent and approbation, then the above alienation and enfeoffment to be void, otherwise to remain in full effect and operation against him the said Michael and Winney, and the heirs of the said *Mick'l*. And the said *Mick'l*. for himself and his heirs the aforesaid [the] land and premises to the said Justices aforesaid and their successors will hereby warrant and forever defend these presents.

In Witness Whereof, the parties hereto have set there hands and affixed their seals the day and year above written.

MICHAEL JOHNSON (Seal)

Sealed and delivered WINEYFRED JOHNSON (Seal)
in the presence of

At a Court continued and held for Lunenburg County the 14th day of March, 1783.

Michael Johnson acknowledged the within written deed which was ordered to be recorded, and Winney, the wife of the said Johnson came into Court and being first privily examined, according to law, voluntarily relinquished her right of dower in the land and premises conveyed by the said deed.

WM. TAYLOR, C. C."

But the removal was not to be effected without a contest. On November 1, 1783, a petition was presented to the Legislature, which stated that many years ago the Court House was located by actual survey very near the center of the County; that considerable improvements were made there as a result, a well supplied tavern erected, etc.; That upon the addition of a small part of Charlotte to the County of Lunenburg some supposed

that the center was so far removed as to render removal of the place of holding court necessary, and petitioned for that purpose, and an act was accordingly passed "but upon a second actual survey the center appearing only one mile and a quarter removed and equally convenient to the old court house," and falling on a place remote from public conveniences, water, etc., and on land of a disputed and doubtful title; the petition therefore requested that the General Assembly direct the justices to adjourn to the former place of holding courts.

Contrary petitions were also presented, and the foregoing petition was rejected.

It took something over four years to complete the structure, for it appears that John Ragsdale, John Glenn and William Craghead, members of the County Court, reported to the court at the March term 1787 "agreeable to an order of Lunenburg Court, we have viewed the Court House and find it finished agreeable [to] plans."

This building must not have been a very substantial or satisfactory structure for on July 11, 1793, the court appointed William Craghead and Field Clarke, "to let the repairs to the Court-House and prison to the lowest bidder also to set up posts to the prison bounds, and also to lay off two acres of land for the Court-House and other public buildings according to law."

But even with these repairs the building served a relatively short time, for on August 9, 1824, the court "Ordered that the Commissioners appointed to let the building of the new Court-House or any three of them do let to the lowest bidder the moving of this Court-House for the purpose of erecting a new one in its place, and that the said Commissioners or any three of them do cause the said Court-House to be moved to some convenient place near where it now stands as they in their discretion may select and make return thereof to this Court."

The old Court-House moved pursuant to this order was a two room frame structure, which was in existence until recently. It was first moved from the site of the present (1926) Court-House just off of the Court House Square, to a location in the rear of the old Fowlkes Hotel. Still later it was moved

across the street into the barnyard lot of the Fowlkes Hotel stables, and eventually fell into ruins.

The present Court House structure was built between August, 1824, and March, 1827.

The records of the court show the following entry made March 12, 1827:

“The new Court-House built for the use of this County having been received by a majority of the Commissioners appointed to let and receive the same, it is ordered that the Court adjourn and hold its sitting therein” and immediately following:

“The same Magistrates having taken their seats on the Bench in the new Court-House proceeded to business accordingly.”

Lunenburg Court House attained the dignity of an incorporated Village in 1816, when an act was passed incorporating Lewiston. The corporation consisted of a president and six trustees as follows:

Waddy Street, President and Peter Epes, David Street, Thomas Blackwell, Peter Jones, Wm. H. Taylor and Miles Jordan, Gentlemen, Trustees.

The town was named for Captain Lewis L. Taylor, who fell in the War of 1812.

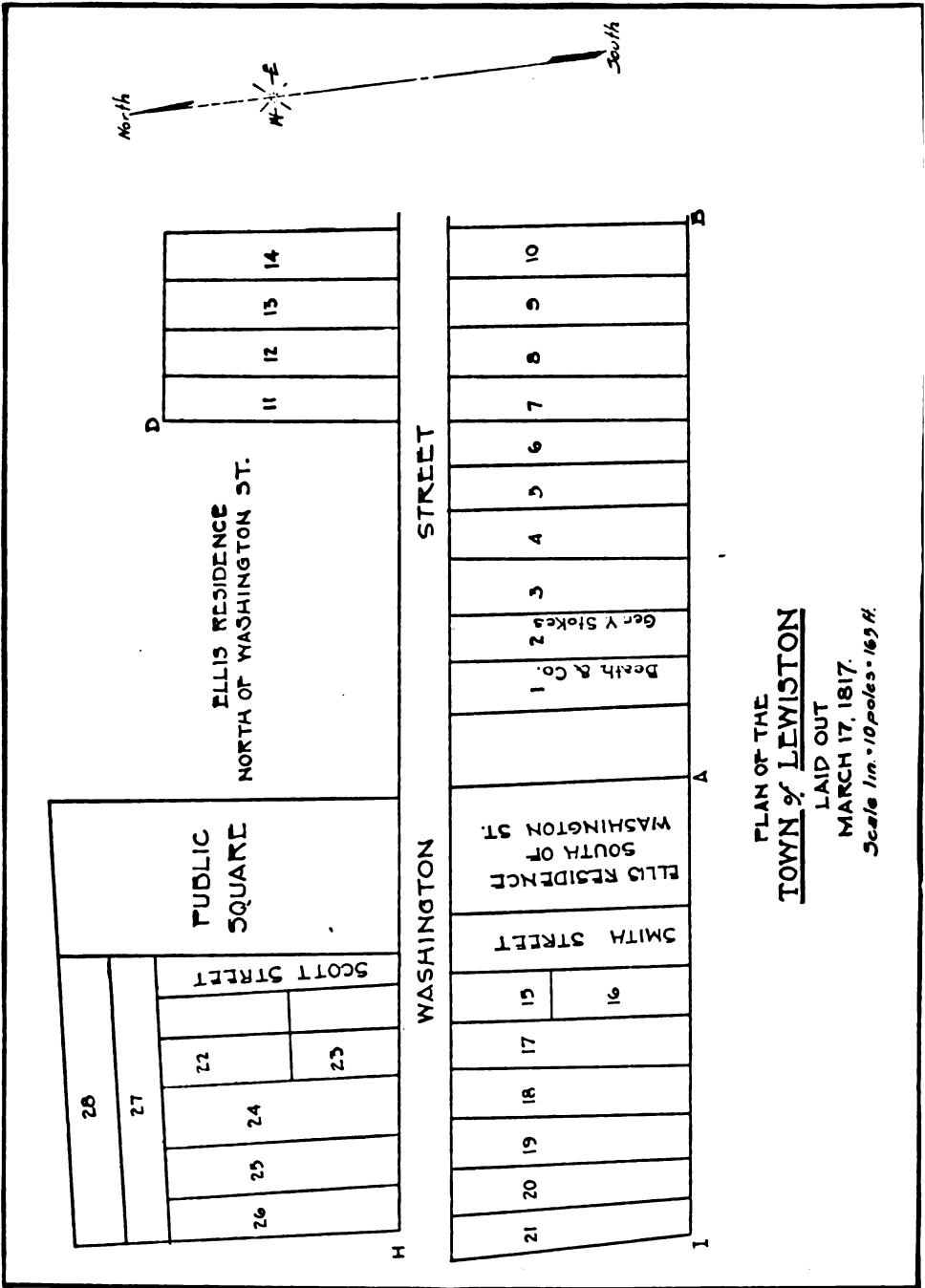
The first meeting of the Board of Trustees was held March 17, 1817. The Board with the assistance of the Surveyor of Lunenburg County, J. Knight, proceeded to lay out the town.

For plot of the town: See next page.

The record shows that Peter Epes, Elisha Collins, Miles Jordan & Co., Joel Hood, William G. Pettus, John Knight, German Y. Stokes, Ambrose Ellis, John Herring, John I. Wells, John Marable, Wilshire Bohannon, Wm. G. Pettus, and William M. White were the earliest purchasers of lots.

Wm. G. Pettus was appointed Clerk of the Board, and in 1818 he was succeeded by Abner H. Burks.

In that same year (in December) William A. Stokes became a member of the Board in the place of Col. Waddy Street, who had died, and Henry Tisdale became a member of the Board in the place of George Craghead, who refused to act.



PLAN OF THE
TOWN of LEWISTON
 LAID OUT
 MARCH 17, 1817.
 Scale 1 in. = 10 poles = 165 ft.

In 1829 additional sales of lots were made as follows: Nos. 19, 24 and 25 to Wm. H. Taylor; Nos. 26, 6 and 7 to Job. Sevail, Nos. 4 and 5 to John Beith, No. 11 to David Street, No. 2 to Robert Pamplin, and No. 13 to Josiah H. Roberts; the lots brought from \$5.00 to forty seven dollars each.

The next meeting after 1829 was in 1836. No record of any meeting between 1836 and 1844 appears and the record ends with the entry of the record of a brief meeting October 11, 1844—signed by "D. Street, Pres."

It does not appear that the enterprise was ever a real Municipal Corporation. No record is found of any policing, levying of taxes or adoption of municipal ordinances. The business attempted seemed more in the nature of that of a land company than of a Municipal Corporation.

The proceedings of this first term of court in May, 1746, show very clearly that the subject of roads was then, as it was to remain for many years, one of the most important subjects of concern to the people of the county. The clearing of six roads was provided for at this one term, most if not all of which were in what is now Mecklenburg County. These roads were gradually extended into the territory to the westward, lying higher up the Roanoke and its tributaries.

For many years scarcely a term of court passed where some road or bridge was not the subject of action by the court. An abstract of these orders through the years would fill a good sized volume. And yet these roads were so temporary, in many instances, soon became so bad, and had to be abandoned and changed, and were made in such piece meal and haphazard fashion, and the descriptions are so meagre, that it is practically impossible to be sure of the identity and location of very many of them, and thus determine the time, and the circumstances of the origin of very many that have survived.

The principal outlet from Lunenburg for many years was by way of Petersburg, the Appomattox and the James. The first map of this section is that of Peter Fontaine, Jr., first Surveyor of the South District of Lunenburg County, and the first Surveyor, and one of the first Justices of Halifax County. This map was made in July, 1752. It was drawn on the margin of

a letter dated July 9, 1752, written to his uncle John Fontaine (Governor Spotswood's friend), then in England. This map herewith reproduced shows the approximate location of the road from the headwaters of the Meherrin to Petersburg. This, of course, is merely a freehand drawing or sketch map, intended only to serve to indicate to his uncle the general situation of new counties created since he was in Virginia, the place of his residence, and other features in which he would be interested. It is safe, however, to assume that with the several years' experience in surveying he had had, his location of his residence, with reference to the Meherrin and the Nottoway is approximately correct. If so it would seem that at the time he resided in the section lying between the head springs of the Meherrin and the Nottoway in the section between Nutbush and Meherrin; and the road probably led through Hungry Town across Nottoway River thence through modern Blackstone, and followed the general course of the Norfolk & Western Railroad to Petersburg. This was the general route followed by most of the travelers from this up country in reaching markets with their produce and in going to Williamsburg, the Colonial Capitol, to transact business.

This was likewise undoubtedly the general course of a large part of the immigration to the section comprising the territory later to be created into Halifax, Charlotte and the upper counties.

One item of roadmaking history is worthy of mention in passing, for while it was not a road in Lunenburg it had much to do with the destiny of many Lunenburgers, and furthermore it was laid out by Richard Calloway of Lunenburg. This reference is to the historic *Wilderness Trail*.

In October, 1779,¹ the General Assembly passed an act which after reciting that

"Whereas great numbers of people are settling upon the waters of the Ohio River to the westward of the Cumberland mountains, in the County of Kentucky," etc., and that it was desirable to mark out the best route practicable to be followed in reaching that country, appointed Evan Shelby and Richard Calloway "to

¹*Hening*, X, 443.

explore the country adjacent to and on both sides the Cumberland mountains, and to trace out, and mark the most convenient road from the settlements on the east side of the said mountains, over the same, into the open country, in the said county of Kentucky; and to cause such road, with all convenient despatch, to be opened and cleared in such manner as to give passage to travellers with packhorse, for the present, and report their proceedings therein to the next session of Assembly."

Shelby refused to act under this appointment and the work of looking out, locating and clearing for pack-horse travel the Wilderness Trail devolved upon Calloway.

No attempt will be made to trace the genesis of the various roads which became permanent highways in the county, but some mention may be made of the contest which developed between Cocks's (Cox) road and Saffold road for the honor of the principal north and south thoroughfare across the county.

By an act passed February 4, 1811, the Legislature took steps to provide access from the south side Counties of Mecklenburg, Lunenburg, Nottoway and Dinwiddie to the state capitol, Richmond. The commissioners ran this road through Mecklenburg County to Saffold's Bridge on Meherrin River, thence by Red Level and Liberty Meeting House to Spain's Tavern in Dinwiddie County. This location was complained of in a numerously signed petition presented to the Legislature on December 14, 1811. The petitioners contended that the proper route for a road through Mecklenburg and Lunenburg to Manchester was that from Spain's Tavern in Dinwiddie County along Cocks's road crossing Nottoway river at Cross's Bridge, Meherrin River at Hawkins's Bridge and the Roanoke River at Skipwith's Ferry. The petitioners contended that the road from Spain's Tavern to Saffold's Bridge would "run a considerable distance a new way through a very broken country and so intersected with creeks and swamps that a good road cannot be made without a great expenditure of money."

Another petition presented about the same time to the Legislature by the property owners along the new road complained that the road as laid out by the commissioners "will run through a populous and very thick settled country," where the lands

were held by various owners in small tracts, and that timber was scarce, and that the commissioners had marked out the road "pursuing a straight course, without any attention to private convenience," etc.¹

Both roads have remained to the present time, but from the standpoint of grade, possibly the advantage was with the Cocke's Road Route.

Before the advent of the railroad, one of the great problems of the southside section was that of transportation, ways and means of communication and commerce with other parts of the State, and the outside world.

Persistent efforts were made to supplement the inadequate facilities afforded by the poor dirt roads, with transportation upon the water courses, and the course of legislation through many decades, declaring insignificant streams navigable, and devoting them to use as public highways, the prohibitions against obstructing them, and the care taken to keep them open attest the interest of the populace in making the most of every means possible to facilitate travel and commerce.

The James, of course, was magnificently adapted to shipping, and in lesser degree the lower Roanoke, and the adaptability of the Appomattox to navigation by bateaux from Petersburg to Farmville, was a blessing indeed. The Meherrin and the lower Nottoway were less amenable to efforts to make them high roads of transportation.

As early as 1810 a company known as the *Meherrin Navigation Company* was organized to clear the channel of the river, remove obstructions and provide and promote navigation thereon. The charter was amended by the Legislature of 1816, but it does not appear that it accomplished anything of importance. The pressing nature of the demands for some better means of outlet than the impassable dirt roads was no doubt responsible for the revival of such an enterprise before the legislature of 1841-42, when the company was re-incorporated, or rather another of the same name was created, and the affairs of the company were before the legislature at its sessions of 1846-47 and 1847-48, but

¹Legislative Petitions, Virginia State Library, Dept. of Archives.

again the effort to make the Meherrin a high road of travel and commerce failed.

Soon after this the people of the section turned their attention to the subject of plank roads. It is highly unfortunate that some material better adapted to road making, and assuring a longer life was not selected. Probably the controlling consideration was the adaptability of a plank road to use in rolling hogsheds of tobacco to market.

Whatever was the reason, the people decided to build plank roads, and a plank road was the first highly improved highway constructed in Lunenburg County.

The Lunenburg Plank Road Company was incorporated May 25, 1852,¹ "For the purpose of constructing a plank road from Black's and White's in the County of Nottoway, across the Nottoway River, below the junction of Big and Little Nottoway Rivers, to some point on the Meherrin River in the County of Lunenburg, or to Lewiston in the County of Lunenburg, as a majority of stockholders in general meeting, when organized, shall determine."

The company was authorized to open books of subscription to its stock at Lewiston, under the supervision of Thomas Jefferson, John Orgain, William Neblett, R. H. Allen and William Irby.

The charter of the company provided that it should construct a road "not less than sixteen feet wide, exclusive of side ditches, and cover not less than eight feet wide with plank, and that its grade shall no where exceed three degrees."

It was also provided that "parts or portions of the present public roads, and highways in the counties through which the said road shall pass may be taken and used by the said company to construct their road thereon: Provided, That the County Courts, in which the said road may be, shall consent thereto, and so direct."

The road was to be begun in two years and completed within five years.

The original capitalization of the company was \$50,000.00.

¹Acts 1852, p. 135.

By an amendment passed February 25, 1853,¹ the Board of Public works of the State was directed to subscribe, on behalf of the Commonwealth, for three-fifths of the stock, whenever "two-fifths of three-fourths" was subscribed by solvent individuals, and to pay therefor "*pari passu* with the other subscribers."

The company was made subject to the general statute affecting internal improvement companies, controlling tolls, service, etc.

The Lunenburg Plank Road Company constructed its road from Black's and White's (Blackstone) to Wattsboro (Boswell's Store), and while it may not have been a profitable enterprise, it provided a highly popular highway, while it lasted.

By an act passed on February 15, 1854,² the company was authorized "to extend the said road from its present terminus across the South Meherrin River to such point in the County of Mecklenburg as a majority of the stockholders shall determine." This amendment authorized an increase in the capital stock of \$30,000.00 and the Board of Public Works was directed to subscribe to three-fifths thereof, in like manner as it had subscribed to the original capital.

This road following in the main the original location of old Cocks's Road, extended from the railroad at Black's and White's to within five or six miles of the Mecklenburg line; and it was proposed to extend the road on into Mecklenburg County; this would have crossed the county near its middle from North to South.

The enterprise was so well thought of and its beginning so auspicious that the Lewiston Plank Road Company was incorporated March 21, 1853.³ Its capital was \$30,000.00, and the road it was authorized to construct was to extend "from some eligible point on the Richmond and Danville Railroad, by way of Lewiston in the County of Lunenburg, or by any other more practicable route, to some point on the Meherrin River or to the Lunenburg plankroad," the commencement and terminus to be determined by a majority of the stockholders.

¹Acts 1852-53, p. 174.

²Acts 1853-54, p. 55.

³Acts 1852-53, p. 179.

The prime movers in this enterprise and those under whose direction the subscription books were to be opened at Lewiston were: Charles Smith, Dr. R. J. H. Hatchett, Colin Stokes, E. B. Jackson, William Y. Neal, Wm. Arvin, Junior, Henry Stokes, T. Woodson, D. R. Stokes, John A. Bishop, T. T. Shackleton, R. H. Dejarnett, John Crymes, Rober Crymes, Henry Day, Lanxton Arvin, Wm. P. Tisdale, Wm. M. Bayley [Bagley?], E. C. Scott, N. E. Davis and David Pulley.

A state subscription to the stock through the Board of Public Works for three-fifths of the capital was authorized.

The enterprise in general was modeled upon the plan of the Lunenburg Plank Road Company. Whether it actually constructed any part of its road, we have been unable to ascertain. Certainly it did not complete it, or build very much, if any.

By an Act of March 29, 1858,¹ its charter was amended and its capital stock increased by \$10,000.00, but with the proviso that the Board of Public Works should not subscribe for any part of it.

These enterprises probably would not have succeeded in the long run, in the sense of proving profitable, under any conditions that can reasonably be imagined. But with the coming on of the Civil War, the paralysis of the whole Southside, indeed, the whole of Virginia, these companies became hopelessly bankrupt, and the roads ceased to have the status of toll roads, and soon every vestige of the ambitious improvements disappeared.

¹Acts of 1857-58, p. 150.

CHAPTER IV.

Lunenburg County Created: Its Extent: Subdivided



WHILE the natural expansion of population was gradual from the James River settlements as the foci, the Colonists were alive to the necessity of pushing the frontiers of the Colony westward and southward as far as possible in advance of the thickly settled communities as could be accomplished. In this they were largely actuated by two motives, protection against the Indians and growth of the Colony. This policy of the Colony had a direct influence upon the creation of Lunenburg County. In order to stimulate settlement of the vast area lying to the west of the settled areas along the Atlantic seaboard and southwest of the watershed of the James, or in other words, the most of that great area drained by the Roanoke and its tributaries, there was passed in November, 1738, an act entitled "An act to encourage settlements on the Southern Boundary of this Colony." This act provided:

"I. Whereas the lands lying upon Roanoke river, on the southern boundary of this Colony, are for the most part unseated and uncultivated; and a considerable number of persons, as well of his majesty's natural born subjects, as foreign Protestants, are willing to import themselves, with their families, and effects, and to settle upon said lands, in case they can have suitable encouragement for their so doing: And whereas the settling that part of the country will add to the strength and security of the Colony in general, and be a means of augmenting his majesty's revenues of quit-rents; therefore, for encouraging the said intended settlement,

II. Be it enacted by the Lieutenant Governor, Council, and Burgesses, of this present General Assembly, and it is hereby

enacted, by the authority of the same, That all and every person and persons whatsoever, who, within ten years next after the passage of this act, shall import themselves into this Colony, and settle upon Roanoke river aforesaid, on the south branch of the same, above the fork thereof; and on the north branch of the said river, above the mouth of Little Roanoke otherwise called Licking Hole; including all the lands on all the said branches, and the lands lying between them, now deemed to be in the county of Brunswick, and parish of St. Andrew, shall be exempted from the payment of public, county, and parish, levies, until the expiration of the said ten years; and be at liberty, at all times hereafter, to pay and discharge all officers' fees wherewith they shall be chargeable, in current money, at the rate of three farthings per pound for tobacco, without any deduction; And at all times, after the expiration of that time, shall be at liberty to pay and discharge their public, county, and parish levies in current money, at the same rate.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful, for the governor, or commander in chief of this Colony, for the time being, to grant letters of naturalization to any alien settling there, as aforesaid, upon a certificate from the Clerk of any county court, of his or her having taken the oaths appointed by act of parliament to be taken, instead of the oaths of allegiance and supremacy; and taken and subscribed the oath of objuration, and subscribed the test in like manner, as he may do, upon taking and subscribing the same before himself. Any law, usage, or custom, to the contrary notwithstanding.

IV. Provided always, That the persons so settling upon the lands herein before mentioned, shall, during the said ten years, support their own poor, and make and maintain their own roads and bridges, without any charge upon the rest of the said parish of St. Andrew, and county of Brunswick; and shall not during that time, be entitled to any reward for Killing of Wolves."¹

The exemption from the payment of taxes and levies contained in this act would by its terms extend to November, 1748,

¹5 *Hening*, 57-8

ten years from the passage of the act. New settlers came, however, in such numbers and so promptly, in response to the natural urge of expansion coupled with the inducements offered by the act, and so far distant were they from Brunswick Court House, and so inconvenient was it for them to attend courts and transact other public business there, that they became anxious to create a new county. On September 14, 1744, a petition was laid before the House of Burgesses from the County of Brunswick, "for a division of the said County from the County Line where it crosses Roanoke below the Horse Foard, to strike Nottoway River, near the Fork thereof; and also a petition from the said County, against the division of the same."

Whereupon it was "Resolved that the said petitions be referred to the Consideration of the next session of Assembly."¹

At the next session of the House of Burgesses, the proposition to divide Brunswick County, and the petitions against dividing it "Which were severally referred from the last session, to the consideration of this," were considered on February 25, 1745, and referred to the Committee on Propositions and Grievances,² and the proposal was favorably reported March 7, 1745.³

Obviously, however, if a new County were created, it could not be supported if the citizenship thereof continued to be exempt from county taxes and levies. Some of the citizens, in the territory proposed to be erected into the new county, realizing this, asked that the exemption be repealed. Upon the coming in of this petition the House of Burgesses, on March 12, 1745, "Resolved that the petition of John Caldwell, and other inhabitants, above the fork of Roanoke, in Brunswick County, for repealing the Act, entitled "An Act to encourage settlement on the Southern Boundaries of this Colony; or so much thereof as particularly relates to the said inhabitants; is reasonable,"⁴ and the Committee on Propositions and Grievances were instructed to insert a clause to that effect in the Act for dividing Brunswick County.⁵

¹*Journal, House of Burgesses, 1742-47, 92.*

²*Journal, House of Burgesses, 1742-47, 161.*

³*Id.*, 179.

⁴*Id.*, 184.

⁵*Id.*

The Act dividing Brunswick County and creating Lunenburg County was passed by the House of Burgesses on March 26, 1745,¹ during the administration of William Gooch, Esq., Governor.

"At a General Assembly summoned to be held at The Capitol, in the City of Williamsburg, on Thursday the sixth day of May, in the fifteenth year of the reign of our sovereign Lord George II, by the grace of God, of Great Britain, France, and Ireland, King defender of the faith, etc. And from thence continued, by several prorogations, to Thursday the twentieth day of February, in the nineteenth year of his said Majesty's reign, and in the year of our Lord, 1745; Being the Third session of this assembly."²

The complete Act is as follows: "An Act for dividing the County of Brunswick and parish of St. Andrew, and for other purposes therein mentioned.

I. Whereas divers inconveniences attend the upper inhabitants of Brunswick County, by reason of their great distance from the Court House and other places, usually appointed for public meetings:

II. Be it therefore enacted, by the Lieutenant Governor, Council and Burgesses, of this present General Assembly, and, it is hereby enacted, by the authority of the same. That from and immediately after the first day of May next, the said county of Brunswick be divided, by a line to be run from the county line, where it crosses Roanoke river, below the place called the Horse Foard, to strike Nottoway River at the fork; and that part of the said county which lies below the said line, be erected into one distinct county and retain the name of Brunswick; and all that other part thereof above the said line, be one other distinct county, and called by the name of the County of Lunenburg. And for the due administration of justice,

III. Be it further enacted, by the authority aforesaid, That

¹*Journal, House of Burgesses, 1742-47, 202.*

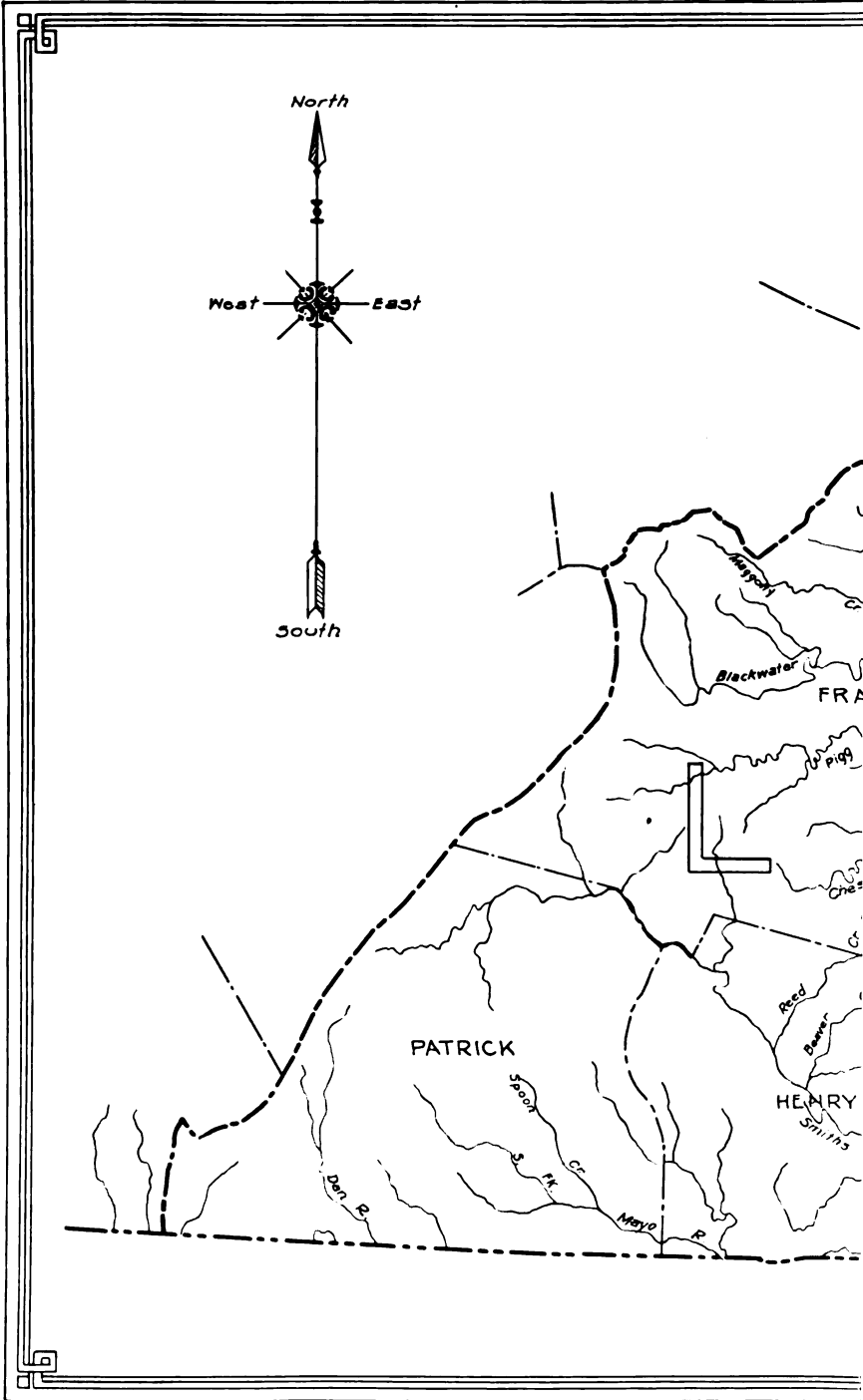
²*Hening, V., 310.* The Act is Chapter XXII of the session.

after the said first day of May, a court for the said county of Lunenburg be constantly held by the justices thereof, on the first Monday in every month, in such manner as by the laws of this Colony is provided, and shall be by their commission directed.

IV. And whereas, by reason of the situation of the parish of St. Andrew, in the said county of Brunswick, the Minister and inhabitants do labour under divers inconveniences: For removal of which for the future

V. Be it further enacted, That from and after the first day of May, the said parish of St. Andrew shall be divided into two parishes; that is to say, all that part of the said parish that is in the county of Brunswick shall hereafter be esteemed one distinct parish, and be called and known by the name of St. Andrew; and all that part of the said parish of St. Andrew which will be in the county of Lunenburg shall be erected into one other distinct parish, and called and known by the name of Cumberland. And for the better ordering of parochial affairs in the said parish

VI. Be it further enacted by the authority aforesaid, That the vestry of the said parish of St. Andrew, as the same now stands entire and undivided, be, and they are hereby declared to be dissolved; and that the freeholders and housekeepers in the said parishes respectively, shall meet at some convenient time and place, to be appointed and publickly advertised by the respective sheriffs of the said counties of Brunswick and Lunenburg, before the first day of September next, and then and there elect twelve of the most able and discreet persons of their respective parishes; which persons so elected, having taken the oaths appointed to be taken by law, and subscribed to be conformable to the doctrine and discipline of the Church of England, shall, to all intents and purposes, be deemed and taken to be the vestries of the said parishes respectively; which said vestries are hereby impowered and made capable to take, receive, and hold any lands, tenements, or hereditaments, which shall be purchased or given as a glebe or glebes, for the use



of the minister of each parish respectively, for the time being, forever.

VII. Provided always, That nothing herein contained, shall be construed to hinder the sheriff or collectors of the said County of Brunswick, and parish of St. Andrew, as they now stand entire and undivided, from making distress for any levies, fees or other dues, which shall be due from the inhabitants of the said county and parish, after the said first day of May, in such manner, and not otherwise, as by law he or they might have done if this act had never been made: Any law, custom, or usage, to the contrary thereof, in anywise notwithstanding.

VIII. And whereas, by one clause of an act of Assembly, made in the twelfth year of the reign of his present Majesty, entitled an Act to encourage settlements on the Southern Boundary of this colony, it was enacted, That all and every person and persons whatsoever, who, within ten years after passing said act, should import themselves into this Colony and settle upon Roanoke River, on the South branch of the same, above the fork thereof, and on the North Branch of said river, above the mouth of Little Roanoke, otherwise called Lickinghole, including all the lands on all the said branches and the lands lying between them, then deemed to be in the county of Brunswick, and parish of St. Andrew, should be exempted from the payment of public, county, and parish levies, until the expiration of the said ten years; which said clause those persons now pray may be repealed:

IX. Be it therefore enacted by the Authority aforesaid, That the same so far as relates to such exemption, be repealed."¹

At the same time, to-wit, in February, 1745, it was enacted:

"That all tobacco which shall be due in the county of Lunenburg, or levies, quit rents, secretary's, clerks, sheriffs, surveyors, or other officers fees, shall be paid and discharged in inspectors notes, of Cabbin Point, or any other warehouse above on the south side of James River: and that an abate-

¹V. *Hening*, 383-385.

ment or allowance out of the said quit-rents and officers fees, of thirty pounds of tobacco for every hundred, and so proportionately for a greater or lesser quantity shall be made to the person paying the same, which he may retain in his own hands.

“And be it further enacted, That all and every surveyor and surveyors of land of the said county of Lunenburg, shall be resident in their respective districts in the said county, during the time he or they shall continue in offices on penalty of forfeiting ten pounds sterling, for every month he or they shall reside out of the same, after the first day of October next; one moiety of which shall be to our sovereign lord the King, his heirs and successors, for and toward the better support of this government, and the contingent charges thereof, and the other moiety to him or them that will inform or sue for the same; to be recovered by action of debt, or information in any court of record within this Colony.”

Lunenburg county, thus created, and which was to have its legal existence and name “from and immediately after the first day of May, 1746,” was a princely domain in extent. It embraced the territory later to be laid out into the present counties of Halifax, Bedford, Charlotte, Mecklenburg, Pittsylvania, Henry, Campbell, Franklin, and Patrick.

Upon the creation of the County of Lunenburg the courthouse was located just east of the Staunton river, a short distance above the point where the junction of the Dan and Staunton rivers form the Roanoke. This is within the present County of Mecklenburg.

Scarcely had Lunenburg been created and organized before movements were on foot to subdivide it. On November 11, 1748, a petition was presented to the Burgesses from the inhabitants of the County “praying that an act may pass to divide the said county, by a line to be run from the Head of the westernmost fork of Sandy River, to strike Staunton River below the mouth of Little Roanoke, opposite to a place called Sandy Bar.”¹ But this proposition was rejected March 17,

¹*Journal, House of Burgesses, 1748 et seq.* 282.

1748.¹ On March 14, 1752, a petition from certain inhabitants was received requesting the county to be divided into two counties.² On March 24, 1752, the proposition "for dividing the county by Staunton River, from the mountains, to the confluence of the said River Dan, and from thence by Aarons Creek to the County line," was resolved to be reasonable,³ while the proposition for dividing the county "by a line to be run from the mouth of Falling River, to the dividing line between that county and the county of Albemarle" was referred "to the consideration of the next session of the Assembly."⁴

In February, 1752, Halifax county was created to be effective May 10, 1752. The Act provides that: "The said county of Lunenburg be divided into two counties; that is to say, all that part thereof lying on the south side of Blackwater creek, and Staunton river, from the said Blackwater creek, to the confluence of the said river with the river Dan, and from thence to Aarons Creek to the county line, shall be one distinct county and parish, and called and known by the name of Halifax and parish of Antrim; and all that other part thereof on the north side of Staunton river, from the lower part to the extent of the county upwards, shall be one other distinct county, and retain the name of Lunenburg, and parish of Cumberland."⁵

A few months after Halifax County was created Peter Fontaine (Jun), who had on May 6, 1746, at the first session of the County Court of Lunenburg, been appointed "Surveyor of the South district" of the County, wrote a letter, dated July 9, 1752, to his uncle John Fontaine, who was then in England. This was the same John Fontaine who had accompanied Governor Spotswood on the trip to Fort Christanna, and on the expedition of the Knights of the Golden Horse Shoe, when the Governor's party crossed the Appalachian mountains. John

¹*Journal, House of Burgesses, 1748 et seq., 341.*

²*Journal, House of Burgesses, 1752-53, 33.*

³*Id., 56.*

⁴*Id.*

⁵*Hening, VI, 252.*

Fontaine had himself considered taking up some land along Meherrin River, as his Journal discloses.¹

He was more or less familiar with Virginia as it was in Spotswood's time; and manifested a lively interest in the growth of the Colony. His nephew in order to give his uncle a definite idea of where he lived, and of the new counties that had been formed since his return to England, drew on the margin of the letter of July 9, 1752, a map, herewith reproduced on an enlarged scale, showing Lunenburg, Halifax and the adjoining regions. This is the earliest known separate map of this section. It will be noted that the mountains forming the divide between the watershed of the Roanoke and its tributaries and the streams which flow into branches of the Mississippi are called "Mississippi or Allegany Ridge of Mountains."

The location of Fort Christanna, though at the time deserted was shown in order to enable his uncle to "get his bearings" as he was acquainted with that locality.

With the creation of Halifax County, Peter Fontaine's identity with Lunenburg ceased. He was one of the first Justices of Halifax County; the commission of May 6, 1752, for organizing the County having been directed by Governor Dinwiddie to William Byrd, William Wynn, Peter Fontaine Junr., James Terry, William Irby, Nathaniel Terry, Robert Wade, Hampton Wade, Andrew Wade, Hugh Moore and Sherwood Walton.²

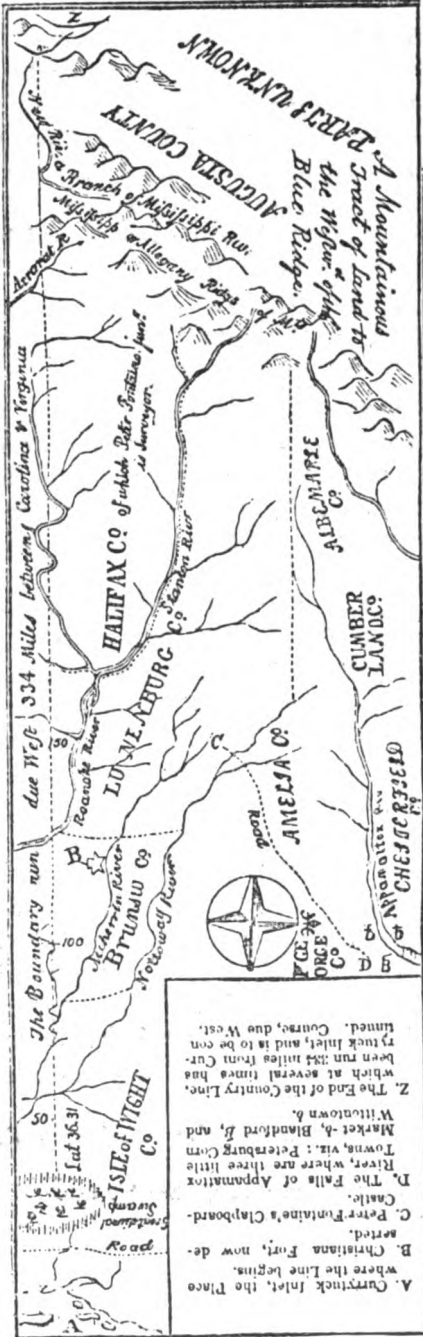
Peter Fontaine (Jun) at this time became surveyor of Halifax County. The record says that Peter Fontaine, Junr. Gent., produced a commission from the President and Masters of William and Mary College appointing him surveyor of the County, which was openly read, and that he took the oath of office.³

The proceedings of this first term of court are signed by him, indicating that he presided over the proceedings of the

¹Journal of John Fontaine; Entry of the 4th day of the trip to Christanna, April, 1716: *Memoirs of a Huguenot Family*, 275.

²Halifax County: Order Book I, page 1.

³Id., 3.



PETER FONTAINE'S MAP, 1752

Drawn on the top margin of letter to his uncle, John Fontaine, dated "Lunenburg, Virginia, 9th July, 1752."

Court. In the letter to John Fontaine, above referred to, written three months after this, he discloses the fact that he was personally not active in surveying work. "My district for surveying," he says, "lies, i. e., the chief of it, in Halifax County, in the Fork of the River Roanoke, so that I now live out of my County,¹ and by means of the indulgence granted me, of having assistants I do not go at all in the woods, which indeed my weakly constitution is not fit for."²

In quick succession after Halifax, Bedford County was formed from Lunenburg, in November, 1763. The act provided:

"That from and immediately after the tenth day of May next ensuing, the said county of Lunenburg be divided, from the mouth of Falling River, up the said river to the fork, thence up that fork, running by John Beard's to the head, thence by a line to be run from the head thereof north, twenty degrees east, to the line dividing the said county from the county of Albemarle; and all that part of the said county of Lunenburg, which lies on the upper side of the said river and line to be run aforesaid, shall be one distinct county, and called and known by the name of Bedford; and that all the other part of the said county of Lunenburg, shall be one other distinct county, and retain the name of Lunenburg."³

The Act further provided that John Payne, and Mathew Talbot the elder, gentlemen, of the county of Bedford, and Peter Fontaine, the younger, and Lyddal Bacon, gentlemen of the county of Lunenburg, should collect all moneys due Lunenburg County, pay off its indebtedness and pay the balance to the justices of Bedford and Lunenburg County, in proportion to the tithables in said counties.

It was also provided that after May 10, 1756, the territory embraced in Bedford county should be a distinct parish by the name of Russell.⁴

Lunenburg seems to have reached the conclusion that she

¹That is to say, he still lived in Lunenburg. See his map.

²*Memoirs of a Huguenot Family*, 358.

³*Hening*, VI, 381.

⁴*Hening*, VI, 382-383.

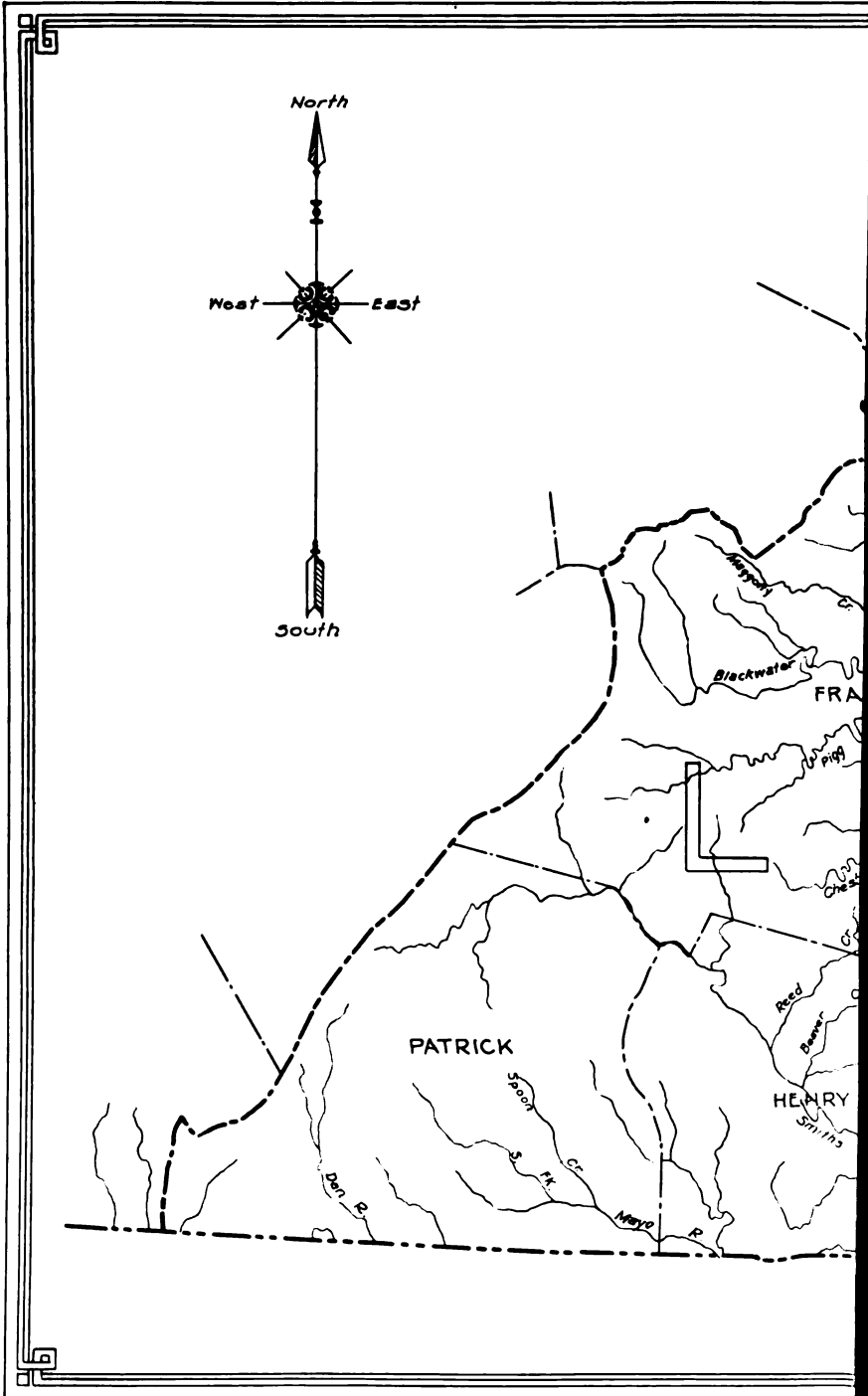
could manage the remainder of her great area, without the formation of new counties, by the creation of a number of parishes to take care of the local needs of her far flung population. There was, consequently, a lull of some eleven years in the creation of Counties by subdividing Lunenburg. But two new parishes, forerunners of counties to be formed, were created. In 1757, the parish of Cumberland, which was co-extensive with the County of Lunenburg, was subdivided, by the creation of the parish of Cornwall; in 1761 St. James Parish was created, the County thus comprising three parishes: Cumberland, Cornwall and St. James. The Act of April, 1757, creating Cornwall parish provided:

“That from and after the first day of July next the said parish of Cumberland be divided, by a straight line to be run from Colonel Byrd’s Mill, on Roanoke River, to the head of Nottaway River; and that all that part of the said parish of Cumberland which lies below the said bounds shall be one distinct parish, and retain the name of Cumberland, and all that part thereof which lies above the said bounds shall be one other distinct parish, and called by the name of Cornwall.”¹

Further provision is made in the act for the election of twelve of the “most able and discreet” persons as vestrymen for each parish; the election to be by the “Freeholders and Housekeepers.”

The Act of March, 1761, creating St. James Parish provided “That from and after the first day of May next the said parish shall be divided into two distinct parishes, by the south branch of Meherrin River, from the line of the parish of Cornwall to the confluence of the several branches of the said river Meherrin, and by the said river from thence to the line of Brunswick county; and that all that part of the said parish that is North of said river Meherrin and its several branches shall be one distinct parish, and retain the name of Cumberland; and that all that other part of the said parish that lies south of the said river Meherrin shall be one other distinct

¹*Hening*, VII, 149-150.



of the minister of each parish respectively, for the time being, forever.

VII. Provided always, That nothing herein contained, shall be construed to hinder the sheriff or collectors of the said County of Brunswick, and parish of St. Andrew, as they now stand entire and undivided, from making distress for any levies, fees or other dues, which shall be due from the inhabitants of the said county and parish, after the said first day of May, in such manner, and not otherwise, as by law he or they might have done if this act had never been made: Any law, custom, or usage, to the contrary thereof, in anywise notwithstanding.

VIII. And whereas, by one clause of an act of Assembly, made in the twelfth year of the reign of his present Majesty, entitled an Act to encourage settlements on the Southern Boundary of this colony, it was enacted, That all and every person and persons whatsoever, who, within ten years after passing said act, should import themselves into this Colony and settle upon Roanoke River, on the South branch of the same, above the fork thereof, and on the North Branch of said river, above the mouth of Little Roanoke, otherwise called Lickinghole, including all the lands on all the said branches and the lands lying between them, then deemed to be in the county of Brunswick, and parish of St. Andrew, should be exempted from the payment of public, county, and parish levies, until the expiration of the said ten years; which said clause those persons now pray may be repealed:

IX. Be it therefore enacted by the Authority aforesaid, That the same so far as relates to such exemption, be repealed."¹

At the same time, to-wit, in February, 1745, it was enacted:

"That all tobacco which shall be due in the county of Lunenburg, or levies, quit rents, secretary's, clerks, sheriffs, surveyors, or other officers fees, shall be paid and discharged in inspectors notes, of Cabbin Point, or any other warehouse above on the south side of James River: and that an abate-

¹V. *Hening*, 383-385.

parish, and shall be called and known by the name of St. James.”¹

Provision is made for election of vestrymen by the Freeholders and Housekeepers.

An effort was again made to divide the county in 1759. The question was an important one in the campaign for the House of Burgesses, for the session beginning September 14 (32 Geo. II), 1758. The Candidates were Clement Read, Mathew Marrable and Henry Blagrave. Just how Read and Blagrave stood on the question of dividing the County we know only inferentially. But Marrable was committed to the proposition. Not only so, but he very injudiciously wrote a letter to David Caldwell agreeing if elected to use his utmost endeavors to divide the County or forfeit five hundred pounds. Read and Marrable were returned elected, and Blagrave on September 15, 1758, presented to the House of Burgesses a petition contesting the election of both.²

A commission was issued for taking testimony, which was duly done.

On the 20th “Mr. Attorney from the Committee on Privileges and Elections reported a resolution authorizing the taking of evidence before Daniel Claiborne, Richard Whitton, Thomas Tabb and Joseph Williams, of the said County, Gentlemen, or any three of them, touching any threats or entertainments given by the sitting members or their agents, to the Freeholders of the said county, after the writ for electing Burgesses for said County was issued, and touching any riotous or illegal proceedings at the time of the Election.”³

On March 8, 1759, The committee reported upon the matter as follows: “It appears to your Committee that after it was publicly known in the said county that the Writ was issued for electing Burgesses to serve in the present General Assembly for the same, one Memican Hunt gave a treat on behalf of Mr. Read to a company of militia he formerly had commanded, with Mr. Read’s knowledge, but not at his request,

¹*Hening*, VII, 413-414.

²*Journal, House of Burgesses*, 1758-61, 8.

³*Journal, House of Burgesses*, 1758-61, 14.

and invited Mr. Read's friends to partake thereof. That Mr. Marrable desired one Henry Williams to acquaint the Company under the Command of Captain Williams that he intended to give them a treat the next Muster Day, before which time the Writs for election of Burgesses issued, upon which he desired the said Williams to excuse him to the Company, because if he should treat it would vacate his election; and to tell them he would handsomely treat them after the election was over, which he did do; That Mr. Marrable hearing a petition to the Assembly was handed about by Captain Cox, got another in opposition thereto and declared that by carrying it about several days and treating the Freeholders, he had got forty or fifty votes, the Writ being then issued; That the day before the election a large number of Freeholders came to Mr. Marrable's and were genteely entertained; at which time their votes were solicited for Mr. Marrable in behalf of Mr. Blgrave and himself, and Mr. Marrable declared they all promised him their votes but only one of them was as good as his word; That Mr. Marrable seemed strongly in Mr. Blgrave's interest and declared he would spend eight or ten pounds rather than he should lose his election. That the morning of the election liquor was distributed to the Company of Mr. Marrable, by his orders, but with this caution, to take care they should not intoxicate themselves, lest a riot might ensue at the election, because he wanted a fair poll, and every candidate to stand or fall of his own interest; and Mr. Marrable declared he expended seven weathers and thirty gallons of rum on that occasion: That a few days after the election Mr. Blgrave was at Mr. Marrable's house, seemed very friendly, and said he was well satisfied with Mr. Marrable's proceedings in the election and was better satisfied that he should be a Burgess with Mr. Read than himself, if Mr. Marrable would bring Mr. Read to an account upon matters formerly against him alleged by Mr. Marrable, and endeavor to divide the county: That on the fifty day of July (1758) being Thirteen days before the election, Mr. Marrable wrote a letter to Mr. David Caldwell, a man of great interest in the County, strongly soliciting his interest, in which is contained the following words: 'This shall

be my obligation to be liable and answerable to you, and all who are my friends, in the sum of Five Hundred pounds, if I do not use the utmost of my endeavors (in case I should be a Burgess) to divide this, our County of Lunenburg, in the following manner, to wit: Beginning at Byrd's Mill, running a straight line to the head of Nottoway, agreeably to a division lately made in our Parish; as also to use the same endeavors for this county, that shall appear for the benefit thereof; and upon consideration of the whole matter.

"Resolved, That the said Mr. Clement Read is duly elected to serve as a Burgess in this present General Assembly for the said County of Lunenburg."

"Resolved, That the said Mr. Mathew Marrable is not duly elected to serve as a Burgess in this present General Assembly for the said County."

"Your Committee cannot conclude this report without taking notice of the behavior of one John Hobson, which was very illegal and tumultuous, in offering to lay wagers the poll was closed when it was not; in proclaiming at the courthouse door the poll was going to be closed, and desiring the Freeholders to come in and vote, and then violently by striking and kicking of them preventing them from so doing, by which means Freeholders did not vote at the said election."¹

The House adopted the report, removed Marrable, and requested the Governor to issue a new Writ for an election of an additional Burgess. Six days later, on March 14, 1759, The House rejected the report of the Committee on Propositions and Grievances, which had recommended the division of the County. When the new Writ was issued Marrable was returned to the House of Burgesses and re-elected to the succeeding House.

The same forces which had resulted in the creation of the earlier Counties were still at play. With the increase in population, and hence the increase in the number of local problems, the residents of the areas far removed from the county

¹*Journal, House of Burgesses* (March 8, 1759), 1758-61, 83-84.

seat, the center of all important developments and procedure, could not long remain contented with their status. They argued that new counties were needed quite as much as new parishes. The effort to create new counties, later to be Mecklenburg and Charlotte, was not to proceed without opposition.

On November 12, 1762, "a petition of divers inhabitants of the County of Lunenburg, praying that the said County may be divided into three distinct counties, and that an act may pass for that purpose, was presented to the House and read."¹

Another petition on the same matter was presented November 20, 1762, "Setting forth that the said county is so very large and extensive that the Legislature thought it expedient and necessary to divide the same into three distinct Parishes, viz: Cornwall, St. James and Cumberland; that in each of said Parishes is a sufficient number of tithables to support and maintain the expense of a county, and praying that each of the said Parishes may be erected into a distinct County."²

On the Twenty-second, the Committee resolved that the petitions "are reasonable."³ And a bill for the purpose was reported and read the first time November 23, 1762.⁴ It was read the second time December 3, engrossed and read a third time.⁵ But it failed of passage. "It passed in the negative," says the Journal, December 7, 1762.⁶

At the next session, however, which convened October 30, 1764, the proponents of the new counties met with better success. A petition for the division was presented November 1, 1764, was favorably recommended November 2, and the Committee directed to bring in a bill for the purpose of creating the new Counties.⁷

¹*Journal, House of Burgesses, 1761-1765, 91.*

²*Journal, House of Burgesses, 1761-65, 104.*

³*Journal, House of Burgesses, 1761-65, 107.*

⁴*Journal, House of Burgesses, 1761-65, 108.*

⁵*Id.*, 132.

⁶*Id.*, 138.

⁷*Journal, House of Burgesses, 1761-65, 233.*

The bill was reported November 7, 1764, and passed the House November 10, 1764.¹

The Act (Chapter IV) is as follows:

“An act for dividing the County of Lunenburg into three distinct counties.

“I. Whereas it is represented to this present General Assembly, by the inhabitants of the County of Lunenburg, that in their present situation they are subject to great inconvenience by reason of the great extent of the said county, and the remoteness of many of them from their Court-house, and they have petitioned this General Assembly that the said County may be divided into three distinct counties, to be laid off and distinguished by the boundaries of the three several parishes of Cornwall, St. James and Cumberland, into which the said county now stands divided: Be it therefore enacted by the Lieutenant Governor, Council, and Burgesses, of this present General Assembly, and it is hereby enacted by the authority of the same, That from and after the first day of March next ensuing the said County of Lunenburg be divided into three distinct counties, that is to say; All that part thereof lying within the lines and bounds of the parish of Cornwall, as by law established shall be one distinct county and shall be called and known by the name of Charlotte, that all that part thereof as is contained within the established lines and bounds of the parish of St. James shall be one other distinct county, and shall be called and known by the name of Mecklenburg; and that all the remaining part of the said county lying within the lines and bounds of the said parish of Cumberland as by law established, shall be one other distinct County, and shall retain the name of Lunenburg.

II. And for the due administration of justice in the said counties of Charlotte and Mecklenburg, after the same shall take place. Be it enacted by the authority aforesaid, That from and after the said first day of March a court for the said county of Charlotte shall be constantly held by the jus-

¹*Journal, House of Burgesses, 1761-65, 251.*

tices thereof upon the first Monday in every month, and for the said county of Mecklenburg upon the second Monday in every month.

III. Provided always that nothing herein contained shall be construed to hinder the sheriff or collector of the said county of Lunenburg, as the same now stands entire and undivided, from collecting and making distress for any publick dues or officers fees, which shall remain unpaid by the inhabitants of either of the said counties of Charlotte or Mecklenburg at the time the said division shall take place; but such sheriff or collector shall have the same power to collect or distrain for the said dues and fees, and shall be answerable for them in the same manner, as if this act had never been made, any law, usage or custom, to the contrary thereof, in any wise, notwithstanding.

IV. And be it further enacted by the authority aforesaid, That the court of the said County of Lunenburg shall have jurisdiction of all actions and suits, both in law or equity, which shall be depending before them at the time the said division shall take place; and shall and may try and determine all such actions and suits and issue process and award execution thereon, against the body or estate of the defendant or defendants, in any such action or suit in the same manner as if this act had never been made, any law, custom, or usage to the contrary thereof, in any wise, notwithstanding.”¹

In May, 1777 (1st year of the Commonwealth), a part of Charlotte County was restored to Lunenburg County. The Act is as follows:

“Whereas part of the parish of Cornwall and county of Charlotte is very inconvenient for the inhabitants thereof, and would be more convenient to the parish of Cumberland and County of Lunenburg;

“Be it therefore enacted, That the surveyor of the said County of Lunenburg shall on or before the first day of October next, run a line to begin where Mecklenburg and Lunenburg

¹⁸ *Hening*, 41-42.

strike Charlotte County line, directly to the place called Wim-bush's ordinary; and that all that part of the said parish of Cornwall and county of Charlotte which shall lie on the east side of the said line, shall from thenceforth be added to the parish of Cumberland and county of Lunenburg.

"Provided always, That nothing herein contained shall be construed to hinder the sheriff or collector of the said parish of Cornwall and county of Charlotte from collecting and making distress for any levies which may be due and unpaid by the inhabitants thereof; but such sheriff or collector may collect and destrain for the same and be answerable for them in like manner, as if this act had never been made."¹

This was the final change in the area and boundary of the present County of Lunenburg. Its territorial integrity has remained intact since the Act of 1777.

In order to bring down to date the record of the Counties formed from the original area of Lunenburg, mention must be made of the subsequent subdivisions of territory originally laid off from Lunenburg. Therefore a brief account must be given of the creation of Pittsylvania formed from Halifax in 1767; Henry formed from Pittsylvania in 1777; and of Patrick formed from Henry in 1791. Likewise mention must be made of Campbell, formed from Bedford in 1782; and of Franklin formed from Bedford in 1786.

Pittsylvania County was formed by the act of 7th George III, November, 1766, which enacted:

"That from and after the first day of June next ensuing, The said county of Halifax be divided into two counties by a line to be run from the mouth of Strait Stone Creek, on Staunton river, to the *Country* line, near the mouth of the *Country* line creek, on Dan river; and that all that part of the said county, which lies on the upper side of the said line shall be one distinct county, and called and known by the name of Pittsylvania; and that all the other part thereof, which is below the said line, shall be one other distinct county, and retain the

¹⁹ *Hening, 327.*

name of Halifax."¹ Henry County was formed by the Act of October 1776 (first year of the Commonwealth) which enacted:

"That from and after the last day of December next ensuing the said county of Pittsylvania be divided into two counties by a line beginning at the mouth of Blackwater, on Staunton river, and running parallel with the line of Halifax county till it strikes the *Country* line, and that all that part of the said county which lies to the westward of the said line shall be one distinct county, and called and known by the name of Henry, and that all the other part thereof which lies to the eastward of the said line shall be one other distinct county and retain the name of Pittsylvania."²

Campbell county was formed by the act of December 15, 1781, by which it was enacted:

"That from and after the first day of February next, the County of Bedford shall be divided into two distinct counties, by a line to begin at the mouth of Judy's Creek on James River, thence to Thompson's Mill on Buffalow Creek, thence to the mouth of Back Creek on Goose Creek, thence the same course continued to Staunton River, and that part of the said County lying east of the said line, shall be called and known by the name of Campbell; and all the residue of the said county shall retain the name of Bedford."³

The area of Campbell County was reduced by the Act forming Appomattox County,⁴ and by the act of March 28, 1848, by which an additional area was cut off from Campbell and added to Appomattox.⁵

Franklin County was created by the Act of November 29, 1785, which enacted:

"That all that part of the County of Bedford lying south of Staunton River, together with so much of the County of Henry

¹8 *Hening*, 205.

²9 *Hening*, 241.

³10 *Hening*, p. 447.

⁴Acts 1844-5, p. 38.

⁵Acts 1847-8, p. 41.

lying north of a line to be run from the head of Shooting Creek, to the west end of Turkey-cock mountain; thence along the top of the mountain to intersect the dividing line between the counties of Henry and Pittsylvania; thence along that line to the mouth of Blackwater river; shall from and after the first day of January next, form a distinct county and be called and known by the name of Franklin."¹

By an Act of March 13, 1848, a small triangular portion of Patrick County was added to Franklin,² and by an act of February 26, 1873, a portion of Franklin County was added to the County of Floyd.³

Patrick County was formed by the Act of November 26, 1790, which enacted:

"That from and after the first day of June next, the County of Henry shall be divided into two distinct counties, that is to say, all that part of the said County lying west of a line beginning on the line dividing the counties of Henry and Franklin, one mile above where it crosses Town Creek, a branch of Smith's River, thence a parallel line with Pittsylvania line to the county line, shall be one distinct county, and called and known by the name of Patrick, and all the residue of the said county retain the name of Henry."⁴

By an act passed November 30, 1791,⁵ a part of Henry County was added to Patrick. The act Provided:

"That all that part of the County of Henry lying to the south of a line beginning one mile above Town Creek, on the line dividing the counties of Franklin and Henry, and running thence a direct course to the North Carolina line at the lower crossing of Crooked Creek, a branch of Mayo River, shall be and the same is hereby added to and made a part of the County of Patrick."

The group of counties including Lunenburg which trace

¹12 *Hening*, p. 70.

²Acts 1847-8, p. 42.

³Acts 1872-3, p. 85.

⁴13 *Hening*, 160.

⁵13 *Hening*, 290.

their descent from Charles City and Prince George illustrate in their naming a wealth of Virginia history.

Charles City (1634) originally the name of a town, was the designation as shown of a very large territory. It was named for Charles, afterwards King Charles the First.¹

Prince George (1703) was named for Prince George of Denmark, the husband of Queen Anne, who was on the English throne in 1702, when the county was formed.²

Brunswick (1720, 1732) was named in honor of King George II, one of whose titles was Duke of Brunswick-Lunebürg.³

Amelia (1735) was named for the Princess Amelia Sophia, the youngest daughter of George II of England.⁴

Lunenburg County (1746) was also named in honor of King George II, who came to the English throne in 1727, one of whose titles, as noted, was Duke of Brunswick-Lunebürg, Lunebürg being the German form of Lunenburg.⁵

Halifax County (1752) was named for George Montagu Dunk, the second Earl of Halifax, one of the distinguished families of Montagu, who was First Lord of the Board of Trade, at about the time the county was formed, and greatly interested in the trade with the Colonies.⁶

Dinwiddie (1752) was named in honor of Robert Dinwiddie, Lieutenant Governor of the Colony, 1751-1758.⁷

Bedford (1754) "was named in honor of John Russell, the Fourth Duke of Bedford, who was Secretary of State of Great Britain from February 13th to June 26th, 1757."⁸

Prince Edward (1754) was named for Edward Augustus, a son of Frederic, Prince of Wales.⁹

¹Green's *Genesis of Counties*, p. 118; Long, 32; Bulletin Va. St. Lib., Vol. 9, p. 177.

²Green's *Genesis of Counties*, p. 112; Long, 38; Bulletin Va. St. Lib., Vol. 9, p. 189.

³Long, p. 48; Bulletin Va. St. Lib., Vol. 9, p. 176.

⁴Long, 50; U. S. Geological Survey, Bulletin 258, p. 23; Bulletin Va. St. Lib., Vol. 9, 176.

⁵Green, p. 54; Long, p. 50; Bulletin, Va. St. Lib., Vol. 9, p. 176.

⁶Bulletin, Va. St. Lib., Vol. 9, p. 181; Morrison's *Halifax County, Virginia*; Long, p. 73.

⁷Green, 51; Long, 138; Bulletin, Va. St. Lib., Vol. 9, p. 176.

⁸Historical Sketch of Bedford County, p. 4; Long, 90; Bulletin, Va. St. Lib., Vol. 9, p. 175.

⁹Green, 56; Long, 52; Bulletin, Va. St. Lib., Vol. 9, p. 189.

Charlotte (1765) was named after Princess Charlotte Sophia of Mecklenburg, the young Queen of George III.¹

Mecklenburg (1765) was also named for the Queen of George III.²

Pittsylvania (1767) was named for Sir William Pitt, Earl of Chatham, the great English statesman.³

This was the last of this group of counties created before the Revolution. Up to this time the counties generally had been named in honor of someone connected with the royal family or royal government of England or of the Colony. Upon the achieving of independence the counties thereafter to be created took names significant of the new era.

Thus Henry County created in 1777 was named in honor of the great orator of the Revolution who did so much to overthrow the royal establishment in Virginia.⁴

Greensville (1781) was named for General Nathaniel Greene, who, after the Battle of Guilford C. H., North Carolina, is said to have marched into the territory now embraced in the county.⁵

Campbell (1782) County was named for General William Campbell, the hero of King's Mountain.⁶

Franklin (1786) was named in honor of the philosopher and statesman, Benjamin Franklin.⁷

Nottoway County (1789) took its name from the Indian tribe which inhabited the territory along the Nottoway River.⁸

¹Gaines' *Handbook of Charlotte County*, 7; Long, 54; Bulletin, Va. St. Lib., Vol. 9, p. 177.

²Green, p. 55; Long, 54; Bulletin, Va. St. Lib., Vol. 9, p. 185.

³Green, 56; Long, 74; Bulletin, Va. St. Lib., Vol. 9, p. 188.

⁴Brock, *Virginia and Virginians*, I, p. 72; Long, 141; Bulletin Va. St. Lib., Vol. 9, p. 182.

⁵Bulletin, Va. St. Lib., Vol. 9, p. 181. Mr. Robinson makes the statement of the Bulletin upon authority of the distinguished historian, Dr. Lyon G. Tyler. Dr. Charles Massie Long, claiming as his authority Mr. B. W. Green, says the county was named for the English statesman, Sir Richard Temple Greenville. They are evidently in error in this matter, and Dr. Tyler and Mr. Robinson right. When one remembers the date of the creation of the county, and considers the Revolutionary struggle then in progress, it is not easy to accept the view that the county was named for the Englishman mentioned.

⁶Brock, *Virginia and Virginians*, I, p. 176; Long, 104.

⁷Green, 52; Bulletin, Va. St. Lib., Vol. 9, p. 187.

⁸Long, 166; Green, 56; Bulletin, Va. St. Lib., Vol. 9, p. 187.

Patrick County (1791) the last of the group like Henry was named in honor of Patrick Henry. After the formation of Henry County, Patrick Henry made large purchases of land in the county, and subsequently Henry County was divided and the new county was named Patrick.¹

¹Brock, Id. p. 72; Long, 141; Bulletin, Va. St. Lib., Vol. 9, p. 182.

CHAPTER V

The French and Indian Wars



FROM about the year 1690 the English Colonies in America from New Hampshire to Georgia were almost constantly in conflict and hostilities with the Indians on their western borders, who were instigated by the French and the Spaniards; the Spaniards in Florida and New Spain; and the French, first, in the north, and later, both in the north and on the waters of the Mississippi.

These conflicts between the French and the English were, it seems, the inevitable result of the "fatal treaty between Charles I and Louis XIII, by which 'was restored to France, absolutely and without demarcation of limits, all the places possessed by the English, in New France, Lacadie and Canada, particularly Port Royal, Quebec and Cape Breton.'"¹ As matters stood about 1700 the actual jurisdiction of the British Colonies extended westward from the Atlantic Coast to about the line separating the area drained by the rivers emptying into the Atlantic from the area drained by the Mississippi. The actual jurisdiction of the French embraced the area including the Great Lakes and a strip of land southward of Lake Erie. It included the Maumee River and the area now embraced in Michigan.

The great territory drained by the Mississippi and its tributaries was claimed by both the French and the English; the French basing their claim on their occupancy of the Mississippi; while the English based their claim upon their occupancy of the Atlantic Coast.²

Localizing this situation for a history of Lunenburg, it may be

¹*Dimwiddie Papers*, Introduction by R. A. Brock, V, citing *Chalmers*, II, p. 372.

²Thwaite, see map No. 3, *The Colonies, 1492-1750*.

said that the French claims extended from the western boundary of Lunenburg County westward to the Rocky Mountains.¹

John Lederer, exploring for Governor Berkeley, reached the top of the Blue Ridge Mountains in 1669, but did not descend the western slope. Abraham Wood, who lived near where Petersburg now stands, in 1671 crossed the mountains and discovered the Great Kanawha; about 1700 a few adventurous traders, both English and French, were on the waters of the Ohio.

It was not, however, until Governor Spotswood's exploit that the public attention was fixed upon the transmontane country as a theatre for extensive settlement.

In August, 1716,² soon after his trip to Christanna, with John Fontaine, Governor Spotswood made his famous expedition which has become known to history as that of the Knights of the Golden Horse Shoe, across the Appalachian Mountains. This was an event of the greatest importance as it demonstrated the possibility of crossing the mountains, something which had theretofore been deemed impossible. John Fontaine was again with the Governor and has left an entertaining account of the trip.³

Thereafter, under the encouragement of Spotswood and his successors, settlements were gradually made to the westward.

Two years after Lunenburg County was created, The Ohio Company was formed in 1748 by Thomas Lee, and twelve others, including Lawrence and Augustine Washington, brothers of George Washington in Virginia, and John Hanberry, a Quaker merchant of London. The company had a grant of 500,000 acres of land on the Ohio, between the Monongahela and Kanawha Rivers. Two hundred thousand acres of the land were to be immediately settled, and on condition that the company would settle one hundred families on the land within seven years, at its

¹Thwaite: *The Colonies, 1492-1750*, and see also Peter Fontaine, Jr.'s *Map, Memoirs of a Huguenot Family*, 356.

²There is considerable confusion as to the date of Governor Spotswood's Expedition, some placing it in 1714, some in 1716. The correct date is 1716, as is shown not only by John Fontaine's journal of the trip which he kept, but by Governor Spotswood's letters as well. Even so critical a scholar as Reuben G. Thwaites has not observed the correct date. See note 1, page 64, *Withers' Chronicles of Border Warfare*.

³*Memoirs of a Huguenot Family*, 281-292.

expense, and build a fort and maintain a garrison sufficient to protect the settlement, the lands were to be free from quit-rents and taxes to the King. Governor Dinwiddie and George Mason, father of the author of the Bill of Rights, became owners of shares in the company.

Peter Fontaine, Jun., in a letter to his uncle, John Fontaine (who in 1716 made the trip to Christanna, with Governor Spotswood), dated "Lunenburg, Virginia, 7th June, 1754," wrote:

"I cannot help adding a piece of domestic news, which is, that the French on the back of us are disputing our title to the Mississippi lands, have built a fort to annoy our settlements, and have drove off about seventy families of my countrymen. The Assembly has enacted the levying of £10,000 currency to enable them to oppose the enemy. We expect every day to hear that about fifteen hundred men, levied in these colonies, have either settled on Mississippi and built a fort to countermine that of the French, or that they have, if opposed, engaged them."¹

The writer of this letter was the first surveyor of the southern district of Lunenburg, and was the first surveyor of Halifax County. Peter Fontaine, Minister of Westover Parish, father of Peter Fontaine, Jun., the Surveyor of Lunenburg and of Halifax, in a letter to his brothers, John and Moses, dated "Virginia, 15th April, 1754," in giving news of various relatives, says: "As far as I can learn, James has got a parish amongst the mountains, and is concerned in the Ohio Company, who have an entry on Halifax, beginning on the other side, or properly, west side of the great mountains, upon the line between North Carolina and Virginia, of eight hundred thousand acres of land. His wife's uncle, Colonel Walker, is the chief person in this scheme. They have it quit free for some years, and sell it to settlers at £3 the hundred acres. They have about thirty settlements upon it, if the French and their Indians have not routed them lately."²

This interest of the Fontaine family in the Ohio Company enterprise was the occasion for the reference by Peter Fontaine, Jr., to the matter of the dispute respecting these lands as "a piece of domestic news."

¹*Memoirs of a Huguenot Family*, 365.

²*Memoirs of a Huguenot Family*, 342.

The year following the creation of the Ohio Company, and three years after Lunenburg became a county, the Governor of Canada, Galissoniere, sent a French expedition, in 1749, under Celeron de Bienville, into the Ohio Valley with "a suitable escort of whites and savages to take formal possession of the valley in the name of the King of France, to propitiate the Indians, and in all ways short of actual warfare, to thwart the English plans."¹

The report of the expedition was not favorable to the French—it was to the effect that there were vast numbers of English in the valley who had secured the Indians as allies.

At this juncture the Marquis Duquesne succeeded Galissoniere as Governor of Canada, and took immediate steps to offset the trend of events favorable to the English. In the early part of 1753, he sent a force by Lake Ontario and Niagara to seize the northeastern branches of the Ohio River. These forces "passing over the portage between Presque Isle and French Creek, it constructed Forts Le Boeuf and Venango,"² and in pursuance of the "aggrandizing policy in North America," which had been adopted by the French, proceeded in the purpose to link their possessions on the lower Mississippi with those on the St. Lawrence, by a chain of forts on the Ohio.

Robert Dinwiddie had become Governor of Virginia on November 20, 1751. He was a man of great energy, vigilance and zeal, and very soon learning of the acts of the French, he dispatched late in October, 1753, Major George Washington, then only twenty-one years of age, to M. Le Gardeur de St. Pierre, the commandant of the fort which the French had constructed, "to demand by whose authority an armed force had crossed the lakes, and to urge a speedy and peaceable departure."³

Major Washington arrived on December 11, 1753, while Fort Le Boeuf was being constructed,⁴ but M. de St. Pierre declined to discuss the matter, claiming that the protest should have been made to the Marquis Du Quesne, Governor of Canada.⁵

¹Boogher, *Gleanings of Virginia History*, 10.

²Boogher, *Gleanings of Virginia History*, 11.

³Dinwiddie *Papers*, Introduction, XI.

⁴Boogher, *Gleanings of Virginia History*, 11; *George Washington Diaries*, Vol. I, 58.

⁵Dinwiddie *Papers*, Vol. I, 49, note 40.

Washington had accomplished a most difficult journey, enduring many hardships, the only immediate fruits of which were the opportunity to make observation of the character of the fortifications, the number of the forces, and to become acquainted with the territory traversed. He made, too, the acquaintance of Half-King, an Indian who accompanied him to the fort, and who was to render him valuable assistance in the following year.

His guide on the journey was Christopher Gist, one of the most intelligent and best known of the early frontiersmen. He was an agent of the Ohio Company, and had made a settlement in the summer of 1753 in what is now the town of Dunbar, in Fayette County, Pennsylvania. He was the original settler of that county.

Washington returned to Williamsburg, arriving January 16, 1754.¹ Upon his report to the Governor, he immediately embarked upon a vigorous course to oppose the French. His efforts would have done honor to one in the full vigor of manhood. Governor Dinwiddie at the time, however, was suffering from a stroke of paralysis.

In January, 1754, soon after Major Washington's return, Governor Dinwiddie wrote Lord Fairfax: "As the French forces on the Ohio intend down as far as Logstown early in the spring, I think it is for His M^J's service and the protection of the settlem^ts of this Domⁿ to do all in our power to prevent their building any forts or making any settlem^ts on that river, and more particularly so nigh us as that of the Logstown. I therefore, with Advice of the Council, think proper to send immediately out 200 men to protect those already sent by the Ohio Comp^a to build a fort, and to resist any attempts on them. I have commission'd Major George Washington, the bearer hereof, to command 100 men to be raised in Frederick County and Augusta, therefore I trouble Y^r L^{ds} to direct the Militia of Frederick to be drawn out and fifty men to be enlisted for that service, that number probably may voluntarily enlist themselves on this Expeditⁿ on the pay settled by Act of Assembly, but if they do not voluntarily enter on this service, I think they must

¹*George Washington Diaries, Vol. I, 67.*

ballot, that the number may be ascertained so as to prevent as far as we can, of being surprized."¹

The pay referred to was to be made in tobacco, and ranged from twenty pounds for private soldiers, to sixty pounds for the Colonel for the "Horse"; and from fifteen pounds for the private soldier to fifty pounds for the Colonel for the "Foot."²

Major Washington was instructed by the Governor to proceed at once to Frederick County, and take under his command the company of fifty men which the governor had directed the commander of that county to raise. Washington was directed also to send his lieutenant to Augusta County to receive a company of fifty men raised there, and then to proceed to Alexandria for supplies and equipment, and having done these things "you are to use all expedition in proceeding to the fork of the Ohio with the men under com'd and there you are to finish and compleat in the best manner and as soon as you possibly can, the fort w'ch I expect is there already begun by the Ohio Comp'a. You are to act," the instructions continue, "on the defensive, but in case any attempts are made to obstruct the works or interrupt our settlem'ts by any persons whatsoever you are to restrain all such offenders, and in case of resistance to make prisoners of or kill and destroy them."³

In the letter of January, 1754, to Lord Fairfax, the Governor expressed the hope that the assembly which was to meet on the 14th of February, 1754, would "see the absolute necessity of making a push at this time," and would provide him with funds to send four or five hundred more men to the Ohio, which he thought would be sufficient "with the assistance of our neighboring Colonies and our friendly Ind's" to "defeat the designs of the French."

In January, 1754, Governor Dinwiddie communicated with the Six Nations, with the Catawbias, with the Governors of South Carolina, Pennsylvania, North Carolina, New York, Maryland, New Jersey and Massachusetts, acquainting them with the facts reported to him by Washington, and requesting their co-opera-

¹*Dinwiddie Papers*, Vol. I, 48-9.

²*Hening*, VI, p. 116.

³*Dinwiddie Papers*, Vol. I. 59.

tion in the measures to be undertaken against the French. He pointed out that the French had induced the "Chippeways, Ottaways and Arundocks to take up the hatchet ag'st the English"; that they had taken possession of lands belonging to British subjects, and were prepared with canoes, two hundred and twenty of which were already built, and others being made, with which it was their purpose to descend the river, as soon as the weather permitted in the spring, and "build forts at every place of consequence" on the Ohio.

But the co-operation which he received from the other colonies was very disappointing, especially was this so in the case of Pennsylvania. South Carolina responded by sending what, under the circumstances, was quite a satisfactory force.

The encroachment of the French and their construction of the forts on the Ohio was not only a direct challenge to the British title to, and authority over, all that great area drained by the Mississippi and its tributaries, but a matter of great local concern; it interrupted the ambitious plans of the Ohio Company, and put in jeopardy not only the title to the lands, but the lives of the families who had been settled upon the lands, pursuant to agreement with the Colonial Government, and the British Government as well.

Governor Dinwiddie convened the House of Burgesses, in special session, immediately after receiving Major Washington's report. His message to the House on February 14, 1754, clearly points out the occasion and necessity, from the British standpoint, of vigorous action against the French. After reviewing the facts reported by Major Washington as to the location of the French fort "on a creek running into the Ohio," and the degree of preparation made, and the purposes of the French to proceed down and fortify the river in the spring, making Logstown¹ their principal headquarters, he continues: "Maj'r Washington further reports that he ask'd why they had seized the goods of our traders, and sent their persons prisoners to Canada, to which the com'd't answered: 'That his orders from their Gen'l, the Governor of Canada, were not to permit any English subjects to trade

¹Located just below the present Economy, Pa., on the north side of the Ohio River, about 18 miles below Pittsburg.

on the waters of the Ohio, but to seize their goods and send them prisoners to Quebec.' He also ask'd the reason of taking Mr. Frazier's¹ house from him w'ch he had built and lived in upwards of twelve years. He s'd that man was lucky that he made his escape, or he w'd have sent him prisoner to Canada."²

The Governor's message proceeds to relate Indian atrocities of the most horrible character, perpetrated on the Colonists, which he charged were incited by the French who usually accompanied the Indians in their "incursions" against the Virginia Frontiersmen. He informed the Burgesses that he had taken all the steps possible in advance of their meeting; had ordered out an expedition "to build a fort . . . at the forks of Monongahela," and appealed for effectual action to support the expedition sent out, and to maintain the integrity of the British domain.

The Burgesses in their reply to the Governor declared: "With hearts full of zeal for His Majesty's service and the interest of y's Col's, and fired with resentment and indignant'n at the unjustifiable proceedings and encroachment of the French and French Ind's, we do in the strongest terms express our utmost abhorrence of their late barbarous cruelties and depredat's committed on the frontiers and His Majesty's subjects inhabiting there. We are truly sensible of the importance of the several matters recommended to us by Y'r Hon'r, and we do assure you y't we will take the same into our serious consideration and act therein agreeable to the duty we owe to our King and country."³

The Burgesses made an initial appropriation of £10,000 to finance the measures being taken against the French and the Indians. Governor Dinwiddie, however, was unpopular with that body, and it may be added, with the Colonists in general, because he had revived and was enforcing the collection of fees for issuing grants for land; and while he seems to have done nothing more, in that regard, than was strictly legal, the custom had fallen into disuse, under the administration of Sir William Gooch, and its revival was viewed as obnoxious and oppressive.

¹John Frazier, an Indian trader, who lived near the mouth of a creek about ten miles up the Monongahela, from the fork of the Ohio. This was near the place where General Braddock was later defeated.

²*Dinwiddie Papers*, Vol. I, 73-4.

³*Dinwiddie Papers*, 78.

So the Burgesses in making the appropriation, provided that it should be expended under the direction of a committee of their body.

It was Governor Dinwiddie's plan to raise six additional companies,¹ place them under the command of Col. Joshua Fry, and have them proceed at once to the Ohio country. He ordered measures taken throughout the colony to raise six months provisions for these forces.²

In March, 1754, he issued official instructions to Colonel Joshua Fry, styling him "Colo. and Com'd'r in Chief of the Virg'a Regiment," directing him to repair to Alexandria and take command of the forces "which I expect will be at that town the middle of next mo. You are to march them to Wills's Creek, above the Falls of Poto, from thence with the Great Guns, Amunit'n and provisions you are to proceed to Monongahela, when arriv'd there you are to make choice of the best place to erect a fort for mounting y'r cannon and ascertain'ng His M'y the King of G. B's undoubted rights to those lands."³

In the meantime Colonel George Washington at Alexandria was having trouble enlisting his force on account of uncertainty and irregularity of pay and for other reasons detailed in his letter of March 9, 1754, to the Governor.⁴ At that time he had but twenty-five men.

About March 15, 1754, the Governor received an alarming report from Colonel Thomas Cresap and Captain William Trent respecting the movements and plans of the French. These men were representatives of the Ohio Company, and Captain Trent had begun the construction of a fort at Alleghany.⁵ They reported that they had information of the purpose of the French to make the descent of the Ohio River earlier than they had anticipated.

The Governor apparently without informing himself of the

¹Letter to William Shirley, Governor of Massachusetts Bay, *Dinwiddie Papers*, Vol. I, 86.

²Letter to Governor Hamilton of Pennsylvania, *Dinwiddie Papers*, Vol. I, 87.

³*Dinwiddie Papers*, Vol. I, 88-9.

⁴*Dinwiddie Papers*, Vol. I, 92-3.

⁵The present site of Pittsburg.

strength of Washington's force, and without any directions as to the minimum strength he should have, ordered Washington "to march what soldiers you have enlisted, immediately to the Ohio, and escort some waggons, with the necessary provisions. Colo. Fry to march with the others as soon as possible."¹

The Governor did not reckon on the slowness with which Col. Fry's forces would be mobilized and would proceed after Washington.

Washington received his orders on March 31, and marched on April 2, with only two companies of men.² On April 20th, about the time he reached Col. Cresap's, he received news that the French had appeared in considerable force and had taken the fort of the Ohio Company commanded by Captain Trent.³

Washington very prudently decided, in view of the number of French reported to be in the force which took the fort, that he would proceed no farther than Red Stone Creek until he was reinforced, as he had only about one hundred and sixty effective men.² As a matter of fact, he did not get that far. About May 23, he received a warning from Half-King that a force of French were lurking in the woods near his camp.⁵ By May 27, he had reached Great Meadows.⁶

Mr. Gist⁷ arrived that morning from his place and told that "a detachment of 50 men was seen yesterday at noon, com'd by Mons'r La Force:" this same force afterwards marched within five miles of Washington's camp at Great Meadows. Washington sent out a force of seventy-five men to meet them, and later receiving a message from Half-King who was encamped about six miles away, he set out with forty men, at about ten o'clock at night, to go to Half-King's camp, where they arrived just before sun up next morning. Of this march Washington says: "We reach'd the Indian's Camp, having march'd in [a] small path, a heavy rain, and night as dark as it is possible to

¹*Dunwiddie Papers*, Vol. I, 106-7.

²*Diaries of Washington*, Vol. I, 73-4.

³*Diaries of Washington*, Vol. I, 75.

⁴*Dunwiddie Papers*, Vol. I, 148, 152.

⁵*Id.*, 174.

⁶*Id.*, 174.

⁷Capt. Christopher Gist, agent of the Ohio Company.

conceive; we were frequently tumbling one over another, and often so lost that 15 or 20 minutes search would not find the path again."¹

He and Half-King counselled together, decided upon a method of procedure; sent out scouts who located the French, "in a very obscure place surrounded with rocks. I thereupon," says Washington, "in conjunction with the Half-King and Monacatoocha, form'd a disposition to attack y'm on all sides, which we accordingly did, and after an engagement of ab't 15 minutes, we killed 10, wounded one and took 21 prisoners. Amongst those that were killed, was Monsieur De Jumonville, the Commander; Principal Officers taken is Monsieur Druillorn and Mons'r Laforce, who your Honour has often heard me speak of as a bold enterprising man, and a person of great subtlety and cunning; with these are two cadets."²

In this engagement Washington's forces lost only one man killed, and two or three wounded.³

The papers taken from the captured French disclosed that they were instructed "to reconnoitre the country, roads, creeks, &c., to Potomack."⁴

The news of Washington's victory was added as a postscript in a letter from Peter Fontaine, Jun. to Moses Fontaine (in England), dated "Lunenburg, Virginia, 7th June, 1754," as follows: "Since the within, Colonel Washington, the commander of our three or four hundred men from Virginia, has, with a party of about forty men and some auxiliary Indians, by the intelligence of an Irish deserter, met with a party of about thirty-six French, who were in ambush in the woods waiting for him. Each party fired, and it has pleased God that we have killed or taken them all. There were thirteen killed and the rest taken. We lost only one man, and two wounded. The French seem to have a great mixture of Indian blood, and are sturdy fellows. The place in dispute is on the Ohio river, about two hundred miles back of our nearest mountains."⁵

¹*Dinwiddie Papers*, Vol. I, 179.

²Letter to Governor Dinwiddie, *Dinwiddie Papers*, Vol. I, 179-80.

³*Id.*, 181.

⁴Letter to Governor Dinwiddie, *Dinwiddie Papers*, Vol. I, 180.

⁵*Memoirs of a Huguenot Family*, 361.

Hostilities being thus begun, Washington expected to be attacked at almost any moment by superior numbers, as he discloses in the letter to Governor Dinwiddie reporting the capture of the French. "I shall," he said, "expect every hour to be attacked, and by unequal numbers, which I must withstand, if there is 5 to 1, or else I fear the consequence will be we shall loose the Indians if we suffer ourselves to be drove back. I dispatch'd an express immediately to Colo. Fry, with this intelligence, desiring him to send re-inforcements with all imaginable dispatch.

"Your Honor may depend I will not be surpriz'd, let them come what hour they will, and this is as much as I can promise, but my best endeavours shall not be wanting to deserve more. I doubt not but if you hear I am beaten, but you will, at the same (time) hear that we have done our duty in fighting as long [as] there was a possibility of hope."¹

In addition to sending an urgent dispatch to Colonel Fry for reinforcements, he also began to construct a "Palisado'd Fort," — Fort Necessity at Great Meadows.

Governor Dinwiddie was well aware of the dangerous situation Washington was in. Upon receipt of the news of his brilliant exploit, the Governor wrote, from Winchester, where he seems to have taken up a temporary residence, to meet the Indian allies expected, and to be nearer the theatre of active operations, urging Washington not to let this success "tempt you to make any hazardous attempts ag'st a too numerous enemy."² He expressed impatience to Major Muse, who had succeeded to Colonel Fry's command (Col. Fry died on May 31, 1754), over the tediousness of his march, directed him to quit his wagons and impediments, "and march immediately to join Colo. Washington with the utmost expedition,"³ and he urged Captain James McKay, commanding an independent company of South Carolinians to make his "most expeditious endeavours to join" Colonel Washington.⁴ But few additional soldiers, however, reached Washington for the impending battle.

¹*Dinwiddie Papers*, Vol. I, 181-2.

²*Id.*, 186.

³*Id.*, 187.

⁴*Id.*, 188.

On July 3, 1754, Fort Necessity was attacked by a force greatly outnumbering his own. In fact, Washington's force was outnumbered about three to one. The battle was in progress from eleven in the morning until eight o'clock at night, Washington holding his own. The French called for a parley, but Washington suspecting treachery refused it. At length they asked that an officer who could speak French be sent to them, giving their parole for his safe return. Washington realizing the untenability of his situation, and the French having taken the initiative in negotiating for a cessation of hostilities was glad of the opportunity to withdraw his forces with the honors of war; otherwise, they had determined to fight until killed, rather than be taken prisoners.¹

Washington marched his men back to Will's Creek (now Cumberland, Md.) and abandoned the Ohio valley for the time being, to the French. Washington, however, was victorious, even in defeat, for all recognized the high quality of his intrepid leadership, and were convinced that if the rest had done anything like so well there might have been a different issue.

Governor Dinwiddie wrote Colonel Innes, July 20, 1754, "The misfortune attending our expedition is entirely owing to the delay of your forces, and more particularly the two Independent Compa's from N. Y.² . . . As to your regim't I can say little to, as you are talking of disbanding them before they join the other forces."³ And writing to James Abercromby just after news of the misfortune came, he spoke of the fact that Washington's company and McKay's company of independents were all there were to oppose the French, he said these "bore the whole brunt of the action, and considering their few numbers, they behaved with great resolution, and indeed, I think they acquired much honor, though the French had the victory."⁴

Following this defeat the Governor ordered a fort built at Will's Creek (Cumberland, Md.), where the Ohio Company had a store, with a view to making it a concentration point and base for future operations.

¹*Dinwiddie Papers*, Vol. I, 240.

²*Dinwiddie Papers*, Vol. I, 232.

³*Dinwiddie Papers*, Vol. I, 232.

⁴*Dinwiddie Papers*, Vol. I, 237.

The forces becoming disorganized, some deserting, the Indians going over to the victors, Dinwiddie reported conditions to the Lords of trade, to the Secretary of War, assembled the Burgesses, planned the recruiting of larger forces and otherwise energetically occupied himself with plans for future measures.

He summoned the House of Burgesses into session in August, 1754. At this session Lunenburg County was represented by William Byrd and William Embry. At the previous session, February 14, 1754, Lunenburg had been represented by William Byrd alone. Clement Read, the other member, had for some reason not attended. The record for the session of August 22, 1754, shows that William Embry had succeeded Clement Read "who had accepted a surveyor's place."¹

Halifax County had been created in 1752, and Peter Fontaine, Jr., had resigned as surveyor of Lunenburg County and become surveyor of Halifax County, and he in turn had been succeeded in Lunenburg by Clement Read. The representatives of Halifax in the House of Burgesses at this time were John Bates and William [Samuel?] Harris.

The Governor laid the state of public affairs before them, and the Burgesses in their reply declared: "We are determined on our parts to withstand the impending danger and to pursue every measure in our power to defeat those pernicious attempts of our enemies, that we may convince the world we have nothing more at heart than a zealous discharge of our duty to the best of Kings and the sincerest regard for the safety and true interest of our country."²

The Burgesses promptly resolved to raise £20,000 for renewing the efforts against the French, who emboldened by their success were planning to build forts on the Greenbriar, Kanawha, Holstein and New River, which would have occupied territory not only embracing the whole of the present West Virginia, but would have extended far into the present State of Virginia, and into North Carolina. They, however, were unwilling to appropriate money to support any but Virginia troops, and left the Governor powerless to pay the "Independent Companies,"

¹*The Colonial Virginia Register*, 133.

²*Dinwiddie Papers*, Vol. I, 294.

which were companies of soldiers officered by men who received their commissions direct from the King. No doubt the attitude of the Burgesses was largely due to Washington's experience with Capt. KcKay's troops. They declined to make roads or bridges, or do any of the rough, laborious and necessary work of this kind. Of this Washington was severe in his criticism,¹ but he was powerless to correct it so long as Capt. KcKay was not directly subject to his orders.

On September 4, 1754, the Governor in a sharp and critical address, prorogued the Burgesses until October 17th, and he and the Council refused to approve the bill for raising £20,000 as passed by the Burgesses. It carried a provision for paying Peyton Randolph a fee of £2,500 for going to England to present the case against Dinwiddie respecting the revival of the pistole fee for granting lands.

During the period of relative inaction following Washington's defeat, the Indians became emboldened to make forays upon the Colonists on the frontiers of Augusta County.

In consequence of the failure to get a vote of finances to prosecute military measures, the efforts against the French were deferred until the following year; and Washington and Innes employed their time in creating a magazine at Will's Creek, and Dinwiddie redoubled his efforts with the other Colonial Governors, and renewed his frantic appeals to England for sufficient aid from England to cope with the French.

Colonel Washington was directed to give a detachment of forty or fifty of his men to Capt. Andrew Lewis to enable him to protect the Augusta frontier from incursions by the Indians.

The Assembly at the session which convened October 17, 1754, voted a supply bill for £20,000 for military operations,² and the British Government agreed to send £10,000 and 2,000 stands of arms and other supplies.

Following these events the Governor proceeded with plans for raising a force of 1,000 men, but in view of the fact that the

¹*Dinwiddie Papers*, Vol. I, 199.

²At this session Lunenburg was represented by William Embry and Matthew Marrable (in the place of William Byrd, who had been appointed to the Council). Halifax was represented by John Bates and William Harris.

officers of the independent companies refused to rank with or do duty with those appointed by the Governor, he devised a plan for ten independent companies of 100 men each. The highest rank in these companies was that of Captain, and these were subordinate to those holding commissions from the King. The effect of this plan was to reduce Washington to the rank of Captain, and to place him under officers whom he had commanded. He thereupon resigned his commission and retired to private life.

Governor Dinwiddie had been insistently urging the Government in London to send over an effective military force of capable officers and engineers and trained men to put an end to the French aggressions. This was urged as especially necessary as France was sending large forces into Canada, and thence into the Ohio valley and elsewhere to make good her claims against the English, and as several of the colonies, Maryland, Pennsylvania and South Carolina, for example, were either furnishing no men, or very few, for operations against the French. At length the British Government acted upon the recommendation. General Edward Braddock was sent to America armed with a commission as Commander-in-Chief of all his Majesty's forces, on the continent of America.¹ He arrived at Hampton, February 19, 1755.² Not only did General Braddock come over, but he was accompanied by Commodore Keppel (the Honorable Augustus, second son of William Anne Keppel, Second Earl of Albemarle), and they and Governor Dinwiddie met the Governors of New England, New York, Pennsylvania and Maryland, on April 14, 1755, and the state of the colonies was fully considered. This conference was held at Alexandria, Virginia.

To accomplish the purpose for which he had been sent to America, Braddock, with the assistance of those at this conference, planned four distinct expeditions. General Charles Lawrence, lieutenant-governor of Nova Scotia, was to protect the English rights in that locality; General William Johnson of New York was to enlist the aid of the Mohawk Indians, and

¹*Dinwiddie Papers*, Vol. II, 21.

²*Dinwiddie Papers*, Vol. I, 511.

capture Crown Point; General William Shirley undertook to drive the French from Niagara; and General Braddock reserved for himself the honor of driving the French from the Ohio valley.¹

On May 1, 1755, Governor Dinwiddie convened the General Assembly and advised them of the developments and urged the granting with promptitude adequate supplies to support the measures being taken. In his message he acquainted the assembly with the fact that the King "has of His gracious goodness to us ordered four regiments, consisting each of 1,000 men, with a large train of artillery, for our aid and assistance, besides regiments now at Nova Scotia, all at the expense of the Crown of G. Britain."² At this session Lunenburg was represented by William Embry and Matthew Marrable.

It was General Braddock's plan to proceed westward over the general route (though not in all cases following the road) of Washington's earlier expedition, to retake the fort taken by the French from the garrison of the Ohio Company, and proceeding to capture "the French Forts at River of Beuf" (Fort le Beuf) and Lake Erie, join forces in the north with those who were to conduct operations in that theatre.³

Braddock moved westward from Alexandria to Winchester, and thence to Fort Cumberland.

The Governor disclosed that plans had been made for communication between the army as it progressed and Winchester, Virginia, from which place "Express" service by carriers on horses would keep in constant communication with him at Williamsburg, and with the Governors of Pennsylvania and Maryland.⁴

General Braddock, from Fort Cumberland, communicated with Governor Dinwiddie with a view to having the militia forces in readiness to garrison that and other forts, as he progressed, so that his more mature and better trained soldiers would not be detained for garrison duty. On May 23, the Gov-

¹*Gleanings of Virginia History*, 15.

²*Dinwiddie Papers*, Vol. II, 21.

³*Id.*, 33.

⁴*Id.*, 21.

ernor wrote him, concluding his letter with the wish that he would have "an agreeable march over the Allegany Mount's, a successful compaign, and health."¹

Five days later the first division of General Braddock's army began their march over the Alleghany Mountains,² and Governor Dinwiddie wrote to the Lords of Trade "I have not the least doubt of their success in retaking the Fort on the Ohio."³

The scale of General Braddock's ambitious enterprise is indicated by this letter of the Governor to the Lords of Trade. He said: "The General was retarded in his march for the want of horses, waggons, &c, and forage for his horses, which are in number upwards of 1,500."⁴

Governor Dinwiddie evidently got a hint of dissatisfaction with General Braddock's methods, for on June 13, 1755, he wrote Governor Dobbs:⁵ "The ceremony and formality of marching regular forces has retarded their march long, and the large train of artillery, requiring great numbers of waggons and horses, has also been a great hindrance to their march."⁶

At this time Governor Dinwiddie was complaining of the lack of support of the expedition by Pennsylvania and Maryland. He also declared that Governor Glen of South Carolina did everything he "could contrive to retard the expedition."⁷

In compliance with a suggestion Braddock had made, the Governor wrote him on June 16: "I shall immediately order up 10 guns with their appurtenances to Fort Cumberland, from thence to be transported to the fort, which, I hope, you will soon be in possession of. If any delay should happen in getting the guns to Fort Cumberland, if you please you may order the guns now at that fort to be immediately (after you have possession of the fort on the Ohio) sent over the Alleghany, to be mounted

¹*Dinwiddie Papers*, Vol. II, 42.

²*Id.*, 52.

³*Id.*, 52.

⁴*Id.*, 52.

⁵Arthur Dobbs, of Ireland, Governor of North Carolina, from Nov. 1, 1754, until his death, March 28, 1765.

⁶*Dinwiddie Papers*, Vol. II, 60.

⁷*Id.*, 60.

there, and the guns I send from this [place] may be (used) to replace them in Fort Cumberland."¹

Braddock, a haughty, self-reliant man, scorned to take the advice of Americans such as Washington. Relying upon his artillery and believing that the savage Indians could make no impression upon His Majesty's trained soldiers, he scorned to take the precautions Washington took to guard against surprise. He moved slowly, even leisurely,—declining to go a step ahead without his artillery. This necessitated making roads through a country difficult and tedious to negotiate. He crept along at such a slow pace, that Washington impatiently said he stopped "to level every mole-hill; to erect a bridge over every creek."² He even rode in his carriage as far as Fort Cumberland.

Finally, on July 9, 1755, as he moved on Fort DuQuesne, he was ambushed in a heavily wooded section and about eight hundred of his men were killed. Sixty-four out of eighty-five officers were lost.³

Upon being wounded, he was borne from the field in his officer's sash, improvised into a stretcher; and the command devolving upon Washington, he covered the retreat to Great Meadows, where General Braddock died on the 13th of July, 1755. His grave is now marked by a monument which stands but a few feet from and on the north side of the National Road.

The news of General Braddock's defeat first came to the Governor in a letter dated July 11, 1755, from Colonel Innes, who had been left by Braddock in command of Fort Cumberland.⁴

The day this news reached him, the Governor wrote Lord Fairfax: "I never doubted of the General's success, when I

¹*Dinwiddie Papers*, II, 64.

²*Gleanings of Virginia History*, 17.

³Braddock is said to have had five horses shot from under him before he was fatally wounded. He was a very arrogant man, and was obnoxious both to the native soldiery and the Indian allies. It is a generally accepted tradition that he was murdered by a Pennsylvania soldier. Thomas Faussett, at one time a resident of Fayette County, Pa., "avowed the fact." (*Dinwiddie Papers*, note by Brock, Vol. I, 511.) "Braddock's private character," says Brock, "appears to have been that of a heartless, broken-down gambler and spendthrift, yet those who most bitterly censured him allow him certain merits. 'Desperate in his fortune, brutal in his behavior, obstinate in his sentiments,' says Walpole, 'he was still intrepid and capable.'"

⁴*Dinwiddie Papers*, Vol. II, 98.

considered his forces and the train of artillery."¹ Even before he had received news of the details of the disaster, he ordered the militia of the various counties mustered in order to repel any invasions that might occur. It was a timely measure, for almost coincident with the news of Braddock's defeat reports came of fresh barbarities by the Indians in Augusta County, and while Braddock had but poor opinion of the colonial soldiers, and found use for no great number of them in his expedition, he realized the possibility, however, of the Indians and French harassing the frontiers of the colony when his forces were far advanced beyond the Alleghany. He therefore suggested to Governor Dinwiddie the wisdom of employing the militia, and other colonial forces, in the protection of the settlements in the communities thus exposed.

Pursuant to this purpose the militia of various counties were ordered to arms. That of Bedford County, which had been created in 1754, was ordered to arms, as we know from a communication addressed by Governor Dinwiddie to Matthew Talbott, William Callaway and John Phelps, July 21, 1755.²

The Governor also wrote, July 22, 1753, to Colonel William Byrd of Halifax County, advising him that he had ordered out the militia of that county, having received a "long representation from the Justices of the County of Halifax in regard to barbarous murders committed in the County of Augusta and their fear of being attacked by the savages."³

The detailed military service, such as the frontier duty mentioned, seems to have been the occasion for a good many erroneous statements respecting the military services of various persons who were active at this time. This is illustrated by the statement of Alexander S. Withers, in his *Chronicles of Border Warfare*, that Captain Grant and Captain Lewis (meaning James Grant and Andrew Lewis) commanded companies in Braddock's expedition, and were "the first to cross the river,"—the Monongahela.⁴

¹*Dinwiddie Papers*, Vol. II, 98.

²*Dinwiddie Papers*, Vol. II, 109.

³*Dinwiddie Papers*, Vol. II, 110.

⁴*Chronicles of Border Warfare* (edited by Thwaites), 68.

The fact is, neither took any part whatever in the battle of the Monongahela.¹ Andrew Lewis at the time was a Major, and was on the frontier service, wholly detached from Braddock. July 8, 1755, Governor Dinwiddie wrote him: "You were ordered to Augusta with your company to protect the frontiers of your county,² and on the same date he wrote Col. Patton: "Inclosed you have a letter to Captain Lewis, which please forward to him. I think he is at Green Briar."³ And Capt. Robt. Orme, aide-de-camp to General Braddock, mentions that the Virginia troops were, after being clothed, ordered to Winchester for arming and drilling, and adds: "Capt. Lewis was ordered with his company of rangers to Greenbrier River, there to build two stockade forts, in one of which he was to remain himself and to detach to the other a subaltern and fifteen men."⁴

Braddock's defeat threw all plans into utter confusion. Colonel Dunbar, who succeeded to the command on Braddock's death, seemed in utter panic. Dunbar was not in the battle, but was some distance away, in the woods.⁵ His action was altogether cowardly and contemptible after the Braddock debacle. Although it was only July, and Governor Dinwiddie urged preparation for some effective measures beyond the mountains, or at least adequate protection of the frontier, Dunbar on August 2, 1755, marched all the regular forces left of the two regiments, and two independent companies to Philadelphia to go into winter quarters!⁶

Upon Dunbar's retreat, Governor Shirley disbanded all his force (which was small), and the back settlers being left defenseless, abandoned their crops and their cabins and came down into the more thickly settled communities. At this juncture, upon the assembling of the House of Burgesses, August 7, 1755, the defense of the Virginia frontier was left to two hundred

¹*Chronicles of Border Warfare*, note 1, by Lyman C. Draper.

²*Dinwiddie Papers*, Vol. II, 91.

³*Dinwiddie Papers*, Vol. II, 93.

⁴Sergeant, *History of Braddock's Expedition*, Appendix.

⁵*Id.*, 123.

⁶*Dinwiddie Papers*, Vol. II, 139, 123.

of the Virginia forces, and one independent company at Winchester.¹

In retrospect Governor Dinwiddie spoke in the highest terms of the bravery of the Virginians, and in harsh condemnation of "the regulars from Ireland" who became panic struck, fled from the field and "left their brave officers to be inhumanly killed by the enemy."² While of the Virginians he said: "The natural bravery of our countrymen, if ever questioned, is now established beyond a doubt by those Virginia forces who purchased with their lives immortal glory to their country and themselves on the Banks of Monongahela."³

The Assembly, thoroughly aroused, voted £40,000 for military operations, and Governor Dinwiddie wrote Colonel Innes that he believed it would have given £100,000 "if there had been any probability of making a second attempt," adding, in view of Dunbar's course, "but now we must remain on the defensive and endeavor to prevent the cruel murders of the barbarous enemy."⁴

Governor Dinwiddie had practically denuded the colony of arms, so far as the government supply was concerned; he had given 1,500 stands of arms and all their accoutrements to General Braddock, and to New York and the Jerseys, in order to enable them to carry on the expeditions against Crown Point and Niagara. So when Dunbar marched to Philadelphia, and the colony had to shift for itself in raising and arming forces, it experienced great difficulty in doing so, and had to appeal to England for a fresh supply of arms.⁵

Within thirty days after Braddock's defeat the people of Lunenburg County agreed to raise a company of fifty men, and made up a subscription to pay them for six months.⁶

On August 9, 1755, Colonel Clement Read wrote Governor Dinwiddie of the action of the people of Lunenburg, and the Governor replied on the 15th. In part he said: "I received your letter

¹*Dinwiddie Papers*, Vol. II, 140.

²*Id.*, 140-1.

³*Id.*, 135.

⁴*Id.*, 146.

⁵*Id.*, 145.

⁶*Id.*, 156.

of the 9th with the proposal from your county for raising fifty men and the generous subscription of your people to pay them for six months. I laid the whole before the Council, and it was very agreeably received, and I confess I am greatly pleased to see so good a spirit among your people, and I hope this laudable precedent will be followed by many other counties. Hanover and Amelia have offered each to raise a company, and the Legislature have granted a premium of £5 for every prisoner or scalp¹ they may bring in. But I desire you will inculcate to the officers and men to be very cautious in doing anything to offend our friendly Indians to the southward, particularly the Catawbias and Cherokees. . . . I have given Mr. Terry² a commission to command your company, and I send you two blank commissions for the subalterns, and I think you should make them first and second Lieutenants. There is no occasion for an Ensign, and probably they may have occasion to divide their men into parties; therefore two Lieut's is proper. I have ordered up four half barrels of powder and two barrels of shot and fifty swords, which is what Captain Terry thinks is sufficient at present. I suppose they need not be out longer than the last of November, but [it is] absolutely necessary to march out immediately, if possible, to take or destroy the enemies of our country, and Captain Terry has my instructions how to proceed if anything is omitted that may be of service. I hereby give you liberty to insert it at the foot of his instructions. And I desire you will please to receive the subscription money and pay the people agreeable to your scheme; and as Capt. Terry

¹The action of the Burgesses at the session in August, 1755, in granting a bounty for scalps, seems to have been the first time the barbarous practice was sanctioned by the public authorities. In his message (*Dinwiddie Papers*, Vol. II, 135) Governor Dinwiddie had strongly urged it in retaliation for this character of outrage against the Colonists, and because the Colonies of New England had found it necessary thus to deal with their adversaries. "I hope," he wrote, "you will think the measures taken by our Brethren of New England expedient for your safety also, and by giving a reward for the taking or scalping our Indian enemies, provide such an encouragement as may induce our people to cut off the destroyers before they come to execute their proposed villainies on our helpless wives and poor defenceless babes, after whose blood the insatiate cowards thirst incessantly."

²Capt. Nathaniel Terry.

says the soldiers who will voluntarily go are in want of some small supplies, I enclose you £100 in treasury notes to be applied as you see proper for the service of that company."¹

The commission of Governor Robert Dinwiddie to Captain Nathaniel Terry is dated August 13, 1755, and recited that parties of Indians and French are "continually committing many murders and depredations on His Majesty's subjects," and that it being necessary to repel such "unjust and horrible barbarities" he had thought fit "by and with the advice and consent of His Majesty's Council, in consequence of your voluntary offer and subscription in behalf of yourself and others of the county of Lunenburg" to "appoint and constitute you the said Nathaniel Terry to be Captain of a Company of Rangers raised in the said county to scower the frontiers, kill and destroy every such Indian and others as you shall at any time or any where find insulting or maltreating His Majesty's good subjects, or having an apparent tendency thereto. You are, therefore, to keep the said company in due and proper discipline and ready at all times for action, and to observe and follow such instructions as you may receive from me."²

The Governor's instructions to Captain Terry accompanied his commission of August 13, 1755. These instructions in full may be seen in the *Dinwiddie Papers*, Vol. II, page 158-9; briefly they were to keep a "just sense of religion, that you may with confidence go forth under the protection of the Supreme Being"; to use the utmost endeavor to annoy and destroy the enemy; to preserve good union and harmony and assist other companies where the service of the country requires; to use the greatest caution not to offend the friendly Indians; to be particularly careful of the powder and ball; and after having taken a thorough view of the country, if a suitable place for erecting a fort is found to advise in respect thereto; and to give the Governor speedy intelligence of every important event. At the foot of the Governor's record of the instructions to Captain Terry is noted the fact that on the 14th of August, 1755, he delivered to

¹*Dinwiddie Papers*, Vol. II, 156-7.

²*Dinwiddie Papers*, Vol. II, 158, where the commission in full may be seen.

Samuel Overton a commission and instructions "the same as above" to command a company of volunteers from Hanover County; and on the 20th commission and instructions to Capt. Jno. Philips to command "a company of Rangers to be raised in Bedford County."

It seems clear that the first Company of Rangers authorized in Virginia, after Braddock's defeat, was that from Lunenburg County, commanded by Captain Nathaniel Terry. But whether this company was actually organized, and if so what service it rendered, remains in considerable doubt. At any rate, in anticipation of its being raised it was ordered into Augusta County, where the local forces had been unable to cope with the situation. The Governor writing to Colonel John Buchanan, August 11, 1755, said: "There is a company of 50 men from Lunenburg County come into your county, your own company of Rangers of 50 men, another company of forty to be raised by Captain Smith with Captain Lewis's company, I think will be sufficient for the protection of your frontiers without calling out the militia, which is not to be done till great extremity."¹

On August 14, 1755, Governor Dinwiddie commissioned George Washington Colonel of the Virginia Regiment, and made him Commander-in-Chief of all forces raised or to be raised in Virginia. In order to facilitate recruiting the Regiment was separated into three divisions, with recruiting officers in charge at Winchester, Alexandria and Fredericksburg, and in his instructions Washington was advised: "As Winchester is the highest place of rendezvous which is exposed to the enemy, you are hereby required to make that your headquarters."²

Colonel Washington repaired to Winchester and found everything in confusion and the people in a panic. In order to bring some order into the situation he resorted to such military power as he had, which was inadequate under the existing law. Some of the people resenting his measures threatened, as he informed Governor Dinwiddie, to blow out his brains. As soon as he was able to gather a few recruits, learning of the perilously small strength of the force at Fort Cumberland, he hastened thither.

¹*Dinwiddie Papers*, Vol. II, 154.

²*Id.*, 185.

While this fort was in Maryland, and was really more of a protection to the frontiers of Maryland and Pennsylvania than to Virginia, neither of those colonies did anything of importance to protect it or their frontiers which it defended.

Upon Colonel Washington's recommendation, Governor Dinwiddie urged upon the General Assembly the enactment of laws under which a more effective military discipline would be possible.

The Governor sent Peter Randolph and Colonel William Byrd as commissioners to the Catawba and Cherokee Indians, and it was no doubt through their instrumentality the promise of aid from the Indians was secured. In this, too, Richard Pearis was of some assistance.

An expedition against the Shawnees, which came to be known as the Sandy Creek Expedition, was determined upon, under the command of Major Andrew Lewis. It was the most pretentious effort of the year, and had as its object not only the chastisement of the Indians, but the establishment of a military post at the mouth of the "Great Sandy," the Big Sandy River of the present day, at or about the present town of Kenova, West Virginia.

The expedition never reached its destination, and accomplished practically nothing.

Frontier conditions became so bad that in August, 1756, Governor Dinwiddie ordered three forts built by the militia in Halifax County and one in Bedford, to be garrisoned by a part of them.

On August 23, 1756, Governor Dinwiddie wrote Colonel Clement Read:

"Upon your recommendation I agreed to the building a magazine for provisions and ammunition in a proper place convenient for supplying the forces and forts on the frontiers of Augusta. This now is to advise you that I have a letter from Major Lewis, from the Cherokee Nation of Indians, acquainting me that soon [after] the date of his letter, 150 warriors of that nation will come in to our assistance for the protection of our frontiers from the invasion of our brutal enemies, and I have reason also to expect fifty of the Catawba Indians. I am not acquainted

with any person in Augusta that I can confide in to provide provisions for these people; I, therefore, have thought proper to send you £500, which is here enclosed, to provide provisions by the time they arrive at Roan Oak. I know you are at a great distance from that place, but you probably are acquainted with some proper person there to make the purchase and to do justice to the country. The bearer, Colo. Buchanan (Buchanan), says he can purchase wheat there for 2s.6d., or under for ready money. If you've an opinion of this gentleman you may advance him some money for that purpose; he is to be accountable to you, and you to the country, and as I have ordered the Indians to March directly for Col. Washington, at Winchester, it will be proper to lay in some provisions for them at Augusta Court House, in their way to Winchester. The Cherokee Indians have desired some men to protect the fort built by Major Lewis in their country. I have ordered the Major to provide an officer and twenty or 25 men, to march out to that fort to remain a few months, which, if he puts in execution, I have ordered him to apply to you for provisions, &c., to carry with them, which, on his letter, you will give directions accordingly. This journey will be attended with trouble to you, for which the country will pay you. It will be necessary that provisions be immediately laid in, as I have reason to expect them at Roanoke in 14 days."¹

The Governor seems to have made Colonel Read one of his commissaries. Washington had reported Mr. Dick as wholly inefficient; and the Governor advised Capt. Hogg on August 23, 1756, "as to provision it will be pretty much left to the direction of Col. Read, and I have recommended Col. Buchanan to him for Augusta County."²

While a state of war had existed for some time between the French and English colonies in North America, war had not been formally declared between those two countries. England declared war against France May 18, 1756, while the French declaration followed on June 9th.

After Braddock's death, General Shirley became commander-

¹*Dinwiddie Papers*, Vol. II, 485-6.

²*Dinwiddie Papers*, Vol. II, 489.

in-chief of the British forces in America, and he in turn was succeeded by John Campbell, the Earl of Loudoun, who was noted for his inactivity and indecision, as a result of which the year 1757 was not marked by any outstanding military event.

The extent to which Colonel Read participated in the military affairs of the times is indicated by a letter to him of September 8, 1756, from Governor Dinwiddie, in which he wrote: "Your letter by Captain Stalnaker of the 2d, I received and observe its contents and the trouble you undertook in viewing some of the forts and your observations of the number of men in some of them, and the pay, &c, due to them, all which I approve of and thank you for your distinct letter thereon. . . .

"I think a quantity of provisions should be purchased for a winter supply for the forces, but as the treasurer is not in town, I can't supply you with money properly; however, I have sent my warrant on the treasurer for £500, which he (Stalnaker) will bring you. Give Stalnaker £100 of it to qualify him to raise his company and build a little stockade fort at Drapers Meadow,¹ and take his receipt for it. . . . I am surprised the militia are so backward in assisting to build the forts. The officer from Halifax assured me their militia would build their forts. . . . I should be glad if we could engage the people for six months, but not to loiter idly in the forts, but parties to way-lay the Indians on their passing or repassing the mountains There are many other things I shall be glad to be advised about. At present I think we are under bad management, and the people of Augusta appear to me to endeavor to make money unjustly from the distress of the country, without a proper spirit to assist, which has been the case with many of them ever since my arrival here."²

On November 24, 1756, Governor Dinwiddie wrote Colonel Read:

"The misconduct of our militia on our western front is [an]

¹Near Smithfield, Montgomery County, Va. A portion of the lands of George Draper, the wife of whose son John, and Mary, wife of William Ingles, and the sons John and Thomas, of the latter, were carried away into captivity by the Indians in the summer of 1756. Mrs. Ingles' escape and return is a dramatic chapter in the history of the times. See Randall and Ryan's *History of Ohio*, Vol. I, 317-324.

²*Dinwiddie Papers*, Vol. II, 502-3.

intolerable expence and imposition on the country, particularly in Augusta [and] has determined me to order Major Lewis to disband all those that are employed in Augusta, and to raise three companies of 60 men each under proper officers that will closely attend their duty, and keep the soldiers under good discipline and always at the fort, or sent out in scouting parties to discover the enemy if they should again invade us and as it is represented to me the absolute necessity of having a fort garrisoned in Halifax, the inhabitants of that county being greatly exposed to the inroads of the enemy, I therefore give you orders to garrison one of the three forts built on the frontiers of Halifax with a Captain, Lieutenant, Ensign, two Sergeants, two Corporals, and 40 men; that you acquaint me of a proper person to command, who will keep the men under proper discipline and to their duty, not to leave the fort but when sent out on scouting parties; the Captain to keep a diary of all his proceedings, that the duty done may be properly represented; the company to remain in pay till the 1st of March next, and the men to be picked, good men, that will obey commands and do their duty.”¹

Bodies of patriots known as Associators were formed in several parts of the colony. These were gentlemen who at their own expence provided themselves with horses, and served without pay.²

On January 13, 1757, Governor Dinwiddie wrote Colonel Read: “Your letter of the 5th was delivered (to) me by Captain Voss, . . . and from the account Captain Voss and you give of the number of the Associators, the Councill agrees with me that an attempt with 250 or 300 men against the Shawnees Town may prove successful if conducted with spirit and secrecy, and as Capt. Voss says they want only to be supplied with provisions, arms and ammunition, which I think is a very reasonable demand, and that they have all plunder and £10 for every scalp or prisoner they may bring in, which is also agreed to, you are, therefore, to order a meeting of the chief of the Asso-

¹*Dinwiddie Papers*, Vol. II, 557.

²*Dinwiddie Papers*, Vol. II, 411, and note 93.

ciators and tell them to make choice among themselves of the officers to command the expedition. Send me their names and I will send up commissions accordingly. You are to purchase provisions sufficient for the men that may go out on this expedition, and have them carried to Voss's fort, or as near to it as you conveniently can; from thence they must be carried by horses to the pass of the mountains, where the horses must be left under a guard till they return. As Capt. Stalnaker and Morris Griffith go on the expedition they will be proper guides, and I sincerely wish success may attend. I hope you and Mr. Callaway have arms and ammunition sufficient, but if any deficiency, write, and it shall be supplied from this [place], and I shall endeavor to procure some kettles for them. As the association has been greatly promoted by you, I hope you will continue to support it with your interest and advice that they may proceed with spirit and resolution. The first and second ought to be persons of courage and good sense, and to encourage them I leave the choice of the officers to themselves, which in other cases I should not agree to. You may further tell them besides the plunder &c, they will, on their return, be considered by the Assembly, and they shall have my countenance in their application to them. The sooner they proceed the better, therefore examine what ammunition, &c., you have, and let me know as soon as you have [entered] into the affair what will be wanting from this [place], which I can send up to Warwick, and from thence by wagons to the place proposed for the rendezvous of the forces. I wish it may be kept as secret as possible, for I fear there are wicked persons in the back counties that give intelligence to the enemy of all our motions. Capt. Voss is very sanguine in this affair and assures me he has no doubt of having 300 volunteers who will cheerfully march out on this expedition. I say, this gives me great hope of success, if begun and conducted with spirit and under proper command and due discipline. The arms I sent you were borrowed, therefore in your giving them out take the names of the persons you deliver them to, to be restored on their return from the expedition, if not lost or destroyed in any action. I hope nothing will occur to prevent this expedition being put into execution."¹

¹*Dinwiddie Papers*, Vol. II, 581-2.

On the same day Governor Dinwiddie wrote Colonel William Calloway on the same subject, from which it appears that Colonel Calloway and Captain Vance favored the proposed expedition against the Shawnees.

On February 1, 1757, Governor Dinwiddie wrote Colonel Read:

"I received yours of the 24th January. As I am of opinion you have arms sufficient for the Associators, those arms lent to Col. Fountaine [Fontaine] and Stalnaker ought to be called in for the use of the expedition, and as Col. Lewis has orders to raise 3 companies on the frontiers of Augusta, and Captain Nash in Halifax, with Capt. Hogg's company, I think sufficient for the defence of the frontier till the return of the Associators. I shall be glad how soon the chief of the subscribers meet to choose their officers, and am glad to hear of the people being so hearty in subscribing and determining to go out. As to the time of their marching, I leave it to those most acquainted with the proper season, but am of opinion it should be early in March."¹

The expedition did not, it seems, materialize, and the reason therefor is explained by Governor Dinwiddie to Col. Read in a letter of April 5, 1757. "Last Thursday," he says, "I arrived from Philadelphia, where I was much surprised after the sanguine expressions and assurances of 300 men from Augusta &c, entering into an association to march against the Shawnees Town is defeated by a presumption; they will not proceed with fewer than 600. This, I conceived, was intended to load the country with extraordinary expence, and to furnish arms &c for that number, which cannot be done. . . . I believe its only a few persons that wanted commissions occasioned this hindrance, and I find it has been usual with the people of Augusta to form schemes out of lucrative views, which for the future I will endeavor to prevent."²

About March, 1757, Governor Dinwiddie's state of health be-

¹*Dinwiddie Papers*, Vol. II, 589.

²*Dinwiddie Papers*, Vol. II, 592.

came such that he decided to relinquish the duties of the Governorship.

On April 12, 1757, Governor Dinwiddie wrote Col. Read:

"You should have mentioned who the Indian was that they scalped in your yard. I suppose it was one of their own company, for some great fault. I observe they went to Bedford Court House, where probably they received some presents from the goods lodged there."

On April 15, 1757, the Governor wrote Colonel Read:

"I received your letter of the 10th yesterday. It gives me much concern to hear that 2 parties of Indians have been ranging in the county of Halifax for upwards of a fortnight, without any notice given me till I received your letter. . . . I . . . desire you will send a few men to them to offer them a safe conduct to Williamsburg and let them know if they continue their robberies, &c, that I shall be obliged to order them to be taken prisoners and brought down here. We have treaties subsisting with the several nations of Indians that they are to have passes signed by the magistrates to protect them in traveling through the country. Have you seen any person that has seen the pretended pass, and by whom signed. Have you any information of any Shawnees being among them? if so, I shall be glad they were taken and sent down prisoners to this place."¹

On May 7, 1757, the Governor wrote Col. Peter Fontaine, acknowledging a letter which expressed apprehension for the frontiers of Halifax. The Governor expressed surprise that the people allowed the Indians so freely to pass among them. "I approve," he says, "of your sending out James Dillard with 50 men, which please order him to continue out a ranging and keep his company complete till the House of Burgesses vote money for the service."²

On August 24, 1757, the Governor wrote Colonel Fontaine, "I desire you will accept of a commission for Colonel of the militia in your county, and the bearer will deliver you a few blanks to fill up with commissions that may be vacant."³

¹*Dinwiddie Papers*, Vol. II, 612-3.

²*Id.*, 619.

³*Id.*, 687.

Governor Dinwiddie's term of office ended in January, 1758. Governor Francis Fauquier, who was appointed Governor February 10, 1758, did not reach the colony until June 7 following. In the meantime John Blair, as President of the Council, acted as Governor.

The Indian war continued and the frontiers of Halifax were an active theatre of hostilities. On April 18, 1758, Colonel Clement Read, the County Commander of Lunenburg, issued the following order to Captain Thomas Bouldin, a Captain of a company of Lunenburg militia.

"You, with the men under your command, are to march to Halifax Court-house, there to joyn a company raised by Col. Maury,¹ whose orders you are to receive.

"I am informed that Major Harris has received cost and orders from the government to furnish such forces as are sent to the assistance of Halifax County with provisions. To Col. Maury then you are to apply for his orders to Major Harris for a supply for your men. In the meantime you are to take the steps appointed by law to procure those necessary.

"Col. Maury will meet you at the court-house, and give you directions where to march to the relief of the frontier of this county."

And he added:

"You must cause your Lieutenant to keep an exact journal of all your marches, and the different routes you take, and of all transactions relating thereto, that it may be returned to the President at Williamsburg, according to order.

"You must also cause him to keep an exact muster-roll, and keep an account of all provisions expended on the company, and of all the ammuniton, &c."²

¹"Abraham Maury, son of Matthew Maury, who was born in Dublin, but died in Virginia in 1752. His wife's name was Mary Ann Fontaine. Abraham Maury married Susanna Poindexter The Rev. James Maury was a brother of Abraham, and the great-grandfather of the distinguished Commodore Matthew Fontaine Maury, whose fame extends over the civilized world."—*The Old Trunk*, 8.

²*The Old Trunk*, 4.

The dangerous state in which the inhabitants then lived, because of exposure to attack from the Indians, is indicated by the action taken by the County Court of Lunenburg at November Court, 1758; at that time "There was levied by the court the sum of fifty pounds, current money, to be collected by the sheriff and paid to Thomas Bouildin, Gent., for him to purchase armes for the poor, &c, according to Act of Assembly."¹

The Marquis de Montcalm had, in the meantime, taken charge of the French forces in America, and had taken the initiative capturing Fort George, thus acquiring complete control of Lake Champlain and Lake George. The French also destroyed the English fort at Oswego, thus giving them complete control of the Great Lakes. They held Fort Duquesne, thus controlling the Mississippi valley.

At this juncture a change in the administration in England occurred which placed William Pitt at the head of the British Ministry. He was in high favor in America, and his promise of a new order of things inspired great confidence throughout the colonies. He assured the colonial governments of the full coöperation of the home government in the colonial war against the French.

Under this new order of things three major operations were planned: the first was against Louisburg, which was captured by Major-General Jeffrey Amherst, with a force of 14,000 men, July 26, 1758.

The second was an attack on Ticonderoga, under the command of Lieutenant-General James Abercrombie, who had succeeded the Earl of Loudoun as Commander-in-chief in America. This enterprise was a disastrous failure, the British killed and wounded numbering 2,000 men.

The third was the second expedition against Fort Duquesne. It was under the command of Brigadier-General John Forbes, who was born in Scotland in 1710, and who early exchanged the medical for the military profession. He had a notable career before coming to America.

He had under his command in his campaign against the French

¹Certificate of Clement Read, C. L. C., *The Old Trunk*, 5.

at Fort Duquesne about 8,550 men: of these 1,200 were Highlanders; 350 royal American troops; and about 5,000 provincials, of which Virginia furnished 2,000. These Virginia troops were divided into two regiments, with Colonel Washington (in chief command) as Colonel of the first, and Colonel William Byrd (the third of the name in lineal succession in Virginia), of the second. This Colonel William Byrd was the same William Byrd who had represented Lunenburg in the House of Burgesses in 1752, 1753, 1754, and who while a Burgess from Lunenburg County was elevated to the Council during the administration of Governor Dinwiddie.

Forbes moved very slowly, but probably it was better so, for although he started from Philadelphia in July, 1758, he did not reach the present site of Somerset, Pennsylvania, until September, and by the time he reached Fort Duquesne on November 25, the garrison had been deserted by the Indians and was so weak, in comparison with Forbes' army, that they abandoned the fort the evening before the arrival of the British forces, and escaped down the Ohio river, in boats. Forbes took possession of the fortification, stationed a garrison in it, and changed its name to Fort Pitt,—whence the name of Pittsburg, which city occupies the site of the former fortifications.

The following year, 1759, witnessed success of the British arms in almost every quarter of operations. Fort Niagara capitulated July 25; Presque Isle, Venango and Le Boeuf surrendered to Colonel Bouquet; Ticonderoga and Crown Point were captured; and Quebec was taken in September. Montreal alone remained to the French, and the British, concentrating their various armies which had taken part in the several operations in Canada against it, captured that city September 8, 1760.

The British conquest was thus complete, and New France was at an end. The treaty of Paris, February 10, 1763, formally and finally terminated the claim of the French King to his entire possessions in the new world.

Indian warfare, however, could not be terminated, by a treaty between the French and the English, made in Paris.

Pontiac, who had assisted the English in their later efforts, although he is supposed to have been an ally of the French at

Braddock's defeat, now, again turned against the British. He is said to have pursued this course because he felt that the English had not accorded him the recognition his services merited. As a result of his activities an Indian war was waged upon the Colonists,—the movement being known in history as "Pontiac's Conspiracy." It resulted, in May, 1763, in the destruction or dispersion of nine garrisons, ranging from Western Pennsylvania to Mackinaw. He conducted a prolonged campaign against Detroit; and placed the garrison at Fort Pitt in such a precarious condition that it was necessary to send a force under Colonel Henry Bouquet to its relief. The Indians met him at Bushy Run on August 5, 1763, and were defeated in a stiff battle, in which he lost eight officers and one hundred and fifteen men. His total force on this expedition comprised but five hundred men. Two days after defeating the Indians at Bushy Run, he reached and relieved Fort Pitt.

He conducted another expedition against the Ohio Indians in 1764, and defeating them concluded a treaty of peace at Tuscarawas; but Pontiac did not finally come to terms with the British until 1766. And during all this time Indian depredations on the frontiers of Virginia, Maryland and Pennsylvania were frequent. The Colonial military forces of Virginia were intermittently employed in giving the frontier settlements protection from these incursions.

Events were rapidly moving in the direction of the crisis between the colonies and the mother country, which produced the Revolution. While the General Congress of the colonies in 1774 was directing its efforts against the encroachments of Great Britain upon their civil and political rights, the Indians continued to harrass the frontiers, and Lord Dunmore who was Governor of Virginia from 1772 to 1776, was suspected of playing a double role, and of actually inciting the Indians to make war upon the colonists in order to distract their attention from their grievances against Great Britain. However that may be, he had to make a pretense of defending the colony he was entrusted to govern, and he was forced, reluctantly it seems, by the indignant populace, to take up arms against the Indians who were committing the border outrages.

Dunmore was commander-in-chief of the Virginia forces, Colonel Andrew Lewis being one of his officers. The principal stronghold of the Indians was at the point of junction of the Great Kanawha with the Ohio, at what is now Point Pleasant. Dunmore marched his army in two columns; one under his own command, the other under the command of Colonel Lewis. The one under Colonel Lewis he directed to proceed to Point Pleasant. On the alleged purpose of first destroying certain Indian towns higher up the river, he led his own force thither, avowing the purpose of joining Lewis at Point Pleasant as soon as this purpose was accomplished.

His real purpose, however, is generally believed to have been to so maneuver the campaign as to allow Lewis to be attacked and defeated without going to his aid. But if such was his purpose he was disappointed, for while Lewis fought the battle of Point Pleasant without any aid from the Governor, and with numbers inferior to the Indians, he gained a complete victory. The battle lasted all day, and Lewis lost most of his officers, but he there dealt the death blow to the Indian power on the Virginia and other frontiers.

“The immediate effect was visible in the migration, which at once began, to seek homes in Kentucky, eastern Tennessee, and the more remote regions of the northwest. It developed the pioneer movements of Boone in Kentucky, Robertson and Sevier in East Tennessee, and George Rogers Clark in the northwest.”¹

It is quite impossible to rescue the names even of all the soldiers of Lunenburg who participated in the various military activities beginning with Washington's expedition to the Ohio, in 1754, and ending with the defeat of the Indians at Point Pleasant, October 10, 1774, much less to indicate with any degree of certainty the specific service rendered by any great number of them.

The list of those who participated in some manner in these military operations, so far as such a list can now be compiled, is too important to be omitted. It is as follows:

¹Boogher: *Gleanings of Virginia History*, 22.

Colonial soldiers of Lunenburg County, including rangers and militia.

Captain John Cargill,	William Caldwell, Major
Cornelius Cargill, Jun.,	(Captain),
Lieutenant,	Richard Dudgeon, lieut.,
William Hunt, Ensign,	John M'Ness, ensign,
Bryan Coker, sergeant,	William Dudgeon, sergeant,
John Flin, sergeant,	Andrew Rogers, sergeant,
Joseph Coker,	Thomas Daugherty,
John Ashworth,	John M'Connal,
M'Kerness Goode,	Talton East,
Samuel Ashworth,	Leonard Keeling,
Isaac Ashworth,	Joseph Bohannon,
James Bardin,	Samuel Meredith (Captain).
William Blanks,	John Atkinson,
Daniel Cargill,	Henry Cockerham,
Joel Elam,	Thomas Hix,
James Flin,	John Winn,
Philip Goode,	James Vernon,
John Hight,	Thomas Howle,
William Hudson,	Barned Roberson,
James Hudson,	David Logan, Jun.,
Richard Hudson,	John East,
Francis Linsey,	William East,
Henry Prewitt,	William Cunningham,
Alexander Strange,	James Ross,
John Ragsdale,	Robert Sanders,
Augustine Rowland,	John Ward,
John Thompson,	Thomas Keasy,
William Tibbs,	Thomas Moore,
Henry Wade,	William Dixon,
Aaron Williams,	Thomas Pollett,
Thomas Dandy,	John Caldwell,
John Cargill, Jun.,	Mathew Watson,
Edward Darby,	Robert Caldwell,
John Lucas,	Hezekiah Jarrott,
Joseph Huse,	John Orr,
	Robert Martin,

James Caldwell,	Richard Hicks, Jun.,
John Verner,	John Worsham,
Richard Berry,	William Skelton,
Richard Adams,	Abraham Martin,
James Martin,	Williams Stokes, lieutenant,
Daniel Slayton,	James Guillum (Gilliam?),
William Anderson,	ensign,
George Levil,	Thomas Jones, ensign,
Torrance M'Daniel,	Thomas Jones, sergeant,
William Philby,	Joshua Wharton, ensign,
Edward Shipley,	Peter Hamblin, sergeant,
John Gregory,	William Poole, sergeant,
James Doherty,	James Letts, sergeant,
Thomas Boldin (Bouldin),	Peter Hamlin,
lieutenant,	James Lett,
Jacob Womack, ensign,	Gabriel Ferrill,
Samuel Mortou (Morton),	James Fauster,
sergeant,	James Marshborne,
Abraham Vaughn,	John Williams,
Peter Young,	John Perrin,
David Maddox,	Nathan Adams,
Thomas Jones,	Thomas Smith,
Francis Moore,	John Davis,
John Hankins,	James Cooper,
James Fauster,	James Norrell,
Gabriel Ferrill,	Thomas Hill,
John Acuff,	William Eastis,
John Hall,	Robert Lark,
Thomas Smith,	John Abraham Degranch,
Peter Hamlin,	John Mannin,
Nathan Adams,	Aaron Drummon,
David Perryman,	Frass Atkins,
John Perrin,	Edward Atkins,
Thomas Williams,	Henry Stokes,
John Williams,	Richard Ward,
Daniel Handcock,	Bennett Halloway,
Thomas Hall,	Thomas Bell ,
Isaac Munday,	James Spead,

William Ashley,	John Mitchell, sergeant,
Francis Norrell,	William White,
John Ather,	Edmund Haines,
Thomas Leftwich,	John Trusty Matthews,
Merry Carter,	Samuel Glass,
Henry Snow,	Adam Thomson,
William Leftwich,	William Townsend,
John Hall,	Lawrence Matthews,
Hezekiah Hall,	Nathan Richeson,
Aquilla Hall,	Henry Sage,
Jacob Matthews,	Henry Talley, Jun.,
John Hams,	John Hammons,
Thomas Pate,	John Coleman,
James Daulton,	Charles Allen, Jun.,
John Lett,	Charles Knight,
Micajah Scoggins,	Peter Knight,
Richard Jones,	William Monroe,
Stephen Hatchill (Hatchett?)	Richard Hamblet,
John Pallert,	Samuel Wilson,
William Parsons,	James Henderson,
Alexander Richey,	John Bray,
William Harvey,	John M'Neal,
David Parish,	John Warren,
Thomas M'Cormack,	Richard Ragsdale,
James Thweat,	James Vaughan,
Nance Hitchcock,	William Comer,
Zachariah Dodd,	William Parham,
Clement Read, Colonel,	Vachel Dillingham,
——— Hunt, lieutenant,	William Howard,
James Taylor,	Ephraim Hudson,
John Austin,	James Kidd,
Pinkithman Hawkins, Capt.	Nathan Ellis,
William Mitchell, lieut.	Reuben Keith,
John Colson, ensign,	James Ellis,
Jacob Gunson, sergeant,	William Dillin[g]ham,
William Farrar, sergeant,	George Benn,
Charles Knight, sergeant,	Arthur Matthews,
John Hammons, sergeant,	John Fann,

John Warsham,
John Hankins,
John Hall,
Robert Hall,
William Russell,

Francis Moore,
Abraham Womack,
John Mitchell,
Bryan Lester.

The following appear to have aided the colonial military establishment during this period, in some non-military service, such as for example furnishing supplies, wagons, etc.

James Roberts,
David Cloyd,
Thomas Williams,
Thomas Waller,
Liddal Bacon,
Benjamin Dixon,
David Caldwell,
Robert Caldwell,
Erwin Paterson,
Richard Dudgeon,
John Rodgers,
Andrew Martin,
Thomas Joyce,
John Caldwell,
John Dudgeon,
John Murfy,

Benjamin Clement,
Joshua Chafin,
Clement Read,
David Gwinn,
Richard Ward,
Joel Towns,
Richard Stith,
Thomas Covington,
John Logan,
James Roberts,
John Camp,
Joseph Austin,
David Gwin,
John Ashworth,
Bryan Lester.

CHAPTER VI

The Revolution



NO comprehensive account of the Revolutionary War can have an appropriate place in a local history; but no local history should omit to give, so far as they are available, the incidents of the locality respecting the Revolution. Most of these incidents, from their local and relatively unimportant character, cannot find place in a general history of that great struggle. At the same time, our debt to the patriots of that period, and our pride in them and in what they achieved, should be such as to give us pleasure in recording, and helping to preserve, all the facts available of whatever degree of importance in connection with that heroic chapter of our history.

The roots of the Revolution far antedated 1776. Virginia had a representative government from 1619; and its constitution, in Colonial days, though unwritten, was quite well defined. It recognized three powers in the colony: the King, the Parliament and the Colonial Assembly.¹

The King was represented by the Governor; the parliamentary authority was, by the general acceptance, confined to matters of commerce, or shipping; while in the Colonial Assembly resided all other governmental power over the people.

The Assembly was composed of two bodies, the Governor's Council, or upper chamber, and the House of Burgesses. The Governor's Council was composed of members appointed for life, by the British Privy Council (on the recommendation of the Governor usually). This Council, presided over by the Governor, constituted the General Court. The House of Burgesses was the popular branch of the government, the members being elected.

The House of Burgesses controlled the purse strings of the

¹Eckenrode: *The Revolution in Virginia*, 8-9.

colony, in that it initiated all bills for raising or appropriating money, and it jealously and zealously guarded its prerogatives. True, the Governor and Council had a veto power, but they had no power after veto to do other than wait the motion of the Burgesses as to the next step respecting the raising of funds. This the Colonial Governors found exceedingly irksome, as for example, in the case of Governor Dinwiddie, when the House of Burgesses refused to make any provision for raising money for military measures against the French and Indians, except in conjunction with an appropriation to pay Peyton Randolph, whom they had sent to London to complain against the Governor in respect to the charge of the pistole fee for granting lands.

While the British Government claimed the ultimate and final legislative power over the colony, the position of the Burgesses was well expressed by Richard Bland, in the protest against the charge of the pistole fee for signing grants of land, in "the memorable and prophetic words"¹ following: "The rights of the subject are so secured by law, that they cannot be deprived of the least part of their property but by their own consent."

In theory, as well as the practice that had prevailed, the King's assent was the final stage in Colonial legislation. But during the French and Indian wars, the Assembly passed an act called the "Twopenny Act" which compounded the salaries due the ministers, which were payable in tobacco, at two pence per pound in money. The Assembly put this legislation into effect without waiting for the King's signature, which was in practical effect legislating as a self sufficient body in real disregard of the King. This was in 1758. The Bishop of London, at the instigation of the clergy of the established church in Virginia, denounced the Colonial Government, and the legislation as unconstitutional, hinting even that it amounted to treason. In the colony the clergy were warmly supported by John Camm, president of William and Mary College, while the position of the Burgesses was ably upheld by Landon Carter and Richard Bland. It was in the course of this dispute that "the theory of the Co-

¹Eckenrode: *The Revolution in Virginia*, 8.

lonial constitution was first clearly defined by the chief writer participating," Richard Bland, who "more than any other man was the author of the Revolution in Virginia."¹

Bland defended the right of the assembly to set aside a law approved by the King, and to put into effect laws without waiting to learn the King's wishes on the ground that action was sometimes necessary before the King's will could be learned, and "*Salus populi, Suprema lex.*" But the Royal Council in London, not liking the action of the Colonial legislature, vetoed the "Two-penny" act, which opened the way for the clergy to bring suits against the vestries for the difference between the value of their salaries at the current prices of tobacco in 1758 and the two pence per pound prescribed by the act of the assembly.

It was in one such suit, that of a parish minister named Maury against a vestry in Hanover County, that the then little known lawyer, Patrick Henry, made his famous argument, in which he boldly proclaimed Bland's doctrine that the Assembly had the right to pass necessary legislation without interference from England, and he went so far "as to declare, in terms that simply thrilled his audience, that the King in vetoing a reasonable and beneficial measure had forfeited the right to his subjects' obedience."² The jury returned a verdict for one penny damages.

The termination of this litigation marked the end of the controversy begun five years earlier in 1758 by the passage of the twopenny act. And Henry's speech in this case is usually regarded as marking the beginning of the Revolutionary movement, in Virginia.

In 1764 the British Government prepared the way for the Stamp Act by the declaratory act which affirmed the right of Parliament to tax the colonies. The House of Burgesses entered a protest, both emphatic and dignified, but it did not prevent the Parliament from passing the Stamp Act in the following year, 1765.

It was that year, at the May session, that Patrick Henry first

¹Eckenrode: *The Revolution in Virginia*, 11; *Separation of Church and State in Virginia*, 24 et seq.

²Eckenrode: *The Revolution in Virginia*, 12.

took his seat as a member of the House of Burgesses, from Louisa County.

Lunenburg at this session was represented by Henry Blagrove and by William Taylor (in place of Clement Read, who had accepted the office of coroner): Bedford was represented by William Callaway and John Talbot: and Halifax by Edward Booker. The vacancy created by Nathaniel Terry's accepting the office of Sheriff had not been filled. Mecklenburg was represented by Edmund Taylor and Robert Munford.

Patrick Henry's appearance upon the scene at just this time seems almost providential. The Colonies had not yet taken a stand on the Stamp Act matter, and their action was uncertain. A failure to make protest would be tantamount to conceding the right of Parliament to thus tax the colonies. And regardless of the fine spun theories that may be woven on the legality of the action of Great Britain, there can be no doubt the stamp tax was in essence oppressive. If the theory upon which the tax was laid were admitted, regardless of the amount of the tax, the way was open for any amount of tax laid in the name of colonial defense, or for other alleged colonial purposes, without limit. The obvious purpose was to create a *modus operandi* under which the British Government could "milk the fat American cow for its own benefit."¹

Henry took the lead in opposition to the Stamp Act, and with great boldness precipitated a sensational crisis by introducing in the House of Burgesses a set of resolutions which openly and indignantly denied the right of Parliament to tax the colonies. They passed. It was in effect the beginning of the American Revolution.²

Thereafter, in Virginia until hostilities were actually begun there were in fact two parties, but they differed mainly as to methods, not so much in their constitutional views.

When the commissioner, with the stamps, arrived from England October 30, 1765, he was mobbed by the citizens of Williamsburg and forced to resign.³

¹Eckenrode: *The Revolution in Virginia*, 18.

²*Id.*, 17.

³*Journals*, House of Burgesses, 1761-65, LXIX; *The Revolution in Virginia*, 25.

In February, 1766, Richard Henry Lee, of Westmoreland, organized in that county the first of the "Associations," the members of which agreed not to import goods from England until the Stamp Act was repealed. The Stamp Act was repealed, but the Townshend Acts of 1767 evidently designed to keep alive the principle, and adroitly based upon the long recognized right of Parliament to regulate commerce, were passed. They laid duties on tea, paper and lead, shipped to America.

The House of Burgesses, in April, 1768, adopted a complaint or protest written by Richard Bland, contending that these duties amounted to "internal" control and were unconstitutional.

The Colonists throughout their long struggle with the Colonial Governors over matters of principle, showed a quite clearly defined conception of their rights. It was a long time, however, before they grew to sufficient strength to have a thought of anything but to look to Great Britain for protection. Even in the French and Indian wars, appeals were constantly made to England for protection of the Colonies from external foes. Conceiving themselves too weak to subdue the French and the Indians, no thought at that time occurred to them of separating from Great Britain. And even under George the III, many of the best men in Virginia labored earnestly up to the very eve of hostilities, and even after they were begun, to accomplish a peaceable settlement of the controversies, feeling that it was best for the Colonies to remain dominions of the British Crown.

But the course of conduct of the British Ministry and the failure of its military establishment in the French and Indian wars, especially in the Braddock campaign, wrought a great change in many of the Colonists.

One of the results of Braddock's defeat was to disillusion the Colonists respecting the invincibility of the armies of the Mother Country.

"It was a revelation . . . that the red-coated professional soldiers were not the unconquerable warriors the Colonists had been told they were."¹

¹Beveridge: *John Marshall*, Vol. I, 5-6.

Not only were they not unconquerable, but some at least were cowards. "Colonel Dunbar," says Beveridge, "and his fifteen hundred British regulars, who had been left a short distance behind as a reserve, made off to Philadelphia as fast as their panic-winged feet could carry them."¹

While "The Virginia companies behaved like men and died like soldiers . . . of three companies . . . scarce thirty were left alive"² and Washington and the Colonial Rangers had prevented the extinction of the British regulars, and they alone had come out of the conflict with honor and glory.

"Thus it was," concludes Beveridge, "that the American Colonists suddenly came to think that they themselves must be their own defenders."³

With the conviction they had always had respecting their constitutional rights, and the demonstration made of the inability of the British arms to protect them, and the reliance they came to have in their own strength, it is scarcely strange that the Virginians, with such intrepid political leaders as Henry, Bland, Lee and Randolph, to mention only a few, determined that a power that could not protect, should not tax them, especially without representation, and resolved not only not to submit to the Stamp tax, but to no other taxes whatever, except such as were laid by their own representatives.

In May, 1769, after Governor Botetourt dissolved the House of Burgesses because of its protest against British policy, the members merely adjourned to a private house and adopted a non-importation agreement similar to Richard Henry Lee's of three years earlier. At this meeting Peyton Randolph presided, and George Mason, who was not a member of the assembly, drew up the paper, which was presented by George Washington.

One of the major causes of grievance against the British Ministry was the proposal to transport Americans to England for trial for offenses alleged to have been committed by them in the Colonies. This was a harsh and cruel measure. It great-

¹Beveridge: *John Marshall*, Vol. I, 5.

²Ford: *Washington's Writings*, Vol. I, 173-4.

³Beveridge: *John Marshall*, Vol. I, 5.

ly aroused the Colonists, and when on March 12, 1773, the first of the standing committees for inter-colonial correspondence was appointed, it was directed to inform itself "particularly of the principles and authority on which was constituted a court of inquiry, said to have been lately held in Rhode Island, with powers to transport persons accused of offences committed in America to places beyond the seas to be tried."¹

In 1773 matters had progressed to the point where Patrick Henry, Richard Henry Lee, Thomas Lightfoot Lee, with two new and promising young men, Dabney Carr and Thomas Jefferson, felt that the conservative leaders were less zealous than they should be; and they brought forward the plan of forming inter-colonial committees of correspondence. The measure passed the House of Burgesses, but the Conservatives secured a majority membership on it. "This first inter-colonial intelligence bureau" owed its inception to the fertile brain of Richard Henry Lee.²

When news of the Boston Port Bill reached Williamsburg, the House of Burgesses passed a resolution for a day of fasting, whereupon Dunmore, the Governor, dissolved them May 25, 1774. The Burgesses obeyed his order of dissolution by vacating the state house. They met, however, in the Apollo room of the Raleigh Tavern and adopted another non-importation resolution, and made the momentous decision of proposing a general congress of all the colonies. Philadelphia was suggested as the place, and September 5, 1774, as the date.

The Radicals, led by Henry, Mason and Richard Henry Lee,

¹Howard: *Preliminaries of the Revolution*, 257.

²Eckenrode: *The Revolution in Virginia*, 33.

Either through ignorance or excessive sectional enthusiasm some historians seem to have attempted to bestow the honor for the inauguration of the work of the Committee of Correspondence elsewhere; see for example, Howard's *Preliminaries of Revolution*, chapter XIV; and in the same way the action of the town meeting at Boston, May 11, 1774, in urging a suspension of importation and exportation to Great Britain, except the West Indies, is set out at length, as if it were the original non-intercourse action. (See Howard: *Preliminaries of Revolution*, 282-31.) The fact is such measures originated with Richard Henry Lee of Westmoreland County, Virginia, in 1766, and the Burgesses of Virginia, meeting as a body after being dissolved by Botetourt, in May, 1769, adopted a non-importation agreement specifically boycotting slaves, wine and British manufactures. (See Eckenrode: *The Revolution in Virginia*, 28-29.)

proposed the stopping of importations and exportations, the refusal to pay British debts and the closing of the courts; the Conservatives, led by Paul Carrington of Charlotte, supported by Carter Braxton, Thomas Nelson, Jr., and Peyton Randolph, advocated the payment of debts and continuance of exporting. The program adopted prohibited both importing and exporting, but not debt paying, nor did it affect the courts. In addition to adopting the boycott resolutions, and proposing a general congress of the Colonies, the informal meeting in the Apollo room of the Raleigh Tavern also issued a call for the election of delegates from all counties to a convention to be held at Williamsburg, August 1, 1774. This convention met August 1, 1774, and adjourned August 6, 1774.¹ Lunenburg was represented in it by Richard Claiborne and Thomas Pettus,² both of whom were at the time members of the House of Burgesses from Lunenburg.³

Mecklenburg was represented by Robert Munford and Matthew Marable, both of whom were Burgesses at the time from that county, and both had, prior to the creation of Mecklenburg County, represented Lunenburg in the House of Burgesses. Charlotte was represented by Paul Carrington and James Speed, who were likewise the Burgesses from that county at the time; Pittsylvania was represented by Hugh Innes and John Donelson, and Bedford was represented by John Talbot and Charles Lynch, who were also its Burgesses. Halifax was represented by Nathaniel Terry and Isaac Coles (or Micajah Watkins). Terry and Coles were Burgesses from that county. In Lunenburg and all these counties named the membership in the Convention and in the House of Burgesses was the same except in the case of Pittsylvania County, where the members appearing for the meeting of the House of Burgesses called for August 11, 1774, but prorogued from time to time until June 1, 1775, were Peter Perkins and Benjamin Lankford.⁴ This convention elected Peyton Randolph to preside over it, and proceeded to most important business. Among other things:

It agreed: "We will neither ourselves import, nor purchase,

¹Breneman: *Virginia Conventions*, 12.

²*Id.*, 13.

³*Colonial Register*, 196, 199.

⁴*Id.*, 200.

any slave or slaves, imported by any person, after the first day of December next, either from Africa, the West Indies, or any other place;”

It resolved that as tea is the detestable instrument which laid the foundation of the present sufferings of our distressed friends in the town of Boston, “we will not, from this day, either import tea of any kind, nor will we use, or suffer even such of it as is now on hand to be used, in any of our families.”

It resolved that unless “American Grievances” are redressed before the 10th day of August, 1775, they will not after that day directly or indirectly export tobacco or any other article whatever to Great Britain; nor would they sell any such article as might be exported “to Great Britain with a prospect of gain to any person or persons whatever with a design to putting it into his or their power to export the same to Great Britain, either on our own, his, or their account.” The resolution recommended the cultivation of less tobacco, and the devoting of attention to such articles as may form the basis of manufactures in the colony.

In this convention George Washington is declared to have said that he was willing to raise one thousand men, subsist them at his own expense, and march himself at their head for the relief of Boston.¹

The Convention appointed Peyton Randolph, Richard Henry Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison and Edmund Pendleton to represent the colony in the General Congress (the first Congress) to meet at Philadelphia, September 5, 1774.²

The Convention authorized the “Moderator of this meeting (Peyton Randolph) and in case of his death, Robert Carter Nicholas to convene the delegates at such time and place as he may judge proper.”³

The Convention adjourned on the 6th of August, 1774, and the delegates went their several ways. On August 11, 1774, The *Virginia Gazette*, carried an account of “a very full meeting of delegates from the different counties in the colony and

¹John Adams: *Works*, II, 360.

²Breneman: *Virginia Conventions*, 14-15.

³Id., 15.

Dominion of Virginia, begun in Williamsburg on the first day of August, in the year of our Lord 1774, and continued by several adjournments to Saturday, the 6th of the same month," which gave a full account of the proceedings, including the names of the delegates to the general congress.

Both Charles Campbell and John Esten Cooke, in their histories state that the delegates to the General Congress were appointed August 11, 1774, but this is an error. The first error was no doubt made by confusing the date of the issue of the Virginia Gazette, which carried the account of the meeting, with the date of the meeting itself. The evidence is abundant that the convention adjourned on the 6th of August.¹

Upon the calling of the convention of 1774 the British sovereignty was really overthrown. There was not the slightest jar, relatively speaking, in changing from British to Colonial control in the colony. "This lack of jar was due to the fact that the class in control of affairs wrought the change."² The Burgesses, the County Courts and the Vestries were the all powerful institutions in the colony, and they were practically a unit in resisting British aggression. So upon the calling of the convention of 1774 the Burgesses generally became the delegates to the convention which inaugurated the Revolution; the justices, vestrymen and other prominent citizens formed the new county committees, and when the time came, the county courts and the vestries continued to function under the new order of things, without a hitch, while the British Governor sat in his "palace" at Williamsburg, scarcely conscious of the actual change, and hoping everything would come out all right.³ However, but one session of the House of Burgesses was ever held after the convention of August 1st to 6th, 1774. The Burgesses, though originally summoned to meet August 11, 1774, were delayed in assembling by various prorogations until June 1, 1775. On June 24th the assembly adjourned until October 12th, but on that date only thirty-seven members were present; they were adjourned until the 7th of March, 1776, when only thirty-two

¹Breneman: *Virginia Conventions*, 15.

²Eckenrode: *The Revolution in Virginia*, 41.

³*Id.*, 41-42.

members were present, not a quorum. On May 6th, the journal shows that "several members met, but did neither proceed to business or adjourn." Below these words, written in heavy lettering is the word "Finis." Thus ended the record of the last of the Virginia Colonial Legislatures.¹

The Convention was called again to meet on Monday, March 20, 1775, at Richmond. The convention at its meeting August 1st to 6th, 1774, in providing for its reassembling upon the call of Peyton Randolph, or in case of his death by Robert Carter Nicholas, directed that in case of the death or absence of any delegate another be chosen in his place. There were a number of changes in the personnel of the convention between August, 1774, and March, 1775.

Lunenburg was represented by Richard Claiborne and David Garland,

Mecklenburg by Robert Burton and Bennett Goode,
Charlotte by Paul Carrington and Isaac Read,
Halifax by Nathaniel Terry and Micajah Watkins,
Pittsylvania by Peter Perkins and Benjamin Lankford,
Bedford by John Talbott and Charles Lynch.

This convention met in St. John's Church and elected Peyton Randolph President and John Tazewell clerk, and it was during its sessions that Patrick Henry offered his famous resolution directing that the colony be put immediately "into a posture of defence; and that Patrick Henry, Richard Henry Lee, Robert Carter Nicholas, Benjamin Harrison, Lemuel Riddick, George Washington, Adam Stephan, Andrew Lewis, William Christian, Edmund Pendleton, Thomas Jefferson and Isaac Zane, Esquires, be a committee to prepare a plan for the embodying, arming and disciplining such a number of men as may be sufficient for that purpose."²

This resolution was coupled with others declaring for a militia system, and that a well regulated militia would render it unnecessary for Great Britain to keep in the colony "any standing army of mercenary forces, always subversive of the quiet and dangerous to the liberties of the people."

¹*Colonial Register*, 198.

²Breneman: *Virginia Conventions*, 19.

Henry's resolutions were supported by Jefferson, the Lees, Pages, Mason and others. They were opposed by Bland, Harrison, Pendleton, Nicholas and Wythe. It was in the course of the debates thereon that Patrick Henry made his speech in which he used these immortal words:

"They tell me that we are weak; but shall we gather strength by irresolution? We are not weak. Three millions of people armed in the holy cause of liberty, and in such a country, are invincible by any force our enemy can send against us. We shall not fight alone. A just God presides over the destinies of nations, and will raise up friends for us. The battle is not to the strong alone; it is to the vigilant, the active, the brave. Besides, we have no election. If we were base enough to desire it, it is too late to retire from the contest. There is no retreat but in submission and slavery. The war is inevitable—and let it come! let it come!

Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty, or give me death."¹

Henry's resolution was passed 65 to 60,² and the Convention, among other things it did, appointed Thomas Jefferson "a Deputy to represent this colony in General Congress, in the room of Hon. Peyton Randolph, Esq., in case of the non-attendance of the said Peyton Randolph, Esquire."³ It also recommended to the people of the colony that they choose delegates to represent them in Convention for one year.

Very soon after the adjournment of the Convention, Dunmore removed the powder from the magazine at Williamsburg to a British ship lying in James River, on the pretense of fearing a slave uprising. Henry, seizing the "heaven-born opportunity" for vigorous action, raised the Hanover militia and marched on Williamsburg. The frightened Governor, aided by Peyton Randolph, Robert Carter Nicholas and some other of the conservatives, made payment for the powder and took away from

¹Breneman: *Virginia Conventions*, 19.

²Eckenrode: *The Revolution in Virginia*, 47.

³Breneman: *Virginia Conventions*, 20.

Henry the opportunity to make the coup that otherwise would have been easy. "There can be little doubt that he marched on Williamsburg prepared to take advantage of Dunmore's folly by seizing the government and inaugurating the Revolution without further delay."¹

Pursuant to the recommendation of the March convention, the people elected delegates to another convention which met in Richmond, July 17, 1775.

Some of the delegates to this convention were as follows:

For Lunenburg, David Garland and Thomas Tabb,
For Mecklenburg, Robert Burton and Bennett Goode,
For Charlotte, Paul Carrington and Isaac Read,
For Halifax, Micajah Watkins,
For Bedford, John Talbot and Charles Lynch.

Unless the record in Breneman's *Virginia Conventions*, is incorrect, Pittsylvania was not represented in this convention.

In the meantime, after various prorogations, Dunmore had called the General Assembly together, on the first Thursday of June, 1775. The Assembly met and the Burgesses by resolution indorsed the action taken by the March convention and "recommended to all the good people of this colony strictly to conform to and observe the same."²

Feeling ran so high against Dunmore that he fled with his family on board a ship, the *Fowey*, at Yorktown, and from his floating headquarters attempted to play the Governor for some time afterwards, sending communications to the Assembly from time to time. The Burgesses protested against his absenteeism, but Dunmore, remembering Richard Bland's proposal to hang him, kept safe aboard an armed ship. The Burgesses completed their work without him. The *Virginia Gazette* of July 1, 1775, says: "The General Assembly have adjourned themselves to the 12th of October next, and the delegates are summoned to meet in convention at the town of Richmond, on the 7th instant." It would appear therefore that the Burgesses and the delegates to the convention were one and the same body. And they seemed

¹Eckenrode: *The Revolution in Virginia*, 51.

²Breneman: *Virginia Conventions*, 21.

not averse to assembling under the old constitutional form as Burgesses, but they took the liberty of approving what was done by the convention. It was at this juncture of affairs in the colonies generally that the Continental "Congress found it necessary to undertake a sovereign function of the highest importance—the creation of a national army";¹ and having decided that Continental troops should be raised, on June 15, 1775, George Washington was unanimously selected to "command all the continental forces, raised, or to be raised, for the defense of American liberty."²

The convention of July, 1775, elected Peyton Randolph, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, Richard Bland and George Wythe to represent Virginia in the General Congress for one year,³ and adopted a declaration respecting the state of public affairs, in view of the abandonment of the seat of the government by Dunmore, and the determination of the Continental Congress to put "this whole country into a full state of defense, both against invasions and insurrections."⁴

The Convention met again on December 1, 1775; and Peyton Randolph, having in the meantime died, on the motion of Paul Carrington, Edmund Pendleton was elected President of the Convention. It reorganized the Committee of Safety, and made reply to Dunmore's proclamation endeavoring to free the slaves, and to Capt. Bellew, commanding the ship *Liverpool*, who had made dire threats if he were not supplied with suitable provisions.⁵

The next Convention, that of May 6, 1776, was one of the most important deliberative bodies ever assembled in the world, for it "framed the first written constitution of a free state in the annals of the world,"⁶ and moreover it unanimously re-

¹Howard: *Preliminaries of Revolution*, 311.

²Journals of Congress, I, 69-71.

³Breneman: *Virginia Conventions*, 23.

⁴This Declaration in full may be seen in Breneman's *Virginia Conventions*, 24-26.

⁵Breneman: *Virginia Conventions*, 31.

⁶Discourse by Prof. Washington, before the Virginia Historical Society, in 1852, quoted by Hugh Blair Grigsby in his discourse on the Virginia Convention of 1776, pages 25 and 26, and Grigsby adds: "and he has said truly."

solved: "That the delegates appointed to represent this colony in General Congress be instructed to propose to that respectable body to declare the United Colonies free and independent states, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain; and that they give the assent of this colony to such declaration, and to whatever measures may be thought proper and necessary by the congress for forming foreign alliances, and a confederation of the colonies, at such time, and in the manner, as to them shall seem best; provided, that the power of forming, government for, and the regulations of the internal concerns of each colony, be left to the respective colonial legislatures."¹ And moreover this convention elected Patrick Henry the first Governor of Virginia, under the constitution.

This convention was held in Williamsburg, and in it, Lunenburg and "her children" were represented as follows:

Lunenburg by David Garland and Lodowick Farmer,
Mecklenburg by Joseph Speed and Bennett Goode,
Charlotte by Paul Carrington and Thomas Read,
Halifax by Nathaniel Terry and Micajah Watkins,
Pittsylvania by Benjamin Lankford and Robert Williams,
Bedford by John Talbot and Charles Lynch.

The events leading to the creation of the State, the adoption of its constitution, and the election of the first Governor, bring us to a period when, for a time at least, the military activities overshadowed all others in the colonies. The war was already well under way, and Virginia was fully participating; the extent of that participation cannot be traced in this work. It will be difficult for the historian who directs his efforts to that one subject alone to do it justice. It is impossible to establish the numbers, much less the names and residences of the soldiers of the Revolution from Virginia.² It is even more difficult to definitely locate, name and number the Revolutionary soldiers from any given county.

¹Journal of the Convention, quoted in Breneman's *Virginia Conventions*, 36.

²See a discussion of the Revolutionary Soldiers of Virginia by Ecknerode, in 8th Annual Report of the Library Board and State Librarian, 1910-11, 1-12, and in 9th Annual Report, 3-9, of the special reports on Revolutionary Soldiers.

The Virginia forces in the Revolutionary War served in four general groups: first, the soldiers of the continental line; second, the regular state troops; third, the militia; and fourth, the navy.¹

Virginia furnished fifteen regiments of the continental line. The troops were drawn from the whole state; were entirely in the service of the Continental Congress, and in the present state of knowledge of the records (such as survive), it is almost impossible to identify any great number of them with the counties from which they came. In addition to these, there were other forces raised mostly or wholly in Virginia, such, for example, as Nathaniel Gist's, Grayson's and Thurston's regiments of infantry, Moses Rawlings' rifle company, Harrison's artillery, Bland's and Baylor's dragoons and Lee's and Armand's legions.²

The state line troops included three regular infantry regiments, an artillery regiment, a cavalry regiment, what was known as the "State Garrison Regiment," two regiments in Illinois, the troops engaged in guarding the Saratoga prisoners near Charlottesville, and Dabney's State Legion.³

The militia are almost impossible to chronicle, with any degree of detail. These forces were raised on so many different occasions, for such varying terms or service, formed parts of so many different forces, under such a variety of commands, both within and without the State of Virginia, that anything approaching an adequate account of them remains a work for the future, after records which are supposed to be in existence have been edited and made available, and after, it is hoped, many new sources of information shall have been discovered.

At the time of the outbreak of the Revolutionary War, Lunenburg, due to the creation of much of the fairest and most populous part of her domain into new counties, was relatively less strong in man power than her children, Halifax, Mecklenburg, Charlotte, Bedford and Pittsylvania.

Thus, in 1776, a manuscript list of the militia supposed to be

¹Eckenrode: *Special Report*, 1911, 3.

²Id.

³Id.

available for the field at that time, shows the militia strength of these counties to be as follows:

Lunenburg 573
Halifax 1000
Mecklenburg 850
Charlotte 812
Bedford 1400
Pittsylvania 1438

Virginia kept up well her quotas in every department of the military establishment. In 1776, in addition to her large number of continentals,—the third largest of all the states,¹ she sent a large force of militia into the field against Dunmore, another for the relief of North Carolina, and still another for the Cherokee expedition, in the west.

In 1777 the losses among the Virginia troops, "always in the forefront of the battle"² were very severe. At Germantown, a whole regiment was captured. As a result the first two regiments of the state line joined the Continental Army to make up the state's quota in that force.

Lunenburg soldiers saw service in many important theatres of action during the war, but when certain companies took the field and where they served first, is in some instances doubtful. Captain Ellison Ellis was among the earliest officers of the Revolutionary period from Lunenburg. Captain Edward Garland's company appears among the first from this section to join General Washington's army. The companies of Captain James Johnson, Captain Nicholas Hobson, Captain Peter Garland, Captain John Hockaday and Captain John Stokes, are known to have participated in the Northern campaigns, and it is quite certain several others did also. Material probably does not exist, and certainly is not known, at present, from which can be constructed anything approaching a detailed history of the movement of the Lunenburg companies. It is difficult, even, to trace with a degree of relative completeness the history of much larger units

¹Eckenrode: *Special Report*, 1911, 6.

²*Id.*, 6.

or commands, and it is practically impossible to establish with certainty their composition from time to time.

Lunenburg has shared the common fate of all peoples who neglect their own history. What is known by everybody of one generation is known by none of succeeding generations unless someone takes the pains to record the facts. The gathering dust of the passing years dims any neglected record, and is sufficient, if it be long enough neglected, to entirely obscure and even to destroy it. Many of the participants in the Revolutionary struggle do not even have their names preserved to posterity, and many exist as names only, so that present day investigators find it difficult, if not impossible, to assign them a definite locality or to trace their descendants.

Relatively few of the old original records, such as the muster rolls and pay rolls are in existence; and many of these show the disintegrating effect of time and of unavoidable exposure and ill usage incident to military activities. No records of many companies remain. They are known to have existed by statements in official documents and correspondence and by incidental mention in contemporary records, but their records, such as would have shown the organization of their companies, the names of the officers and of the men, and the general locality of their activities, have passed into oblivion.

Enough, however, has survived to give us some idea of the terrible hardships they endured, and to abundantly establish their brave and heroic participation in the great and glorious struggle which achieved our independence.

The movements of the Lunenburg companies which served with the Northern army prior to the campaign in New Jersey and Pennsylvania are not known. But the companies of Captain James Johnson, Captain Edward Garland, Captain Nicholas Hobson, Captain Peter Garland and Captain John Stokes participated in the military operations in New Jersey and Pennsylvania, and at least the companies of Captain Hobson, Captain James Johnson and Captain Peter Garland spent the terrible winter of 1777-78 at Valley Forge. It is highly probable that Captain Edward Garland's Company also was at Valley Forge, but the company's records for that period have not been

found. John Stokes, until February, 1778, a lieutenant, was also at Valley Forge.

Captain Edward Garland's company was attached to the Fourteenth Virginia Regiment, commanded first by Colonel Charles Lewis and then by Colonel Wm. Davies. The muster roll of July 3, 1777¹ affords some information as to the movement of this body. It shows that from May 7th to 10th, 1777, the company was at Alexandria, Virginia, and between that time and July 3, 1777, it left certain of the company's sick at Baltimore and at Philadelphia. One of the corporals of this company, John Daws, had the signal honor of being selected as a member of the General's Life Guard.

The roll of this company as returned July 3, 1777, was as follows:

Edward Garland, Captain,	David Morgan,
William Winn, 1st. Lt. ²	John Riddle, ⁶
Sergeants:	Anthony Wells,
Jeffrey Russell,	Jeffrey Russell, Jr., ⁷
Reuben Cooper,	Thomas Sikes,
Rodwell McGuire, ³	Baxter Pool,
Corporals:	Charles Cooper,
Henry Maning (Manning)	Henry Thornton,
James Hooker,	Jonathan Grady,
Richard Wilson	William Rhodes,
John Daws, ⁴	Benjamin Stubbs,
Drummers and fifers:	William Slaughter,
Joseph White, Drummer,	Owen Conner,
Robert Mitchell, Fifer,	Dennes Murphy,
Privates:	Abner Quarles,
John Thompson, ⁵	James Wells,
John Boze,	Charles Maddox, ⁸

¹This roll is undated, but was sworn to July 3, 1777.

²In Virginia recruiting.

³In regimental hospital.

⁴"In the General's Life Guard."

⁵In hospital in Philadelphia.

⁶Died at Alexandria, May 10, 1777.

⁷Deserted March 8, 1777.

⁸Sick in Virginia.

Rees Riddle,¹
 John Riddle, Junr.²
 Thomas Wilkins,³

Thomas Mitchell,⁴
 Thomas Wilkinson,⁵

In addition to the names shown on this roll, the roll for August, 1777, contains the name of Joseph White.

The muster roll of Captain James Johnson's company for the period from February 2, 1776, to May 31, 1777, with the notations thereon affords some evidence of the movement of the troops to which it was attached. Hugh Wallace, James Hungerford, Joseph Bohannon, Elisha Arnold, Thomas Gandon, Jno. Armistead Valentine and Stephen Brown are noted as "sick at Mindon." John Wilkerson, Wm. Newell and Howell Cobb are recorded "sick at Black River." James Arven was "sick at Philadelphia," while Langford Walker and Daniel Harper were "sick at Wilmington." The muster roll for June, 1777, mentions certain of the soldiers as sick at Middlebrook, Mindon and Black River.

Philip Snead, in his pension declaration⁶ dated April 23, 1819, declares: "That he, the said Philip Snead, enlisted for the term of two years on the second day of February in the year 1776, in Lunenburg in the State of Virginia, in the company commanded by Captain James Johnson of the regiment commanded by Colonel Mordecai Buckner, in the line of the State of Virginia on the Continental Establishment; that he continued to serve in the said corps, or in the service of the United States, until the 14th day of February, 1778, when he was discharged from service at Valley Forge, State of Pennsylvania; that he was in the battles of Brandywine, Trenton, Germantown and at the siege of Mud Island." And in another declaration made on November 13, 1820, he mentions in addition to the above mentioned battles, that of Fort Mifflin.⁷

Hugh Wallace, another member of the company, in a pen-

¹Sick in Baltimore.

²In hospital in Philadelphia.

³In regimental hospital.

⁴Died May 7, 1777, at Alexandria, Va.

⁵Deserted May 3, 1777.

⁶Pension office, Washington.

⁷He states that he would be 66 years of age Dec. 11, 1820.

A Muster Roll of Capt. James Johnson's Company in the 8th Virginia Regiment of Continental Forces commenced by Land Oct. 1st 1776
 from 2nd to 31st 1776 to the 31st May 1777

Commissioned, Capt. James Johnson
 1776 When granted appointment by June 1776
 2nd to 31st of July 1776 to 31st Dec 76

No	Private	Rank	Remarks	No	Private	Rank	Remarks	No	Corporal	Rank	Remarks
1	John Boyd	Private	18 do	28	Private	Private	1	John Wilson	Private	254	254
2	John Boyd	Private	18 do	29	Private	Private	2	John Wilson	Private	254	254
3	John Boyd	Private	18 do	30	Private	Private	3	John Wilson	Private	254	254
4	John Boyd	Private	18 do	31	Private	Private	4	John Wilson	Private	254	254
5	John Boyd	Private	18 do	32	Private	Private	5	John Wilson	Private	254	254
6	John Boyd	Private	18 do	33	Private	Private	6	John Wilson	Private	254	254
7	John Boyd	Private	18 do	34	Private	Private	7	John Wilson	Private	254	254
8	John Boyd	Private	18 do	35	Private	Private	8	John Wilson	Private	254	254
9	John Boyd	Private	18 do	36	Private	Private	9	John Wilson	Private	254	254
10	John Boyd	Private	18 do	37	Private	Private	10	John Wilson	Private	254	254
11	John Boyd	Private	18 do	38	Private	Private	11	John Wilson	Private	254	254
12	John Boyd	Private	18 do	39	Private	Private	12	John Wilson	Private	254	254
13	John Boyd	Private	18 do	40	Private	Private	13	John Wilson	Private	254	254
14	John Boyd	Private	18 do	41	Private	Private	14	John Wilson	Private	254	254
15	John Boyd	Private	18 do	42	Private	Private	15	John Wilson	Private	254	254
16	John Boyd	Private	18 do	43	Private	Private	16	John Wilson	Private	254	254
17	John Boyd	Private	18 do	44	Private	Private	17	John Wilson	Private	254	254
18	John Boyd	Private	18 do	45	Private	Private	18	John Wilson	Private	254	254
19	John Boyd	Private	18 do	46	Private	Private	19	John Wilson	Private	254	254
20	John Boyd	Private	18 do	47	Private	Private	20	John Wilson	Private	254	254
21	John Boyd	Private	18 do	48	Private	Private	21	John Wilson	Private	254	254
22	John Boyd	Private	18 do	49	Private	Private	22	John Wilson	Private	254	254
23	John Boyd	Private	18 do	50	Private	Private	23	John Wilson	Private	254	254
24	John Boyd	Private	18 do	51	Private	Private	24	John Wilson	Private	254	254
25	John Boyd	Private	18 do	52	Private	Private	25	John Wilson	Private	254	254
26	John Boyd	Private	18 do	53	Private	Private	26	John Wilson	Private	254	254
27	John Boyd	Private	18 do	54	Private	Private	27	John Wilson	Private	254	254
28	John Boyd	Private	18 do	55	Private	Private	28	John Wilson	Private	254	254
29	John Boyd	Private	18 do	56	Private	Private	29	John Wilson	Private	254	254
30	John Boyd	Private	18 do	57	Private	Private	30	John Wilson	Private	254	254
31	John Boyd	Private	18 do	58	Private	Private	31	John Wilson	Private	254	254
32	John Boyd	Private	18 do	59	Private	Private	32	John Wilson	Private	254	254
33	John Boyd	Private	18 do	60	Private	Private	33	John Wilson	Private	254	254
34	John Boyd	Private	18 do	61	Private	Private	34	John Wilson	Private	254	254
35	John Boyd	Private	18 do	62	Private	Private	35	John Wilson	Private	254	254
36	John Boyd	Private	18 do	63	Private	Private	36	John Wilson	Private	254	254
37	John Boyd	Private	18 do	64	Private	Private	37	John Wilson	Private	254	254
38	John Boyd	Private	18 do	65	Private	Private	38	John Wilson	Private	254	254
39	John Boyd	Private	18 do	66	Private	Private	39	John Wilson	Private	254	254
40	John Boyd	Private	18 do	67	Private	Private	40	John Wilson	Private	254	254
41	John Boyd	Private	18 do	68	Private	Private	41	John Wilson	Private	254	254
42	John Boyd	Private	18 do	69	Private	Private	42	John Wilson	Private	254	254
43	John Boyd	Private	18 do	70	Private	Private	43	John Wilson	Private	254	254
44	John Boyd	Private	18 do	71	Private	Private	44	John Wilson	Private	254	254
45	John Boyd	Private	18 do	72	Private	Private	45	John Wilson	Private	254	254
46	John Boyd	Private	18 do	73	Private	Private	46	John Wilson	Private	254	254
47	John Boyd	Private	18 do	74	Private	Private	47	John Wilson	Private	254	254
48	John Boyd	Private	18 do	75	Private	Private	48	John Wilson	Private	254	254
49	John Boyd	Private	18 do	76	Private	Private	49	John Wilson	Private	254	254
50	John Boyd	Private	18 do	77	Private	Private	50	John Wilson	Private	254	254
51	John Boyd	Private	18 do	78	Private	Private	51	John Wilson	Private	254	254
52	John Boyd	Private	18 do	79	Private	Private	52	John Wilson	Private	254	254
53	John Boyd	Private	18 do	80	Private	Private	53	John Wilson	Private	254	254

County as specified in the above roll
 Will Bradford
 1776

sion declaration dated September 23, 1818, states that he enlisted in the County of Lunenburg in the company commanded by Captain James Johnson, of the 6th Virginia Regiment, and served until December 1st, 1777, having served one year and nine months, when he was discharged at White Marsh Camp in the State of Pennsylvania. He further stated that he was in the skirmish called Raritan Run, a little above the town of Brunswick (New Jersey), and that he lost a leg in the service; and a certificate¹ of Beverley Randolph (Colonel), dated July 20, 1787, shows that Wallace lost his right leg in the service, from a wound.²

In the archives of the War Department³ is preserved the original muster roll of Captain James Johnson's company for the period from February 2, 1776, to the 31st of May, 1777. It is entitled: "A Muster Roll of Capt. James Johnson's Company, in the 6th Virginia Regiment of Continental Forces, commanded by Lieut. Colo. James Hendricks from 2nd. Feby. 1776, to the 31st May, 1777."

All the men of this company were enlisted.

This roll (omitting notations and memoranda) is as follows:

Captain, James Johnson,

1st Lt., Peter Garland, appointed June 19, 1776.

2nd Lt., Beverly Stubblefield, appointed December 28, 1776.

Sergeants:

Wm. A. Whitlock,

Hugh Wallace,

Wm. Winn,

Wm. Hobson,

Philip Snead.

James Winn,

Dudley Terrell,

Elisha Winn,

Joshua Hawkins.

Privates:

Music:

Wm. Croker.

John Ragsdale,

Jno. Consalver,

Corporals:

Thomas Hoskins,

Wm. Brown,

Jacob Johnson,

¹In the pension file at Washington.

²An affidavit made by Wallace, July 10, 1820, shows that he was 76 years old; and that his family consisted of a wife and three daughters, aged 50, 48 and 40 years.

³Old Records Division.

Richard Brooks,	Davd. B. Watts,
Benj. Riddle,	Jonathan Edings,
Wm. Allen,	James Butler,
Jesse Blanks,	Jacob Brown,
Isaac Allen,	Ja—n Edes,
Jno. Bailey,	James Andrews,
Tandy Walker,	Wm. Thompson,
Jno. Sneed,	Benjamin Johnson,
James Hungerford,	Philip Bowers,
Wm. Colley,	Jas. Ragsdale,
Thomas Wright,	Sugar Wright,
Caldwell Petty Pool	Edmd. Buckner,
[Pettypoole],	Wm. Hanks,
Anthony Hundley,	Jarrold Lynes,
Jno. Wilkerson,	Israel Sneed,
Wm. Newell,	James Wallace,
Joseph Bohannon,	Young Stokes,
Parsons Wright,	Anslam [Anselm] Bailey,
Howell Cobb,	Wm. Riddle,
Elisha Arnold,	Jno. Chambless,
Thos. Gordon,	Thos. Phillips,
Langford Walker,	Moses Spilman,
Benjamin Thomerson	Rd. Herring,
[Thomason],	Jno. Estis [Estes],
James Arven [Arvin],	Reuben Rogers,
Daniel Harper,	Guy Smith,
John Armstead Valentine,	Robert Fargerson
Stephen Brown,	[Ferguson?],
Benjamin Sneed,	Wm. Walker, fifer,
Jno. Calther,	Rd. Hudson,
Lightfoot Calliham,	Robert Smith,
Joseph Bradley,	Jno. Smithson,
Jno. Hinton,	Drury Pulliam,
Thomas Redman,	John Bowers,
Jno. Willis,	Wm. Perramon.
Hen. Vendyke,	

This company, including officers and men, numbered eighty-six. Thirty-nine of them were killed or died before May 31, 1777.

The pay roll of Captain James Johnson's company for the month from April 1st to May 1st, 1777, showed the following:

James Johnson, Captain,	John Consalver,
Peter Garland, Lieut.	William Newell,
Beverly Stubblefield, Ensign,	Joseph Bohannon,
Hugh Wallace, Sergeant,	Parsons Wright,
Philip Snead, Sergeant,	William Brown,
James Winn, Sergeant,	Benjamin Johnson ⁴ ,
John Wilkerson, Sergeant,	Jacob Johnson,
William Crocker, Drum Mjr.	Richard Brooks,
William Walker, Fifer, ¹	Benjamin Riddle,
Thomas Hoskins, Corpl.	William Allin [Allen],
Elisha Winn, Corpl.	Young Stokes,
John Ragsdale, Corpl.	Isaac Allin [Allen],
Joshua Hawkins, Corpl.	Howell Cobb,
	Jesse Blanks,
Privates:	Anselmn Bailey,
William Hobson ² ,	John Bailey,
William A. Whitlock ³ ,	Elisha Arnoll [Arnold],
William Gill,	James Hungerford,
Langford Walker,	Anthony Hundley,
James Arvin,	James Jones, ⁵
Daniel Harper,	Richard Hooper,
John A. Valentine,	William Colley,
Stephen Brown,	Tandy Walker,
Robert Fargusson,	Richard Herring, ⁶

The original pay rolls of Captain Johnson's company for May and June, 1777, and the original muster rolls for the period from February 2, 1776, to May 31, 1777, and also for June, 1777, are preserved in the archives of the War Department at Washington. It is from these originals that the foregoing data have been taken.

The records of the War Department show that Captain John-

¹William Walker was a prisoner at this time.

²In Virginia at that date.

³In Virginia at that date.

⁴Died April 20, 1777.

⁵In Virginia at that date.

⁶At that time a prisoner.

son was ordered to Virginia, December 26, 1776, on recruiting service and that he returned May 15, 1777. The pay roll of his company for May, 1777, is certified by Lieut. Peter Garland, instead of by Captain Johnson. The records also show January 4, 1778, "Lieut. John Hockaday entitled to Captaincy by the promotion of Captain James Johnson, April 15, 1777."

Some of the original rolls of Captain Nicholas Hobson's company are also preserved. The War Department's archives contain the "Muster roll of Captain Nicholas Hobson's Company of the Sixth Virginia Regiment of Continental Forces, commanded by Lieut.-Col. James Hendricks to the 31st of May, 1777." This shows the following:

Captain: Nicholas Hobson,	William Wright,
1st Lieut: John Bell, ¹	John Hardyman, ⁵
Ensign: John Jordan, ²	Privates:
Sergeants:	Edward Parker, ⁶
William Gregory, O. M. Sgt.	Reubin Francis,
William Parrish,	James Bullifant,
William Maynard, ³	William Roach, ⁷
Daniel Crighton,	Robert Barnes, ⁸
M. D. Sherman, ⁴	Phillip Lightfoot, ⁹
Music:	Edward Holdcroft,
Robert Phillips,	David Davidson, ¹⁰
John Hood.	John Peters, ¹¹
Corporals:	Edward Davidson, ¹²
James Christian,	John Harefield,
John Brown,	William Murrell, ¹³
	Peter Barrow,

¹At that time on recruiting service.

²At Morristown on command.

³Sick at hospital.

⁴Left in Virginia.

⁵Sick at Morristown.

⁶On guard.

⁷On detachment.

⁸On guard.

⁹On guard.

¹⁰On guard.

¹¹Sick in camp.

¹²On guard.

¹³Left in Virginia.

Joseph Bishop,
 Jesse New,
 Jacob Johnson,
 William Jackson,
 John Perry,
 William Williams,¹
 Gideon Hamlett,²
 William Allen,³
 David Buttler,⁴
 Thomas Buck,⁵
 John Akny (?),⁶
 William Partin,⁷
 Benja. Christian,⁸
 Rob. Going (enlisted),
 William Estes,
 Josiah Crew,⁹
 Philip Partin,¹⁰
 Henry Russell,¹¹

John Holdcroft,¹²
 William Wardoiton (?),¹⁸
 Benja. Barnes,¹⁴
 David Hilliard,¹⁵
 Richard Binge,¹⁶
 Julias [Julius] Francis,¹⁷
 John Pearman,¹⁸
 Littleberry Fuqua,¹⁹
 James Pearman,²⁰
 John Crewe (?),²¹
 James Edwards,²²
 William Hood,²³
 Francis Bullifant,²⁴
 Benja. Brewer,²⁵
 Thornton Bishope
 [Bishop],²⁶
 Freeman Johnson,²⁷
 Job Hilliard,²⁸

¹Sick at Morristown.

²Sick at Morristown.

³Sick at Philadelphia.

⁴Dec'd Jan. 15, 1777.

⁵Dec'd Jan. 10, 1777.

⁶Dec'd Jan. 10, 1777.

⁷Dec'd Jan. 15, 1777.

⁸Dec'd Jan. 4, 1777.

⁹Dec'd Jan. 4, 1777.

¹⁰Dec'd Jan. 20, 1777.

¹¹Dec'd Jan. 4, 1777.

¹²Dec'd Jan. 8, 1777.

¹³Dec'd Jan. 12, 1777.

¹⁴Dec'd Jan. 10, 1777.

¹⁵Dec'd Jan. 14, 1777.

¹⁶Dec'd Jan. 4, 1777.

¹⁷Dec'd Jan. 4, 1777.

¹⁸Dec'd Dec. 30, 1776.

¹⁹Dec'd Dec. 30, 1776.

²⁰Dec'd Jan. 8, 1777.

²¹Dec'd Dec. 30, 1776.

²²Dec'd Dec. 30, 1776.

²³Dec'd Dec. 30, 1776.

²⁴Dec'd Dec. 31, 1776.

²⁵Dec'd Dec. 30, 1776.

²⁶Dec'd Dec. 30, 1776.

²⁷Dec'd Jan. 15, 1777.

²⁸Dec'd Jan. 15, 1777.

Warwick Booker,¹
Isham Gill,²
Edward Partin,³

William Pavely,⁴
John Faqua,⁵
James Roberson.

On the pay roll of Capt. Hobson's company for May, 1777, the name of James Edmunds appears with the notation "not drawn for in October last & is since dead."

The muster roll of Captain Hobson's company for June, 1777,⁶ is as follows:

Nicholas Hobson, Capt.
John Bell, 1st Lt.
M. Duke Sherman, Sergeant,
William Parrish, Sergeant,
William Maynard, Sergeant,
Daniel Creighton, Sergeant,⁷

Music:

Robert Phillups [Phillips],
John Hood.

Corporals:

James Christian,
John Hardiman
[Hardyman],⁸
Jno. Brown,
William Wright.

Privates:

Reuben Treneis(?),
James Bullifant,
William Roach,

Robert Barnes,⁹
Edward Holdcroft,
Edward Davidson,
David Davidson,¹⁰
Jacob Johnson,
William Jackson,
George Estes,
William Estes,
John Peters,
Edward Parker,
Philip Lightfoot,
William Williams,
Gideon Hamlet,
William Allen,
William Murrell,
Peter Barrom,
John Perry,
Joseph Bishop,
Jesse New.

A notation in the records of the War Department is as fol-

¹Dec'd Mar. 6, 1777.

²Dec'd Mar. 18, 1777.

³Dec'd Mar. 20, 1777.

⁴Dec'd Feb. 10, 1777.

⁵Dec'd Feb. 1, 1777.

⁶Original in the War Department, Old Records Division.

⁷On the September, 1777, roll this name appears "Daniel Clayton."

⁸Sick in hospital.

⁹Sick at Morristown.

¹⁰Sick at Morristown.

lows: "It appears that Capt. Hobson's commission ought to have been dated the 11th April, 1776, in consequence of the death of Captain Ruffin who died that day." The records further show that his company was at Newark, N. J., Nov. 25, 1776, and at "Araratan" (Raritan) Nov. 30, 1776.

The records of the company note the fact that Captain Hobson was sick at Germantown, September 3, 1777, and that he resigned his command September 30, 1777. No doubt his resignation was due to his inability to discharge his duties because of his sickness. He probably proceeded to Virginia, and escaped the rigors of the winter at Valley Forge, which was no place for a sick man. There is a slight discrepancy between two contemporary records as to the date of his resignation. There is a record in the War Department as follows: "Lt. Benjamin Taliferro entitled to a captaincy by the resignation of Capt. N. Hobson, Sept. 23, 1777," whereas, the other record as above noted places the date of Captain Hobson's resignation as September 30, 1777.

Captain Hobson, as we shall see, served Lunenburg as County Commander with the rank of Colonel, in the later stages of the war, during the years 1780-81, and possibly earlier.

From the December, 1777, roll it appears that John Bell, First Lieutenant, was the only commissioned officer with the company. His affidavit verifies the roll for this month. From the January, 1778, roll it appears that Captain John Hockaday had been assigned to command this company, but it also appears that he had not assumed the command. First Lieutenant John Bell, who commanded this company during this winter (at Valley Forge), after Captain Hobson's resignation in September, had gone to Virginia on recruiting service. The company during this fearful winter at Valley Forge was reduced to fourteen men. Major Samuel Hopkins, of the 6th Regiment, endorsed on the roll for January, 1778, the statement that with Lt. Bell in Virginia recruiting, the company was without an officer, and for that reason he verified the roll of the company.

The company's pay roll for February, 1778, carries the name of Captain John Hockaday and that he resigned February 16, 1778. It is altogether probable that he never assumed com-

mand of the company at all. In fact, such seems to be quite clearly indicated by the records. This roll also shows that ten men were discharged in February, 1778, undoubtedly because their term of enlistment had ended. These were:

James Christian, Corp., discharged February 10, 1778.
 Jno. Hardiman, Corp., discharged February 20, 1778.
 Wm. Wright, Corp., discharged February 10, 1778.
 John Brown, Corp., discharged February 10, 1778.
 Robert Philips, fifer, discharged February 10, 1778.
 Edward Parker, private, discharged February 10, 1778.
 Edward Holdcroft, private, discharged February 10, 1778.
 William Williams, private, discharged February 10, 1778.
 William Jackson, private, discharged February 10, 1778.
 Edwd. Davison, private, discharged February 10, 1778.
 James Bullifant, private, discharged February 10, 1778.

This roll is certified by Jno. Stokes, Lt., although he is not listed as a member of the company.

The March, 1778, pay roll shows that this company had but five private soldiers. The complete list is as follows:

John Bell, 1st Lt.,	William Roach,
William Parrish, Sergt.,	Robert Barnes,
James Christian, Corp.,	John Perry,
George Estes,	John Peters.

These were the heroic survivors from this company of that incredible winter at Valley Forge.

The roll for April, 1778, shows that the strength of the company had been brought up to twenty-one by the addition of the following men who had been drafted in February (from the 10th to the 17th), 1778:

Marcus Gililien,	John Hudson,
James Johnson,	Thomas Steward,
John Hicks,	William Carroll,
Nathaniel Crenshaw,	Andrew Adamson,
Daniel Crenshaw,	Duncan McGuriman,
James Hooper,	David Callaham.
James Breadlove,	

Another Lunenburg Company at Valley Forge was that of Captain Peter Garland, of the Sixth Virginia Regiment.¹

The muster roll of this company for January, 1778, is in existence² and it shows the following:

Commissioned officers:	William Starke, 1st Lt., ⁴
Peter Garland, Captain, ³	James Mabon, Ensign.
Sergeants:	
Daniel Willson, ⁵	Jonathan Poindexter.
Music:	
Robert Dillemore [Delamore], ⁶	
Corporal:	
Hezekiah Stone, ⁷	
Privates:	Wm. Wilbourn [Wilbon], ¹⁴
Arglon Toone,	Thomas McGray, ¹⁵
Jesse Carter,	Robert Erskine, ¹⁷
Wm. Collier [Collier], ⁸	Joshua Grennage [Grunage], ¹⁶
Pressley Hunt (waggoner),	Robt White, ¹⁸
Thomas Goode, ⁹	Wm. Pulley [Tulley?], ¹⁹
Thomas Meoler, ¹⁰	Thomas Ketton, ²⁰
Ulisie Rogers, ¹¹	John Carroll,
Archer Willson, ¹²	Jarrott Williams, ²¹
Joseph Hester, ¹³	Reubin Jackson.

¹Commanded by Lt. Col. Charles Simms.

²In the Old Records Division, War Department.

³Recruiting in Virginia.

⁴On furlough.

⁵Discharged Feb. 19, 1778.

⁶Discharged Feb. 19, 1778.

⁷Discharged Feb. 16, 1778.

⁸Discharged.

⁹In hospital.

¹⁰In hospital.

¹¹In hospital.

¹²In hospital.

¹³Discharged.

¹⁴Sick.

¹⁵Discharged.

¹⁶Discharged.

¹⁷Sick.

¹⁸On furlough.

¹⁹On furlough.

²⁰On furlough. This name is variously spelled on the company's records "Kelton," "Keyton," "Keating," and "Keaton." The correct spelling is "Keaton."

²¹Died Feb. 14, 1778.

It will be observed that this roll for January, 1778, carries notation of events in February, 1778. These were of course notations subsequently made for bringing it down to date for a later roll.

Charles Kenley is on the February roll, in addition to those appearing on the January roll, with the notation, "Enlisted Sept. 23, 1777." And this roll also shows that Reuben Jackson enlisted August 5, 1777.

The pay roll of this company for February, 1778, shows the following were discharged:

Daniel Wilson, Sergeant, February 19, 1778.
 Jona Poindexter, Sergeant, February 19, 1778.
 Robert Delamore, Drummer, February 19, 1778.
 Hezekiah Stone, Corp., February 16, 1778.
 Argelon Toone, Private, February 26, 1778.
 Jesse Carter, Private, February 23, 1778.
 William Collier, Private, February 19, 1778.
 Presley Hunt, Private, February 26, 1778.
 Thomas Goode, Private, February 26, 1778.
 Thomas Mealor, Private, February 19, 1778.
 Ullis Rogers, Private, February 19, 1778.
 Archer Willson, Private, February 19, 1778.
 Joseph Hester, Private, February 19, 1778.
 William Wilbon, Private, February 19, 1778.
 Thomas McGray, Private, February 19, 1778.
 Joshua Grunage, Private, February 19, 1778.
 Robert Erskine, Private, February 19, 1778.

In March, 1778, the company had but seven privates. The entire pay roll is as follows:

Peter Garland, Captain.	William Pulley,
William Starke, 1st Lt.	Thomas Keaton,
James Mabon, 2nd Lt.	John Carroll,
Privates:	Charles Kenley,
Reuben Johnson,	Godfrey Owen.
Robert White,	

And in April, 1778, with the same officers, the privates were:

Reuben Jackson,	John Carroll,
Ralph Love,	Harrison Pearman,
Robert White,	William Perrey [Perry],
William Pulley,	Godfery [Godfrey] Owen.
Thos. Keating [Keaton],	

The records further show that First Lieutenant John Stokes, whose lieutenant's commission was dated December 28, 1776, was promoted to a captaincy, February 20, 1778, and was at Valley Forge during the winter of 1777-78, and as late as April 5, 1778.

This period ought not to be passed over without attempting to indicate the debt of gratitude and the homage due the soldiers who endured the indescribable hardships and the heart breaking suffering of the winter at Valley Forge, possibly without a parallel in the annals of warfare.

Notwithstanding the defeat at the battle of the Brandywine, the American army hoped to prevent the British from occupying Philadelphia, but this whole section of Pennsylvania was Tory, and the inhabitants aided the British rather than the Americans. The result was that the British "by a variety of perplexing maneuvers, thro' a country from which," wrote Washington, "I could not derive the least intelligence (being to a man disaffected) marched immediately toward Philadelphia."¹

John Adams wrote in his diary² that Philadelphia "seemed asleep, or dead, and the whole state scarce alive. Maryland and Delaware the same." Indeed, Philadelphia was so largely Tory that many were undoubtedly happy to see the city in the possession of the British instead of the Americans. The Congress fled to York, and the British occupied the Capitol, placing most of the army at Germantown.

Washington, although his army had suffered great loss both in dead and prisoners at Brandywine, and though he was lacking in all kinds of munitions, due to the failure of support from Congress, and especially from many of the states, decided to

¹Washington to President of Congress, Sept. 23, 1777, Ford, VI, 80.

²*Works*, Adams, II, 437.

attack the British. He devised a plan for the attack which the British afterwards conceded was admirable, and "in the twilight of a chilling October day, Washington gave orders to begin the advance."¹ The attack all but succeeded, but a force of British took possession of the Chew House, the house of a Tory judge, a stone structure, from which they poured a murderous fire into the American ranks. This saved the day for the British and turned an American victory into defeat.²

Washington was urged from many quarters to "storm" Philadelphia and take it from the British. Congress desired it, "public opinion" demanded it, and one reason assigned was that it was necessary to remedy a ruinous situation and stop the depreciation of the Continental currency.

Washington refused to undertake such a "mad enterprise," and his best officers sustained him in his decision. Risking the destruction of his army was not the way to prevent depreciation of the currency; its value had fallen for want of taxes to sustain it and could be raised only by their levy. "The corruption and defection of the people, and their unwillingness to serve in the army of the United States were evils which would be very greatly increased by an unsuccessful attempt on Philadelphia."³

Jacob Duche, an Episcopal preacher of Philadelphia, wrote Washington, contending that the American cause was hopeless, and that "the most respectable characters" had abandoned it, and urging him to end the war. "Deeply offended, Washington sent the letter to Congress, which, however, continued to find fault with him and to urge an attack on the British in the Capitol."⁴

Although Washington was unwilling to risk attacking the British in Philadelphia, he was eager to meet them, if they attacked him, in the field. He took up a position near White Marsh, on some hills toward the Schuylkill, and was there stationed when Howe came out of Philadelphia, in December, as if

¹Beveridge: *John Marshall*, I, 102.

²Pa. Mag. Hist. & Biog., XI, 330.

³Marshall: *Life of Washington* (First Ed.), III, 287.

⁴Beveridge: *John Marshall*, I, 105.

to attack the Americans. The two armies, after some maneuvering, came into close contact,¹ and the British waited a considerable time in view of the Americans, but without attacking, presumably in the hope of inducing Washington to make the attack. This he refused to do, but was ready in case the British made the attack. Chief Justice Marshall thus describes Washington's preparation for the expected attack:

"The American chief rode through every brigade of his army, delivering, in person, his orders respecting the manner of receiving the enemy, exhorting his troops to rely principally on the bayonet, and encouraging them by the steady firmness of his countenance, as well as by his words, to vigorous performance of their duty."²

In the meantime the Americans were doing some skirmishing, and Morgan's Virginia riflemen were particularly effective. Smarting from these thrusts, and fearing the result if they attacked, the British suddenly returned to Philadelphia, and Washington went into winter quarters on the hills at Valley Forge.

No adequate account of the winter at Valley Forge can be incorporated in a work of this limited character. The contrast between the circumstances of the British quartered in one of the best cities of the continent, and Washington's army exposed to the cruel cold of an unusually hard winter, in hastily provided temporary quarters, on exposed windswept hills, was very great. The winter was "a period of rest and safety for the red-coated privates in the city, where, during the preceding year Liberty Bell had sounded its clamorous defiance; a time of revelry and merry-making for the officers of the crown. Gay days chased nights still gayer, and weeks of social frolic made the winter pass like the scenes of a warm and glowing play."³

"For those who bore the King's commission there were balls at the City Tavern, plays at the South Street Theatre; and many a charming flirtation made lively the passing months for the ladies of the Capitol, as well as for Lieutenant and Captain, Major and Colonel, of the invaders' army. And after the

¹Ford: *Washington's Writings*, VI, 238.

²Marshall: *Life of Washington*, I, 184.

³Beveridge: *John Marshall*, I, 108.

social festivities, there were, for the officers, carousels at the 'Bunch of Grapes' and all night dinners at the 'Indian Queen.'"¹

Many of the people of Philadelphia as already stated were Tories, and were happy that the city was in the occupancy of the British. Many families whose present day representatives are proud and haughty, and who enjoy honors of state and prosperity under the government of the United States, were then the foremost opponents of the cause of American Liberty, and most lavish in their entertainment of the British. Rebecca Frank, Peggy Chew, Williamina Bond and Margaret Shippen, afterwards the wife of Benedict Arnold, and the probable cause of his treason, may serve sufficiently to illustrate this class. Of the British, Banastre Tarleton of the Dragoons, twenty-three years old, handsome and accomplished, who was a few years later to carry fire and sword through Virginia, including Lunenburg, Richard Fitzpatrick of the Guards, and Captain John Andre, may be mentioned as typical.

"You can have no idea of the life of continued amusement I live in," wrote Rebecca Franks to Mrs. Paca, the wife of a patriot, "I can scarce have a moment to myself. I spent Tuesday evening at Sir William Howe's, where we had a concert and dance. . . . Oh, how I wish Mr. Paca would let you come in for a week or two! . . . You'd have an opportunity of raking as much as you choose at Plays, Balls, Concerts, and Assemblies. I have been but three evenings alone since we moved to town."²

Such was the life of the higher society of the city. "For the common soldiers there were the race-course and the cock-pit, warm quarters for their abodes, and the fatness of the land for their eating. Beef in abundance, more cheese than could be used, wine enough and to spare, provisions of every kind, filled pantry and cellar. For miles around the farmers brought in supplies. The women came by night across fields and through woods with eggs, butter, vegetables, turkeys, chickens, and fresh meat. For most of the farmers of English descent in that section hated the war and were actively, though in furtive manner,

¹Beveridge: *John Marshall*, I, 108-9, citing *Trevelyan*, IV, 279.

²Trevelyan: *The American Revolution*, IV, 280.

Tory. They not only supplied the British larder, but gave news of the condition and movements of the Americans."¹

But with the American army at Valley Forge it was very different. Through no fault of Washington or of the army, their condition was deplorable. Congress had almost ceased to function. The Articles of Confederation created so loose a union as to be almost ineffective. There was no way of enforcing its requirements upon the states.

North Carolina was largely Tory, as were to a great degree South Carolina and Georgia. We have already seen what John Adams said of Pennsylvania, Maryland and Delaware.

Ragged, ill-fed, suffering from the defeats at Brandywine and Germantown, Washington's soldiers were quartered "on the bleak hills and black ravines of Valley Forge" not twenty miles distant from the scenes of "plenty and content, of cheer and jollity, of wassail and song," amid which the British were spending the winter in Philadelphia. The encampment of the Americans, says Trevelyan, "bids fair to be the most celebrated in the world's history."² The hills were wooded and the freezing soldiers were set to work in parties of twelve to build huts in which to winter.³ It was more than a month before the camps were completed. The huts were fourteen by sixteen feet, and twelve soldiers occupied each hut.⁴ While the huts were being built, the men, some at least of them, were practically naked. Baron Steuben said that "the men were literally naked, some of them in the fullest extent of the word."⁵ While the huts were being built, there were tents for some to sleep in, "but most of them lay down beneath the trees."⁶ And for want of blankets, hundreds had "to sit up all night by fires."⁷

After the battle of Germantown, during the entire winter

¹Beveridge: *John Marshall*, I, 110; Trevelyan: *The American Revolution*, IV, 278-80, 268-69.

²*The American Revolution*, IV, 290.

³Beveridge: *John Marshall*, I, 111.

⁴Sparks: *Life of Washington*, 245.

⁵He was reporting conditions Feb. 1, 1778. Kapp: *Life of Major-General Von Steuben*, 118.

⁶Hist. Magazine, V, 170; Beveridge: *John Marshall*, I, 111.

⁷Washington to the President of Congress, Dec. 23, 1777; Ford: *George Washington, Writings*, VI, 258.

Washington's men had but little to eat at any time.¹ On December 2, 1777, "the last ration had been delivered and consumed."² "Through treachery, cattle meant for the famishing patriots were driven into the already over-supplied Philadelphia."³ General Washington reported to Congress two days before Christmas, 1777, that there was "not a single hoof of any kind to slaughter, and not more than twenty-five barrels of flour."⁴ Elkanah Watson after a visit to the camp declared "The poor soldiers were half naked, and had been half starved, having been compelled, for weeks, to subsist on simple flour alone and this too in a land almost literally flowing with milk and honey."⁵ "Men died by the score from starvation."⁶ "Most of the time 'fire cake' made of dirty, soggy dough, warmed over smoky fires and washed down with polluted water was the only sustenance."⁷ Sometimes, testified Chief Justice Marshall, who spent the winter at Valley Forge, soldiers and officers "were absolutely without food."⁸ On the day after Christmas, 1777, the soldiers waded through snow half way to their knees. "Soon it was red from their bleeding feet."⁹ The huts were like "dungeons and . . . full as noisome."¹⁰ Tar, pitch and powder had to be burned in them to drive away the awful stench.¹¹ "The horses 'died by hundreds every week,' and the soldiers staggering with weakness as they were, hitched themselves to the wagons and did the necessary hauling."¹² Often blankets were torn into strips and wrapped around the naked feet of the soldiers only to be rent into shreds by the sharp ice under foot.¹³ "Sick

¹Beveridge: *John Marshall*, I, 111.

²Marshall: *Life of Washington*, I, 213.

³Beveridge: *John Marshall*, I, 111, citing Marshall's *Life of Washington*, I, 215.

⁴Washington to the President of Congress, Dec. 23, 1777. Ford: *George Washington, Writings*, VI, 258.

⁵Winslow C. Watson: *Men and Times of the Revolution*, 63.

⁶Beveridge: *John Marshall*, I, 111.

⁷*Id.*, 112.

⁸Marshall: *Life of Washington* (1st Ed.), 111, 341.

⁹Trevelyan: *The American Revolution*, IV, 297.

¹⁰*Id.*

¹¹*Id.*, 298.

¹²*Id.*

¹³Beveridge: *John Marshall*, I, 114, citing Personal Narrative of Shreve, in *Magazine of American History*, Sept., 1897, 568.

men lay in filthy hovels covered only by their rags, dying and dead comrades crowded by their sides."¹ Such was the indescribable suffering, horror and inhumanity of Valley Forge. There is little wonder that Captain Peter Garland's company was reduced to seven men, and that commanded by Lieut. John Bell (Captain Nicholas Hobson's old company) was reduced to but five men during that terrible winter. Some companies fared even worse, for John Marshall in his *Life of Washington* records the fact that of forty members of a Virginia regiment, the "pride of the old dominion," only three came out alive.²

What a debt do we owe to those who suffered the ordeals of that cruel time? What a neglect, what a shame, that it should require painstaking research among crumbling records a century and a half old in order to resurrect the names of the patriots who suffered the unspeakable horrors of Valley Forge, for the cause of liberty! They are deserving of a better fate. Instead of being neglected and forgotten they merit some fitting memorial which will enable us and our children and our children's children forever to hold them in grateful and honored remembrance.

The movements of the Lunenburg companies following the winter at Valley Forge, we can only surmise from the knowledge we have of the history of the units to which they were presumably attached. Captain John Stokes, in 1778 and 1779, commanded a company which embraced a number of men from the companies already mentioned. His captain's commission was dated February 20, 1778, but the earliest roll of his company found is that for November, 1778. The company's pay roll for that month shows that it was a part of the Second Virginia Regiment, commanded by Colonel Christian Fibeger. The roll is as follows:

John Stokes, Captain,³

James Mabon, Lt.⁵

Beverly Stubblefield, Lt.⁴

Isaac Taylor, Sergt.

¹Trevelyan: *The American Revolution*, IV, 298; Beveridge: *John Marshall*, I, 114.

²Marshall: *Life of Washington*, I, 227.

³He had previously served as Brigade Major.

⁴Formerly in Capt. James Johnson's Company, in the 6th Va. Regt.

⁵Formerly Ensign in Capt. Peter Garland's Company, in the 6th Va. Regt.

William Gordon, Sergt.	William Pulley, ⁵
Hubbard Stephens, Drummer.	John Wheeler,
William Spencer, Fifer.	Robert Barnes, ⁶
Benjamin Thompson, Corp.	Robert White,
James Christian, Corp. ¹	Samuel Leake,
Anthony Hunter,	William Roberts,
John Consalver, ²	Nathaniel Crenshaw, ⁷
Reuben Jackson, ³	Daniel Crenshaw, ⁸
William Ray,	James Hooper, ⁹
James Bowman,	John Hudson, ¹⁰
Elisha Jeffers,	David Clopton,
William Bailey,	Joseph Pope,
Richard Cumlie,	John Gay,
Thomas Wright,	David Calliham, ¹¹
William Roach, ⁴	Abram Helton.

The pay rolls of this company for December, 1778, and from February to June inclusive, 1779, are in the archives of the War Department, as is that for November, 1779, also.

The roll for May, 1779, is as follows:

John Stokes, Captain.	William Roach, Corp.
James Mabon, Lt.	George Eastes [Estes], Corp.
William Gordon, Sergt.	Privates:
Isaac Taylor, Sergt.	Anthony Hunter,
William Higginbotham, Sergt.	Richard Cumbō,
Benj. Thompson, Corp.	Robert White,
James Christian, Corp.	

¹Formerly Corporal in Captain Nicholas Hobson's Company in the 6th Va. Regt.

²Formerly in Capt. James Johnson's Company, in the 6th Va. Regt.

³Formerly in Capt. Peter Garland's Company, in the 6th Va. Regt.

⁴Formerly of Captain Nicholas Hobson's Company in the 6th Va. Regt. and one of the six who spent the entire winter at Valley Forge.

⁵Formerly of Captain Peter Garland's Company of the 6th Va. Regt., and one of the seven who spent the entire winter at Valley Forge.

⁶Formerly of Capt. Nicholas Hobson's Company of the 6th Va. Regt.

⁷Formerly of Capt. Nicholas Hobson's old company. It was commanded by Lt. John Bell, when Crenshaw became a member.

⁸Id.

⁹Id.

¹⁰Formerly member of company commanded by Lt. John Bell (after resignation of Capt. Nicholas Hobson), in the 6th Va. Regt.

¹¹Id.

Jesse New,
 Thomas Keaton,
 Elisha Jeffries,
 Robert Barnes,
 Henry Evans,
 Moses Hedgpeth,
 Daniel Conner,
 William Ray,
 William Pulley,
 William Lyons,
 David Lindsay,
 William Roberts,
 John Melton,
 William Brown,

Peter Survive(?),
 Thomas Wright,
 Lewis Fox,
 Francis Deavenport,
 John Bland,
 John Peters,
 John Perry,
 Joseph Hilliard,
 Philip Lightfoot,
 Thomas Ray,
 George Scott,
 Ralph Core,
 Samuel Leake.

In the fall of this year, 1778, a British force landed at Portsmouth and devastated a considerable section of country. In consequence a large additional militia force was mobilized.¹

General George Rogers Clark, with Virginia forces, was established in Illinois and a thousand men were raised in Virginia and North Carolina for the protection of the frontier.

In 1779, the Governor was authorized to send one thousand five hundred militia to South Carolina, and he was granted special military powers in case of invasion of the state. The state troops for the defense of the eastern part of the state were incorporated with the artillery and garrison corps, the cavalry was reduced, and the commands in the west consolidated into one regiment.

In 1780, a considerable detachment of Virginians were lost at the surrender of Charleston, and Colonel Buford's troops, 400 in number, were massacred by Tarleton at the Waxhaw.

The drain of the war was beginning to tell. Massachusetts which in 1777 was credited with having 12,600 men in the military service now had but 4,453, while Virginia, whose forces likely exceeded those of Massachusetts in 1777² now had but 2,486 men in its Continental establishment.

¹Eckenrode: Special Report, 1911, 6.

²Eckenrode: Special Report, 1911, 6.

When the theatre of war was shifted to the southern area in 1780, Virginia responded anew with a generous measure of her waning strength.

On the eve of Camden, General Stevens joined Gates, August 14, 1780, with a force of 700 militia. At King's Mountain on October 7, 1780, several hundred Virginia militiamen, commanded by Colonel William Campbell, were in the engagement.

Captain Sylvanus Walker's Company from Lunenburg served under Gates from May, 1780, until November 30th of that year, and among other services were in the battle of Camden.¹

When the British decided to execute the plan of Lord Germaine to reduce "the southern provinces" and thereby "give the death-wound to the rebellion," Clinton despatched Lord Cornwallis to take command, and execute the decision.

The events of the campaign that followed are largely outside the scope of this work. We must be content with incidental mention of some of its principal features and with picking up the narrative where it becomes germane to our story.

Events so developed that General Washington entrusted the southern command to General Greene. On November 23, 1780, attended by Baron Steuben and others, he set out for Charlotte, N. C. He had previously submitted to Washington his plans for the creation of an army, and had his approval. The Southern army at that time was, as General Greene wrote to General Knox, "shadow rather than substance, having only an imaginary existence."²

As Greene passed through Virginia he found Virginia absorbed in devising measures for its own defense, General Leslie having taken possession of Norfolk and Portsmouth, and fortified both.

Generals Muhlenberg and Weedon were there, at Washington's directions, organizing the militia, their object being to prevent Leslie from advancing beyond the immediate limits of the two garrisoned posts.³

¹Pension declaration of William Bragg and John Brown, Pension Office, Washington.

²Carrington: *Battles of the Revolution*, 529.

³*Id.*, 529-30.

General Greene left Baron Steuben in command in Virginia; selected Colonel Edward Carrington to organize his quartermaster's department and also directed him "to explore the Dan, Yadkin and Catawba, and make himself thoroughly acquainted with the streams into which they discharged themselves."¹ Colonel Carrington surveyed the Dan, General Stevens the Yadkin, and Kosciusko, Greene's engineer in chief, the Catawba.

On December 2, 1780, General Greene relieved General Gates of his command at Charlotte, North Carolina. Upon assuming the command he wrote Governor Jefferson, upon whom he had called as he passed through Virginia, on his way to relieve Gates: "I find the troops in a most wretched condition, destitute of everything necessary for comfort or convenience, and may literally be said to be naked."²

It was necessary for General Greene to remain two months in camp before he got his troops in condition to move.

In the meantime, Cornwallis's plans were to prosecute a winter campaign and destroy Greene. "My plan for the winter's campaign," he wrote Lord Germaine, "was to penetrate into North Carolina, leaving South Carolina in security against any probable attack in my absence. Lord Rawdon with a considerable body of troops had charge of the defensive, and I proceeded about the middle of January upon the offensive operations I hoped by rapid marches to get between General Greene and Virginia, and by that means force him to fight without receiving any re-enforcement from that province; or failing of that, to oblige him to quit North Carolina with precipitation, and thereby encourage our friends³ to make good their promises of a general rising to assist me in establishing his majesty's government."⁴

So, after burning his baggage, Cornwallis, in the latter part of January, 1781, marched forth to capture Greene. But Greene realized full well the insufficiency of his force to risk battle with Cornwallis. Instead, he conducted a masterly retreat. And

¹Carrington: *Battles of the Revolution*, 531.

²Id.

³The large element in North Carolina favorable to Great Britain.

⁴Ross: *Cornwallis Correspondence*, I, 516; Johnston: *The Yorktown Campaign*, 24.

due to the foresight in having Colonel Carrington map the country through which he expected to retreat, if necessary, and to provision having been made in advance for boats and rafts at Boyd's Ferry and Irwin's Ferry¹ he was able to escape across the river in time to avoid the necessity of giving battle to Cornwallis at that time. This was a great disappointment to Cornwallis, for knowing nothing of the survey that had been made, and the secreting of boats for just such a contingency, he expected to be able to attack Greene's forces, while delayed by the necessity of constructing means to cross the stream. And so close was he upon Greene at the time, that he would have been able to do so, but for the provision made in advance for crossing the stream. "I was informed," says Cornwallis, "that the American commander could not collect many flats at any of the ferries on the River Dan."²

The plight of Virginia, at this stage of the Revolution, appears upon the verge of desperation. Leslie, who had commanded at Norfolk and Portsmouth, had joined Cornwallis. Sir Henry Clinton had placed Benedict Arnold (the traitor) in command, and Phillips too came to Virginia and operated in conjunction with Arnold, Phillips, however, being the superior in command.

There has been considerable criticism of Governor Jefferson's administration of affairs during these trying times,—but there seems little just ground therefor. No man can achieve the impossible. The chief complaint that can be lodged against him is that he was not able to raise as many additional forces and provide as many additional arms as the situation seemed to demand. But that was not his fault,—the fault, if fault it was, grew out of the fact that Virginia had supported the cause of Liberty from 1775 to this date, five years, with so much enthusiasm, and with such generous measure of her men, arms and money, that the resources of the colony were at a low ebb. It was to her honor, rather than to her discredit, that she had impoverished herself in the cause of Liberty.

Notwithstanding the importance of opposing the British forces

¹Carrington: *Battles of the Revolution*, 552-3.

²*Id.*, 552.

in Eastern Virginia, operating from the vicinity of Norfolk, Jefferson realized that Greene must be given assistance.

Among the military measures which he took at his period are the following:

On January 2, 1781, he communicated with the County Lieutenants of various counties, including Lunenburg, Mecklenburg, Charlotte, Prince Edward, Halifax and Bedford, advising them that the arrival of a hostile force within the state¹ "renders it necessary to call for . . . your militia under proper captains and subaltern officers to rendezvous."²

He ordered out 700 riflemen from Washington, Montgomery and Bedford Counties, and 500 militia from Pittsylvania and Henry³ for the purpose of reenforcing General Greene, and at the same time he ordered all the militia of Cumberland, Powhatan, Chesterfield, Dinwiddie, Amelia, Lunenburg and Brunswick, for which arms could be found, to oppose Cornwallis' advance.⁴

On February 20, 1781, Governor Jefferson wrote Baron Steuben of calling "out all the militia who could be armed of Cumberland, Powhatan, Chesterfield, Dinwiddie, Amelia, Lunenburg and Brunswick, to oppose Lord Cornwallis. "Prince Edward," he said, "was not called on because we knew them to have actually marched." Mecklenburg, Charlotte and Halifax were so near the enemy that we knew they must be in the field before any orders could reach them.⁵ He explained that he had confined the call to certain counties south of the James, because he did not desire to disturb the drafting of men in that section, which a call for the militia would have done.

Jefferson was enabled to act in calling out this militia because of information brought him by an express from General Lawson.⁶

Respecting the response to his call to arms, Governor Jeffer-

¹This referred to the arrival of a British fleet consisting of 19 ships, 2 brigs and 10 sloops and schooners. Jefferson to Baron Steuben, Jan. 2, 1781.

²*Writings of Jefferson* (Ford), II, 397-8.

³A newly formed county from a part of the original area of Lunenburg.

⁴Eckenrode: *Special Report*, 1912, 6.

⁵*Writings of Jefferson* (Ford), II, 461-2.

⁶Jefferson to Brigadier-General Robert Lawson, Feb. 25, 1781—*Writings of Jefferson* (Ford), II, 467-8.

son, on February 26, 1781, wrote the President of Congress, "I have the pleasure to inform you that the spirit of opposition was as universal as could have been wished for. There was no restraint on the numbers that embodied but the want of arms."¹

February 25, 1781, Brig. General Robert Lawson informed Governor Jefferson that "Agreeable to instructions received from General Greene, I have ordered out the militia of P. Edward, Cumberland, Amelia, Charlotte, Lunenburg, Mecklenburg, Brunswick, Buckingham and Amherst."²

A company of dragoons had previously been raised in Prince Edward, Amelia and Nottoway, and had become a part of Lee's famous Legion, commanded by Colonel Henry Lee, "Light-horse Harry," the father of General Robert E. Lee. Lee's Legion joined Greene's army at "Camp Repose," on the headwaters of the Pee Dee.³

News had come of the splendid victory at the Cowpens on January 17, 1781, and this following so soon upon the glorious triumph at Kings Mountain "roused the sinking hopes of the patriots."⁴

As a matter of fact, the Prince Edward militia marched to Greene's assistance before Jefferson's orders were received.⁵ And so high did the martial spirit run that the President of Hampden-Sidney College, Rev. John Blair Smith, set out to join the company raised in Charlotte County by Captain William Morton. He overtook the company from Halifax in its march, and the captain urged him to return to Prince Edward, contending that he could better serve the cause at home by his patriotic speeches than by his presence in the camp. "Worn out by fatigue, rather than convinced by his friend, he returned to the college."⁶

The company of Captain William Morton referred to was one which he raised among his neighbors in two days.⁷

¹*Writings of Jefferson* (Ford), II, 470.

²Calendar, Va. State Papers, I, 540.

³Schenck: *North Carolina, 1780-81*, 198.

⁴Foote: *Sketches of Virginia* (1st Series), 402.

⁵Eckenrode: *Special Report, 1912*, 6.

⁶Foote: *Sketches of Virginia* (1st Series), 403.

⁷Foote: *Sketches of Virginia* (1st Series), 403.

In Prince Edward, Captain Thomas Watkins raised a company of militia dragoons. In this company Philemon Holcomb, Charles Scott and Samuel Venable were officers.¹ A member of this company was the giant Peter Francisco, whose deed of strength and valor at Guilford Court House is mentioned hereinafter.

From Mecklenburg, Captain John Brown's company; from Nottoway, Captain Overstreet's company; from Pittsylvania, Captain James Brewer's company; and from Halifax, Captain John Wynn's company² and from Lunenburg, the company of Captain William Dawson³ and that of Captain Sylvanus Walker, participated in the battle of Guilford Court House.

Upon being reenforced, General Greene recrossed the Dan and offered Cornwallis battle at Guilford Court House on March 15, 1781. The battle was a stubborn and bloody affair. After a day of sanguinary conflict, the armies on both sides were disorganized and scattered. Greene withdrew to reorganize and reform his forces for a second shock; but Cornwallis declined to attack him. Greene, it is said, would have attacked Cornwallis on the 16th, but for the fact that it rained the night of the 15th and continued to rain on the 16th, and in the meantime Cornwallis retreated. When pressed by the American forces at Ramsey's Mill, he made a hurried flight across the bridge which he burned, in order to make himself more secure from Greene's pursuit.

Jefferson, according to Bancroft,⁴ declared of the battle of King's Mountain, "That memorable victory was the joyful communication of that turn of the tide of success which terminated the Revolutionary War with the seal of independence." Of the battle of Guilford Court House, it may be said, that if King's Mountain marked the turn of the tide, Guilford Court House kept that tide running in the direction of a successful termination of the war.

¹For Prince Edward Militia in the Revolution, see: McAllister: *Virginia Militia in the Revolution*, 223-227. This record is, however, by no means complete.

²McAllister: *Virginia Militia in the Revolution*, 34, 37, 38, 39.

³Pension declaration of William Bragg, Pension Office, Washington, and petition of John Pettus in Virginia State Library's archives.

⁴*Bancroft*, V. 400.

Greene did not claim that he had won the battle; he conceded victory to Cornwallis. Writing on the day of the battle, Greene said: "The enemy gained his cause, but is ruined by the success of it."¹

Tarleton characterized "the victory as the pledge of ultimate defeat."²

The historian, David Ramsey, has well said: "The British had the name; the Americans the good consequences of victory."

Fox said in the House of Commons: "Another such victory would ruin the British army," and Pitt regarded it as the "precursor of ruin to British supremacy in the south,"³ and speaking of Cornwallis' situation on the eve of this battle, Schenck says: "It was a supreme moment in the life of Cornwallis and the crisis in the revolution. This victory won, there was no foe to obstruct his passage into the defenceless province of Virginia; North Carolina would be at the mercy of the Crown, and Georgia and South Carolina, already prostrate and subdued, could never rally for defence again."

"Should Greene be beaten, Cornwallis could take up his triumphal march to the sea to be welcomed by the English fleets that rode unchallenged in the harbors of Norfolk and New York."

"The prisoners of war at Charlottesville, Virginia, would be set free to plunder and pillage their captors. France, capricious and fickle, would forsake the waning fortune of the colonies, and, making peace for herself, leave her allies to their fate. Washington would be crushed by the army of Clinton in his front and that of Cornwallis in his rear, or be driven into the frozen regions of the north for refuge. Congress would be scattered from its halls and carry dismay wherever they fled for safety."⁴

This may be a rhetorical and declamatory statement of the case; but in substance it is not overdone. It is inconceivable

¹Carrington: *Battles of the Revolution*, 564.

²*Id.*, 564.

³*Id.*, 564.

⁴*North Carolina, 1780-81*, 332-3.

that anything short of the direst calamity would have followed the crushing of Greene's army at Guilford Court House.

His victory, for in reality it was victory that he achieved on that field of glory, if not wholly won by, was at least made possible by the militia reenforcements which he received from Charlotte, Halifax, Mecklenburg, Lunenburg and the neighboring counties of Southside Virginia. It was only after he had received these reenforcements on the north side of the Dan, from Virginia militia, that he felt strong enough to recross the Dan and engage the British army in mortal combat.

One of the many deeds of that field of heroism was that credited to Captain Thomas Watkins' company of militia dragoons. In the battle of Guilford they were attached to Colonel Washington's command. Of this company Foote says: "It is said Captain Watkins offered himself and company to Lee, who refused them because they were not 'fine enough dressed.'"¹

This story of their being rejected by Lee may be apocryphal. However that may be, they signalized themselves in the battle by an heroic charge made upon one of the prize British units known as the Queen's Guards. In the attack these horsemen crossing a ravine attacked the enemy who were "rejoicing in victory and safety, and before they suspected danger, multitudes lay dead. The strong arm of Francisco leveled three of the enemy during one charge, and eleven before the fight was over."²

According to some historians, among them Johnson, the biographer of Greene, the North Carolina militia did anything but cover themselves with glory on this occasion, and a book³ has been written, the principal object of which is to acquit the North Carolinians of the charge of cowardice in this battle. No such question has ever arisen with respect to the Virginia forces, all authorities agreeing that they behaved with the utmost bravery and gallantry.

Governor Jefferson, reporting the battle to the President of the Continental Congress, March 21, 1781, stated that the mili-

¹Foote: *Sketches of Virginia* (1st Series), 403.

²Id.

³Schenck: *North Carolina, 1780-81*.

tia as well as the regulars "behaved exceedingly well."¹ His information was authentic for Major Charles Magill, writing to him on March 16th, the day after the battle, from "Camp at the Iron Works, Guilford County," gave him an account of the battle, in the course of which he said that the British made an attack "on our front line composed entirely by [of] militia, who returned their fire, and the greater number from Virginia, behaved in such a manner as would do honor to veterans Never was ground contested for with greater obstinacy, and never were troops drawn off in better order. Such another dear bought day must effectively ruin the British army."²

In the brief pause which General Greene made after this battle to collect his scattered forces, he was so prostrated from his strenuous exertions, that he fainted from sheer exhaustion. He wrote his wife that for six weeks he had not taken off his clothes.

After the battle of Guilford Court House, General Greene decided to move directly against the British posts in South Carolina, and thus departed from the scope of our narrative.

Cornwallis, who had retreated to Wilmington, wrote Clinton: "I could not remain at Wilmington, lest General Greene should succeed against Lord Rowdon, and, by returning to North Carolina, have it in his power to cut off every means of saving my small corps, except that disgraceful one of an embarkation, with the loss of the cavalry, and every horse in the army. . . . I was most firmly persuaded, that until Virginia was reduced, we could not hold the more southern provinces; and that after its reduction, they would fall, without much difficulty."³

Thus was Cornwallis resolved to settle the issue of the war by subduing Virginia. Phillips and Arnold (the traitor) were already in Virginia, but Cornwallis hoped for but little from them unless he joined them. On April 18, 1781, he wrote Lord Germaine, "The great reinforcements sent by Virginia to General Greene, whilst General Arnold was in the Chesapeake, are convincing proofs that small expeditions do not frighten that

¹Writings of Thomas Jefferson (Ford), II, 505-6.

²Calendar, Virginia State Papers, I, 574.

³Carrington: *Battles of the Revolution*, 566-7.

powerful province."¹ And he wrote General Clinton on the 10th of April, 1781, "I can not help expressing my wishes that the Chesapeake may become the seat of war, even (if necessary) at the expense of abandoning New York. Until Virginia is in a measure subdued, our hold of the Carolinas must be difficult, if not precarious."²

That Clinton and Cornwallis did not agree upon the wisdom of the contemplated move by Cornwallis upon Virginia is very evident.

In a "*secret and most private*" dispatch from Clinton to Phillips, he says: "His Lordship (Cornwallis) tells me he wants reinforcements. I would ask—how can that be possible? As my invitation to Lord Cornwallis to come to the Chesapeake was upon a supposition that everything would be settled in the Carolinas, I do not think he will come."³ And Clinton to Cornwallis on May 29, 1781, wrote: "Had it been possible for your Lordship, in your letter to me of the 10th ult., to have intimated the probability of your intention to form a junction with General Phillips, I should certainly have endeavored to have stopped you, as I did then, and do now, consider such a move as likely to be dangerous to our interests in the southern colonies."⁴

Clinton evidently complained to the British Ministry about the matter, for Lord George Germaine wrote him suggesting that he either remain in a good humor or avail himself of the leave to come home, adding: "Lord Cornwallis' opinion coincides with mine, of the great importance of pushing the war on the side of Virginia, with all the force that can be spared."⁵

And so to Virginia, Cornwallis came. After repairing from Guilford Court House to Wilmington, he "remained eighteen days at that port to refresh and refit his army."

He then began his march on April 25, 1781, proceeding northwardly to Halifax, North Carolina, and thence in practically a direct line to Petersburg, Virginia, having ordered General Phillips to join him at that place. In executing this march

¹Carrington: *Battles of the Revolution*, 567.

²*Id.*

³*Id.*

⁴*Id.*

⁵*Id.*, 567-8.

Cornwallis marched through Greenville, Sussex and Dinwiddie Counties. Phillips reached Petersburg on May 8th, and there died of sudden illness on the 13th, and his command devolved on Benedict Arnold, pending the arrival of Lord Cornwallis, on the 20th of May, 1781.¹

As Cornwallis resolves upon and begins the execution of his plan to conquer Virginia, it is necessary to notice the trend of events elsewhere.

Clinton, as we have seen, having decided upon offensive operations in Virginia, sent General Phillips and Benedict Arnold (the traitor) thither. Arnold sailed from New York, December 16, 1780, and on the third of January, 1781, anchored off Jamestown Island. Two days later he plundered Richmond, and then withdrew to Portsmouth and fortified himself.

In February, 1781, Washington and Lafayette made plans under which Lafayette was to undertake to capture Arnold. This contemplated cooperation from a part of the French fleet from Newport to prevent his escape from Portsmouth by water. But the plan failed because the French fleet, after an engagement with the British, returned to Newport. Lafayette proceeded ahead of his troops and reached Yorktown and conferred with Baron Steuben. When he learned of the action of the French fleet he returned to Annapolis and awaited orders from Washington, as in his original order he had been directed "to return to the main army, in case Arnold quitted Virginia, or the French lost superiority of naval force."²

Lafayette was ordered to Philadelphia, and then on April 6, 1781, to join General Greene, but when Washington learned of the landing of Phillips in Virginia, with reinforcements for the British army, he countermanded the order and assigned Lafayette to command in Virginia under General Greene, to whom, as well as to Washington, he made his reports.³ Greene had been delighted at the prospect of having Lafayette with him. In a letter written "Ten miles from Guilford Court House, March

¹Carrington: *Battles of the Revolution*, 569.

²Carrington: *Battles of the Revolution*, 585.

³Id., 585-6.

eighteenth," (three days after the battle of Guilford Court House he said: "I am happy to hear the Marquis de Lafayette is coming to Virginia, though I am afraid from a hint in one of Baron Steuben's letters, that he will think himself injured in being superseded in the command. Could the Marquis join us at this moment, we should have a most glorious campaign. It would put Lord Cornwallis and his whole army into our hands."¹

Jefferson wrote to the President of Congress, March 31, 1781, "The amount of the reinforcements to the enemy arrived at Portsmouth is not yet known with certainty.² Accounts differ from 1500 to much larger numbers. We are informed they have a considerable number of horses. The affliction of the people for want of arms is great, that of ammunition is not yet known to them. An apprehension is added that the enterprise on Portsmouth being laid aside, the troops under the Marquis Fayette will not come on. An enemy 3,000 strong, not a regular in the state, nor arms to put into the hands of the militia are indeed discouraging circumstances."³ At the time Jefferson wrote this letter he was thinking only of the British under Phillips and Arnold who were devastating the country around Norfolk and Portsmouth and along the James. His anxiety and perturbation would have been infinitely greater had he then known that only six days before Cornwallis had marched out of Wilmington, N. C., with the avowed purpose of joining Phillips and Arnold at Petersburg, taking command of the combined armies and giving the death blow to the Revolutionary cause by subduing Virginia and reducing that colony to the same helpless and hopeless condition as South Carolina.

On the 18th of April, 1781, Phillips sailed up James River as far as Burwell's Ferry, and marched to Williamsburg, from which the small number of militia there stationed fled. The British proceeded to Petersburg, where Generals Steuben and Muhlenberg were with about a thousand militia, who also were compelled to retreat.

On April 27, 1781, Phillips marched to Chesterfield Court

¹Carrington: *Battles of the Revolution*, 586.

²Under the command of Phillips.

³*Writings of Jefferson*, III, 236-7. (Paul Leicester Ford. G. P. Putnam's Sons. Federal Ed.)

House, and burned the barracks and three hundred barrels of flour. This was one of the principal concentration depots in Virginia, with barracks to accommodate two thousand men.

Phillips, continuing the progress of his devastating raid along James River and its environs, proceeding from Petersburg, arrived on the opposite side of the James from Richmond. Lafayette had accurately diagnosed the case. Writing to General Greene, from Hanover Court House, on April 28, 1781, he said: "Having received intelligence that General Phillips' army were preparing for offensive operations, I left at Baltimore everything that would impede our march—to follow us under a proper escort, and with about a thousand men, officers included, hastened toward Richmond, two hundred miles, which I apprehended would be a principal object with the enemy."¹

Lafayette arrived just in time,—for when Phillips arrived "Opposite the place, then an inconsiderable town, he was forced to pause. The hills north of the river were lined with American troops; and the force proved to be a body of twelve hundred (Lafayette said 1000) regulars sent by Washington, under command of the Marquis de Lafayette, to defend Virginia."²

Phillips declined to engage in battle with Lafayette, returning toward Petersburg. Lafayette hastened in the same direction, endeavoring to occupy it in advance of Phillips, but Phillips got there first. He was soon being cannonaded from the Appomattox hills. Phillips took up his headquarters at "Bollingbrook," and there died of the fever, during a bombardment of his position, complaining pathetically, "They will not let me die in peace."³ He was buried in the Old Blandford Cemetery.

On May 8th, 1781, Governor Jefferson issued another call for militia. He addressed a letter to the County Lieutenants of Lunenburg, Mecklenburg, Greensville, Brunswick, Amelia and Cumberland, advising that the British army under Phillips had landed at Brandon and meant to press southwardly, and that Lord Cornwallis was advancing northwardly, with a view of uniting their forces. Such being the case he said, "It behoves

¹Carrington: *Battles of the Revolution*, 593.

²John Esten Cooke: *History of Virginia*, 458.

³*Id.*, 459.

us immediately to turn out from every county as many men as there are arms to be found in the county, in order to oppose these forces in their separate state if possible; and if not to do it when combined; you will therefore be pleased with the assistance of the captains and subalterns to collect immediately every fire arm in your county in anywise fit for military service, and to march so many men with these arms in their hands to Prince Edward Court House or to Taylor's ferry or Roanoke, as shall be most convenient, having respect to what you shall hear of the movements of the hostile armies and our army under Major General Marquis Fayette; the object of your detachment being to join the latter, and keep clear of danger from the former."¹

"Cavalry," he said, "in a due proportion, being as necessary as Infantry, you will be pleased to permit and even encourage one-tenth part of those who are to come into duty, as above required, to mount and equip themselves as Cavalry."²

Cornwallis arrived at Petersburg May 20, 1781, and there found Phillips' army under the command of Arnold,³ Phillips having died a few days before his arrival.

Arnold's operations in Virginia and elsewhere, consisted of destroying property and harassing the non-combatant population, while avoiding collision with the American military forces. It was publicly known, and known to Sir Henry Clinton, that Washington's instructions forbade any terms with Arnold which would exempt him from punishment for desertion and treason.⁴

After Phillips' death, Arnold wrote Lafayette, but the Marquis declined to have any correspondence with him, for which he was commended by General Washington as follows:⁵

"Your conduct upon every occasion meets my approbation, but in none more than in your refusing to hold a correspondence with Arnold."

Clinton seemed under peremptory obligation to protect Arnold, this probably being a term of his treason, and so he wrote from New York, March 24, 1781, "Pray send Brigadier-General Ar-

¹*The Writings of Jefferson* (Ford), III, 30-31.

²*Id.*

³Johnston: *The Yorktown Campaign*, 28.

⁴Carrington: *Battles of the Revolution*, 595.

⁵Letter of May 31, 1781.

nold here by the first opportunity, if you should not have particular occasion for his services."¹ Accordingly he was sent to New York and escaped falling into the hands of the Americans upon the surrender at Yorktown.

On May 26, 1781, Cornwallis acknowledges the arrival of reinforcements under General Leslie, 2,278 men, and informs Clinton that he "should proceed to dislodge Lafayette from Richmond." On the same day he wrote: "I have consented to the request of Brigadier Arnold, to go to New York. . . . He will represent the horrid enormities which are committed by our privateers in Chesapeake Bay; and I must join my earnest wish that some remedy may be applied to an evil which is so very prejudicial to his Majesty's service."²

With the departure of Arnold from Virginia, and the arrival of reinforcements under Leslie, and the orders from General Greene to Lafayette to take command of all forces in Virginia and report direct to the Commander-in-Chief,³ Virginia became the theatre of the crucial and paramount military operations.

Cornwallis was reinforced until he had seven thousand efficient British troops.⁴ He began a vigorous campaign for over-running Virginia. His policy was to avail himself of his superior force, and strike the American forces wherever he could do so with advantage and especially to annihilate concentration depots, and destroy and prevent the accumulation of supplies, which were vital to General Greene's army in the south, as well as to the operation of the army in Virginia itself.⁵

Both the political as well as the military authorities realized the crucial character of the period. For the British to gain the ascendancy in Virginia would make the severance of the North and South complete, "and would leave to General Greene a barren triumph in Virginia."⁶

It was at this juncture that the proposal was made to grant to Washington, dictatorial powers, in order to enable him to

¹Carrington: *Battles of the Revolution*, 596.

²Carrington: *Battles of the Revolution*, 595.

³*Id.*, 594.

⁴*Id.*, 598.

⁵*Id.*

⁶*Id.*, 598.

concentrate all forces and use them as military necessity required, for the ultimate success of the cause, regardless of local needs, and the hardships and exposure to which particular localities might be subjected. Such measures, however, were opposed (as it would seem unwisely) by Jefferson and others of his school.

Lafayette and Cornwallis realized the magnitude and gravity of the issues staked upon the campaign they had undertaken; and both appealed to their respective Commanders-in-Chief for the utmost support possible. As meagre as Washington's resources were, he "knew how and when to disregard all exposed localities and seize determining opportunities in view of the whole theatre of war."¹

Clinton seemed to be deficient in strategy, and at this time bewildered and confused by the extent of the operations requiring attention.

General Greene, the great General that he was, realized the superior importance of the campaign in Virginia, and took steps accordingly. To Governor Jefferson he wrote: "The moment I got intelligence that Lord Cornwallis was moving northwardly, I gave orders for the Marquis (Lafayette) to halt and take the command of Virginia, and to halt the Pennsylvania line and all the Virginia drafts."²

Thus it was that General Wayne with his Pennsylvanians, came to Virginia, where he effected a junction with Lafayette, at Raccoon Ford, on the Rapidan, on June 7, 1781.³

During Cornwallis' campaign in Virginia, a part of the force under his command consisted of the famous Cavalry of Lieutenant Colonel Banestre Tarleton. Tarleton was an able and dashing officer, as well as a ruthless and cruel one. He had a well-trained and superbly mounted force. They were mounted on the finest blooded horses that could be found in their numerous and largely unopposed raids. He made almost numberless incursions into various parts of the colony and was almost as destructive, cruel and oppressive as Sherman was during the Civil War.

¹Carrington: *Battles of the Revolution*, 599.

²Greene: *Life of Greene*, III, 556.

³Carrington: *Battles of the Revolution*, 603.

In one of his raids he attempted to capture Governor Jefferson and the Virginia legislature, then in session at Charlottesville. In fact he did, on June 4, 1781, capture several members of the legislature, and would probably have captured the whole body including Jefferson, but for the fact that Captain John Jouett, whose house Tarleton passed, suspecting what was up, mounted a swift horse and rode with all speed, arriving in Charlottesville in time to warn the Assembly. As it was, Jefferson barely escaped, for Captain McLeod, of Tarleton's Legion, who was despatched to Monticello to capture him, arrived in less than ten minutes after Jefferson left the house.¹

For Captain Jouett's heroic service the Legislature of Virginia, on behalf of the state, presented him with an "elegant sword and pair of pistols."²

On another of Tarleton's raids, he left Cobham, July 9, 1781, "with orders to ravage the country as far as New London, in Bedford County; to destroy a depot of supplies supposed to be at Prince Edward Court House, to intercept any British prisoners or American light troops, returning to the northward from Greene's army; and then to retire at his leisure to Suffolk. The expedition was gone fifteen days and marched four hundred miles."³

In order to subsist, Lafayette's and Greene's armies, magazine and commissary depots were established in various localities throughout the south side of the state. One of these was established in Lunenburg, another in Amelia, another at Prince Edward Court House, and another in Bedford County.

The one in Lunenburg, especially for the production of flour for the armies, was established at Craig's mill on Flat Rock Creek. It was owned by an ardent patriot, a parish minister, James Craig. His mill was located near a mill of later days known as Bagley's Mill, on the plantation at one time owned by Dr. Robert S. Bagley. This mill was about a mile and a quarter from the present town of Kenbridge. Its location is shown upon the Jed Hotchkiss map of Lunenburg (1871) else-

¹Burk: *History of Virginia*, IV, 502.

²Resolution of June 12, 1781.

³Carrington: *Battles of the Revolution*, 610.

where reproduced herein. The writer's father pointed out to him, sometime in the 90's, some of the material of the foundation of the original structure of the dam.

On this raid Tarleton made a visitation of his cruelty upon the inhabitants of Lunenburg County. Shortly after it happened on July 23, 1781, David Garland wrote Governor Nelson in regard thereto, as follows: "I think it the duty of every good citizen, not only to pay a strict obedience to the law of the State, but to give every intelligence that may be subservient too and enable the executive the better to execute his office. If I am mistaken, impute it to ignorance and a zeal for my country, and not a desire of being troublesome—Let me then inform you, Col. Tarleton with his legion came through this county last week, and considering his rapid march (thirty or forty miles a day) has done considerable damage in destroying the public grain &c, as also wounding three persons & carrying off some others as prisoners. He threatens to return immediately after the 16th of next month, when he assures us that he will carry the sword & fire through the land, not sparing any persons but such as hath or may take parole before that time. As there is not one man in twenty that has a gun &c in this county (they having (been) at three several times impressed into the countries' service and not returned), and (there being) no army between this and the enemies camp at Portsmouth, & only three days march (as Tarleton goes) the people are much alarmed, not knowing what to do, provided Tarleton, or any other of the British forces should come among us. I am apprehensive if that should be the case, the consequences would be disagreeable, as the people would be obliged to submit. This would not be the case if they had arms and ammunition. If there is any to be spared, you'll be a judge whether it's proper to arm such militia as above described. Would it not be of good account to issue your orders to all commanding officers of the militia on the south side of James River, to embody or have in readiness, every militia man that can raise a gun to prevent the enemy (in case they should come) going about in small parties to plunder &c."¹

¹Calendar of Virginia State Papers, II, 240-41.

To this letter he added a postscript: "I heard Col. Hobson, the commanding officer of this county, say that the draft of militia ordered to Genl. Green could not go for want of arms."

One of Tarleton's acts was to destroy the Reverend Mr. Craig's¹ mill and the depot there maintained, except it seems, the flour was saved. Bishop Meade gives an account of this episode. He says that Tarleton, knowing of the Craig mill as a "storehouse for public provisions," and that Mr. Craig was a true American and zealous in the cause of the Revolution, took the mill in his route, and after he and his men had feasted on Mr. Craig's good mutton and fed their horses on his corn, caused all the barrels of flour to be rolled into the mill-pond and the whole establishment to be burned down."² This brief account seems inaccurate in some respects. Tarleton burned the mill, but he did not destroy the flour.

Howe's account of this occurrence is as follows: "When the British invaded Virginia in 1781, Tarleton, with his legion, passed through this county and committed depredations upon the people. His men entered private dwellings, and wantonly ripped open beds and scattered their contents, notwithstanding the tears and remonstrances of the females, whose husbands and brothers were mostly with the army. The Rev. Mr. Craig, a strenuous Whig, owned a fine mill a few miles from the C. H., where flour was manufactured for the American troops. To this mill Tarleton was guided by a young Tory. The old parson, hearing of the proximity of the enemy, was busily engaged in rolling the last barrel of flour with the U. S. mark (upon it) into the mill-pond, when Tarleton appeared at the head of his men. They burnt the mill, a trace of the dam of which is now to be seen [Howe's volume was copyrighted in 1845], and compelled the good old parson to off with his coat and assist in slaughtering his pigs for their use. They carried off his slaves, but they, with a single exception, returned reporting that they were harshly used by the enemy."³

¹An account of Rev. James Craig may be seen in Bishop Meade's *Old Churches, Ministers and Families of Virginia*, Vol. I, 484-5.

²Bishop Meade: *Old Churches, Ministers and Families of Virginia*, Vol. I, 484-5.

³Howe: *Virginia, Its History and Antiquities*, 359.

Howe adds a note that the facts of his narrative were derived from the "Manuscript of R. F. Astrop, Esq., containing historical and descriptive matter relating to this section of the state."

Howe's account accords with the tradition in the county, (where the writer was raised, and where he heard it, first as a boy), that parson Craig saved the flour by hiding it in the mill pond, from which it was salvaged with little loss after Tarleton's departure. If Tarleton had discovered the flour and had attempted to destroy it, he probably would not have endeavored to do so by rolling the barrels in the mill pond. Such would have been an ineffective measure, for the water would only strike into the flour a short distance, the residue remaining perfectly good.

Tarleton in his raid through Lunenburg, continuing the tactics which he seemed to have always employed, required all the male citizens to take a parole "Not to take arms, be of counsel, or commit any other act that might militate against the success of the British arms." Such a parole he required the Rev. James Craig to take. It was the subject of the following interesting communication, dated August 12, 1781:

"To his Excellency Thomas Nelson Esquire, Governor, or Chief Magistrate of the State of Virginia, and the Honorable the members of the Privy Council of the same:"

"The petition of the inhabitants of Lunenburg County humbly sheweth, That in a late excursion of Col. Tarleton's Legion through this county, many citizens were greatly injured in their property; and compelled (in order to obtain their personal liberty) to sign such paroles as their captors thought proper to dictate. We know these paroles, by Law, are not binding on peaceable citizens, thus taken from their own homes: But your Petitioners beg leave to represent to your Excellency and your Honors, the peculiar case of the Reverend James Craig, rector of Cumberland Parish in this county; a person eminently distinguished for his zeal & attachment to the cause of American Liberty; a rule of conduct adopted in the very earliest period and pertinaciously persisted in, through every vicissitude of the present contest; no less esteemed for his charity, devotion and exemplary piety in his public character, than respectable for his

virtues in private life; equally alert in engaging in every scheme for the welfare of his country and the success of its arms; and successful in removing dangerous prejudices from the minds of the people, by drawing the proper line, and pointing out the true distinctions between resistance of Lawless power and Rebellion. This Gentleman, after seeing the cruel vengeance of the enemy, in the destruction of a very great part of his property, and himself treated with indignity and insult, tho' in a very low and precarious state of health; was detained as a prisoner until he subscribed an engagement 'not to take arms, *be of council*, or commit any other act that might militate against the success of the British Arms,' and all this under a pretence, that in addition to his other crimes, he had at that time a Public Magazine at his house.

Your Petitioners consider it as a public misfortune to be deprived of the ministerial office which has been exercised by Mr. Craig, since the declaration of independency, for a very small and precarious reward, no way adequate to the trouble & fatigue attending it, but which he can now no longer execute in the manner directed by Congress, without exposing himself to dangers, from which his country, in its present vulnerable state, cannot protect him.

Your petitioners therefore pray that the Executive will consider how far Mr. Craig is bound by these engagements; and as far as may be consistent with the Constitution and the Articles of War, endeavor to have him exchanged—And your Petitioners, as in duty bound will ever pray &c.

D. Stokes, Jnr. Colo.	Ed'd Brodnax L., Collo.
J. Garland, Magistrate	Joshua Ragsdale Capt.
James Johnson, Magistrate	Wm. Taylor
John Ballard, Jr. Magistrate	

and ninety-two other signatures."¹

There is an entry in Washington's diary respecting this raid, under date of July 29th, 1781. He says:

"A letter from the Marqs. de la Fayette (commanding in Virginia) informs me that after Lord Cornwallis had crossed James River he detached Tarleton with a body of horse into Amelia

¹Calendar of Virginia State Papers, II, 323-4.

County with a view, as was supposed, to destroy some stores which had been deposited there, but which had been previously removed; that after this the enemy's whole force removed to Portsmouth with a design it was said, to embark part of them and that he had detached General Wayne to the south side of the James River to cover the country, while the enemy lay in it, and to march southerly, if they did not; he himself with the main body of his army having taken his position at a place called Malvern Hill¹ not far from Shirley."²

Tarleton thus describes the result of the raid: "The stores destroyed, either of a public or private nature, was not in quantity or value, equivalent to the damage sustained in the skirmishes on the route, and the loss of men and horses by the excessive heat of the climate. The stores which were the principal object of the expedition had been conveyed from Prince Edward Court House and all that quarter of the country, to Hillsborough (N. C.) and General Greene's army, upward of a month before the British light troops began their movement."³

Some insight into the situation of the section at the time is afforded by a letter from County-Lieutenant N. Hobson and others to Col. Wm. Davies, dated "Lunenburg Co., July 24, 1781," in which they inform him:

"They find it impossible to arm one-seventh of the militia; such have been the draughts of arms," that there are not remaining "ten fire-locks fit for use in the County; nor are there as many pounds of ammunition of any kind"—They have repeatedly had the mortification to make this apology for not complying with the demands of the Executive—The force of the county, by last returns, "amounts to 382 militia, of whom 86 are now in service, and a relief of 34, just marched"—They have on hand "a considerable quantity of grain collected, and thirty beeves, which will soon be consumed by the Troops on their march Southward, going that way." Col: Brown had sent ninety of their beeves to the Army—Their largest "magazine of

¹Malvern Hill, Charles City County, Virginia.

²*Diaries of George Washington* (Fitzpatrick), II, 246.

³Tarleton's *History of Campaigns of 1780 and 1781* (London, 1787), quoted by Carrington, *Battles of the Revolution*, 610. Tarleton in his narrative gives a map of his route.

grain was destroyed by Col. Tarleton"—The difficulty of making a correct return of the provisions collected, "arises from the fact that one of the Co. Commissioners is a prisoner with the enemy having refused to take a parole, and the other declined to give information, because he is paroled by them—Col: Brown should be informed of this state of things."¹

One of the commissioners of the Provision Law in Lunenburg was John Cowan,² but whether he was the one taken prisoner, or the one paroled, we have not been able to discover.

And further light on the general state of affairs is afforded by a letter of July 30, 1781, from Col. Lewis Burwell, of Mecklenburg County to Governor Nelson, in which he wrote: "The order for one-fourth the militia of the county to march to the south just received. The officers were engaged in collecting the seventh part, the number first required. The men will be enrolled and officered, but it will be absolutely impossible to arm them. The frequent impressment of arms from the people has well nigh disarmed the county. He does not think five men can be supplied with good guns. The people hide their arms, and say they will risk their lives, rather than give up what few remain. He therefore desires to know whether he is to send them without arms. He has received from Mr. George Nicholas, a receipt for thirteen horses impressed in the county."³

At this time Clinton in the north, with what he considered inadequate forces, faced Washington, while Cornwallis conceiving himself to be in a similar state, faced Lafayette; but Clinton was the Commander-in-Chief, and he ordered Cornwallis to send certain of the troops from Virginia to New York.

While Tarleton was on his raid, Cornwallis at Suffolk, sent to Portsmouth such of his troops as were destined for New York, and awaited Tarleton's return. On July 20, 1781, Cornwallis received a dispatch from Clinton, dated July 11th. It directed him, if he had not crossed the James, to continue on the

¹Calendar, Virginia State Papers, II, 245.

²Calendar, Virginia State Papers, I, 607.

³Calendar, Virginia State Papers, II, 270.

It is apparent of course that this letter is not given in the words of Colonel Burwell. It has been condensed, and rendered in the third person by the editor of the Calendar of Virginia State Papers.

Williamsburg neck "until the frigate arrives with my dispatches to Captain Singleton. If you have passed and find it expedient to recover that station, you will please do it, and keep possession until you hear from me."¹

On the first of August, 1781, Cornwallis proceeded by water to Yorktown, the main body of his army arriving on the fourth. On the sixth Tarleton sailed to Hampton, threw his horses into deep water, landed without loss, and joined Cornwallis on the seventh. General O'Hara's division remained at Portsmouth to destroy the works, and on the twenty-second of August, 1781, the British army was concentrated at Yorktown and Gloucester Point, just across the river.²

On the 13th of August, Lafayette established his headquarters, in the forks of the Pamunky and Mattaponey rivers, from which place he detached light troops to the rear of Gloucester to anticipate any attempt of the British to retreat northward. He sent General Wayne across the James, for the purpose of preventing Cornwallis' retreat toward North Carolina, and also to be in position to occupy Portsmouth if Cornwallis attempted to go in that direction.

In the meantime of course actual plans were under way for cooperation from a French fleet which was expected in the Chesapeake.

On August 21, 1781, Lafayette wrote Washington: "We have hitherto occupied the forks of York River, thereby looking both ways. Some militia have prevented the enemy's parties from remaining any time at or near Williamsburg, and false accounts have given them some alarm. Another body of militia under Colonel Ennis has kept them pretty close in Gloucester town and foraged in their vicinity. . . . In the present state of affairs, my dear general, *I hope you will come yourself to Virginia.* Lord Cornwallis must be attacked with pretty great apparatus; but when a French fleet takes possession of the bay and rivers, and we form a land force superior to his, that army must sooner or later be forced to surrender, as we may get what reinforcements we please. I heartily thank you for having ordered me to re-

¹Carrington: *Battles of the Revolution*, 610.

²*Id.*, 611.

main in Virginia; it is to your goodness that I am indebted for the most beautiful prospect which I may ever behold."¹

Washington in his diary under date of August 1, 1781, records the fact that "everything would have been in perfect readiness to commence the operation against New York, if the states had furnished their quotas of men agreeably to my requisitions."² He complained especially of Connecticut, New York and Massachusetts. "Thus circumstanced" he said, ". . . I could scarce see a ground upon which to continue my preparations against New York; especially as there was much reason to believe that part (at least) of the troops in Virginia were recalled to reinforce New York and therefore I turned my views more seriously (than I had before done) to an operation to the southward. . . ."³

On August 14, 1781, he records the fact that he had received news that Count de Grasse intended to sail from Cape Francois, San Domingo, with between 25 and 29 "Sail of the line and 3200 land troops on the 3rd instant for the Chesapeake Bay and (of) the anxiety . . . to have everything in the most perfect readiness to commence our operations in the moment of his arrival as he should be under a necessity from particular engagements with the Spaniards to be in the West Indies by the middle of October . . ."⁴

"Matters having now come," says Washington, "to a crisis and a decisive plan to be determined on, I was obliged, from the shortness of Count de Grasses' promised stay on this coast, the apparent disinclination in the Naval Officers to force the harbour of New York and the feeble compliance of the states to my requisition for men, hitherto, and little prospect of greater exertion in the future, to give up all idea of attacking New York; and instead thereof to remove the French troops and a detachment from the American Army to the Head of Elk⁵ to be transported to Virginia for the purpose of co-operating with the force from the West Indies against the troops in that state."⁶

¹Carrington: *Battles of the Revolution*, 612.

²*Diaries of Washington* (Fitzpatrick), II, 248.

³*Id.*, 249.

⁴*Diaries of Washington* (Fitzpatrick) II, 254.

⁵At the head of Chesapeake Bay, Maryland.

⁶*Diaries of Washington* (Fitzpatrick) II, 254.

On August 15, 1781, he dispatched a messenger to Lafayette "requesting him to be in perfect readiness to second my views and to prevent if possible the retreat of Cornwallis toward Carolina."¹

Washington maneuvered his forces so as to give the impression of operations in the vicinity of Sandy Hook to facilitate the entrance of the French fleet within the bay, for operations against New York,² and himself set out for Virginia. He marched his army through Philadelphia to the Head of Elk, himself, Count de Rochambeau and Chevr. de Castellux proceeding ahead; he passed Baltimore on September 8, 1781, and reached Mount Vernon on the 9th. This was the first time he had seen Mount Vernon since May 4, 1775. From this point he communicated to Lafayette his plans for his future travel to join him, and added a somewhat humorous postscript: "I hope you will keep Lord Cornwallis safe, without provisions or forage until we arrive." He left Mount Vernon on the 12th and reached Williamsburg on the 15th of September, 1781.³

Count de Grasse had arrived in the Chesapeake Bay on August 30, 1781. On September 17th, Washington with his aides called on the admiral to perfect plans of operations against Cornwallis.

Enthusiastic hope was instilled into the dispirited people by the masterly campaign of Lafayette, which was greatly heightened when it was known that General Washington was to join Lafayette, with his regular troops, many of whom were from Virginia, and who regarded the march from New York to Virginia as a going back home. The militia from all over the state,—all that could be armed,—marched with great enthusiasm to the standards of Lafayette and Washington. Some men who did not have arms went in the hope that they might be supplied when they reached headquarters.

Gen. Nelson (then Governor) took the field at the head of the Virginia militia forces.

The militia from Lunenburg and Mecklenburg were ordered to camp at Williamsburg, and some information respecting the

¹*Diaries of Washington* (Fitzpatrick), II, 254.

²*Diaries of Washington* (Fitzpatrick), II, 257, entry for Aug. 30, 1781.

³*Id.* 260.

movement of a part of the forces, is afforded by a letter from Colonel Burwell to Governor Nelson, dated September 26, 1781. It was written from "Camp Newsum's Old Field." He wrote: "Your Excellency will receive enclosed a return of the militia at this camp. Col. Blunt has wrote you & given an account of the men under his command at Surry Old Court House. Col. Elliott who is encamped seven miles from this (place), has promised to make you a return of his Battalion. You will please to inform me by the bearer, whether any of the militia are to be discharged & what proportion . . . There appears to be a large number of the Mechlenburg militia on furlough. It happened by the officers in the county not attending to their duty."¹

Upon arrival at Williamsburg, September 30, 1781, Colonel Burwell reported to Governor Nelson, by the following letter:

"I marched with the Mecklenburg and Lunenburg militia as soon as I received your Excellency's orders, but the wind being high & none but raw men to manage the boats, we could not get over 'till late last night. The men will be in town this morning, and Major Walker waits on you to know where we are to be armed, as we have not above twenty guns, & they but indifferent—You will please to direct where we are to cross York River, that we may avoid falling into the enemy's hands. The militia of these two counties do not make a command for all the field officers that are down from there, there being two colonels and two majors—Major Walker will furnish you with a return & your Excellency will be pleased to direct, if either of us is to return home, who it shall be."²

In view of the fact that it had not been possible to arm a sufficient body of the militia from Lunenburg and Mecklenburg to make a command for all the field officers, some of them were, per force, left without a command. One thus unfortunately situated was Colonel David C. Stokes, of Lunenburg. It appears that Governor Nelson assigned the command of the militia from these counties to Colonel Lewis Burwell, of Mecklenburg. Just why, we can only surmise. Possibly it was because the greater

¹Calendar, Virginia State Papers, II, 492.

²Calendar, Virginia State Papers, II, 510.

numbers of the militia in the combined force were from Mecklenburg, which was likely as it was considerably more populous, at the time, than Lunenburg. In any event, the circumstances do not indicate the slightest reflection upon Colonel Stokes, however much he may have been disappointed thereby. His fame is possibly more secure, than if he had not suffered the disappointment for it was the occasion of his inditing a letter to Governor Nelson, on October 1, 1781, from "College Camp," Williamsburg, before his return home, which does honor to his patriotism, and the fine quality of his mettle. His letter was as follows:

"Sir,

Tis neither easy nor proper for me to determine, whether it was with most surprise, mortification, or another principle less modest, in me to mention, that I last night read your Excellency's instruction to Col: Burwell, by which it appears that I am the only Field Officer of Militia, commanded to leave the service, whilst other inferior to me in rank and seniority are retained—This distinction, Sir, injurious as it is to the feelings of a man of honor: is still hightened, by having occurred at the only period when the militia were flattered with the prospect of doing anything, either beneficial to their country, or honorable to themselves—If thus, the militia are to be collected like droves of cattle for market, Sir, it is to be feared they will in future exceed all their former unruly licentiousness; and if the constant reward of officers for spending their fortunes in training the militia at home, collecting them for service, providing for their wants and marching them to the different posts where their assistance is required, is that of being dishonorably discharged within sight of the field of action, it is almost certain no man of sense or influence, will ever undertake to be a County drudge, or laborer in the field, to plant those laurells, which he will forever be forbidden to gather. If in some Counties there are minions of Power, and in others, wretches mean enough to bow down before such imaginary godheads; an honest people will soon learn to detest the one, as much as an honest heart will always despise the other. I am sir, as much above the weakness of fearing to offend, as I am above the baseness of desiring to flatter, or the remotest wish to gain myself a temporary in-

fluence by the ridiculous daubings of fawning and adulation—Whilst I am permitted to think myself the citizen of a free State, I will always speak the language of a free man! and when my liberty is invaded I will always dare to complain. However small the number, or insignificant the men I have brought out, they are half the militia of a county entitled to representation; they are men willing to follow me into the field, or anywhere else; they are men I know I can control (which is what can seldom be said of militia) and they are men who I flatter myself, have by long experience, acquired a confidence in me not easy to be obliterated—I have this once deceived them, by bringing them out with the idea of remaining under my command, which is not permitted me to perform.

It must be my care to make them no more soothing promises under the faith of Government; and perhaps some person more desirous of ingratiating himself by such means, may as successfully undertake to execute designs of like nature for the future—I shall return home and endeavor to comfort the families of these poor men whom I have involuntarily deluded ever steady to the cause of liberty & the support of Government upon the true Principles of the Constitution.

And have the honor to be with the highest esteem & veneration

Your Excellency's most Obt Hble Servt."¹

Clinton's intelligence service was good. On the 2nd of September, while the American army was marching through Philadelphia, he sent a courier vessel to Yorktown advising Cornwallis that Washington was moving an army to the southward with the appearance of haste "and gives out that he expects the co-operation of a considerable French armament."² He added: "Your lordship, however, may be assured, that if this should be the case, I shall either endeavor to reinforce the army under your command by all the means within the compass of my power, or make every possible division in your favor."³

On September 6, 1781, Clinton having learned that De Grasse

¹Calendar, Virginia State Papers, II, 515-16.

²Carrington: *Battles of the Revolution*, 624.

³Id.

was in the Chesapeake, and surmising that Washington was moving against Cornwallis, wrote him: "I think the best way to relieve you, is to join you, as soon as possible, with all the force that can be spared from here, which is about four thousand men. They are already embarked, and will proceed the instant I receive information from the admiral that we may venture."¹

By good strategy Clinton was isolated in New York; and equal strategy in Virginia had isolated Cornwallis.²

On September 16, 1781, Cornwallis having learned of Washington's arrival at Williamsburg,—he said on the 14th—Washington's diary says the 15th—wrote Clinton (in cypher), "If I had no hopes of relief, I would rather risk an action than defend my half finished works; but as you say Digby³ is hourly expected and promise every exertion to assist me, I do not think myself justified in putting the fate of the war on so desperate an attempt. By examining the transports with care, and turning out useless mouths, my provisions will last six weeks from this day, if we can preserve them from accidents. . . . If you can not relieve me very soon, you must be prepared to hear the worst."⁴

On October 15, 1781, Cornwallis advised Clinton. "Last evening the enemy carried my two advanced redoubts by storm, and during the night have included these in their second parallel, which they are at present busy in perfecting. My situation has now become very critical. We dare not show a gun to their old batteries, and I expect that their new ones will open to-morrow morning, so that we shall soon be exposed to an assault in ruined works, in a bad position, and with weakened numbers. The safety of the place is therefore so precarious that I cannot recommend that the fleet and army should run great risk in endeavoring to save us."⁵

Cornwallis in his desperation decided to endeavor to get his army across to Gloucester Point, and under cover of the night pass the American infantry, and retreat northward, leaving a

¹Carrington: *Battles of the Revolution*, 624.

²Carrington: *Battles of the Revolution*, 631.

³Admiral Digby.

⁴Carrington: *Battles of the Revolution*, 631-2.

⁵*Id.*, 639.

small force to surrender the next day. But the weather being bad, and other obstacles being encountered, he was unable to execute this plan. He thereupon surrendered. His proposal of a cessation of hostilities looking to the surrender was sent to Washington "at about ten o'clock of the morning of the seventeenth of October and almost at the hour when Sir Henry Clinton, with a land force of seven thousand choice troops under convoy of twenty-five ships of the line, two fifties and eight frigates were sailing down the Bay of New York to" come to his relief.¹

Before concluding this chapter, we must record such additional fragmentary data as we have been able to gather. Relatively little has survived the ravages of time and neglect. Lunenburg's part in that great struggle seems to have been strangely neglected, during the one hundred and forty-five years since the surrender of Cornwallis at Yorktown. No one has essayed the task of narrating the history of her contribution to the cause of American Independence. A strange neglect. And the same largely may be said also of Mecklenburg, Charlotte, Halifax, Pittsylvania, Bedford, Prince Edward, Brunswick, Amelia, Nottoway and other counties of Southside Virginia. And now when an historian attempts the story, especially as far as Lunenburg is concerned, the available data are meagre indeed, in respect to details. Many old files, which might have served a useful purpose, have been destroyed.

From various reliable sources, largely from the County Court Order Books which are intact, the following list has been compiled of Lunenburg soldiers in the Revolutionary War. They are principally of the militia units. This list supplements to some extent the lists already incorporated above:

Stokes, D. C., Jr., Colonel,	Tomlinson, Benjamin, Major,
Maury, Abraham, Colonel,	Billups, Ed'd. (Edward), Lt.
Hobson, N., Colonel,	Col.
Stokes, D., Jr., Colonel, ²	Billups, Joseph, Capt.,
Glenn, John, Colonel,	Blackwell,——, Capt.,
Tomlinson, Benjamin, Col.	

¹Carrington: *Battles of the Revolution*, 640-1.

²D. C. Stokes, Jr., and D. Stokes, Jr., seem to be the same person.

- Brodnax,¹ Stephen Edward, Capt.,
 Dixon, —, Capt.,
 Edwards, Thomas, Capt.
 Ellis, Ellison, Capt.
 Fisher, William, Capt.
 Garland, Edward, Capt.
 Garland, Peter, Capt.
 Garland, Samuel, Capt.
 Glenn, John, Capt.
 Johnson, James, Capt.
 Jordan, Edward, Capt.
 Jordan, Henry, Capt.
 Ragsdale, Joshua, Capt.
 Robertson, Christopher, Capt.
 Street, Anthony, Capt.
 Tomlinson, Benjamin, Capt.
 Walker, Sylvanus, Capt.
 Winn, (William?), Capt.
 Tomlinson, Benj., Major,
 Bacon, Lyddall, 2nd Lieut. in
 Captain Winn's Company,
 Dix, James, 1st Lieut. in Cap-
 tain Fisher's Company,
 Dowsing, William, Lieut.
 Eastham, James, Lieut.
 Edwards, Thomas, 2nd Lieut.
 in Capt. Benj. Tomlinson's
 Company,
 Farmer, Lodowick, 2nd Lieut.
 in Capt. Billup's Company,
 Hobson, Nicholas, First Lt.
 Hayes, William, Lieut.
 Jordan, Samuel, Lieut.
 Minor, Cyrus, Lieut.
 Pulliam, James, 2nd Lieut. in
 Capt. Edward Jordan's Co.
- Tabb, Thomas, Lieut. (County
 Lieutenant),
 Tomlinson, Harris, 1st Lieut.
 Walker, Sylvanus, Lieut.,
 Garland, Thomas, 2nd Lieut.
 in Capt. Brodnax's Com-
 pany,
 Garland, David, 2nd Lieut.,
 Garland, Peter, 2nd Lieut.,
 Johnson, Jesse, 2nd Lieut.,
 Liverett, Thomas, 2nd Lieut.
 in Capt. Blackwell's Com-
 pany,
 Mitchell, Robert, 2nd Lieut.,
 Pettus, David, 2nd Lieut. in
 Capt. Ellis' Company,
 Ragsdale, John, 2nd Lieut.,
 Ragsdale, Joshua, 2nd Lieut.,
 Tabb, Francis, 2nd Lieut.,
 Tomlinson, Benj., Lieut.,
 Tomlinson, Harris, 2nd Lt. in
 Capt. Benj. Tomlinson's
 Company,
 Vaughn, Craddock, 2nd Lieut.
 Covington, John, Ensign,
 Cureton, John, Ensign in Capt.
 Edward Jordan's Company,
 Downing, William, Ensign,
 Farmer, Lodowick, Ensign,
 Herring, William, Ensign in
 Capt. Billup's Company,
 Jeter, Joseph, Ensign,
 Jones, Joseph, Ensign,
 Jones, Thomas, Ensign,
 Pamplin, (Parmlyn), John,
 Ensign,
 Pettus, David, Ensign,

¹This name is also spelled Broadnax

- Pettus, John, Ensign in Capt. Ellis' Company,
 Pettus, Joel, Ensign in Capt. Ellis' Company,
 Stokes, Peter, Ensign,
 Stokes, John, Ensign,
 Smithson, Charles, Ensign in Capt. Christopher Robertson's Company,
 Anderson, James,
 Bennett, Richard,
 Bohannon, W.,
 Bohannon, Jo. (wife Margaret),
 Boze, (or Boaz), John, (wife Catherine),
 Brady, John, (wife Catherine),
 Bragg, William,
 Brown, John,
 Brown, Stephen,
 Chambless, —, (wife Millicent),
 Cooksey, Charles,
 Connell, —, (wife Ann),
 Cooper, Sterling,
 Connor, Owen, (wife Hannah),
 Cooper, —,
 Cooper, —, (son of Lucretia Cooper),
 Cooper, —, (son of Lucretia Cooper),
 Cannon, Owen,
 Deagles, —, (son of Ann Deagles),
 Deagler, —,
 DeGraffenreid, Tscharner,
 Estes, John,
 Evan, Thomas,
 Fam, John,
 Grady, —,
 Grady, John, (wife named Catherine),
 Graves, Blodick,
 Graves, —, (wife named Milly),
 Gravett, Abraham, (wife named Milly),
 Halm, (or Hulm or Holm), (wife Mary),
 Hardy, Thomas,
 Hungerford, —, (son of George Hungerford),
 Hungerford, —, (son of George Hungerford),
 Hardy, William,
 Hightower, —, (wife Elizabeth),
 Hudson, Peter,
 Knight, Woodson,
 Lightfoot, —, (wife Mary),
 Lewis, Edward,
 Maiden, Rob, (wife Margaret),
 Martin, Bill,
 Martin, Robert, (wife named Peggy),
 Mason, Peter,
 Mitchell, Robert,
 Mitchell, —, (wife Mary),
 Moon, Thomas,
 Moore, —,
 Oldham, Isaac,
 Stokes, John,
 Stokes, Young,
 Sykes, —, (son of Jonas Sykes),

Sykes, —, (son of Jonas Sykes),	Thornton, —, (son of John Thornton),
Thompson, —, (wife named Mary),	Wallace, Hugh,
Thornton, H., (wife named Mary),	Wallan Hugh, (wife Mary),
Thornton, —, (son of John Thornton),	Watkins, Abner,
	Wilkinson, —, (wife named Elizabeth),
	Winn, Elisha,
	Wood, Thomas.

Among the legislative petitions preserved in the archives of the Virginia State Library, are pension petitions which show that John Pettus was in the battle of Guilford Court House as a member of Captain William Dawson's Company (this name is often spelled Dowsing), and that James Anderson was also a member of that Company, participated in that battle and was wounded in the knee, as were also Woodson Knight and Thomas Wood. This company was a part of Col. Nathaniel Cocke's Regiment of Virginia Militia. John Pettus was living on October 8, 1808.

A petition of Elisha Winn, dated December 8, 1813, states that he was a corporal in the Sixth Virginia Regiment on Continental establishment in the Revolutionary War and that he contracted a disease in his eyes, "during the cold winter of 1777 while encamped at Valley Forge," and an affidavit of Hugh Wallace supporting this petition, states that Elisha Winn was a member of Captain James Johnson's Company.

An affidavit made in this connection by Stephen Brown shows inferentially that he was a Revolutionary soldier.

From another petition it appears that Edward Lewis was a soldier from Lunenburg, a member of Captain Edward Broadnax's (Brodnax) Company, and that he lost the thumb and forefinger of his right hand, while on parade at Williamsburg, by the explosion (bursting) of his gun.

And among the Lunenburg petitions is one of Thomas Evans, a free negro, a Revolutionary soldier from Mecklenburg County, but living in Lunenburg in 1819. He enlisted in the Company of Captain Henry Dudley in the Second Virginia Regiment commanded by Col. Brent, and was in care of the Colonel's baggage while the battle of Monmouth was being fought; and was with General Muhlenburgh's Brigade, in charge of baggage at the battle of Stony Point.

CHAPTER VII

The War of 1812



THE infant nation embarked upon a period of repose and prosperity following the success of its arms in the Revolutionary War, and the adoption of the Constitution to replace the Articles of Confederation. But this was not to be a protracted era. It was destined that the new nation should again engage in war with England. It came in 1812; and it came, not as the result of the British impressment of American seamen, as was usually taught in the earlier histories, but as a result of quite different influences. Undoubtedly the British impressment policy was a contributing cause,—an aggravation—rather than the producing cause.

Dr. Pratt¹ in his highly instructive and most interestingly written volume, *Expansionists of 1812*, has shown that the United States went to war with Great Britain in 1812 at the insistence of Western and Southern men, and over the opposition of the Northeast. There had been from a very early time in America a feeling that the United States was destined to occupy the whole of this continent. Such was believed by many to be its "manifest destiny."² Enthusiastists like Jefferson had dreamed for years of a nation destined to embrace the continent,³ and Gouverneur Morris, who was not an expansionist, wrote that at the time of the convention which adopted the Constitution of the United States, he knew "that all North America must at length be annexed to us—happy, indeed," he added, "if the lust of dominion stop there."⁴ And indeed the leaders of the American

¹Julius W. Pratt, Ph. D., Dean of American History, University of Buffalo.

²Dr. Pratt shows that this idea had a much earlier origin than has usually been assigned to it by historians, such for example as E. D. Adams, in *The Power of Ideals in American History*.

³Pratt: *Expansionists of 1812*, 14.

⁴Diary and Letters of Gouverneur Morris, II, 442. He wrote this in 1803.

Revolution, as Dr. Pratt points out, regarded the union of Canada with the colonies as a matter of first importance.¹

Benjamin Franklin at one time during the Revolution framed tentative terms of peace, which provided for the cession by Great Britain to the United States, of Quebec, St. John's, Nova Scotia, Bermuda, East and West Florida and the Bahama Islands, with all adjoining and intermediate territories, in exchange for a sum of money, and guarantee of the British possession of the West Indies. Franklin regarded "it as absolutely necessary for us to have them for our own security."²

George Washington wrote in May, 1778, from Valley Forge, that if Canada "is not with us, it will, from its proximity to the Eastern States, its intercourse and connection with the numerous tribes of Western Indians, its communion with them by water and other local advantages, be at least a troublesome if not a dangerous neighbor to us; and ought, at all events to be in the same interests and politics, of the other states."³

And even in England some viewed the eventual acquisition of Canada by the United States as inevitable. John Adams records the fact that on his mission to Great Britain, 1785, he found the opponents of Pitt expressing the opinion that Canada and Nova Scotia must soon pass to the United States. "There must," they said, "be a war for it; they know how it will end, but the sooner the better; this done, we shall be at peace; till then, never."⁴

In the agitation of the subject of expansion in the era in which this war was fought, in the press of the country and in the congressional debates this idea of the manifest destiny to expand and embrace the continent is repeatedly put forward. The editor of the *Nashville Clarion*, on April 28, 1812, probably interpreted aright a large body of public opinion when he asked: "Where is it written in the book of fate that the American republic shall not stretch her limits from the Capes of the Chesapeake to Nootka Sound, [and] from the Isthmus of Panama to Hudson Bay?"⁵

¹*Expansionists of 1812*, 17.

²*Writings of Benjamin Franklin*, VI, 352-4.

³*Writings of George Washington*, VII, 38.

⁴*Works of John Adams*, VIII, 333.

⁵Quoted by Dr. Pratt, *Expansionists of 1812*, 15.

The Northwest, as Washington suggested it would be, was annoyed by the Indians, and the rise of Tacumseh was universally believed to be backed by the British. This led to the demand from the frontier states that the British be expelled from Canada. "This demand was a factor of primary importance in bringing on the war."¹ But the Southerners who had long wanted Florida, and who by the activities of General Mathews, with the sympathy of both Madison and Monroe, were in a fair way of getting it in the spring of 1812, were not willing to see the annexation of Canada, unless they were assured the compensating expansion by the annexation of Florida.

On this subject Dr. Pratt says: "Neither section [North or South] was anxious to see the other increase its territory and population. But if both could gain at the same time, and in something like equal proportion, such objections would be obviated on both sides. There is good evidence that, before the declaration of war Northern and Southern Republicans came to a definite understanding that the acquisition of Canada on the north was to be balanced by the annexation of the Floridas on the south. Thus the war began with a double-barrel scheme of territorial aggrandizement."²

At the time of the declaration of war, Lunenburg, Brunswick, Mecklenburg and Dinwiddie comprised a congressional district, which was represented by Thomas Gholson, Jr., of Brunswick. Charlotte, Prince Edward, Buckingham and Cumberland formed another district represented by the famous John Randolph of Roanoke. Randolph alone of the Virginia Republicans joined with the Federalists in voting against the declaration. On this issue Randolph parted company with his most intimate friends, such, for example, as Nathaniel Macon of North Carolina, for whom he had the warmest affection all his life.

It was on this issue that Randolph was defeated, the only time he was ever defeated as a candidate for Congress. On account of his breaking with Jefferson and Madison, it was decided to put a candidate in the field to oppose him. And Jefferson and his friends realizing that the man who had defeated Patrick

¹Pratt: *Expansionists of 1812*, 12.

²*Expansionists of 1812*, 12-13.

Henry and who had shown such ability and power as Randolph exhibited in the National House of Representatives, on the great questions, such as the Yazoo frauds, which had engaged the public attention during his incumbency of office, was no mean opponent, decided to "import" a candidate to oppose Randolph. Jefferson's son-in-law, John W. Eppes, was selected, and took up his residence in Randolph's district, and was elected by a small majority to the Thirteenth Congress, 1813-15. But Randolph's constituents, realizing the mistake they had made, and (after the event), the soundness of his views on the questions of the war of 1812, returned him to the Fourteenth Congress—and he remained in Congress until he positively declined to be elected again, with the exception of the time when he was absent from the House as a result of his election to the Senate to succeed James Barbour. But Randolph's attitude toward the war was very different from that of the unpatriotic New Englanders. When once the country was engaged in hostilities he supported it in fullest measure, even taking up arms himself, when the British appeared in the domain of Virginia. The New Englanders, on the other hand, who met and debated, at the Hartford Convention, the question of seceding from the union, really gave more support to England than they did to the United States, in this conflict. New England made enormous sums out of her manufactures due to this war, while the agricultural sections, Virginia, for example, were impoverished beyond belief. Between 1810 and 1814, deposits in Massachusetts banks increased three-fold, while the specie held, increased four-fold. It was estimated that of approximately seventeen millions in specie in 1814, New England banks held about ten millions.¹ But New England flatly refused to support the government loans, and thereby largely contributed to the failure of the war. Dr. Pratt says: "Federalist bankers appeared to consider British Treasury notes not only a safer but a more righteous investment than United States bonds,"² and Henry Adams says: "Probably New England lent to the British Government during the war more money than she lent to her own. The total amount subscribed

¹Pratt: *Expansionists of 1812*, 164.

²*Id.*

in New England to the United States loans was less than three millions."¹

The war of 1812 was the cause of great hardship and suffering in Lunenburg County and Southside Virginia generally. New England, which had opposed the war, prospered enormously, as a result of it, while Virginia, which had supported it, was prostrated by the measures taken to support the conflict.

The resolution declaring war passed the House of Representatives June 3, 1812, but the Senate did not pass it until some two weeks later. Before war was declared, however, upon President Madison's recommendation, an embargo had been declared, which rigidly prohibited all exportations by sea or land. This paralyzed the agriculture of the South quite as completely as the war itself. Southside Virginia at the time was a country of no roads worthy of the name; it was without manufacturing industries; and it was largely dependent upon England not only as the purchaser of its tobacco, but also for many of the indispensables manufactured which had been supplied to Virginia from that source. Both for exports and imports Southside Virginia was almost wholly dependent upon water transportation. It is scarcely possible at this era to visualize the conditions as they then existed. The James and the Appomattox were the high roads of commerce. Large ships navigated the James while batteaux navigated the Appomattox from Petersburg to Farmville. With the embargo, trade ceased, navigation stagnated and the people suffered. Tobacco growing, the chief occupation of the farmers, ceased,² and the straw from a crop of wheat was worth more than the wheat itself. John Randolph wrote to Josiah Quincy that it is "a fact that the *straw* of a crop of wheat, near market, is worth more than the *grain*; and that flour, so far from being reckoned a *luxury*, as with you, is purchased by some planters as a cheaper food for their horses and oxen than oats or Indian corn; these last bearing a good price for the consumption of our towns. This relief, however, ex-

¹Adams: *United States*, VII, 386.

²John Randolph of Roanoke, in a letter to Francis Scott Key, during the war, complains "my occupation [tobacco making] is . . . gone." Bruce, *John Randolph of Roanoke*, I, 395.

tends only a few miles around Richmond, Norfolk and Petersburg,"¹ and in another letter to this same correspondent he says: "The whole country, watered by the rivers which fall into the Chesapeake, is in a state of *paralysis*. We, in this quarter² are sending our wheat to *Fayetteville on Cape Fear River* to exchange it for *salt*, for which we have to pay at home 15 shillings a bushel, lawful money."³

The straits of Virginia's economic position are further indicated by the fact that her necessities for dry goods were such that they had to be imported from the North, but she was not able to export tobacco enough to pay for one-hundredth part of their cost. The desperate plight of Virginia at the time is shown in one of Randolph's remarkable letters to Quincy: "'Tis true," he says, "we drive a little trade in tobacco, which pays for about the hundredth part of the dry goods which we import land-wise from the north. The balance is made up in specie; so that our banks, once the richest in the union in that important article, are nearly drained of their last dollar, and, so far from being able to lend the state the amount of its quota of the direct tax, they are importuning payment of former advances to the sum of nearly four hundred thousand dollars, when our treasury has not an unappropriated cent."⁴

This matter of importing goods "land-wise from the north," was a formidable undertaking. To realize that, it is only necessary to remember the lack of roads, and the condition of such as were in existence. Roads at this time were but little if any better than they were a few years before when they were so bad that the stage coach driver would shout to the passengers to "lean to the right" to keep the coach from turning over on its left side, and would soon thereafter order them to lean to the left, in order to preserve the center of gravity and prevent the coach from overturning. Such was the main thoroughfare from Baltimore to Philadelphia.⁵ The roads of Southside Virginia, and indeed of the whole of the state, were scarcely more than

¹*Life of Quincy*, 339 (Dec. 11, 1813).

²In Charlotte—on the waters of the Roanoke.

³*Life of Quincy*, 335 (Letters from *Roanoke*, his plantation, August 30, 1813.

⁴*Life of Quincy*, 339; *John Randolph of Roanoke* (Bruce), I, 403.

⁵*Travels of Isaac Weld*, I, 37-8, quoted in Beveridge's *Life of Marshall*, I, 251.

cleared spaces through the forests, and lanes through the open spaces. When the "road" became so bad it could not be traveled, a new turnout was made, and often a dozen such new "roads" were made in places all leading to the same ultimate destination. So utterly confusing were the ways that it is recorded that a traveler endeavoring to go from Alexandria to Mount Vernon, a distance of nine miles, became confused and lost in the woods, and was all day on the road;¹ and the roads from Richmond to New York were such that Jefferson wrote to his son-in-law, "we could never go more than three miles an hour, sometimes not more than two, and in the night, but one."² The best road in Virginia was that from Williamsburg to Richmond, sixty-three miles, yet it required two days to make the trip.³ Even after this date Pennsylvania Avenue in Washington was "a long lake of mud"⁴ and in March, 1813, Nathaniel Macon wrote a friend that it took fifty hours to traverse the distance of 50 miles between Fredericksburg and Alexandria.⁵

Living in the isolation produced by the embargo, with agriculture prostrate, with no market for anything, and hence soon, nothing to market, there is but little wonder that strong resentment developed against the measures, which had the effect of oppressing the people, and at the same time playing into England's hand respecting the shipping trade. "By shutting up all our ships in our own ports, we surrendered to her [England] the whole cominmerce of the world,"⁶ and it was over this question that Callhoun broke with his old associates, and "cut loose from the traditions not merely of Madison, but of his great master, Jefferson."⁷ "The restrictive system," he declared, "as a mode of resistance . . . has never been a favorite one with me It does not suit the genius of our people, or that of our government, or the geographical character of our country. . . . We have had a peace like a war; in the name of Heaven let us not have

¹*Travels of Isaac Weld*, I, 91.

²Ford: *Works of Jefferson*, VI, 36.

³Beveridge: *John Marshall*, I, 260.

⁴Bruce: *John Randolph of Roanoke*, I, 558.

⁵Nicholson MSS., Lib. Cong.

⁶Bruce: *John Kandolph of Roanoke*, I, 322.

⁷Babcock: *Rise of American Nationality*, 70.

the only thing that is worse—a war like a peace.”¹ These words of Calhoun’s aptly describe the feelings and situation of Southside Virginia. Their condition under the embargo which preceded the war, was indeed “a peace like a war,” in the deprivation and suffering which had come to them during that unhappy period.

Bad as was the embargo preceding the war, the war itself was worse, and it fell with crushing force upon the patriotic part of the United States. Not only did New England not support the war, but as a section it was guilty of treason in giving aid and comfort to the enemy. Furthermore if there had been laws against trading with the enemy such as were enacted during the late World War, and all the guilty convicted, a considerable per cent of the New England population would have been put in the penitentiary.

The behavior of New England is thus described by Babcock:

“With grim reserve they almost withheld subscriptions to the national loans, no matter how urgent the needs of the administration: the south and west had made the war . . . let them pay for it! Of the \$11,000,000 loan of the spring of 1812, New England took less than \$1,000,000; and during the whole war her subscription to national loans was less than \$3,000,000, while the middle states paid in nearly \$35,000,000.”² In other words, in a time of great financial difficulty the government of the United States was deprived of *almost* a third of the financial accumulations which might have been its reliance, just when the winding up of the Bank of the United States bore away another resource.

“Moneyed interests of the east were not content with passive resistance; they bought British drafts at a discount with specie sent to Canada; they supplied beef to the British armies in Canada, and furnished subsistence to British fleets off the eastern coasts—all for highly profitable considerations. Madison wrote sharply of this practice in his message of December 9, 1813, and the British Commander wrote to the home government of the continuance of the same condition in the following August:

¹*Annals of Congress*, 12 Cong., 1 Sess., 1539-1541, quoted by Babcock, *supra*.

²Albert Gallatin: *Writings*, III, 284.

'Two-thirds of the army in Canada are at this moment eating beef provided by American contractors. . . . This circumstance, as well as that of the introduction of large sums of specie into this province, being notorious in the United States, it is to be expected Congress will take steps to deprive us of those resources, and under that apprehension large droves are daily crossing the lines coming into lower Canada.'¹

The disloyalty of the New Englanders went to an even greater extent, for before the war came to an end they assembled the odious body known in history as the Hartford Convention. As early as August, 1812, Judge Joseph Story, a New Englander, wrote: "I am thoroughly convinced that the leading Federalists meditate a severance of the union, and that if public opinion can be brought to support them they will hazard a public avowal of it."² Story was a Republican. And Timothy Pickering declared in October, 1814, in a letter to Gouverneur Morris: "I have even gone so far as to say that the separation of the northern section of the states would be ultimately advantageous."³ And following all this came the Hartford Convention, which aimed at a secession of New England from the Union. The movement for this convention began early in the year 1814 when many memorials from various parts of Massachusetts were sent to the legislature suggesting a convention in order that steps might be taken to "obtain such amendments and explanations of the Constitution [of the United States], as will secure them from further evils."⁴

Massachusetts appointed twelve delegates to attend such a convention, and opened correspondence with Connecticut and Rhode Island, who in turn appointed delegates to the convention. The *Columbian Sentinel* of Boston boldly announced the action of Connecticut in appointing delegates under the following significant heading: "Second Pillar of a New Federal Edifice

¹*Rise of American Nationality*, 157-8, citing Henry Adams' *History of U. S.*, VII, 146. The letter of the British commander was Prevost to Bathurst, quoted by Adams.

²Story: *Story*, I, 229.

³John Adams: *Works*, VI, 629.

⁴Dwight: *Hartford Convention*, 341.

Reared"¹ and it announced the action of Rhode Island as the "Third Pillar Raised."

The convention met in Hartford, December 15, 1814, and was attended by twelve delegates from Massachusetts, seven from Connecticut, four from Rhode Island, and three "unofficial delegates from New Hampshire, and one from Vermont."

The convention adopted a series of resolutions primarily designed to oppose the war, and looking to a secession from the Union if their views were not met. One of the resolutions demanded that the states represented take the necessary steps to prevent their citizens from serving in the army of the United States. It demanded that the states "protect their citizens from the provisions of all acts of congress providing for the draft, conscription, or impressment of the militia." Another of the resolutions provided for each state to make such defence of its territory as it thought proper, and demanded the payment by the Federal Government into the State Treasury of revenue collected within the state; and the convention recommended that in the event the suggested measures were not taken the states should send delegates to another convention to meet in June, 1815, "with such powers and instructions as the exigencies of a crisis so momentous may require."²

The *Columbian Sentinel* carried an article addressed to the convention in which it was said: "The once venerable constitution has expired by dissolution. . . . At your hands therefore we demand deliverance. New England is unanimous, and we announce our irrevocable decree, that the tyrannical oppression of those who at present usurp the power of the Constitution is beyond endurance, and we will resist it."³ And Gouverneur Morris of New Jersey wrote Timothy Pickering: "I care nothing now about your action and doings [in Congress]. Your decrees of conscription and your tremendous levy of contributions . . . are alike indifferent to one whose eyes are fixed on a star in the East, which he believes to be the star of freedom and glory. The mad men and traitors assembled at Hartford will,

¹Nov. 9, 1814.

²Dwight: *Hartford Convention*, 378.

³Babcock: *Rise of American Nationality*, 164.

I believe, if not too tame and timid, be hailed hereafter as the patriots and sages of their day and generation."¹

What this seditious and treasonable movement might have amounted to, had the war not ended so soon,—before the date of the suggested second convention,—we can never know. It had a most disheartening and cruel effect upon Madison. Monroe was more hopeful. He did not believe that the disaffected could dismember the Union,² and he expressed the hope that the leaders would "soon take rank in society with Burr, and others of that stamp."³ Grundy, Calhoun and other leaders of the Republican party regarded the Federalist opposition to the war culminating in the Hartford Convention as amounting to "moral treason,"⁴ while John Quincy Adams is said to have asserted that the Hartford Convention was "unconstitutional and treasonable, wholly abominable, hideous and wicked."⁵

The behavior of the Virginians, even those who opposed the war, was in marked contrast to that of the New Englanders. Even John Randolph of Roanoke, who had opposed entering into the war, and had lost his seat in Congress as a result, did nothing to embarrass the administration in the prosecution of the war, although he had several years before ceased to have any admiration for Madison, and is said to have repeatedly declared "that Madison was as mean a man for a Virginian as John Quincy Adams was for a Yankee."⁶ Randolph not only supported the war but he actually volunteered and joined the army for a time. "As soon as he heard of the sack of Washington, he hastened to Richmond, and tendered his services to the Governor."⁷ He was given an assignment as a vidette and duly took the field, and we know from a letter to his nephew, Theodore Dudley, that he saw service in the field in the vicinity of the confluence of the Pamunkey and Mattaponi Rivers.⁸

¹Morris: *Gouverneur Morris*, II, 575.

²Morse: *Writings* (Hamilton's Ed.), IV, 305.

³Id.

⁴Babcock: *Rise of American Nationality*, 165.

⁵Id. This last statement, however, is attributed to Adams in 1829, and rests upon Henry Cabot Lodge's summary of an unpublished MS. of Adams.

⁶Bruce: *John Randolph of Virginia*, I, 253, citing Parton, *Famous Americans*, 201.

⁷Id., 413, citing Randolph's Diary.

⁸*Letters to a Young Relative*, 159.

There is a singular deficiency of information regarding the Lunenburg soldiers in the war of 1812. Such data as are available indicate that most of them were members, at least at one time, of the First and Second Battalions of the Seventy-third regiment. The assumption is, however, that such companies as saw service were attached to other regiments when actually in the field, for no evidence has been discovered that the 73rd regiment, as such, took the field.

The Lunenburg records show that in April, 1811, Robert Love was recommended as a Captain in the 2nd Battalion, 73rd Regiment, Samuel Pettus as Lieutenant, and Robert Harding, Jr., as Ensign. At the same time Edmund Winn was recommended as Captain in the 1st Battalion of the 73rd Regiment, and Lyddall Winn as Lieutenant and Thomas H. Jeffress as Ensign.

Other recommendations during 1811 were as follows:

William Buford, Cornet of Cavalry in the place of Reuben Vaughan, promoted.

George Craig, Lt., in 1st Bat. & 73rd Regt., in the place of Lyddall Winn who did not qualify.

Thomas Blackwell, Captain, in the 1st Battalion and 73rd Regiment in the place of Upton Edmundson, resigned.

Edmund F. Taylor, Lt., in the place of Matthew Hubbard, resigned.

Reuben Rogers, Ensign.

Lewis L. Taylor, Captain 1st Battalion and 73rd Regiment
"being a new Company District formed by the last regimental Court of Enquiry."

Thomas Buford, Lt.

Jones Allen,¹ Ensign.

Sylvanus Ingram, Captain in the place of Capt. William Ragsdale.

Julius Johnson, Lt.

Edmund Bishop, Ensign.

Boswell B. deGraffenreidt, Lt., in the 2nd Battalion and 73rd Regiment in the place of William Branch, resigned.

Merriwether Hart, Ensign, 2nd Battalion and 73rd Regiment in the place of Boswell B. deGraffenreid, promoted.

¹Grandfather of Captain Cornelius Tacitus Allen, C. S. A.

The following qualifications and recommendations appear during the year 1812:

Lewis L. Taylor, Captain in first battalion and 73rd regiment of Virginia Militia.

Thomas Buford, Lt., in same.

Jones Allen, Ensign, in same.

Boswell B. deGraffenreidt, Lt. in Second Battalion and 73rd Regiment of Virginia Militia.

Reuben Rogers, Ensign in First Battalion and 73rd Regiment.

Thomas Blackwell, Captain.

Sylvanus Ingram, Captain.

Julius Johnson, Lt. of the company of Grenadiers attached to the First Battalion and 73rd Regt. of Virginia Militia.

Edmund Bishop, Ensign in Volunteer Company commanded by Sylvanus Ingram.

Jones Allen, Captain in 1st Battalion, 73rd Regiment of Virginia Militia, in the room of Lewis L. Taylor, who is appointed a Captain in the army of the United States.

This recommendation of Captain Allen was made June 11, 1812 (O. B. 21, page 98), and he qualified August 13, 1812 (O. B. 21, page 119).

John Wilkinson, Ensign, in room of Jones Allen, promoted.

Thomas Wyatt, Lt., in room of Macon Hunt, deceased.

George Craig, Lt., 1st Battalion and 73rd Regt., qualified June 11, 1812.

Thomas Wyatt, Lt., 1st Battalion and 73rd Regt., qualified June 11, 1812.

Peter Jones, Major, in place of John Taylor, resigned.

Lyddall Bacon, Captain, in room of Peter Jones, promoted.

Henry Tisdale, Lt., in room of Lyddall Bacon, promoted.

Thomas C. Clark, Ensign, in room of Henry Tisdale, promoted.

John H. Knight, Ensign, in Captain John Stokes' Company in room of Joseph Townsend, resigned.

An order entered November 14, 1812, shows that Waddy Street was Lieutenant Colonel, and Commandant of the 73rd

Regiment. It directed him to "return his account of the drafts for the years 1810 and 1811" by December Court, 1812.

The following qualifications and recommendations appear during the year 1813:

Francis Robertson, Major, 1st Battalion and 73rd Regiment, in the room of James Hinton, resigned.

Thomas Morgan, Ensign, in the room of William Skinner, resigned.

William Jones, Captain of Artillery in the 1st Battalion and 73rd Regiment, Virginia Militia, in the room of Francis Robertson, promoted.

William B. Cowan, 1st Lt., in the room of Thomas Harding, resigned.

James Tisdale, 2nd Lt., in the room of Leonard Crymes, resigned.

John Bigger, 1st Lt., in Cavalry, attached to the 73rd Regiment.

Benjamin Tomlinson, Lt., in the room of Julius Johnson, deceased, in Captain Silvanus Ingram's Company of Volunteers of Light Infantry, 1st Battalion and 73rd Regiment (O. B. 21, p. 312).

The following qualifications and recommendations appear during the year 1814:

Charles Smithson, 2nd Lt., in Captain William Jones' Company of artillery, in the room of James Tisdale, resigned.

James S. Ragsdale, Ensign in Captain Silvanus Ingram's Company in the room of Edmund Bishop, cashiered.

Edmund Hardy, 2nd Lt., in troop of Cavalry attached to 73rd Regiment, in room of Reuben Vaughan, resigned.

John W. Scott, Cornet, in the room of William Buford.

The records further show that on November 10, 1814, Captain Jones Allen was a supernumerary officer, and applied to fill the next vacancy in his rank; and on December 8, 1814, Thomas Buford, a lieutenant, and John Wilkerson, an ensign in Captain Jones Allen's Company applied to fill the next vacancies in the ranks in the 73rd Regiment.

In the printed volumes of the muster rolls and pay rolls of soldiers of the war of 1812, entitled to Land Bounty under the act of Congress of September 28th, 1850, no record is found of the 73rd Regiment nor of any of the Lunenburg Companies under any of the captains mentioned above.

That some of these soldiers saw some character of service does not admit of doubt, despite the inexplicable omission from the printed record of muster rolls and pay rolls above mentioned.

In the Department of Archives of the Virginia State Library is preserved the following original letter:

“Lunenburg County Dec. 13, 1813.

His Excellency, James Barbour

Sir;

Inclosed is a recommendation of the County Court of Lunenburg made at their last court of a Lieutenant in the Company of Light Infy. attached to the 1st Battn of the 73rd Regt. This *Company of Light* Infantry is now in requisition at Norfolk attached to the 6th Regiment.

The vacancy in this comp'y was occasioned by the death of Lt. Johnson (who returned Home from Norfolk sick and has recently died). Mr. Tomlinson the Gentleman recommended by the Court is now at Norfolk acting as Sergeant in the Company. I have thought it my duty to make known these circumstances to your Excellency, That you may be apprized of the most direct channel of forwarding Mr. Tomlinson's commission to him. With respect I am yr. Excellency's most obt. St.

W. Street, Lt. Col.

Commdr. of the 73rd Rgt.”

Endorsed:

Commission to issue to be sent to Norfolk.

The Lieutenant Johnson here referred to was Lt. Julius Johnson, and the Company to which he belonged, then stationed at Norfolk and attached to the 6th Regiment, was the Company of Captain Silvanus Ingram. This we know from the order above referred to entered December 9, 1813, recommending Benjamin

Tomlinson as a Lieutenant "in the room of Julius Johnson, decd., in Captain Silvanus Ingram's Company of Volunteers."¹

The military activities of the Lunenburgers in the War of 1812, deserve further research at the hands of some future historian.

¹Lunenburg County Court Order Book 21, page 312.

CHAPTER VIII

The Courts: The County Courts



THE history of the County Courts naturally falls into several divisions, marked by the Colonial period, and the different eras under the successive Constitutions of the State.

The County Courts of the Colonial Period

The County Courts, under the Colonial regime, were from many points of view, the most interesting and important of Virginia's institutions. The whole Colonial judicial establishment was interesting. The Governor and Council of State composed the supreme judicial tribunal of the Colony. It was known as the General Court. The Governor was the President of the Court and there were twelve members of the Council, who were appointed by the King upon the recommendation of the Governor. This court sat at Williamsburg and held two terms each year. It was a Court of Oyer and Terminer. It was a Chancery Court in cases involving twenty pounds value, and otherwise having grounds for chancery jurisdiction. The Governor served as Chancellor. The decisions of the General Court were final in cases involving five hundred pounds or less. Above that amount its decision could be appealed from, to the King in Council.

From 1680 to the end of the Colonial period the Council constituted an upper house of the Assembly; the House of Burgesses being the lower house.

Membership in the Council was deemed a very high honor, and the position was one of many privileges. The member was exempt from taxes, and in addition to being judge, he was a colonel of his county, and was often also a naval officer, collector, auditor and farmer of the quit-rents.¹

The County Courts were composed of gentlemen of the county appointed Judges or "Justices" by the Governor in the first in-

¹Note by R. A. Brock, Vol. I, p. 50, *Spotswood Letters*.

stance. Thereafter appointments were made upon the recommendation of the court itself. The number was originally determined by the Governor's wishes.¹

Presumably he was influenced in that matter by the needs of the situation, due to the number of the population and other like reasons. The County Courts sat monthly, and had criminal jurisdiction in all but capital cases. They were Civil Courts also; had jurisdiction of probates, and final jurisdiction in civil cases in amounts of less value than twenty pounds. Above that sum litigants could appeal to the General Court.

During the interregnum, there were different modes prescribed for appointing the Justices. At one time the method included a proviso for confirmation by the Assembly, but upon the restoration of the royal government the power of appointment was lodged in the Governor, but was only exercised upon recommendation of the County Courts; it was thus lodged and exercised from the creation of Lunenburg County to the end of the Colonial era.

The County Courts and the vestries constituted the agencies through which the people of the counties conducted practically all of the local public affairs. The vestries were elected by the "freeholders and housekeepers" of their respective parishes. The parishes were usually co-terminous with the counties, but not always: for example, Lunenburg County at one time comprised Cumberland, St. James and Cornwall parishes. The method of electing the vestries, or rather the qualification for voting for them in Colonial days, was a far cry from the present with its practically universal manhood and woman suffrage. In order for one to be entitled to vote for a vestryman he had to be qualified by the ownership of a freehold, that is to say of an inheritable interest in land. He had, in other words, to own the

¹Preface to *Justices of the Peace of Colonial Virginia, 1757-1775*, Bulletin Va. St. Lib., Vol. XIV, Nos. 2, 3.

Mr. Brock in a note to the *Spotswood Letters* (Vol. I, p. 50) says they were eight in number, of whom four constituted a quorum. This statement without qualification is too broad. At one time this was the number prescribed but at other periods the number far exceeded this, and that eight was the standard membership of the County Courts during the Colonial period is not true.

land in fee simple, or at least an estate for the life of another, which, of course, if the other person outlived him he could transmit; or he had to be a housekeeper. It is easy to see, that such being the qualifications for voting and the method of electing the vestries, they were very likely to represent the point of view and to reflect the wishes of the great rank and file of the citizenship, who owned the property, paid the taxes, fought the battles in war, and generally carried a large part of the burdens and represented the financial responsibility of the community.

The vestries, in the Colonial days, were in the main drawn from the more prominent and prosperous citizens of the community. Their election to the vestries indicated that the majority of their fellow-citizens qualified to vote had confidence in their honesty, integrity and ability. They represented the popular point of view in the sense that they more nearly than any other local body were the direct representatives of the people. The Justices of the County Courts on the other hand were neither chosen directly by the freeholders, nor by the Burgesses, but were a self-perpetuating body appointed first, upon the creation of a county by the Governor, who, of course, was in turn appointed by the King or his Ministers.

While these facts suggest an almost inevitable development of different points of view, and different courses of conduct, the difference actually developed at least for a considerable time seems not so marked as might have been expected. The vestries did have a notable controversy with the Colonial Governors. But the County Courts were not directly parties to that controversy. Furthermore, while the royal governors had it seems unrestrained choice and power in the naming of the original members of the County Courts, they had to select them from the citizenship of the county; and to have selected any but from among the best educated, most able and highly respected elements of the community, would have tended to destroy respect for the Governor. Furthermore, it may be said generally, to the credit of the Colonial governors, that they seem never to have felt a desire to appoint any but entirely worthy men to these offices. And the body once created was careful to maintain the high

character of the court by recommending only capable men for vacancies and additions.

The County Courts became the most influential bodies in the Colonial establishment. Careful historians have ascribed to them generally a high sense of justice and fairness and an unusual measure of ability. To the character of these courts as an institution, was undoubtedly due the great satisfaction of the people with the administration of the judicial affairs of the community.

In the manner of their creation, the lack of the popular voice in their selection, and their aloofness, so far as the tenure by which they held their titles was concerned, from the influences which so often weigh heavily with public representatives, they represented the very antithesis of Mr. Jefferson's idea. But so deservedly great was the influence of these Colonial County Courts, and their successors, under the Constitutions of 1776 and 1829-30, that they resisted the leveling influence of the Jeffersonian idea for nearly half a century after his death.

The members of the County Court, once appointed, held office for life. It does not appear that there was any provision or precedent for removing them from office. We know of no case, during the Colonial era where any member of any County Court was removed, or his removal attempted. Being, as it was in substance and effect, a self-perpetuating body, it was for that reason, chiefly, as we shall see, eventually opposed as being an institution, essentially unrepresentative and undemocratic.

Lunenburg County came into existence May 1, 1746, during the administration of William Gooch. The circumstances under which he appointed the first County Court of Lunenburg County we may never know. What acquaintance he had with the individuals and the reasons weighing in their selection are matters about which we may speculate. But we do know, that in the light of history, he had excellent material to choose from, and made a wise choice, in deciding upon the personnel of Lunenburg's first County Court.

The members of the first County Court of Lunenburg constituted such in the Commission of the Peace for the County, and

the Dedimus Potestatem for administering the oaths were as follows:

John Caldwell,	William Hill,
John Hall,	William Caldwell,
William Howard,	Cornelius Cargill,
Matthew Talbot,	Abraham Cook,
Lewis Deloney,	Hugh Lawson, and
John Phelps,	Thomas Lanear [Lanier].

These were all present "at the Court House of the said County on the fifth day of May in the sixth year of the reign of our Sovereign Lord King George the Second and the year of our Lord God one thousand seven hundred and forty-six."¹

The court composed of additions to this body, and their successors, recommended by themselves, in office at the time of the fundamental change in the government, the creation of a free commonwealth by the adoption of the constitution of May 6, 1776, was not disturbed.

Ordinarily, upon the overthrow of a government and the erection of a new one in its place, the institutions are changed,—and if not in name, the officials in charge would be. In Virginia, by the Constitution of 1776, neither was disturbed. The County Court as an institution was continued and no provision was made for the termination of the tenure of the justices. On the contrary, those in office were given power to recommend enlargements of the court and the successors for vacancies, and no appointments for either purpose could be made without such recommendation.

The effect of the provisions on the subject in the Constitution of 1776, as we shall see, was that those Justices in office at the time simply continued to function under the Constitution without any interruption whatever in the routine of their duties. There was no necessity for change to secure support of the Constitution, for it was largely made by members of the County Courts. Both David Garland and Lodowick Farmer who represented Lunenburg in the Convention which framed that Constitution were at the time members of the County Court of Lunenburg.

¹Opening order, Lunenburg County Order Book.

An analysis of the membership of the Convention of 1776 would undoubtedly show that a large majority were members of the various County Courts of the Colony.

The County Courts Under the Constitution of May 6, 1776

The Convention which framed this constitution met in the city of Williamsburg, Monday, May 6, 1776. The constitution which it framed was "the first written constitution of a free State in the annals of the world."¹

When the convention met it proceeded to a choice of president. Edmund Pendleton of Caroline County was nominated by Richard Bland of Prince George, and the nomination was seconded by Archibald Cary of Chesterfield. Thomas Ludwell Lee of Stafford County was nominated by Thomas Johnson of Louisa, the nomination being seconded by Bartholomew Dandridge of New Kent County. Pendleton was elected, assumed the office, and the convention under his presidency made such expeditious work of its business that its labors were completed July 5, 1776.

Lunenburg was represented in this convention by David Garland and Lodowick Farmer, while her daughters, Halifax, Bedford, Charlotte and Mecklenburg, and her grandchild, Pittsylvania, were represented as follows: Halifax by Nathaniel Terry and Micajah Watkins; Bedford by John Talbot and Charles Lynch; Charlotte by Paul Carrington and Thomas Read; Mecklenburg by Joseph Speed and Bennett Goode; and Pittsylvania by Benjamin Lankford and Robert Williams. It will be interesting to recall the names of some of the more distinguished patriots who were fellow-members with these men in this convention. There were the immortal Patrick Henry of Hanover; George Mason, author of the Bill of Rights, of Fairfax; James Madison, of Orange; Robert C. Nicholas, of James City; Benjamin Harrison of Charles City; Edmund Randolph of Williamsburg;

¹Discourse before the Virginia Historical Society in 1852 by Prof. Washington. Quoted by Hugh Blair Grigsby in his discourse on the Virginia Convention of 1776, pages 25 and 26; and Grigsby adds, "and he has said truly."

See *History of Virginia Conventions*, Breneman, p. 33.

Richard Lee of Westmoreland; and Thomas Nelson of York, to mention only a few, and to make selection, where selection is most difficult.

To this convention some of those entitled to seats sent alternates or proxies to represent them; thus Edmund Randolph appeared for George Wythe, and John A. Washington for Richard Henry Lee. Thomas Jefferson with Charles Lewis had been named for the County of Albemarle, but as Jefferson was elected to Congress, and was needed upon a wider, and if possible more important theatre of action, he sent George Gilmer in his stead.¹

This convention elected Patrick Henry Governor of the State, on June 29, 1776, he receiving 60 votes, Thomas Nelson 45, and John Page 1.

The Convention on May 15, 1776, instructed their delegates in the Continental Congress, at Philadelphia, to propose to that body to declare the United Colonies free and independent states. The Declaration of Independence was the result. Lunenburg's direct connection with that event and that immortal document, through the part her representatives, David Garland and Lodowick Farmer, had in giving these instructions to Virginia's representatives in Congress is clearly seen.

The Convention appointed a committee to prepare a declaration of rights and a plan of government. The personnel of this committee, this writer has not been able to ascertain. It appears, however, that Archibald Cary was its Chairman, and that George Mason was not originally on it. He was added to the committee on May 18th,² and it was he who drafted the Declaration of Rights. After some amendments made in committee of the whole, it was adopted by the Convention on the 12th of June, 1776, without a dissenting vote.

Likewise George Mason made the draft of the Constitution.³

Thomas Jefferson had drawn up a constitution for the consideration of this Convention and placed it in the hands of George Wythe. But for some reason Wythe was late in arriving at

¹For a full list of the delegates, see *History of Virginia Conventions* (Breneman), pp. 33-35.

²Code of 1860, p. 32.

³Letter of James Madison, Sparks' *Washington*, Vol. 9, p. 548; Code of 1860, p. 34.

Williamsburg, and when he arrived Mason's draft had been reported by the special committee, and it was under consideration by the committee of the whole.¹

The preamble to Jefferson's draft was adopted, and prefixed to Mason's draft of the Constitution; and two or three parts of Jefferson's plan with some minor changes were introduced into the Mason draft, and the instrument, thus put in shape as a whole, was adopted.

Whether Mr. Jefferson at that early date, entertained the advanced views respecting universal suffrage which he later held, we do not know. It seems quite certain, however, that he did not hold the radical views respecting the popular election of all public officials which he in later years avowed; nor, it seems, did he then have the feeling of strong hostility toward the County Courts which he afterward entertained.

We do not know whether the County Court System was even the subject of any particular controversy or debate in the Convention of 1776. Likely not, for larger questions, and more important and vital matters than the reformation of the county machinery, absorbed the public attention, and demanded decisive action. Be all of this as it may, the County Court System was but slightly modified. Indeed, it may be said that only such changes were made as were necessary to change from the Colonial or Monarchical to a Republican form of Government. On the subject the Constitution provided:

"The Governor, with the advice of the Privy Council, shall appoint justices of the Peace of the Counties; and in case of vacancies, or a necessity of increasing the number hereafter, such appointments to be made upon the recommendation of the respective County Courts. The present acting Secretary in *Virginia*, and Clerks of all the County Courts, shall continue in office. In case of vacancies, either by death, incapacity, or resignation, a Secretary shall be appointed as before directed, and the clerks by the respective courts. The present and future clerks shall hold their offices during good behavior, to be judged of and determined in the General Court. The Sheriffs and Coroners shall be

¹Wythe to Jefferson, July 27, 1776.

nominated by the respective courts, approved by the Governor, with the advice of the Privy Council, and commissioned by the Governor. The Justices shall appoint Constables, and all fees of the aforesaid officers to be regulated by law."¹

This constitution provided for two houses of the General Assembly, one to be called the House of Delegates, and the other the Senate; the Privy Council above mentioned was a council of eight members chosen by joint ballot of the House and Senate, either from their membership or from the people at large. It was also provided that the Secretary of the Commonwealth should be likewise chosen by joint ballot.

It will thus be seen that the County Courts continued to be appointed by the Governor and Council, and continued self-perpetuating bodies since in case of vacancies or necessity for increasing the number such appointments by the Governor were to be made only upon the recommendation of the County Courts. In other words, the Governor appointed, the person selected by the Court itself, or at least the appointee had to be recommended by the County Court upon which he was to serve.

These Courts appointed their own Clerks, who served during good behavior, of which the County Courts were *not* the Judges. They could appoint, but could not remove the Clerk. In effect the Clerk, once appointed, had a life tenure, unless removed by the General Court, which was a court of ten judges, chosen by a joint ballot, and which held its terms at the State Capitol.

The County Courts Under the Constitution of 1830

In the latter part of the Eighteenth Century and the early part of the Nineteenth Century, the period following the success of the American arms in the Revolutionary war, and a part of which was to some extent under the influence of the French Revolution, there was a tendency, too great as many believe, toward throwing off the wholesome restraints of established institutions. There developed a great desire for innovation; change, in the direction of greater republicanism, more democracy, a liberalization or popularization of institutions, were everywhere de-

¹Article XV, of Chapter II, Revised Code, 1803.

manded. If this was not true, as of course it was not, of the whole community, it was distinctly true of a sufficient element to raise the issue. There were, in the common phrase, two schools of thought on the subject. The extent that the French Revolutionary ideas made their impression in our section is indicated by the fact that in certain parts of Southside Virginia men ceased to use the common appellation of "Mr." and used that of "Citizen" instead. But this was, it seems, something of a fad, and was short-lived. Moreover, a school of thinkers, more or less abstract philosophers, arose, who conceived the times auspicious for constructing a plan of Government, as it should be theoretically, largely regardless of experience with past institutions, all of which were viewed as, in one way or another, the products of Kingly domination, and the bulwarks of the aristocracy which still survived. The governmental institutions then in existence, and especially the ways provided for designating the public officials, who were the agencies and functionaries of these institutions, did not please this liberal school.

The Constitution of 1776 provided that the House of Delegates should consist of two representatives "to be chosen for each county, and for the district of West Augusta, annually, of such men as actually reside in and are freeholders of the same," and provision was made for the election at the same time of a Senate of twenty-four members.¹

With the election of members of the House of Delegates and the Senate, the voter was through. All other offices were filled in some other manner. The Governor was chosen by the joint ballot of the two houses; as were also the Council of State, and the Judges, except Justices of the County Courts, whose members were appointed by the Governor on the recommendation of the Court itself. The militia officers were appointed by the Governor on the recommendation of the County Courts.

With the right of suffrage limited to the "freehold basis,"—that is to say, to those who owned an estate of freehold in land; and with the right of these voters practically limited to the election of members of the General Assembly, it is not difficult to

¹Constitution of 1776, Sec. V, Sec. VI.

understand that dissatisfaction with the system developed. And so it did. The demand became insistent for extension of the right to the other citizens of the community; and for the right to elect other officers besides members of the House of Delegates and the Senate.

Mr. Jefferson was one of the most liberal as well as the ablest in advocacy of the extension of the elective franchise. He and others had desired the calling of a convention, very soon after the termination of the Revolutionary War, to establish a new Constitution. They had hoped that the Convention would be called in the summer of 1783. Instead, however, the state lived relatively well for over fifty years under George Mason's constitution of 1776.

What his ideas were at this time (1783) respecting the suffrage we know very definitely; for in anticipation of the calling of a Constitutional Convention then, he made a draft of a Constitution to be submitted to it. The voters under his proposed constitution would have been of three classes: First, citizens who had resided for a year in the county; second, those who for a year had possessed real property of a given value; and third, those enrolled in the militia. The provision as he wrote it was:

"All free male citizens, of full age, and sane mind, who for one year before shall have been resident in the county, or shall through the whole of that time have possessed therein real property of the value of _____ or shall for the same time have been enrolled in the militia, and no others, shall have a right to vote for delegates for the said county, and for senatorial electors for the district. They shall give their votes personally, and *viva voce*."¹

Not only was there dissatisfaction with the matter of suffrage, but the "aristocratic" County Courts were anathema in the views of the ultra republicans.

In propagating these views Jefferson had probably the leading part. The evolution of his ideas and theories, while a most interesting and inviting subject, we must hold outside the scope of this work.

¹*Jefferson's Notes*, p. 224 (Lilly and Waite, 1832).

Of him it has well been said: "The events through which he had passed in early manhood unquestionably inflamed his imagination in its outlook even on the events of the normal years in which his later life was spent. The arrogant conduct of the British Government toward the American colonies before the Revolution; the exasperations of that conflict after it had once begun; his observations of the unequal laws in France, and the consequent prostration of its people in the mass, previous to the destruction of the monarchy,—all this had convinced him that there was an instinctive and unavoidable antagonism between rulers and ruled, unless the rulers were chosen by the majority of the people; and that, even when they were, eternal vigilance was the price of liberty."¹

With all his practical ideas (and in some respects he was the most practical of men), Jefferson was a theorist and a speculator in the realms of political economy and the science of government. Not only is this abundantly proven by his writings, but it was the opinion of his contemporaries. William B. Giles, a man for whose abilities Mr. Jefferson had the highest regard, and who was his trusted lieutenant respecting important measures of the Jefferson Administration, once said of him: "Mr. Jefferson was certainly a highly respectable man, but as we all know, he dealt very much in theories."²

But it does not appear that his theories had led him as early as 1783 to the antagonism toward the County Courts which he afterwards developed, for his draft of Constitution prepared for submission to the Convention which he hoped would be called that year had, among other provisions, these:

"The *Judiciary* powers shall be exercised by County Courts and such other inferior courts as the legislature shall think proper to continue or to erect. . . ."

"The justices or judges of the inferior courts already erected, or hereafter to be erected, shall be appointed by the Governor, on advice of the council of state, and shall hold their offices during good behavior, or the existence of their court."

¹Philip Alexander Bruce: *History of the University of Virginia*, Vol. I, p. 9.

²*Debates of the Convention of 1829*, p. 509.

"All courts shall appoint their own clerks, who shall hold their offices during good behaviour, or the existence of their court. . ."¹

It seems reasonable to find a basis for a part of his later hostility toward the County Courts, in a disappointment which he met in one of his educational schemes.

As early as 1779 "he sought to create in his native State . . . a system of public instruction so far ahead of his times that the community continued too unripe to receive it until the War of Secession had removed every one of those impediments, which he, with all his zeal and persistency, had found it impossible to surmount."²

In 1796 a bill, based in substance on the principle of the bill of 1779, was passed. It provided for the division of each county into districts, and for appointing "aldermen" to decide upon the expediency of summoning the householders of each district together to pass upon the question of erecting primary schools for that district. If its citizens were found to be favorable to the establishment of the school, a tax was to be laid to meet the cost of providing the schoolhouse, and the services of the teacher. The plan contemplated that every child in the district should have the right to attend the school free three years.

Concerning this act, Dr. Bruce says:

"Unfortunately, an amendment granted the right to the County Court to determine the year in which the aldermen were to be appointed, and until this was done, no valid election could be held by the householders. This clause, which was really inserted to sound the death-knell of the bill, was a subtle political device at bottom. The members of the General Assembly knew that the measure was a popular one with the lower class of voters, and an unpopular one with the highest class, and they, therefore, shifted the responsibility from themselves to the magistrates, without appearing to be at all opposed to the wishes of their constituents. It is certain that the magistrates as a body felt no sympathy with any general plan of popular education; and in addition, were not disposed, as the representatives of the wealth

¹*Jefferson's Notes*, Appendix II (p. 231).

²Philip Alexander Bruce: *Hist. of U. Va.*, Vol. I, p. 65.

of the community, to shoulder the expense of providing free instruction for the children of their less fortunate neighbors. They refused to acknowledge the force of Jefferson's argument that they would profit by public education because it would people every countryside 'with honest, useful, and even enlightened citizens'; nor did they discover any pertinency to themselves in his suggestion that, as there were only three generations between shirt-sleeves and shirt-sleeves, their grandchildren, having fallen to the level of the poor, would have to depend upon the taxes paid by the rich for their restoration, through education, to the affluence and social position of their grandfathers."¹

Jefferson once declared, in his old age, that the cause of public education had been the earliest of his concerns, and would be his last. It may be said, it was also the one at all times that kept his most devoted interest.

It is not strange, therefore, that when he saw, in the years following 1796, the County Courts set at naught, the dearest of his schemes, he should have turned against them as an institution. Jefferson probably did not realize that the General Assembly might not have passed his bill at all, if it had not felt a moral certainty that the County Courts would do just what they did. It is easy to imagine his feelings when he saw an act of the Legislature, initiating, as he rightly believed it, a great and noble policy, made a dead letter through the inaction of the County Courts. He immediately conceived the remedy to be to make the Justices of the County Courts responsive to the popular will through the medium of practically unrestricted popular suffrage.

Probably there were reasons other than this one which confirmed him in the position he took. At any rate, he spoke with no uncertain meaning. On few subjects did he ever deliver himself with more vigor and firmness than on this.

Whatever may have been the course of his reflection, or the experiences upon which he based his conclusions, by 1816 he had come to the point of absolute opposition to them. He not only opposed, he emphatically condemned. And what is possibly more important still he declared himself for general suffrage, appar-

¹Philip Alexander Bruce: *Hist. of U. Va.*, Vol. I, 83.

ently meaning thereby adult manhood suffrage without any qualification whatsoever.

In a letter from Monticello, July 12, 1816, to Samuel Kerchival, he wrote:

“The justices of the Inferior Courts are self-chosen, are for life, and perpetuate their own body in succession forever, so that a faction once possessing themselves of the bench of a county, can never be broken up, but hold their county in chains, forever indissoluble. Yet these justices are the real Executive as well as Judiciary, in all our minor and most ordinary concerns. They tax us at will; fill the office of sheriff, the most important of all the Executive officers of the County; name nearly all our military leaders, which leaders, once named, are removable but by themselves. The juries, our judges of all fact, and of law when they choose it, are not selected by the people, or amenable to them. They are chosen by an officer named by the Court and Executive. Chosen, did I say? Picked up by the sheriff from the loungings of the courtyard, after everything respectable has retired from it. Where then is our republicanism to be found? Not in our Constitution certainly, but merely in the spirit of our people. That would oblige even a despot to govern us republicanly. Owing to this spirit, and to nothing in the form of our Constitution, all things have gone well. But this fact, so triumphantly misquoted by the enemies or reformation, is not the fruit of our Constitution, but has prevailed in spite of it. Our functionaries have done well, because generally honest men. If they were not so, they feared to show it.

“But it will be said, it is easier to find faults than to amend them. I do not think their amendment so difficult as is pretended. Only lay down true principles, and adhere to them inflexibly. Do not be frightened into surrender by the alarms of the timid, or the croakings of wealth against the ascendancy of the people.

“The organizations of our county administrations may be thought more difficult. But follow principle, and the knot unties itself. Divide the counties into wards of such size as that every citizen can attend when called on, and act in person. Ascribe to them the government of their wards in all things relating to them-

selves exclusively. A Justice, chosen by themselves, in each, a constable, a military company, a patrol, a school, the care of their own poor, their own portion of the public roads, the choice of one or more jurors to serve in some court, and the delivery, within their own wards, of their own votes for all elective officers of higher sphere, will relieve the county administration of nearly all its business, will have it better done, and by making *every citizen* an acting member of the Government, and in the offices nearest and most interesting to him, will attach him by his strongest feelings to the independence of his Country, and its republican Constitution. The justices thus chosen by every ward, would constitute the County Court, would do its judiciary business, direct roads and bridges, levy county and poor rates, and administer all the matters of common interest to the whole county. These wards, called townships in New England, are the vital principle of their Governments, and have proved themselves the wisest invention ever devised by the wit of man for the perfect exercise of self-government, and for its preservation. We should thus marshal our Government into, first, the general Federal Republic, for all concerns foreign and Federal; second, that of the state, for what relates to our own citizens exclusively; third, the county republics, for the duties and concerns of the county; and fourth, the ward republics, for the small, and yet numerous and interesting concerns of the neighborhood; and in Government, as well as in every other business of life, it is by division and sub-division of duties alone, that all matters, great and small, can be managed to perfection. And the whole is cemented by giving to every citizen, personally, a part in the administration of the public affairs."

"The sum of these amendments is, first, General Suffrage. Second, Equal representation in the Legislature. Third, an Executive chosen by the people. Fourth, Judges elective or amovable. Fifth, Justices, jurors and sheriffs elective. Sixth, Ward divisions. And seventh, Periodical Amendments of the Constitution."¹

Nine days, after the date of the letter to Samuel Kerchival, on

¹Jefferson's Works.

July 21, 1816, he wrote to Col. John Taylor, a member of the County Court of Caroline County, in part, as follows:

“Nor, I believe, do we differ as to the County Courts. I acknowledge the value of this institution; that it is in truth our principal executive and judiciary, and that it does much for little *pecuniary* reward. It is their self-appointment I wish to correct; to find some means of breaking up a cabal, when such a one gets possession of the bench. When this takes place, it becomes the most afflicting of tyrannies, because its powers are so various, and exercised on everything most immediately around us. And how many instances have you and I known of these monopolies of county administration! I knew a county in which a particular family (a numerous one) got possession of the bench, and for a whole generation never admitted a man on it who was not of its clan or connexion. I know a county now of one thousand and five hundred militia, of which sixty are federalists. Its court is of thirty members, of whom twenty are federalists (every third man of the sect). There are large and populous districts in it, without a justice, because without a federalist for appointment; the militia are as disproportionately under Federal officers. And there is no authority on earth which can break up this junto, short of a general convention. The remaining one thousand four hundred and forty, free fighting and paying citizens, are governed by men neither of their choice nor confidence, and without a hope of relief. They are certainly excluded from the blessings of a free Government for life, and indefinitely, for aught the Constitution has provided. This solicism may be called anything but republican, and ought undoubtedly to be corrected.”¹

The agitation of the matter of amending the constitution of 1776, began certainly as early as 1783, for we have seen that Mr. Jefferson in that year, or prior to it, prepared the draft of a constitution which he hoped to submit to a Constitutional Convention in 1783. The efforts of those who wanted to amend the Constitution continued, and resulted in a meeting at Staunton, August 19-23, 1816, of sixty-five delegates representing thirty-five western counties.²

¹Jefferson's Works.

²Ambler: *Sectionalism in Virginia from 1776-1861*, pp. 94-5.

Jefferson's letters to Kerchival and Taylor became the texts of the arguments of the proponents of a Constitutional Convention to effectuate the proposed reforms. In modern parlance, these were a part of the propaganda on the subject.

Eventually the Constitutional Convention was called. The legislature of 1827-8 passed a bill for the purpose of ascertaining the wishes of the voters on the question. The voters by a vote of 21,896 to 16,646 approved the calling of a convention.

Under the act, pursuant to which the Convention was called, there was no restriction in the right of selection of delegates, either as to the office which was then held, or as to the place where the delegate resided. The twenty-four Senatorial Districts, into which the state was then divided, were entitled to four delegates each. In some cases, the people of one district selected their delegates, or some of them, from residents of other districts. It was the case, in many instances, that counties within a given district, were not honored by having a resident among the delegates.

It so happened in the case of Lunenburg County. The district was composed of Brunswick, Dinwiddie, Lunenburg, and Mecklenburg Counties. The delegates elected for this district were:

William H. Brodnax, of Dinwiddie,
George C. Dromgoole, of Brunswick,
Mark Alexander, of Mecklenburg, and
William O. Goode, of Mecklenburg.

The Convention assembled on October 5, 1829, in the Hall of the House of Delegates, in the Capitol at Richmond. Ex-president Madison, when the delegates were well assembled, arose and nominated Ex-president Monroe as chairman or president of the Convention, and he was unanimously chosen, no other person being put in nomination.

While no attempt will be made to describe the Convention, a purpose may be served by giving some glimpse of the surroundings, and the background of its work.

One of the districts represented in the Convention was com-

posed of Charlotte, Halifax and Prince Edward Counties. This district was represented by:

John Randolph, of Charlotte (the famous John Randolph of Roanoke),
William Leigh, of Halifax,
Richard Logan, of Halifax, and
Richard N. Venable, of Prince Edward.

Lunenburg's other children and grandchildren had the following representation in the Convention:

Bedford: William Campbell, and Callohill Mennis.
Campbell: Samuel Clayton, and James Saunders.

The district composed of Franklin, Patrick, Henry, and Pittsylvania (all grandchildren, and great-grandchildren of Lunenburg), was represented by:

George Townes, of Pittsylvania,
Benj. W. S. Cabell, of Pittsylvania,
Joseph Martin, of Henry, and
Archibald Stuart, Jun., of Patrick.

The Convention was an interesting and important body in every aspect. The liberal provisions regulating the choice of delegates, enabled the voters to make the best choices possible, both in respect to the character and talent of the delegates.

Among the delegates were two ex-presidents, Madison and Monroe. Mr. Madison enjoyed the unique distinction of being the only survivor of the Convention of 1776, which formed the first Constitution of the State, and was one of the two surviving members of the Convention, which formed the Constitution of the United States.¹

The Chief Justice of the United States, John Marshall, was a delegate, as were Governor William B. Giles, United States Senators, John Tyler and Littleton Waller Tazewell. There were also eleven representatives in Congress, including John Randolph of Roanoke, Charles F. Mercer, Philip P. Barbour, and Philip Doddridge.

¹*Debates, Convention of 1829*, p. 1, preface.

Other prominent members were John W. Green, of Culpeper, Abel P. Upshur of Northampton, Lewis Summers of Kanawha, Alexander Campbell, the minister, and founder of the restoration movement to re-establish the Christian Church, Gen. Robert B. Taylor of Norfolk, Benjamin Watkins Leigh of Chesterfield, Chapman Johnson of Augusta and John R. Cooke of Frederick.

The distinguished scholar and careful historian, William Cabell Bruce,¹ has said of the Virginia Convention of 1829-30: "All local self-conceit aside, there can be no doubt that these debates constitute one of the most remarkable gifts that the political genius of the Anglo-Saxon race has ever made to Parliamentary History. To reach this conclusion, there is no need that the *ipse dixit* of anyone, Virginian or otherwise, should be accepted. All that the skeptic need to do is to take up the volume itself, with a mind not completely sealed to persuasion, and to read the imperishable record of those discussions, in which the proper basis and distribution of representation, the reorganization of the Executive and Judicial Departments of the State Government, and other constitutional questions of high import were agitated with a range of knowledge, a philosophical breadth and insight, a strength and clearness of reasoning, an animated eloquence, an academic gloss, and a punctilious courtesy such as has rarely distinguished any convention, parliament, or congress in the annals of free institutions."²

On October 10, 1829, President Monroe appointed the committee on the Judicial Department. It was composed of

John W. Jones, of Chesterfield,
Mark Alexander, of Mecklenburg,
Chief Justice John Marshall, of Richmond,
Peachy Harrison, of Rockingham,
Briscoe G. Baldwin, of Augusta,
Fleming B. Miller, of Botetourt,
Augustine Claiborne, of Greensville,
Richard N. Venable, of Prince Edward,
Robert Stanard, of Spottsylvania,

¹Now, 1926, United States Senator from Maryland.

²*John Randolph of Roanoke*, Vol. I, p. 603.

Joseph Martin, of Henry,
Richard H. Henderson, of Loudon,
Thomas Griggs, Jun., of Jefferson,
Elisha Boyd, of Berkeley,
Andrew M'Millan, of Lee,
Richard Morris, of Hanover,
John P. Mathews, of Wythe,
John Laidley, of Cabell,
Alexander Campbell, of Brooke,
John Scott, of Fauquier,
Robert B. Taylor, of Norfolk,
Callohill Mennis, of Bedford,
Lucas P. Thompson, of Amherst, and
Thomas M. Bayly, of Accomack.

The Committee elected Chief Justice Marshall its Chairman.

On October 20, Chief Justice Marshall for the Judiciary Committee reported as follows:

“1. Resolved, That the Judicial power shall be vested in a Court of Appeals, in such Inferior Courts, as the Legislature shall from time to time ordain and establish, and in the County Courts. The jurisdiction of these tribunals shall be regulated by law. The Judges of the Court of Appeals and the Inferior Courts, shall hold their offices during good behavior, or until removed in the manner prescribed in this Constitution; and shall, at the same time, hold no other office, appointment, or public trust: and the acceptance thereof, by either of them, shall vacate his judicial office. No modification or abolition of any Court, shall be construed to deprive any Judge thereof of his office; but such Judge shall perform any judicial duties which the Legislature shall assign him.

2. Resolved, That the present Judges of the Court of Appeals, Judges of the General Court, and Chancellors remain in office until the expiration of the first session of the Legislature, held under the new Constitution, and no longer. But the Legislature may cause to be paid to such of them, as shall not be re-appointed, such sum as, from their age, infirmities, and past services, shall be deemed reasonable.

3. Resolved, That Judges of the Court of Appeals and Inferior Courts, except Justices of the County Courts, and the Aldermen or other Magistrates of Corporation Courts, shall be elected by the concurrent vote of both Houses of the General Assembly, each House voting separately, and having a negative on the other; and the members thereof voting *viva voce*. [The remainder of this section had to do with appointments by the Governor in case of the failure of the Legislature to name the judges.]

4. Resolved, That the Judges of the Court of Appeals, and of the Inferior Courts, shall receive fixed and adequate salaries, which shall not be diminished during their continuance in office.

5. Resolved, That on the creation of any new county, Justices of the Peace shall be appointed, in the first instance, as may be prescribed by law. When vacancies shall occur in any county, or it shall, for any cause, be deemed necessary to increase their number, appointments shall be made by the Governor, by and with the advice and consent of the Senate, on the recommendation of their respective County Courts.

6. Resolved, That the Clerks of the several Courts shall be appointed by their respective Courts, and the tenure of office be prescribed by law.

7. Resolved, That the Judges of the Court of Appeals and of the Inferior Courts, offending against the state, either by maladministration, corruption, or neglect of duty, or by any other high crime or misdemeanor, shall be impeachable by the House of Delegates, such impeachment to be prosecuted before the Senate. If found guilty by a majority of two-thirds of the whole Senate, such persons shall be removed from office. And any Judge so impeached shall be suspended from exercising the functions of his office until his acquittal, or until the impeachment shall be discontinued or withdrawn.

8. Resolved, That Judges may be removed from office by a vote of the General Assembly; but two-thirds of the whole number of each House must concur in such vote, and the cause of removal shall be entered on the Journals of each. The Judge against whom the Legislature is about to proceed shall receive

notice thereof, accompanied with a copy of the causes alleged for his removal, at least twenty days before the day on which either House of the General Assembly shall act thereupon.”¹

While the proceedings of the Convention do not, of course, show the debates, in the special committees, nor the votes upon which the reports made to the Convention were adopted by the committee, an interesting fact appears in connection with this Judiciary Committee report. Mr. Campbell (Rev. Alexander Campbell), who was on the committee said in the course of the debate on the report before the Committee of the Whole: “The County Courts were once rejected as Constitutional Courts, in the Judicial Committee. You [Mr. Chairman] moved for a re-consideration, a member being then present who was absent when they were rejected—they were then carried by one of a majority, one of the friends of reform being absent. This fact will show that the report of this Judicial Committee, at the head of which is the venerable gentleman from Richmond, is not to be regarded with all the authority which is commonly attached to the reports of committees.”²

On October 21, 1829, on the motion of Chief Justice Marshall the report was referred to a Committee of the Whole Convention, and made the order for the 22nd.

On October 24, 1829, Alexander Campbell, stating that he had been in a considerable minority in the Judicial Committee, offered certain resolutions which he asked to be considered by the Committee of the Whole. These included provisions that the “Judicial power shall be vested in a Court of Appeals, and in such Inferior Courts as the Legislature shall from time to time ordain and establish. The jurisdiction of these tribunals shall be regulated by law. The Judges of the Court of Appeals and of the Inferior Courts shall hold their offices during good behavior, or until removed in the manner prescribed by the Constitution.”

And that “The counties, cities and boroughs shall be divided into wards for the apportionment of Justices of the Peace among the people; and the persons authorized to vote for members of the General Assembly in each ward shall elect the Justices of the

¹*Debates*, p. 33.

²*Debates*, p. 525.

Peace therein, who shall be commissioned to continue in office for the term of ———— years, but removable for any bribery, corruption, or other high crime or misdemeanor, by indictment or information, in any Court holding jurisdiction thereof.”¹

On the 22nd, however, the Report of the Judiciary Committee was not taken up by the Committee of the Whole, the convention concluding that the Committee of the Whole should have reports from the other committees, on the Executive and Legislative departments, and on the qualifications for suffrage, and the basis of representation before it proceeded to debate the merits of the report of the Judiciary Committee. And many desired to dispose of the plan for the Legislative department and the suffrage matter first. That plan, in fact, prevailed.

It was not until Monday, November 30, 1829, that the Convention, on motion of Mr. Mercer, went into Committee of the Whole to consider the report of the Judiciary Committee.

Upon the reading of the first article of this report, Mr. Bayly moved to amend it by striking out the words “and in the County Courts.”²

This, and the resolution which had been offered on October 24, by Alexander Campbell, threw the whole matter before the Convention for general debate, and it was debated with an earnestness and zeal, and at such length as scarcely to be exceeded by the debates on the questions of the qualifications for suffrage and the basis of representation.

The report of the Convention contains a memorial presented to it from the citizens of Nelson County, after it became known that the Judicial Committee had reported in favor of continuing the County Courts as in the past. It was as follows:

“Your memorialists beg leave to represent to your honorable body, that it was with deep concern they received the intelligence, that a proposition to make a change in the mode of appointing Magistrates, was rejected by the Judicial Committee. Your memorialists do consider the present mode of those appointments to be aristocratic in its features, and tending to the

¹*Debates*, p. 42.

²*Debates*, p. 502.

establishment of a privileged order in this Commonwealth; that a body should be established in this Commonwealth, with self-creating powers, appears to them an anomaly of most alarming tendency, and in practice well calculated to dethrone the supremacy of the people's will. It must be known to your honorable body as it is known to your memorialists, that the present mode of appointing those officers, is well calculated to place the Judicial powers of the country, as well as the destinies and well-being of the counties, into the hands of a few families. It is known, that the County Courts have been invested, in this state, with the extraordinary powers of appointing militia officers—of supplying vacancies in their own body—of the appointment of overseers of the poor—of establishing and changing roads—of levying county taxes at their own discretion—and of managing the whole county police, according to their own will and pleasure, without consulting the supreme will of the people; their powers are great, and often improperly exercised, because the Courts are in no way responsible to the people; in fact, they are a power without responsibility. Your memorialists have thought proper to make this very brief statement, in order to call the attention of your honorable body, particularly to this subject. They, therefore, pray that some mode may be adopted by you, which will take away a self-creating power from the County Courts.”¹

In opening the debate in support of his motion to amend by striking out the words “and in the County Courts,” Bayly said:

“My motion, if agreed to, will not destroy the County Court system; all it demands is to place them with the other Inferior Courts of this Commonwealth, subject to the control and organization of the General Assembly; that the power may be given to the people, by their representatives, to change them whenever, from their incapacity, they become unfit to administer justice, or to abolish them whenever they become corrupt, and are unworthy to be trusted with any authority. If my proposition shall prevail, it will make the Court of Appeals the only Supreme and Constitutional Court, and leave all other courts

¹*Debates*, p. 349-50.

subject to legislation as circumstances and the good of the Commonwealth may require: it will not destroy these courts, but place them by the side of the Superior Courts of Chancery and Common Law; and all will remain as now organized until the people experience the necessity of a reformation, and therefore it is proper that the Legislature should have the power of protecting them, if worthy of protection, or of destroying them, if they deserve such a fate. I do not understand why courts of higher grade, and the Judges of these courts, which it is the wish of gentlemen should be so perfectly independent, should be put in the power of the General Assembly to abolish or reform, and the County Courts, so inferior in every requisite qualification to exalt a tribunal of justice, shall be held too sacred to be changed."¹

Proceeding he made a powerful argument, which amplified and illustrated the objections to the institution, but which in its essence embodied practically the same points as those outlined by Mr. Jefferson in his letters to Samuel Kerchival and Col. John Taylor, and as were embodied in the protest of the Citizens of Nelson County.

Among those participating in the debate and supporting in general Mr. Bayly's motion were his colleague Thomas R. Joynes of Accomack, Richard H. Henderson of Loudon, and Philip Doddridge and Alexander Campbell of Brooke, all of whom discussed the matter at great length.

The argument in favor of the report of the Judiciary Committee as reported by Chief Justice Marshall, was maintained by Philip P. Barbour, of Orange, William B. Giles, at that time Governor of Virginia, Chapman Johnson, of Augusta, Benjamin Watkins Leigh, of Chesterfield, John Scott, of Fauquier, Alfred H. Powell, of Frederick, Chief Justice Marshall and John Randolph, of Roanoke.

The first to reply to Mr. Bayly was Chief Justice Marshall. "The question," he said, "now before the Committee is substantially the question, whether the County Courts shall continue to exist or not. Any objection to the details of the system

¹*Debates*, p. 502.

is not sufficient to induce us to strike out the clause which is the subject of the present motion. If the jurisdiction of these Courts is considered as defective, let the system be so modified, as to make their jurisdiction more perfect. The matter is perfectly open, and will continue to be perfectly open, if this clause is permitted to stand. If the motion succeeds, either the County Courts must be abandoned, or the article modified. The article, as it stands, purports to enumerate all the courts, in which the judicial power of the Commonwealth is to be vested. County Courts form one of these depositories. If we expunge County Courts from this list, we shall virtually deny to them any part of the judicial power of the state: it follows, that no objection to the jurisdiction of those courts as at present exercised, ought to induce us to consent to the proposed amendment, unless it is our purpose that County Courts shall not continue to constitute any part of our Judiciary system. The article, as it now stands, leaves the whole subject open to the Legislature. They may limit or abridge the jurisdiction of all the courts as they please. If the Legislature chose to give them all Chancery Jurisdiction, or if they shall think fit to limit their jurisdiction in common law cases to a specific sum, the Legislature can do so. The whole subject of jurisdiction is submitted, absolutely, and without qualification to the power of the Legislature. The only effect therefore of the amendment will be, to abolish the County Courts. Is the Committee prepared for this? I certainly am not. The County Courts may be for some causes, an ill organized tribunal. It may be, for instance, unfit for Chancery jurisdiction; but that is no reason why such courts shall not exist. We must have a County Court of some kind; its abolition will affect our whole internal police. I am not in the habit of bestowing extravagant eulogies upon my countrymen. I would rather hear them pronounced by others; but it is a truth, that no state in the union, has hitherto enjoyed more complete internal quiet than Virginia. There is no part of America where less disquiet and less of ill-feeling between man and man is to be found than in this Commonwealth, and I believe most firmly that this state of things is mainly to be ascribed to the practical operation of our County Courts. The magistrates who compose those courts, consist in

general of the best men in their respective counties. They act in the spirit of peacemakers, and allay, rather than excite, the small disputes and differences which will sometimes arise among neighbours. It is certainly much owing to this, that so much harmony prevails amongst us. These courts must be preserved: if we part with them, can we be sure that we shall retain among our justices of the peace the same respectability and weight of character as are now to be found? I think not."¹

In answer to this argument of Chief Justice Marshall, Thomas R. Joynes replied: "Notwithstanding all my respect for the contrary opinion expressed by the Chief Justice, I cannot avoid the conclusion, that if the motion to strike out County Courts prevail, it will still be entirely *competent to the Legislature, if they think proper to do so*, to retain the County Courts precisely as they are now organized, and to confer upon them precisely the same powers now conferred upon them by law. If the report of the Judicial Committee be adopted, the existence of the County Courts *as now organized*, will, forever, be placed entirely beyond the reach of legislation; whereas, if they be stricken out of the report, they will not be thereby abolished, but will be subjected to the power of the Legislature, who may continue them or not, or change their organization as past or future experience may render necessary."²

Joynes' statement was evidently correct, that the failure to specifically name the County Courts in the Constitution, but empowering the Legislature to create such inferior courts as it might think proper, left the Legislature with power to create and maintain County Courts if it desired so to do. But, in that event, it could destroy the County Court system, as it existed, by failure to provide, by legislation, for their existence. This was the crux of the whole matter.

¹*Debates of the Convention*, p. 505.

Later on, discussing another part of the report of the Judiciary Committee, Chief Justice Marshall uttered before this Convention the sentence, which has been quoted the world over: "I have always thought, from my earliest youth till now, that the greatest scourge an angry Heaven ever inflicted upon an ungrateful and a sinning people, was an ignorant, a corrupt, or a dependent Judiciary." (P. 619.)

²*Debates*, p. 505.

Continuing his argument, Joynes said: "In supporting the motion to strike out County Courts from the report of the Committee, I am not actuated by any wish to destroy those Courts; very far from it; I think it would be unwise either to *destroy or retain* them by Constitutional sanction; but my wish is to subject them, and all the other Judicial tribunals of the Commonwealth, to the unlimited control of the Legislative power, which may from time to time *establish, modify, or abolish* them, as experience may render advisable."¹

P. P. Barbour, who was elected president of the Convention after President Monroe, on account of ill health was compelled to relinquish that office, joining in the debate said: "I have practised in these courts for a quarter of a century, and I can say with the utmost truth, that my confidence in them has grown with my growth, and strengthened with my strength. After a twenty-five years' acquaintance with the County Courts of Virginia, it is my conscientious opinion that there is not, and never has been a tribunal under the sun, where more substantial practical justice is administered. I am for giving them a Constitutional foothold in the Commonwealth, above the control of the Legislature; for myself, I would sooner part with any other department of the Government: I look to our County Courts as *tabula in naufragio*."²

Mr. Bayly replied to Mr. Barbour, introducing in the course of his address, the celebrated letters of Mr. Jefferson to Samuel Kerchival and Col. John Taylor noticed above.

Governor Giles then entered the debate. In the course of his remarks he expressed surprise at the quarter from which Mr. Jefferson's views had been adduced, as Mr. Bayly had seldom agreed with Mr. Jefferson, Bayly being a Federalist, and Mr. Jefferson a Republican. Saying that to strike the words out of the report would be giving a very broad hint to the Legislature to destroy the County Courts, he continued: "The gentleman has introduced the opinions of Mr. Jefferson. I respect Mr. Jefferson's opinions very highly, but I confess I was not a little

¹*Debates*, p. 505.

²*Debates*, p. 507.

astonished to see the quarter from which the opinions of that gentleman are now urged upon this Assembly. Sir, it is something anomolous that this should come from gentlemen who tell us that they have no respect, and never had, for his political opinions.

* * * * *

"We are told that Mr. Jefferson made a great discovery, viz.: that this is not a Republican Government. Mr. Jefferson was certainly a highly respectable man, but as we all know, he dealt very much in theories. He allows that the spirit of the people is republican in a high degree, yet the people have sustained this Government: and whence I ask is this republican spirit of the people derived? I say, they have derived it from their Government; and more especially to (*sic*) that feature of it which relates to the County Courts. Going extensively into theories, sometimes deprives us of a knowledge of facts; all acknowledge that the County Courts are of great importance. The gentleman from Accomac moves to strike them out of the Constitution, and in the next breath he tells us, that he does not wish to see them abolished. To say the least, he puts their existence at imminent hazard. He will not destroy the courts; but he will leave them almost to the winds, and will himself give them a pretty good breeze to begin with."¹

Chapman Johnson spoke in support of the report of the Judiciary Committee, and in opposition to Mr. Bayly's amendment,² and this notwithstanding he had supported the cause of the so-called progressives, in the matter of the extension of the elective franchise, and the basis of representation, and notwithstanding the fact also that he had been an associate of Jefferson in his educational schemes, and was early a member of the Board of Visitors of The University of Virginia,³ a position he would not likely have occupied if he had not been thoroughly acceptable to Mr. Jefferson.

Richard H. Henderson of Loudon, in a brief speech, recorded himself as in favor of the Bayly amendment,⁴ and he was

¹*Debates*, p. 509.

²*Debates*, p. 512.

³Philip Alexander Bruce: *Hist. U. Va.*, Vol. I, p. 201.

⁴*Debates*, p. 513.

answered, in an argument of considerable length, and of great ability by Benjamin Watkins Leigh, who was a distinguished lawyer—a man whose attainments had led the Legislature to entrust to him alone, a codification of the laws, which able work, is known to lawyers as the “Code of 1819.”

This is the concluding paragraph of his address :

“When I was, sometime since, in the city of Philadelphia, a gentleman said to me, partly in jest, ‘You Virginians are very proud’; I replied, that I had often heard that charge advanced, and believed that there might be some truth in it, and that since I had crossed the Potomac, I felt a little inclined to indulge such a feeling myself. The gentleman answered, ‘Proud as you are, you are not as proud as you ought to be,’ and he then went into an eulogium of our institutions, which I am unwilling to repeat. How he got his information I do not know, but he was intimately acquainted with our circumstances, and especially with our County Court system, which he appeared to understand, at least as well as I did myself. By way of showing the contrast between the state of matters in his own Commonwealth and ours, he related to me this anecdote. He had once been foreman of a jury, when a black man was tried for stealing a side of leather. There was but one witness, and he was an apprentice. The black man had sold a side of leather to a white man, who was to pay the money down, but failed to do so. The black man, sometime after, went to the house of the white man to get the money; the white man was absent from home, and the side of leather lay in a shop where the apprentice was at work. Seeing his own property, which had not been paid for according to agreement, the black man laid it on his shoulder and carried it home. For thus resuming his own property, he was committed by a justice of the peace to be tried for grand larceny. When a gentleman remonstrated with the justice on the hardship of the case, and asked him how he could do such a thing; the justice replied, ‘It was all his own fault, if he would have paid the costs, I would not have committed him.’ Sir, thus it is, and thus it will be obliged to be, if you put men into the commission of the peace, and allow them fees for their services. Litigation; petty litiga-

tion with all its evils will prevail and increase. Instead of composing the disputes of their neighbors, they will incite them to strife, for the sake of the lucre of the gain. The office of a justice will come to serve as a mere place for petti-fogging. But, gentlemen say, they do not wish us to abolish the County Courts, but only to give fees to the justices. Kentucky tried this tack, and enacted a fee-bill, and from that ill-fated moment, she found the justices of the peace prove a curse and not a blessing. All respectable men withdrew from the office, and to cure the evils which followed, the legislature was obliged to narrow down the jurisdiction of the County Courts, until they reduced it to almost nothing. No, Sir. If you abolish the County Court system as it is now established, there is no other alternative, than a set of petty Judges with fees; than whom I can imagine no greater pest to this or any other community. I do trust, that this ancient feature of the internal polity of Virginia, will be permitted to remain. Gentlemen profess vast veneration for the Constitution, but, I would thank them to tell me, what part of the Constitution they do venerate. Let what change be proposed that will, it is sure of having their vote. They abolish all they can, and yet they tell us of their great and profound veneration for our ancient institutions. From such veneration, may God deliver all that I hold dear."¹

In the course of the debate from this point forward, Philip Doddridge and Alexander Campbell, both of Brooke County, supported Mr. Bayly's resolution, while Alfred H. Powell of Frederick, who like Chapman Johnson had been with Doddridge and Campbell on the suffrage and representation questions, supported the County Courts.

The matter finally reached a vote on December 1, 1829, when the supporters of Mr. Bayly's amendment were able to muster but twenty-two votes.²

The astute Rev. Alexander Campbell thereupon, immediately, moved to strike out the word "the" before "County Courts."

Some confusion resulted. Chief Justice Marshall thought this could do no harm; John Randolph, of Roanoke, enquired what

¹*Debates*, pp. 515-16

²*Debates*, p. 530.

good would it do; Judge Coalter averred that if the amendment "was to have no effect, he did not object to it," and without any particular debate, Campbell's motion carried 48 to 42.¹

The clause, as thus amended, would have read:

"Resolved, That the Judicial power shall be vested in a Court of Appeals, in such Inferior Courts as the Legislature shall from time to time ordain and establish, and in County Courts."²

The idea behind Campbell's motion was that the language "the County Courts" would refer to the existing system of County Courts, while the language "County Courts" would be susceptible of being construed as applying to courts to be created by the Legislature.

On the day after this motion was carried, Mr. Powell moved a re-consideration, saying that he and many others had voted under an entire misapprehension of the effect of the action that was taken. He had ascertained that "The effect must be, that the Legislature would be required forthwith to build up anew the County Court system, with whatever power or jurisdiction attached to it, that body might deem it proper to confer."³

Thereupon the debate upon the whole subject was renewed, even with redoubled energy.

John Randolph of Roanoke was the first to follow Mr. Powell in support of the motion to reconsider. He said that no other subject "could have induced him, in the present pitiable condition of his frame, to throw himself upon the attention of the Committee. He had long considered the County Court system, and the freehold suffrage, as the two main pillars in the ancient edifice of our State Constitution. In the course of my life I have repeatedly been called upon by various eminent men, to explain to them the system of Government in this Commonwealth, and I never knew a single individual of the number who was not struck with admiration at the structure of our County Court system. I have been asked, whether it was the effect of design, or of one of those fortunate combinations of circumstances, which

¹*Debates*, p. 531.

²*Debates*, p. 531.

³*Debates*, p. 531.

enabled its framers to 'snatch a grace beyond the reach of art.' Whether it was design or chance, one thing is certain, that the plan has proved in practice, to be one of the very best which the wit of man could have devised for this Commonwealth; preserving in the happiest manner, a just administration of our affairs, between the instability attendant upon popular elections, and the corruption or oppression of Executive patronage.

* * * * *

"Great stress has been laid on the opinions of Mr. Jefferson, by a gentleman not now in his place. . . . But I have no hesitation to say, that on a subject like this, I have not much deference for the opinions of Mr. Jefferson. We all know he was very confident in his theories—but I am a practical man and have no confidence *a priori* in the theories of Mr. Jefferson, or of any other man under the sun.

"Not an argument has been advanced against the County Courts, but would be equally good *a priori* against jury-trial. What could have taught us its value, but experience? *A priori*, it seems absurd to trust a dozen ploughmen—good and lawful of the vicinage I grant, but still ploughmen—with a point of law in criminal cases, without appeal—and in civil cases under circumstances almost equivalent. We can hardly conceive anything more ridiculous in theory—yet we find none half so valuable in practice:—So vain is it to argue against fact.

* * * * *

"Sir when we shall have given up County Courts, and jury-trial, and Freehold Suffrage, there will be nothing in the Commonwealth worth attention to any one of practical sense. The County Courts hold the just balance between popular mutability (the opprobrium and danger of all popular systems), on the one hand, and Executive patronage, on the other."¹

After some further relatively unimportant debate the motion to reconsider was carried 53 to 41,² and upon reconsideration, the motion to strike out the word "the" before "County Courts" was lost by a vote of 50 to 44,³ Madison, Monroe and Marshall voting against striking out the word "the."

¹*Debates*, pp. 532-3.

²*Debates*, p. 535.

³*Debates*, p. 537.

It will be observed that the representatives from the second district, embracing Brunswick, Dinwiddie, Lunenburg and Mecklenburg, took practically no part in the debate on this subject. These representatives were William H. Brodnax, George C. Dromgoole, Mark Alexander and William O. Goode. Their refraining from participation was not for any lack of fitness so to do. John Randolph of Roanoke at one time during the sittings of the Convention mildly chided them for not participating in the discussion of the question under debate, averring that their failure so to do, ("I say so from my personal knowledge" of them) does not result "from any want of ability, nor from the want of a just, modest and manly confidence in the abilities they possess."¹

But they probably felt that they could add nothing to the arguments of Chief Justice Marshall, John Randolph of Roanoke, Governor Giles, Benjamin Watkins Leigh, Philip P. Barbour and Chapman Johnson, and in this view of the matter, their refraining from participating in the debates was much to their credit.

All these men were in favor of the provisions respecting the County Courts as reported by Chief Justice Marshall for the Judiciary Committee, as is evidenced by the recorded vote when the matter came to be acted upon by the Convention proper on the report of the committee of the whole.²

The Convention of 1829 completed its labors and adopted a Constitution on January 15, 1830. This Constitution was submitted to the voters at the election held in April, 1830, and was ratified by a vote of 26,055 to 15,563.³

In this election the vote of Lunenburg was 218 for ratifying and 4 against ratifying; Mecklenburg voted 488 for and 24 against; Halifax 636 for and 15 against; Charlotte 335 for and 12 against; Patrick 274 for and 246 against; Henry 208 for and 71 against; Pittsylvania 955 for and 40 against; Bedford 609 for and 36 against; Campbell 446 for and 22 against; Dinwiddie 327 for and 21 against; Brunswick 382 for and 27 against ratifying.

¹*Debates*, p. 312.

²*Debates*, p. 724.

³Supplement to the *Revised Code* (of 1819), p. 15.

By the Constitution thus adopted, it was provided that :

“The judicial power shall be vested in a supreme court of appeals, in such superior courts as the legislature may from time to time ordain and establish, and the judges thereof, in the county courts and in justices of the peace,”¹ and also :

“On the creation of any new county, justices of the peace shall be appointed in the first instance, in such manner as may be prescribed by law. When vacancies shall occur in any county, or it shall, for any cause, be deemed necessary to increase the number, appointments shall be made by the governor, on the recommendation of the respective county courts.”²

These provisions read together, with one other presently to be mentioned, are necessary to understand the status of the County Courts under this Constitution. The Constitution, in the several sections of Article V, contained provisions for the method of electing judges of the supreme court of appeals and of the judges of the superior courts provided for, and also for their terms of office. But in all these provisions the County Courts are carefully excluded. There is therein no provision for appointing Justices of these County Courts, except that above quoted, Article V, Sec. 7, which, it will be observed, is carefully confined to the cases of newly created counties, and vacancies. And in the case of vacancies the appointments are to be made “by the governor on the recommendation of the respective County Courts.”

By the last article of this Constitution, it was provided :

“The executive department of the government shall remain as at present organized, and the governor and privy councillors shall continue in office, until a governor, elected under this constitution, shall come into office ; and all other persons in office, when this constitution shall be adopted, except as is herein otherwise expressly directed, shall continue in office, until successors shall be appointed or the law shall otherwise provide ; and all the courts of Justice now existing, shall continue with

¹Article V, Sec. 1.

²Article V, Sec. 7.

their present jurisdiction, until and except so far as, the judicial system may or shall be hereafter otherwise organized by the legislature."¹

In the convention there had been in evidence a general line of cleavage of views between the western part of the state, as it then existed, and the eastern part, on many questions.

The question of suffrage was one; the question of the County Courts was another.

The West, including what is now West Virginia, insisted upon free white suffrage as the only proper basis for representation. The East insisted upon the time-honored basis, and contended that representation should be compounded partly of numbers and partly of property.

On the question of the basis of representation in the House of Delegates a resolution favoring white population as the sole basis was carried 13 to 11, James Madison, formerly President of the United States voting with the West, and the famous and much-maligned John Randolph of Roanoke, voting with the East. But a resolution favoring white population as the sole basis of representation for the Senate was defeated by a tie vote 12 to 12, Madison, in this instance, voting with the East.

The constitutional definition of the right of suffrage was the burning question which had led to the calling of the convention. John Randolph of Roanoke declared in the convention, and no one questioned or contradicted his statement, that "The great moving cause, which led to the Convention has been the regulation of the right of suffrage."²

Nowhere in the debates of the convention did the question of an educational qualification crop up. Illiteracy was too general. The West would have opposed more strenuously such a requirement than it did the freehold limitation. Even Jefferson seems to have abandoned (if he had had *before* that) the idea that the citizen exercising the right of suffrage should have "a certain degree of instruction." Jefferson is quoted as saying "It is an axiom of my mind, that our liberties can never be safe but in

¹Article VII.

²*Debates*, p. 346.

the people's hands; I mean the people with a certain degree of instruction."¹

It was this proviso, says Dr. Bruce, "that saved his sweeping opinion [in favor of the enjoyment by every man of the right of suffrage, whether he was a property owner or not] from the taint of demagogism."²

But Jefferson did not always remember to add the proviso. He made no mention whatever of it in the famous letter to Samuel Kerchival, which must be regarded as one of his most deliberate expressions. In that letter he declared for "General Suffrage," and speaks of making "every citizen," without any qualification as to his "degree of instruction" or his ownership of property "an acting member of the government" and enabling him to vote in choosing all public officials and representatives.

Whether the failure of Mr. Jefferson and his followers to insist upon the proviso tainted them with demagogism, as Dr. Bruce suggests, would be the implication of such failure, we shall not attempt to decide.

The fact is, that while at that time popular education was not far advanced, academic and collegiate education was more common in Virginia than in any other state in the union,³ and the larger part of that academic and collegiate training was the possession of the eastern part of the state, as it then existed. These cultured men were the "nabobs" and the sons of the "nabobs" of Eastern Virginia, as they were sometimes called by the Westerners, in the heat of the arguments over the basis of representation and other kindred questions.

The fact is that illiteracy was too general in both the East and the West to make it in any degree a test of the right to vote. But how far wrong, if at all, our forefathers were, in insisting, in the absence of an educational qualification, upon a land-owning or householding basis, may not be for us to decide. To the writer it seems a tribute to their wisdom, that their sober

¹Bruce: *Hist. of U. Va.*, Vol. I, p. 10.

²*Id.*, p. 9.

³*The Cotton Kingdom*, Wm. E. Dodd, 111 (note); *Old Churches, etc., of Va.*, Meade, 90 (note); *John Randolph of Roanoke*, Bruce, Vol. II, p. 117.

judgment was able to withstand the clamorous insistence for too great liberalization of the right of franchise.

The provision finally incorporated in the Constitution (of 1830) seems very liberal, indeed, for while it stuck to the principle of an interest in land as necessary, in general, to confer the right of suffrage, it required only an interest in land of freehold, reversion, or vested remainder, etc., of the value of twenty-five dollars, and the payment of taxes thereon as a prerequisite to vote; and moreover housekeepers and heads of families, who paid any taxes, whether they owned interests in land or not, were admitted to the right of franchise.¹

Liberal as these provisions were and notwithstanding they were the result of compromise in the convention, they were not satisfactory to a large part of the state, principally that now in West Virginia, where seemingly they wanted the full right of equal franchise, whether they owned any land or paid any taxes whatever.

Not a single vote was cast in favor of ratifying the Constitution in Brooke County, and in Logan but two were so cast. Large majorities were cast against ratification in Cabell, Giles, Grayson, Greenbrier, Hardy, Harrison, Kanawha, Lewis, Mason, Monroe, Montgomery, Morgan, Nicholas, Ohio, Pendleton, Pocahontas, Randolph, Tazewell, Tyler, Wood and Wythe Counties.

But however the delegates to the convention may have lined up on the question of suffrage, and the basis of representation and the limiting of the terms of Judges of inferior courts; and whatever may have been the spirit and the need for compromise and concession, so ably urged by the venerable Madison, and accepted in large measure by many of the members on most of the subjects under consideration, the majority of the members were in no mood to permit any tampering with the County Courts. This institution, in the record of its ancient and valuable services, the venerable and incorruptible character of the personnel of the benches, and in the leadership exercised throughout the Commonwealth by the individual members of the courts, to say nothing of the fact that their services were

¹Article III, Sec. 14, Constitution.

rendered without any cost to the state, was so highly esteemed by the majority of the public leaders of the time, that even with the force of Mr. Jefferson's prestige and fame on their side, the opponents of the County Courts were not only not able to abolish them; they were not able to modify the system in the slightest degree.

It seems not too much to say that the County Courts came through the ordeal of the Constitutional Convention of 1829 with less change than any institution which was the subject of its jurisdiction. The Jeffersonian idea of popular equality, and of making public men directly responsible to the electorate made great gains in that convention. Especially in the matter of the qualification to vote did the liberalizing and popularizing tendencies receive great extension.

But the effect of the provisions respecting the County Courts embodied in the constitution was to leave them in existence just as they were, with the justices thereof continuing to hold office for life, and with the right, in case of vacancy, such as by death, for example, to recommend to the governor the person who should be named to fill the vacancy.

These courts were thus, in the words of Philip P. Barbour, given "a Constitutional foothold in the Commonwealth, above the control of the Legislature." And we concur entirely with Senator Bruce when he says: "To the old County Courts and the freehold suffrage which withstood the levelling influence of Jefferson until 1851, was unquestionably due the extraordinary capacity exhibited by Virginia for filling the highest public places with the men worthiest, in point of character and talent, to fill them."¹

A list of the justices of the County Courts from the Colonial days up until they ceased to be a practically self-perpetuating body presents groups of the foremost citizens of the respective counties during the periods in which they lived. The local history of any county is scarcely complete without the names of the justices of its old County Courts. Those who composed this unique institution possibly contributed more than can ever be

¹Note (a), Vol. II, p. 736, *John Randolph of Roanoke*.

accurately known to the creation of a high conception of disinterested public service, in the state and the nation.

The list given below is compiled from the original Order Books in Lunenburg County Court Clerk's office, to which are added a few names appearing upon a manuscript list presumably made up by the Secretary of the Colony or the Clerk of the Executive Council, and printed by the State Library of Virginia.¹

The dates following the names indicate as nearly as can now be determined the period during which the justices served. These periods have been determined, in the main, by noting month by month those in attendance upon the terms of the court. It is not always easy to analyze the records with confidence, without more extended collateral genealogical research than can always be indulged. For example, the records show service as a Justice of the County Court by Lydal Bacon during the years 1746 to 1749, inclusive, 1752 to 1766, inclusive, and 1770 to 1775, inclusive. Whether this is the service of one man, or two or three may not be apparent from the naked record of the service on the County Court. But the approximate dates of the services rendered by the various justices has been regarded as information too important to the historian, and especially to the genealogist, to be omitted. The list is as follows:

Justices of the County Court of Lunenburg from the organization of the County May 5, 1746 to 1851 (inclusive):

Abernathy, William T., 1837-8.

Adams, Thomas, 1809-1817, 1827-29, 1834-36.

Allen, Charles, 1763-4.

Allen, James, 1830-31.

Allen, Jones, 1828-33.

Bacon, Edmund P., 1794-1814.

Bacon, Gillie M., 1823-1850.

Bacon, Gillie M., Jr., 1843.²

Bacon, Lydal (Lidall, Lydall), 1746-49, 1752-66, 1770-75.³

¹Bulletin, Va. St. Lib., Vol. XIV, Nos. 2, 3.

²It is probable that from 1843 to 1850 Gillie M. Bacon, Jr., who first appears on the court in 1843, should be credited with the service. He likely dropped the Jr. shortly after his first appearance on the court.

³This seems to possibly indicate service by two or more persons.

Baird, Benjamin, 1763-65.
Ballard, John, 1780-84.
Bayne, George L., 1829-1851.
Bedford, Thomas, 1756-1764.
Betts, Charles, 1809-1816.
Betts, Elisha, 1770-1779.
Betts, William, 1789-1794.
Billups, Christopher, 1764-1789.
Billups, John, 1785-1800.
Blackwell, Joel, 1815-1851.¹
Blackwell, Joel, Sr., 1828-1847¹
Blackwell, Joel, Jr., 1828-1849.¹
Blackwell, John, 1804-1808, 1815.
Blackwell, John, 1820, 1826-27, 1831.
Blackwell, Robert, 1778-1788.
Blackwell, Robert, 1838-1851.
Blackwell, Robert, Jr., 1844.
Blackwell, Thomas, 1800-1820.
Blgrave, Henry, 1764-1776.
Bouldin, Thomas, 1749-1759.
Bracy (Basse), John, 1761.
Broadnax, Edward, 1781-1787.
Bugg, Jacob, 1757.

Caldwell, David, 1762.
Caldwell, John, 1746-1748.
Caldwell, William, 1746-1752, 1758-1760.
Camp, John, 1762-1764.
Cargill, Cornelius, 1746-1763.
Carter, James, 1748.
Carter, Josephus, 1847-1850.
Chambers, Thomas, 1764-1770, 1772-1783.
Chappell, Robert, 1804, 1817, 1820-22.
Chappell, Robert, Sr., 1822.

¹It seems unlikely that Joel Blackwell, who was first on the court in 1815, served on it longer than both Joel Blackwell, Sr. and Jr. It may be that the first Joel Blackwell is the same person as the Joel Blackwell, Sr., of 1828, so designated then to distinguish him from the son.

- Claiborne, Daniel, 1757-8, 1760, 1763-67.
 Claiborne, David, 1764-5.
 Claiborne, Richard, 1766-1774.
 Clark, Ellison, 1829, 1831, 1834-36, 1845.
 Clarke, Field, 1792-1810, 1814-15.
 Clay, Levi (Levy), 1816-1824.
 Coleman, John, 1848-1851.
 Cook, Abraham, 1746-1748.
 Cowan, William, 1800-1803.
 Cowan, William B., 1822-1823.
 Cox, John, 1754-7.
 Craghead, William, 1784-1802.
 Craghead, Wilson, 1799.
 Craig, George, 1816-1821.
 Cralle, Alexander B., 1838-1846.
 Cralle, John L., 1844, 1846, 1848.
- Degraffenreidt, Tscharner, 1764-1765, 1781-83.
 Degraffenreidt, Francis, 1780-1796.
 Degraffenreidt, Joseph (Joseph I.), 1822-1827.
 Degraffenreidt, Thomas, 1781.
 Deloney, Henry, 1757-59, 1761-63.
 Deloney, Lewis, 1746-48.
 Dixon, Robert, 1781-2.
 Downing, Edward, 1770-1777.
 Downing, Everard, 1774-1777.
 Dowsing,¹ Edward, 1781.
 Dowsing, Everard, 1766-1770, 1777, 1781.
 Dyer, Robert Henry, 1746-49, 1754-55.
- Edmundson, Upton, 1808.
 Embry, Henry, 1749-1750.
 Embry, William, 1754-1757.
 Epes, Francis, 1797-1799.
 Epes, John C., 1832-1851.
 Epes, Peter, 1799-1808.

¹This spelling of the name may have been a clerical error for **Downing**. It may be Dawson.

- Epes, William P., 1837-1851.
Elder, Brooken (Brooker), 1850-1851.
Ellis, William, 1805-9, 1811-17, 1823-1825.
- Farmer, Lodowick (Loderick), 1770-1778.
Fisher, William, 1793-1799, 1804-1807.
- Garland, David, 1754, 1764-1770, 1776-77.
Garland, David, 1837.
Garland, David S., 1820-1831, 1836-1847.
Garland, John, 1780-81.
Garland, John R., 1844-1850.
Garland, Nathaniel, 1757.
Garland, Samuel, 1770.
Garland, Thomas, 1784-1787, 1791-1793.
Gee, Charles N., 1835.
Gee, Lucas, 1811, 1813, 1817.
Glen, Jeremiah, 1766.
Glenn, John, 1782-1790.
Goode, William, 1757-1763.
Gordon, William, 1766.
Gregory, Richard C., 1839, 1842-1844.
Gunn, John, 1782.
- Hall, John, 1746-1748.
Hamlett, James, 1806, 1808.
Hamlett, Jesse, 1803-1819.
Hamlin, Charles, 1766-1785.
Harvey, John, 1757.
Harwood, Warren R., 1838-1839.
Hatchett, Haynie, 1819, 1825-1842.
Hatchett, William H., 1852.
Hayle, Nicholas, 1749.
Hepburn, Ebenezer M., 1842, 1847.
Hill, William, 1746.
Hinton, James, 1812-1814, 1821-1822.
Hobson, Nicholas, 1782-1783.
Howard, William, 1746-1749.

- Hunt, James, 1755-1762.
Hurt, John T., 1830.
Hurt, Memican (Memucan), 1756-1757.
Hurt, Meriwether, 1810-1819.
Hurt, Patrick H., 1838-1850.
- Ingram, Sylvanus (Silvanus, Sylvanius), 1824-1839, 1842-43.
- Jameson, Clement J., 1844.
Jameson, William H., 1828, 1830-33, 1836-37.
Jefferson, Field, 1749-1752.
Jeffress (Jeffreys), James, 1796-1802, 1805-1807, 1811-1818.
Jeffreys, Richard J., 1852.
Jennings, John, 1755-56, 1764-65.
Johns, John A., 1823-1831.
Johnson, James, 1780-1782.
Jones, Edward M., 1820-1822.
Jones, Lew., 1800-1820.
Jones, Peter, 1812-1815, 1830.
Jones, Peter, Jr., 1809-1811, 1813.
Jones, Robert, 1746-1748.
Jordan, Edward, 1780-1797.
Jordan, James, 1781.
Jordan, Miles, 1818-1823.
- Knight, F. W., 1833.
Knight, John, 1809-1815.
Knight, John, 1826-1832.
Knight, Tarlton W., 1819-1841, 1844-1852.
Lampkin [Lamkin], Peter, 1789-1806.
Lampkin, Peter, Jr., 1790-1795.
Lanier (Lanear), Thomas, 1746-47, 1761.
Lawson, Hugh, 1746-1756.
- Maddox, Samuel, 1836.
Maddux, Washington, 1830-1851.
Marable, Matthew, 1752, 1759-1762.
Martin, Abraham, 1750-1754.

- Maury, Abraham, 1764-1771, 1776-77.
Mitchell, James, 1746-1752.
Munford (Mumford), Robert, 1763-64.
- Nance, Frederick, 1793, 1798, 1800.
Nance, Frederick, Jr., 1789-90, 1795-96.
Nash, Thomas, 1757.
Neal, James, 1841-1851.
Neal, Jos., 1851.
Neblett, Sterling, 1789-1793.
Neblett, Sterling, 1803-1813.
Neblett, Sterling, 1823, 1828.
Neblett, Sterling, 1840-1846.
Neblett, Sterling, Jr., 1827, 1830, 1832.
- Orgain, John, 1850.
Orgain, John, Jr., 1850.
- Patterson, Jonathan, 1771-1783.
Patterson, Jonathan, Jr., 1766-1770.
Pattus [Pettus?], John, 1804, 1806, 1808.
Pettus, John, 1789-92, 1795, 1799.
Pettus, John, 1805, 1807.
Pettus, Stephen, 1819, 1821-22, 1827, 1829, 1838.
Pettus, Thomas, 1770, 1774-1776, 1778-79.
Phelps, John, 1746, 1748, 1750.
Poultney, John A., 1827.
Poultney, John L., 1823, 1837.
Poultney, John N., 1832, 1834, 1836, 1839.
Powell, John, 1781-1783.
Pultney [Poultney?], John N. (M.), 1844, 1846.
- Ragsdale, Edward, 1786-1797.
Ragsdale, Joel M., 1839-41, 1846-47, 1850.
Ragsdale, John, 1766-1786.
Ragsdale, William, 1798, 1802-1823.
Redmond, Thomas, Jr., 1844.
Robertson, Christopher, 1781-1797.
Robertson, John, 1804, 1806, 1808, 1812, 1813.

- Saunders, Robert, 1816-1833.
 Scott, James, 1784-1799.
 Smith, Benjamin E., 1851.
 Smith, James, 1813-1831.
 Smith, James, Sr., 1822-1826.
 Smithson, Elizabeth, 1836.¹
 Smithson, Charles, 1836.¹
 Smithson, Sarah, 1836.¹
 Smithson, William C., 1836.¹
 Speed, John, 1756-1765.
 Staples, Thomas A., 1832.
 Staples, Thomas H., 1835, 1836, 1839, 1840-1845, 1846,
 1849, 1850.
 Stokes, Allen, 1840.
 Stokes, Colin (Collen), 1840-42, 1846-49, 1850.
 Stokes, David, 1746-48, 1764.
 Stokes, Henry, 1778-1794.
 Stokes, Henry, 1840.
 Stokes, Henry, 1848-1851.
 Stokes, John, 1817-1822, 1826.
 Stokes, William, 1806-1815.
 Street, Anthony [Col.], 1777-1788.
 Street, Anthony, 1802-1808.
 Street, Anthony, Sr., 1807.²
 Street, David, 1799-1819.
 Street, David, 1825-1848.
 Street, James, 1818.
 Street, John T., 1823-1831, 1835-36, 1838, 1840-42, 1846.
 Street, John Y.,³ 1843.
 Street, Waddy, 1798-1800, 1810, 1813, 1818.

¹The Order Book for July court, 1836, shows: "Present: James Wil-son, Tarlton W. Knight, John N. Poultney, Geo. L. Bayne, William C. Smithson, Elizabeth Smithson, Charles Smithson, and Sarah Smithson, Justices." All these Smithsons seem to have been guests of the court or visitors. The women, of course, were not members of the court, and there is no proof other than this order that Charles and William C. Smithson were Justices. They are not found on the bench at any other term of court.

²This, it seems, was Col. Anthony Street. The three entries seem to represent but two persons.

³This may be a clerical error for John T. Street.

- Street, Waddy, 1847-49.
Stone, William A., 1826, 1831-38, 1841-1852.
- Tabb, Thomas, 1757-1770.
Tabb, Thomas, 1772-1780.
Talbot, Matthew, 1746-1748.
Taylor, Edmund, 1761-62.
Taylor, Edmund F., 1816-1826.
Taylor, James, 1755-1763.
Taylor, John, 1810-1812.
Taylor, Walter, 1826.
Thweatt, William, 1779.
Thompson, Clement (Clement J.), 1840-1848.
Tisdale, Richard K., 1838-1841.
- Wells, Abner, 1784-1799.
White, Elisha, 1762-1763.
Wilkerson,¹ William, 1832-1838, 1840-1844, 1848-1850.
Will, Joseph, 1780.
Williams, John, 1777.
Williams, Joseph, 1755-1758, 1760-61, 1764-1770, 1775-1778.
Williamson, Joseph, 1774.
Willson, James, 1820, 1825, 1827-1830, 1834-1837.
Willson, Robert B., 1832-1846.
Wilton², Richard, 1750-1765.
Winn, Alexander, 1796-1822.
Winn, Edmund, 1799-1817, 1823, 1825, 1827, 1829, 1832, 1834, 1836, 1847.
Winn, Edmond C. (Edmund C.), 1847-1851.
Winn, Edward,³ 1842.
Winn, Elder C., 1851.
Winn, Joseph, 1779, 1883, 1885, 1886, 1896-1899.
Winn, Thomas, 1766-1781.
Wooten, Lucius T., 1848-1851.

¹This name appears also Wilkinson on the records.

²This name is sometimes spelled Welton. It is so spelled where it first appears in the Order Book, but is usually spelled Wilton thereafter.

³This may be a copyist's error for Edmund.

Yancy, Richard, 1757-1758.
Yarbrough, Joseph, 1789-1828.¹

The County Courts Under the Constitution of 1851

The great questions upon which there were such noticeable differences of opinion in the Constitutional Convention of 1829, were not so settled by that convention as to remove them from the realm of debate. The champions of the different points of view continued to hold the views they had entertained and urged in the convention, and the matters of the basis of representation, the qualification to vote, and the judiciary system continued to claim the attention of those interested in public affairs.

While the county court system had been given a footing in the constitution above the power of the legislature to change or abolish it, and its opponents would, perforce, have to await the assembling of another Constitutional Convention to attempt to change it, such was not the case with other subjects which absorbed the public interest to an even greater degree.

Under the compromise provisions of the Constitution of 1830, after 1841 the General Assembly at intervals of ten years, two-thirds of both houses concurring, was authorized to make reapportionment of Delegates and Senators throughout the Commonwealth. No basis for the reapportionment was prescribed by the constitution.

By the census of 1830 it appeared that the counties east of the Blue Ridge contained 57,012 more white inhabitants than those west of it; by 1840 the two sections were almost equally divided with respect to white population, the west containing 2,172 more than the east, and this slim margin increased, as was shown by the census of 1850, to 90,392.

In view of this great growth of population in the west, that section expected the General Assembly of 1841-42 to make a reapportionment of representation. The legislature appointed a committee to consider the matter, and it reported a recommenda-

¹This long period of service suggests the possibility that it was by father and son of the same name. Whether it was, and if so, when the one service ended and the other began, opportunity has not been had to investigate.

tion for a reapportionment on a suffrage basis, that is, on the basis of the distribution of the qualified voters.

A minority of the committee advocated a mixed basis on the ground that "persons and property are alike subject to legislation and entitled to like protection." The west failed to muster the necessary two-thirds vote, and so the matter was indefinitely postponed. At the time the west with a total white population of 271,000 had only ten senators and fifty-six delegates, while the east with 269,000—2,000 less white population than the west, had nineteen senators and seventy-eight delegates.

On the face of it, a bad showing, truly. But the subject was much deeper than the surface.

If it had not been for the matter of the slaves, undoubtedly the subject would have been one of no great difficulty. Apportionment on a suffrage basis would have been acceptable, and if not, a basis of persons and property could have afforded no great ground of controversy, since the property in the west in 1850 was but \$15,000,000 less in value than that in the east.

But the Constitution of the United States provided that:

"Representation and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other Persons."¹

This was the circumlocutory way of avoiding the use of the word slaves in the Constitution of the United States. The provision meant that a state's representation in Congress was to be based upon its whole white population plus three-fifths of its slave population. The figures thus arrived at were commonly spoken of as the "Federal Numbers."

The argument of the section afflicted with the ownership of slaves was that a basis of representation by which the state had larger representation in Congress, than if based on a suffrage plan, ought to be maintained in the interest of the state as a whole, and that a basis good enough for representation in the

¹Constitution of U. S., Article I, Sec. II, Sub-Sec. 3.

Federal Congress ought to be good enough for representation in the General Assembly of the state.¹

John Randolph of Roanoke, in the Convention of 1829, again with prophetic vision had seen clearly the implication of such a move. He enquired: "Is it possible that any gentleman can believe that the great southern and western slave-holding interests of the United States will ever abandon this provision for the representation of three-fifths of their slave population?"² and going to the heart of the matter he said, "Sir, the question is—shall the apportionment of representation which the Federal Constitution secures to the slave-holding states, be the apportionment on which members of Congress shall be elected, or shall it not?"³

Answering that question he declared that to change the basis in the state amounted practically "to the direct affirmation—that this part of the Constitution of the United States, Virginia stands ready to give up."⁴

These and other arguments were potent enough to prevent the advocates of the suffrage basis from mustering the necessary votes to make the reapportionment.

Defeated thus in the legislature where a two-thirds vote was necessary, the advocates of the suffrage basis began to turn their attention to the possibilities of constitutional relief, feeling that with the great change in population which had taken place they would have a far greater chance of success with a body constituted as a new convention would likely be, than they had in the convention of 1829, or could expect to have with the legislature under the provisions of that constitution.

Upon the defeat of the effort to reapportion the representation at the session of 1841-2, the representatives of the west endeavored to get the General Assembly to take the steps necessary to call a Constitutional Convention, but this effort also failed.

The subsequent development of a demand for a Constitutional

¹The whole subject of this controversy between the eastern and western sections of the state is discussed in *Sectionalism in Virginia* (Ambler), Chap. VIII.

²*Debates*, p. 858.

³Id.

⁴Id.

Convention we need not undertake to record in detail. It is beyond the scope of this treatment. But the leaders of thought in the eastern section realized that the demand for so-called "reform" was so insistent that it was not the part of wisdom further to combat the calling of a convention. Believing, it seems, that they could control the basis of representation matter, they were willing to make concessions respecting the extension of suffrage and "reforms" in the judicial and executive departments.

Events were again verifying Randolph's foresight. In the convention of 1829, in opposing a resolution which provided that the constitution of the state ought to be amended so as to provide a mode in which future amendments should be made,¹ he said:

"Sir, I am not a prophet or a seer; but I will venture to predict, that your new Constitution, if it shall be adopted, does not last twenty years."²

He was, almost, at least, what he claimed not to be; his words were prophetic. The Constitution of 1830 was ratified at the election held in April of that year. The General Assembly on March 4, 1850, passed an act submitting to the voters in April the question of whether a Constitutional Convention should be assembled; the vote largely favoring a convention. An election was held on the fourth Thursday in August, 1850, for the election of delegates, and the Convention assembled at the Capitol in Richmond, Monday, October 14, 1850.

The district embracing Lunenburg, Brunswick, Nottoway, and Dinwiddie Counties was represented by John E. Shell, Robert D. Turnbull, and James L. Scoggin.

Respecting the County Courts, the constitution adopted by this convention, and which went into effect January 1, 1852, provided:

"25. There shall be in each county of the commonwealth a county court, which shall be held monthly, by not less than three nor more than five justices, except when the law shall require the presence of a greater number.

¹*Debates*, p. 789.

²*Debates*, p. 790.

"26. The jurisdiction of the said courts shall be the same as that of the existing county courts, except so far as it is modified by this constitution, or may be changed by law.

"27. Each county shall be laid off into districts, as nearly equal as may be in territory and population. In each district there shall be elected, by the voters thereof, four justices of the peace, who shall be commissioned by the governor, reside in their respective districts, and hold their offices for the term of four years. The justices so elected shall choose one of their own body, who shall be the presiding justice of the county court, and whose duty it shall be to attend each term of said court. The other justices shall be classified by law for the performance of their duties in court.

"28. The justices shall receive for their services in court a per diem compensation, to be ascertained by law, and paid out of the county treasury; and shall not receive any fee or emolument for other judicial services.

"29. The power and jurisdiction of justices of the peace within their respective counties shall be prescribed by law."¹

This was a radical change in the County Court System, as it had existed since its inception in Virginia. It was to a large degree the triumph of the ideas put forth ably, but without success by Thomas M. Bayly, Philip Doddridge, Alexander Campbell and others in the Convention of 1829-30.

The jurisdiction of these courts was not substantially changed by the constitution, but the legislature was given control and empowered to change it. The authority of the court itself to recommend persons to fill vacancies or enlarge its membership and the power of the Governor to make appointments were taken away. The tenure of the justices during good behavior, that is to say, for life, unless removed for cause, was ended. Likewise their service without pay ceased. The power to choose the clerk of the court, sheriff of the county and other officers was lodged elsewhere.

A four-year term for the members of the court was prescribed;

¹Article VI, Constitution of 1851.

and, as we have seen, they were elected by districts, from residents of the district, and the justices thus elected chose the presiding justice. Here was a triumph of the Jeffersonian idea of making these courts responsive to the popular will, for the people by electing new justices at the end of the four-year term, could change entirely the personnel of the county court.

This provision, together with that for the qualification of voters, extending the right to vote unrestrictedly to "Every white male citizen of the commonwealth, of the age of twenty-one years, who has been a resident of the state for two years, and of the county, city or town where he offers to vote for twelve months next preceding an election,"¹ seems as great a triumph as Jefferson and those other opponents of the old county court system could have desired.

The following were the Justices of the County Court of Lunenburg County under the Constitution of 1851, from January, 1852, to March, 1870:

Allen, Robert H., 1852-1868.

Atkinson, Benj. M., 1856-58.

Bagley, George L., 1852-1869.

Bailey, Richard H. L., 1856-60.

Barnes, Mastin, 1865-1869.

Bayne, George L., 1852.

Bayne, John S., 1856-1866.

Bishop, John A., 1852-56.

Blackwell, Joel, 1852.

Blackwell, Robert, 1852-56.

Blackwell, Wm. F., 1858-1865.

Blackwell, Wm. Thos., 1860-1868.

Bridgforth, Geo. B., 1857-1867.

Brown, A. J. J., 1854-1859.

Chumney, Wm. N., 1864-5.

Coleman, Jno. L., 1852-1859.

Cralle, Jno. L., 1852-1856.

Crymes, Robert, 1852-1858.

¹Article III, Sec. 1, Constitution of 1851.

Davis, Nicholas E., 1857-1860.
Davis, Samuel S. [L. ?], 1869-1870.
Deshazor, John J., 1869-1870.
Deupree, William S., 1852-1854.

Elder, Brooken, 1852-1860.
Elder, William T., 1861.
Epes, Wm. P., 1852.

Gary, Henry R., 1869-1870.
Gary, Wm. T., 1859-1861.
Gee, Thomas H., 1852-1862.

Hamlett, James C., 1867-1869.
Hardy, Edwin S., 1865-1867.
Hardy, George W., 1854-1858.
Hardy, Henry G., 1859-1860.
Hardy, Joseph Y., 1860-1869.
Hardy, Wm. H., 1852-1856.
Harris, John A., 1852-1868.
Hatchett, John R., 1852-1863.
Hatchett, Peter M., 1866-1868.
Hatchett, Wm. H., 1852-1855.
Hawthorne, Samuel W., 1864.

Jackson, George C., 1864-1867.
Jefferson, Thomas, 1864-1868.
Jeffress, Richard J., 1852-1859.
Jeffress, Robert J.,¹ 1856.
Jones, John R., 1860-1863.

Knight, L. H., 1862-1867.
Knight, Tarleton W., 1851-1852.

Lee, Samuel E., 1852-1865.
Lester, Frederick, 1856-1864.

¹This may have been a clerical error for Richard J.

Maddux, Washington, 1852.
May, Charles, 1863-1868.
Merriman, John T., 1861-1862.

Neal, Alexander R., 1852-1867.
Neal, William Y., 1864-1867.
Neblett, Sterling, Jr., 1852-1865.

Orgain, Jno., 1852.
Orgain, John, Jr.,¹ 1852.

Ragsdale, Joel M., 1852-1856.

Scott, E. C., 1869.
Scott, Edm'd. C., 1867.
Scott, Edward C., 1852-1856, 1864-1869.
Seay, George N., 1852-1856.
Shackleton, Thomas T., 1859-1869.
Smith, J. H., 1866.
Smithson, F. S. N., 1864-1869.
Spencer, Matthew L., 1852-3.
Stokes, Colin, 1851-1856.
Stokes, Henry, 1851-1853.
Stokes, John H., 1857-1864.
Stone, William A., 1852.

Talley, William S., 1866-1869.
Thompson, Clement J., 1852-1860.
Thweatt, William, 1864.
Tisdale, H. W., 1856.
Tisdale, John D., 1860-1869.

Wall, H. W., 1860.
White, David M., 1869-1870.
Wilson, Paul, 1864.
Winn, Edmund C., 1852-1868.
Winn, Edward C.,² 1868.
Winn, Thomas W., 1860-1863.

¹John Orgain and John Orgain, Jr., evidently indicates but one person on the court.

²This is likely a clerical error for Edmund C.

The County Court Under the Constitution of 1869

The Carpet Bagger Constitution of 1869, ratified July 6, 1869, contained the following provision respecting the County Courts:

"Sec. 13. In each county of this commonwealth there shall be a court called the County Court, which shall be held monthly by a judge learned in the law of the state, and to be known as the County Court Judge: provided, that counties containing less than eight thousand inhabitants shall be attached to adjoining counties for the formation of districts for county judges. County Court Judges shall be chosen in the same manner as judges of the circuit courts. They shall hold their office for a term of six years, except for first term under this constitution, which shall be three years, and during their continuance in office they shall reside in their respective counties or districts. The jurisdiction of said courts shall be the same as that of the existing county courts, except so far as it is modified by this constitution or may be changed by law."¹

Under this provision the County Judges were chosen by the joint ballot of both houses of the General Assembly, that being the method prescribed for choosing Circuit Judges.²

It requires no comment to show that the County Court System was thus entirely changed. It was no longer to be composed of Justices of the Peace, but was to consist of a single judge chosen by the General Assembly.

Various changes in the county organization were made by this constitution; for example, the counties were divided into townships. This was a new provision, and justices of the peace became township officers, one being elected for each township.

Under this Constitution, too, the Board of Supervisors first came into existence.³

Two Judges served the County of Lunenburg, under this Constitution, until County Courts were abolished by the Constitution of 1902. These Judges were: Honorable William H. Perry, who occupied the County Court bench from April, 1870, to December, 1891, and Honorable George C. Orgain, who served from January, 1892, until January, 1904.

¹Article V, Sec. 13.

²Article V, Sec. 11.

³Article VII, Sec. 2.

The Circuit Court

In the beginning of the Circuit Court System, the Judges of the General Court were assigned to hold courts in the districts or circuits established by law.

In 1809 in districting the state, Lunenburg was embraced in the Fifth Circuit. This circuit was composed of the counties of Dinwiddie, Brunswick, Lunenburg, Nottoway, Amelia, Powhatan and Chesterfield.

The Council of State February 9, 1809, "alloted" "The Honorable William H. Cabell, one of the Judges of the General Court," to the Fifth Circuit. Judge Cabell appeared with the order of the Council and held "A Superior Court for the County of Lunenburg on Monday the 17th day of April, 1809." He continued on the bench of this Circuit until April 15, 1811. The April term, 1811, of Lunenburg was held by Judge Dabney Carr, one of the Judges of the General Court.

At the April term, 1812 (beginning April 20), Judge Peter Randolph, one of the judges of the General Court, presided.

In September, 1812, Judge James Semple and Judge Peter Randolph exchanged Circuits, and Judge Semple of the Second Circuit held the Lunenburg Court. The agreement for the exchange was dated June 18, 1812, and provided that it should not be effective longer than until November 6, 1812.

The April Court, 1813, was presided over by Judge Peter Randolph, Jr., a Judge of the General Court; and the September term, 1813, was held by Judge Peter Johnson of the Thirteenth Circuit, he and Judge Peter Randolph having on June 10, 1813, agreed to exchange circuits for the courts to be held in September and October of that year.

Such exchanges were permissible under the law, but had to be approved by the General Court.

These Circuit Superior Courts were held in Lunenburg twice a year. In the beginning they were held in April and October, and were changed to April and September; and beginning with the April term, 1814, Judge Peter Randolph presided at all the terms up to and including the September term, 1820. He was succeeded by Judge Thomas T. Bouldin, who, beginning with the April term, 1821, presided at all the terms until 1829. His

last term was the April term, 1829. Succeeding him was Judge John F. May, who held the September term, 1829, and both terms in 1830.

Beginning with 1831, the times of holding the courts were changed from April and September to May and October. Judge William Leigh succeeded Judge May, and beginning with the May Court, 1831, Judge Leigh served up to and including the first term in 1852. He thus served continuously for a period of twenty-one years.

From 1852 to 1856 the courts were held in March and September, and then changed to April and October. Beginning with the September court, 1852, Judge John W. Nash served the circuit up to and including the April term, 1859. He was succeeded by Judge Thomas S. Gholson, who ended his service with the April term, 1863. No term seems to have been held from April, 1861, to July, 1862, and the July term was the only term held in 1862.

Judge William T. Joynes succeeded Judge Gholson, and held but two terms of court, those for October, 1862, and April, 1864, which last mentioned term was the only one held in 1864. The next term of court held was in October, 1865, when Judge Edward R. Chambers began his term of service, which ended with March court, 1869. Following him a single term was held, in September, 1869, by Judge S. S. Weisiger. The next Circuit Judge was Hon. A. D. Dickenson, whose first term of court was held in October, 1870. Judge Dickenson's term of office ended with May court, 1884.

Judge Dickenson was succeeded by Judge F. D. Irving. The first court he held in Lunenburg was the November term, 1884, and his term of service ended with the May court, 1891. Judge Samuel F. Coleman succeeded Judge Irving, his occupancy of the Judgeship extending from May court, 1892, to November court, 1897. Judge Coleman died during his term of office, and Judge George J. Hundley was appointed to succeed him, and served as Judge from May, 1898, until November, 1903. Judge William R. Barksdale succeeded Judge Hundley, beginning his service at the April term, 1904. His incumbency of the Judgeship ended with the October term, 1924. Succeeding Judge Barksdale, Judge Don P. Halsey presided over the terms of

Lunenburg Circuit Court, beginning with that of April, 1925, and ending with the April term, 1926.

There were from time to time several changes in the composition of the circuit which embraced Lunenburg County. In 1926 Lunenburg, Mecklenburg and Halifax were created into a separate circuit and Judge E. W. Hudgins became the Judge of the new circuit.

The Clerks of Courts

The following are the Clerks of the County with their terms of service:

1. Clement Read, from 1746 to 1763-----17 years
2. William Taylor, from 1763 to 1814-----51 years
3. William H. Taylor, from 1814 to 1846-----32 years
4. William W. Webb, from 1846 to 1858-----12 years
5. William P. Austin, from 1858 to 1869-----11 years
6. Henry E. Boswell, from 1870 to 1878----- 8 years
7. W. W. Webb (pro tem. Henry E. Boswell died in office), from February to June, 1878----- 4 months
8. John L. Yates, 1878 to 1926, and Mr. Yates is at present the incumbent of the office.

CHAPTER IX

The Early Churches



LN the Colonial period Virginia had, of course, a state church. In other words, the Episcopal Church was established by law, and supported by a compulsory charge or tax.

The state was therefore divided into parishes for the administration of the religious and semi-religious affairs coming under the jurisdiction of the vestries. These parishes frequently, but not always, coincided with the boundaries of the counties. Sometimes, for convenience counties were divided into more than one parish. There were often noticeable differences between the character and calibre of the men composing the vestries and the early ministers who came over from England. The vestries, in general, were composed of men drawn from the more able and important part of the citizenry of the parish; the ministers were such as were willing to become adventurers, more or less, in the new, sparsely settled, and relatively impecunious communities of the new world. That a minister was willing to come to America at that time, often was indicative of the fact that he was not of the character and capacity to make a success at home, or that there were other reasons of not wholly creditable character impelling the move.

The ministers who came over seeking the livings afforded in the colony, were, as a general rule, so indifferent and undesirable,—many of them being gamblers, and intemperate and immoral,—that it was a very serious thing for a community to have such a person settled upon them, with legal powers to enforce their salaries by the levy and collection of taxes.

There were notable exceptions. Some of the parish ministers were men of the highest integrity, morality and character, such for example as Reverend Peter Fontaine of Westover Parish, Reverend James Craig of Cumberland Parish, and Reverend

James Maury, who, notwithstanding his controversy with the vestry over the two penny act, was a man of high character and a patriot in the cause of American liberty.

Bishop Meade contends, not without considerable reason, that the vestries were the real depositaries of power in Colonial Virginia. He says, "They not only governed the church by the election of ministers, the levying of taxes, the enforcing of laws, but they made laws in the House of Burgesses; for the burgesses were the most intelligent and influential men of the parish, and were mostly vestrymen."¹

This is perhaps a slight overstatement of the case. The county courts were undoubtedly greater depositaries of power than the vestries, and it was but a limited class of laws that the vestries were charged with administering, and possibly too the county courts were as numerous, possibly more numerous represented in the House of Burgesses, than the Vestries. Still the vestrymen and the magistrates of the County Courts were often the same persons; and that the vestries were great powers in the Colonial establishment, is an undeniable fact.

The vestries were exceedingly cautious about permitting ministers to be inducted into office, and the Clergy complained bitterly to the Bishop of London and even to the King, because of the uncertain tenure by which they had their livings from year to year. The Governors complained of the vestries that their policies prevented more and better ministers from coming over; but the policy of the vestries was no doubt the wise one, for if inductions had been permitted the offices would have been filled in many instances with such scapegraces as were at hand, and they would have been slow in dying off to make room for the better ministers who might follow.

Virginia saw a notable struggle between the Colonial governors and the vestries. The governor claimed to be the representative of the King in Church and State, and patron of all the parishes; and also to be the representative of the Bishop of London, having the disposal of the ministers and the exercise of discipline over the clergy. The vestries had the right to elect or choose a

¹Bishop Meade: *Old Churches, Ministers, etc.*, I, 151.

minister, but the governor inducted him into office. The vestries had a right to choose a minister, but the governor might induct a minister into the office for life. Once inducted into office the clergyman could not be removed except for some great crime or misdemeanor. In theory, the vestries upon selecting a minister, were supposed to apply to the governor to induct him into office, which induction, as noted, gave the minister a life tenure.

Not only was the Episcopal Church recognized by law, but it was supported by taxes upon all the taxable citizens, and the law required church attendance, and provided punishments for not attending church.

Marriage ceremonies could be validly performed only by Clergymen of the established church, and it was an offense for a minister of any other denomination to preach in the state, and as we shall see when ministers of the dissenting sects or denominations came into the state they were arrested and punished as itinerants and as disturbers of the public peace.

The rigor of this illiberal policy was somewhat relaxed as the years went by, and the Toleration Act was recognized as in force in Virginia. But the restrictions which were placed upon those who registered under it were such as to make it difficult to adequately conduct missionary campaigns or indeed minister to the needs of the sparsely settled communities without violation of a strict interpretation of the license granted registered dissenters.

While members of some of the non-conformist groups were found in Virginia as early as 1683, it was not until the coming of the Presbyterians somewhere between 1738 and 1745, that the dissenters became an element to be reckoned with east of the Blue Ridge Mountains, including the territory originally embraced in Lunenburg County. Although the Presbyterians generally pursued a course intended to avoid unseemly clashes with the public authorities, and by their character and culture won the friendship of the higher officials, such as the Governor and Council, they were bitterly assailed by some of the parish authorities and instances are not wanting of very harsh and unchristian treatment accorded them. They, however, maintained the spiritual conflict with dignity and a fair measure of success under extremely trying circumstances.

Eventually the Revolution came on, and its results "produced a modified religious liberty, but it had not settled the relations of church and state in a broad sense."¹

On November 19, 1776, the Virginia Assembly adopted a set of resolutions for the dis-establishment of the English Church. This brought on a considerable debate in the legislature. As the act was finally passed, it declared null and void all acts of Parliament "which render criminal the maintaining any opinions in matters of religion, forbearing to repair to church, or the exercising any mode of worship whatsoever." A part of the act recited the fact that there were in the Commonwealth great numbers of dissenters from the church established by law who have heretofore been taxed for its support; that such taxation to maintain a church which their consciences did not permit them to join is contrary to the principles of reason and justice, and exempted dissenters from all taxes and levies for the support of the established church, after January 1, 1777. This legislation while it exempted dissenters, continued to recognize an established church; but by another article of the act it suspended the levies for the Episcopal ministers on the ground that in view of the exemption allowed dissenters it would be too burdensome, in some parishes, to levy the cost of the parish ministers upon those who were not dissenters. The Assembly enacted that "it is judged best that this should be done for the present by voluntary contributions."

This act, in effect, destroyed the church as an establishment supported by law. No taxes for religious purposes were ever paid in Virginia after January 1, 1777.²

The controversy which followed was bitter. The Anglican ministers and the vestries, where they had influence in some quarters, secured petitions to be sent down to the legislature asking for a return to the pre-revolutionary status. One of this character came from Mecklenburg.³

Others, however, feeling that a half loaf was better than none, sought the enactment of measures for the general support of all

¹Eckenrode: *Separation of Church and State in Virginia*, 72.

²*Id.*, 53.

³Journal: H. of D. May, 1777, 36.

religions, which might be supported by the citizenship. This was called the movement for "a general assessment." At the fall session of the Assembly petitions pro and con poured in. One from Caroline approved the exemption of dissenters from supporting the Church of England, but insisted "that as public worship is a duty we owe, it ought to be enjoined and regulated by the Legislature so as to preserve public peace, order and decency, without prescribing a mode or form of worship to any."¹

A petition from Lunenburg, caustic and bitter in some of its terms, even charged the dissenters with fraud in getting up the great petition of 1776. It contained this sentence: "The undue means taken to overthrow the established church, by imposing upon the credulity of the vulgar, and engaging infants to sign petitions handed about [by] dissenters, have so far succeeded as to cause a dissolution of our usual mode of support."²

Due to a variety of reasons during the next few years there was possibly something of a decline in the support of religious affairs; at least some alleged that to be the case. This was referred, by some, as for example, those sending up a petition from Amherst, to the withdrawal of the salaries. The decline noted was likely more in the Established Church from which compulsory support was withdrawn. However, the citizenry was in no condition to support bountifully any church, for these were the days when the Revolutionary War was in progress, and Virginia went far toward impoverishing herself in men, money and material resources in supporting that cause. And during the progress of events the vestries did not escape wholesale criticism. The fact that they were a self-perpetuating body irritated some; they still administered the poor relief, and in some parishes vestrymen were not in full sympathy with the Revolution.³

Requests began to come in to the legislature for the dissolution of certain vestries, and the movement to that end took such shape that the vestries were finally entirely "dissolved"—abolished.

In the bill of 1776, says Jefferson in his autobiography, "was inserted an express reservation of the question, whether a general assessment should not be established by law, on everyone, to the

¹Journal: H. of D., Oct., 1777, 14.

²Journal: H. of D., 1777, 57.

³Eckenrode: *Separation of Church and State in Virginia*, 54.

support of the pastor of his choice; or whether all should be left to voluntary contributions."¹

That question was debated by the legislature at every session thereafter until it was finally settled years later; and during the period it was a topic of conversation wherever the subject of religion and the church was discussed.

In favor of such a general assessment law, a petition from Lunenburg was presented to the General Assembly November 8, 1783. It is as follows:

"The humble petition and remonstrance of all Sects and Denominations of Christians within the State; Sheweth That soon after the Declaration of Independency the General Assembly, with a view to the promotion of religious liberty and free Toleration, thought proper, by Act to suspend the collection and payment of the salaries formerly allowed by Law Inducted Ministers of the Gospel; whereby all the Citizens of the state became emancipated & free from contributions to any church revenue.

"That from that period we have with pain and regret, seen the propagation of the Gospel die away in many parts of the country; and its diligent and faithful ministers neglected; through a want of that Holy zeal in their adherents as Christians to support their respective churches with the Dignity becoming their profession; and public virtue as citizens, to propogate and cherish the sacred test of truth; as a necessary and indispensable branch of Civil Government.

"That the indifference and impiety of those who are careless of their own salvation, and equally deaf and negligent to all religions must greatly encrease the burdens of the people of God who would wish to support the Cause of Christianity (as they have done that of freedom), even with their last mite.

"That confined to Christianity alone; we wish for the establishment of a free and universal Toleration Subject to the Constitution; we would have no sect or Denomination of Christians privileged to encroach upon the rights of another. For the accomplishment of these desirable purposes we wish

¹Jefferson: *Writings* (Memorial Asso.), I, 58.

to see the reform'd Christian religion supported and maintained by a General and equal contribution of the whole state upon the most equitable footing that is possible to place it.

"We therefore pray that you our Representatives in General Assembly taking the matter into consideration will adopt such mode as your wisdom shall suggest to raise just, equitable and adequate contribution for the support of the Christian Churches, to be collected or distrained for as other taxes, but with Liberty nevertheless reserved to each of the contributors respectively, at the time he gives in his list, or otherwise becomes liable to the payment of such contribution; to direct for whose benefit it is contributed. The framers of this petition and remonstrance, will not presume to descend further into particulars; intending only by this to tell you their complaints & wishes and to trust to your wisdom and Justice for the redress."¹

This able paper was signed by John Ragsdale, D. A. Stokes, Joshua Ragsdale, Anthony Street, The. Buford, N. Hobson, Wm. Hardy, Edwd. Jordan, Robt. Dixon, James Hamlett, Mich'l McKie, William Tysdale, Fran. DeGraffenreid, Josiah Whitlock, Benja. Estis, Thos. Edwards, Joseph Smith, Daniel McKie, Will. Glenn, Drury Murrell, Elisha Winn, John Hix, Isaac Brigandine, Joel Farguson, Wm. Stokes, Ths. Winn, Jun., John Gooch, Gab. Fowlkes, Peter Lamkin, Rawleigh Carter, Bowler Hall, Sterling Wallington, Thos. Mitchell, Ambrose Jeter, Stith Bolling, Charles Bailey, Henry Buford, Josiah Jackson, Asa Davis, L. Royal, John Jennings, William Gooch, John Winn, Gabl. Fowlke[s], Sen., John L. Crutz, Robert Crutz, Ste. Cooke, Rich'd Jones, Jun., Wm. Cross Craddock, Heh. Bland, Christn. Ford, Edmd. Booker, Jnr., Jan Wills, Abram Green, Jnr., Isham Clay, Jas. Jenkins, John Jones, Edwd. Munford, Wm. Greenhill.

In 1784 Patrick Henry advocated a General Assessment plan in the House of Delegates; and in this Richard Henry Lee who had great differences with Henry supported him. Both were utterly opposed to any established state religion,—both believed in an entire freedom of religious belief. There has been con-

¹Journal: H. of D. Oct. 1783, 12.

siderable speculation as to how or why Henry, who sided with the dissenters, came to support the General Assessment idea, when it was generally opposed by the dissenters, and supported by the Episcopal church.

It may have been that he was genuinely impressed with the need for a better support of all religion, for religious affairs following the war were at a low ebb. Dr. William Hill said "The demoralizing effects of the war left religion and the church in a most deplorable condition. The Sabbath had been almost forgotten, and the public morals sadly deteriorated."¹

"The Anglican Church had nearly gone to wreck during the war; the few ministers who continued to serve existed precariously on the voluntary contributions of their diminished congregations. The Presbyterian ministers lived in the same way, and their congregations were poor. The Baptists and Methodists received little or no hire for preaching and eked out a living by following secular employments."²

In this state of things, it is not strange that many seeking to produce a better condition turned to the ideas of incorporating the religious bodies, and assessing all taxpayers for the support of some religious body, allowing them to choose which they would support.

It is interesting to observe, in connection with the history of this period that, notwithstanding the Bill of Rights, which had been passed as a part of the Constitution eight years earlier, the General Assembly was still supposed to have power to fix Church doctrines and regulations, and the ecclesiastical laws existing prior to the Revolution were treated as in effect.³

The Sixteenth Article of the Bill of Rights provided "That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence, and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practise Christian forbearance, love, and charity, towards each other."

¹ Foote: *Sketches of Virginia* (1st Series), 412).

² Eckenrode: *Separation of Church and State in Virginia*, 75.

³ *Id.* 78.

It seems clear that all had not grasped, as Jefferson and a few others had, the true significance of what was involved in the "free exercise of religion, according to the dictates of conscience."

Patrick Henry on the one side and James Madison on the other headed respectively the forces which favored and those which opposed a general assessment. The debate was begun on November 11, 1784, and of this debate Foote says: "The true relations of church and State was enquired into with patience, vigor, conscience, keenness and judgment, in the exercise of great talents and eloquence."¹

The Committee of the Whole after the conclusion of the debate, reported out a resolution "That the people of the Commonwealth, according to their respective abilities, ought to pay a moderate tax or contribution annually for the support of the Christian religion, or of some Christian Church, denomination or communion of Christians, or for some form of Christian worship."²

This resolution was passed by a vote of 47 to 32, Anthony Street one of the representatives from Lunenburg voting in the negative. John Glenn the other representative from Lunenburg must not have been present as he is not shown as voting either way on the proposition.

After Patrick Henry had thus mustered a complete majority in the house, and secured the adoption of this resolution, he left the House on November 17, 1784, to become Governor of Virginia a second time. This was a decided advantage to Madison and the progressives, and to this circumstance is largely to be attributed the fact that on December 24, 1784, the bill for an assessment was deferred until the following session. Before this action was taken, however, various petitions pro and con came in, among them one from Lunenburg.

The matter being deferred until the next session of the legislature, those who opposed the Assessment Bill, which had been reported pursuant to Henry's victorious resolution, deemed it necessary to direct at the bill before the next session assembled a vigorous and hostile criticism. George Nicholas and George

¹*Sketches of Virginia* (1st Series), 339.

²Journal: H. of D. 1784, 19.

Mason, therefore, persuaded Madison to undertake the task. To this undertaking he brought the full power of his mental strength, and the *Memorial and Remonstrance*, justly famous as an elaborate argument on the relation of religion to the state, was the result.

This paper was widely circulated and signed throughout Virginia, and was "destined to draw forth such an expression of public opinion as the state had never seen before."¹

Before the Assembly met the Presbyterians formally went on record as opposing the Assessment bill,² as did the Baptists.³

The Baptist General Association at Orange in September, 1785, adopted a remonstrance in which they took the ground that the civil power had no right to establish a religious tax, and in so doing grounded themselves upon the rock bottom of the fundamentals of the proposition.

When the General Assembly met October 24, 1785, petitions began coming in, in such numbers as had never been known before, and they were chiefly opposed to assessment; among these was one from Lunenburg and others from Mecklenburg and Charlotte.

Sentiment was so clearly developed as against the assessment bill that it never even came up at the session. No mention is made of it in the journal of the House for this session, although it is said it was considered in the Committee of the Whole. Thus although Henry had been able to get a favorable vote on the proposition, the bill never came to a vote, and Madison was the victor on this question in the end.

The struggle over the matter of assessment was but one phase of the religious controversy. While this matter was being debated, the question of incorporating churches, and of relieving the Presbyterians, Baptists and other dissenting denominations of certain disabilities was also receiving attention; and they were earlier resolved than the assessment question. While it was pending the laws were so amended that dissenting ministers could legally perform the marriage ceremony. On November 17, 1784,

¹Eckenrode: *Separation of Church and State in Virginia*, 106.

²Madison: *Works* II, 163.

³Sample: *History of Virginia Baptists*, 96.

the House of Delegates resolved that "Acts ought to pass for the incorporation of all societies of the Christian religion, which may apply for the same."¹

The vote on the resolution was 62 to 23, Anthony Street of Lunenburg being one of the twenty-three voting in the negative. The bill introduced pursuant to the resolution passed December 22, 1784, by a vote of 47 to 38, John Glenn of Lunenburg being one of those voting in the negative.

Following the failure of the Assessment bill to be brought up at the session of 1785, Jefferson's bill for religious freedom was introduced on December 14th. The bill as drawn by Jefferson was amended in Committee and reported to the House.² On December 16th, the House struck out the Committee substitute for the preamble by a vote of 66 to 38, and the bill passed the House 74 to 20 on December 17, 1785, Lunenburg voting for the bill. Owing to some differences as to phraseology which developed between the Senate and the House the bill was not finally passed until January 16, 1786.³

This bill after a lengthy and noble preamble, enacts: "That no man shall be compelled to frequent or support any religious worship, place, or Ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

"And though we well know that this Assembly elected by the people for the ordinary purposes of legislation only, have no power to restrain the Acts of succeeding Assemblies, constituted with powers equal to our own, and that therefore to declare this act to be irrevocable, would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present, or to narrow its operation, such Act will be an infringement of natural right."

¹Journal: H. of D. 1784, 92.

²Journal: H. of D. 1785, 94.

³Journal: H. of D., 1785-6, 143.

Not only has this act never been repealed, but it has been followed in all free countries throughout the world.

Although the incorporation act was passed by a considerable majority its wisdom was widely questioned, and it was justly criticised "because it established an immediate, a dangerous and unwarrantable connection between the legislature and the church,"¹ and it was repealed January 8, 1787.²

By the defeat of the General Assessment bill, the passage of the act for establishing religious freedom, and the repeal of the act incorporating the Episcopal Church, the complete separation of Church and State in Virginia was effected, and all denominations placed upon an equal footing respecting their legal and civil rights and privileges.

With this inadequate review of the general religious situation during the period indicated, we may pass to a brief notice of the early activities of the several denominations, which in a measure have to do with the early period of the history of Lunenburg.

THE EPISCOPALIANS

Lunenburg had, as we shall see, an important part in the struggle between the vestries and the Colonial Governors.

When the county was created in 1745 it embraced, in addition to its present area, that now comprised in Mecklenburg, Charlotte, Halifax, Pittsylvania, Henry, Franklin, and the greater part of Bedford and Campbell counties.

This great area was comprised in one parish and was named Cumberland. While Lunenburg County and Cumberland parish were created by the act of 1745, it was provided that they should come into existence "from and immediately after the first day of May next."³

It was directed by the Act that the sheriff should advertise "some convenient time and place" for the meeting of the "freeholders and housekeepers" to elect "twelve of the most able and discreet persons" of the parish as vestrymen.

The first vestry of Cumberland parish seems to have been

¹Eckenrode: *Separation of Church and State in Virginia*, 124.

²Senate Journal, 1787, 92.

³Hening V. 3110.

composed of the following: Lewis Deloney, Clement Read, Matthew Talbott, Abraham Martin, Lyddall Bacon, David Stokes, Daniel Ferth, Thomas Bouldin, John Twitty, Field Jefferson, John Edloe, and John Cox.

In 1746 the vestry ordered a chapel forty-eight feet by twenty-four feet to be built near Reedy Creek. This was near Lunenburg Court-House. This was burned, as Bishop Meade informs us, "between thirty and forty years since, during the ministry of Rev. Mr. Philips."¹

The vestry also took steps, in 1746, to select places for a chapel and reading-house, near Otter River and the Fork of Roanoke; and in the following year a committee was appointed to purchase a site for a chapel on the Little Roanoke River.²

The locations of all the churches built by the first vestry we do not know; but apparently they built seven. Rev. John Brunskill, as we shall see, was the first minister of the parish, and in this connection Bishop Meade gives some idea of the number of churches in this far-flung parish at that time. He says: "It would appear that the vestrymen had not been inactive in the erection of churches during the two years since entering on their office, for the[y] contract with Mr. Brunskill, to preach at the four churches already built, and at another place on South River, and two others, are determined on this year."³

The vestry elected for the newly created parish of Cumberland were not ignorant of the character of the controversy between the vestries and the Colonial Governors.

They were alive to the necessity of saving the people from having an unworthy minister saddled upon them for life, by being inducted into the office by the governor.

The vestry in 1748 took firm ground on this matter in the following communication to Sir William Gooch, at that time the Governor of the Colony:

"Letters commendatory from Sir William Gooch, Baronett and Lieutenant-Governor, and Mr. Commissary Dawson, in

¹Bishop Meade's book was printed in 1891.

²Bishop Meade, Vol. I, p. 482.

³Bishop Meade, Vol. I, p. 483.

favor of the Rev. John Brunskill being presented to the vestry: they are willing to pay due respect and deference to the Governor's and Commissary's recommendation, and are willing to receive the said Mr. Brunskill into this parish, as a minister of the Gospel, for one year, and at the expiration thereof to cause to be paid him the salary by law appointed. But, forasmuch as they are not willing to be compelled to entertain and receive any minister, other than such as may answer the end of ministerial function, they only intend to entertain and receive him as a probationer for one year, being fully minded and desirous that, if they should in that time disapprove of his conduct or behavior, they may have it in their power to choose another."¹

This letter was signed by: Lewis Deloney, Clement Read, William Howard, Lyddall Bacon, David Stokes, Thomas Bouldin, Abraham Martin, John Twitty, and Matthew Talbott, vestrymen.

Commenting on this communication, and the caution with which the vestry employed Rev. John Brunskill, Bishop Meade says: "Mr. Brunskill remained but one year; and, if he was the man who so disgraced himself and the church in Faquier, soon after this, the vestry did wisely in their mode of engaging him."²

In this connection Bishop Meade seems to have fallen into an error. The circumstances affecting the church in Faquier to which the Bishop here alludes, he sets forth in his account of Hamilton and Leeds parishes, in Faquier County.³

In his article on Hamilton parish he says: "In the year 1758, the Rev. Joseph Brunskill was the minister,"⁴ and in a note to this text he says:

"He was a notorious evil-liver, being given to intemperance and other vices. His vestry complained of him to Governor Dinwiddie, who summoned him and his accusers, with their witnesses, to Williamsburg. They appeared before the Governor and Council, Commissary Dawson being one of the Council. Being found guilty, the Governor ordered the vestry

¹Bishop Meade, Vol. I, p. 482-3.

²Bishop Meade, Vol. I, p. 483.

³Vol. 2, p. 217.

⁴Id.

to dismiss him and choose another minister. On his return to the parish, Mr. Brunskill posted the Governor and Council on the church-door, and perhaps elsewhere, declaring that they had no jurisdiction in the case, and adding in the same notice a canon of the English Church, whereby none but a Bishop could pass sentence on a clergyman. The justification of the Governor was, that although none but a Bishop could absolutely deprive of orders, yet the Governor as Supreme Ruler in Virginia, and representing the Crown, which was chief in Church and State in England, had a right and was bound to exercise some discipline and prevent such dishonor to religion, and that, as ministers were tried before the civil courts in England, so Mr. Brunskill had been tried before the Governor and Council, which was the supreme court in Virginia. Commissary Dawson entertained some doubt as to the canonical regularity of the proceeding, but in a letter to the Bishop of London justified it on the ground of necessity."

The minister in Lunenburg County above referred to was Rev. *John* Brunskill; the one who had the trouble with his vestry in Faquier was Rev. *Joseph* Brunskill. They were different persons therefore, unless Bishop Meade has confused the names—at least according to Bishop Meade's account, Rev. John Brunskill, who held a charge in Lunenburg, had no trouble with a vestry in Faquier.

As to the succession of ministers in Cumberland parish, and the activities of the established church we will in the main follow the account of Bishop Meade, the leading authority on this subject.

After Rev. John Brunskill, who only remained a year, the next minister was Rev. George Purdie. The vestry, says Bishop Meade, "are yet more careful in their contract with him; for, although recommended by the President of the Council, Mr. Burwell, and Commissary Dawson, they will only receive him on trial for six months, and agree with him that either party may dissolve the connection by giving six months' notice. He remained about eighteen months, and, having occasion to visit England, resigned his charge. The vestry, however, speak well of his conduct while he was their minister. On his return from Eng-

land (if he went), he became, in the following year, minister of St. Andrew's, in Brunswick, as we have seen. In the year 1751, the Rev. William Kay, of whom we shall have more to say in another place, became the minister on a probation of two years, with the understanding that either party might be released at the end of one year. Mr. Kay, being a worthy minister, remained with them until his death in 1755."¹

Rev. Mr. Kay (or Key, as it is frequently spelled) served Lunenburg Parish, in Richmond County, prior to coming to Cumberland parish, in Lunenburg County. There he had a painful and protracted controversy with a portion of the vestry led by Colonel Landon Carter. The dispute arose over the right of Mr. Kay to the parish in preference to another desired by a part of the vestry and the people. The dispute was heard by the Governor and Council, and then carried to the higher tribunal in England. The clergy and Commissary appear to have favored Mr. Kay in the controversy. The church was locked against him, at least for a time, but the attachment of a part of the vestry and people to his cause was so strong that he held services in the churchyard.

Bishop Meade says: "How it" (the controversy) "was finally settled in the English courts, does not appear, but we find Mr. Kay in Cumberland parish, Lunenburg County, in the year 1754."²

This date—1754—is evidently an inadvertence. The contract between the vestry of Cumberland parish and Mr. Kay was made in 1751 and he served the parish until his death in 1755.³

Continuing his account, Bishop Meade says:

"In 1756, the Rev. Mr. Barclay, became the minister on the condition that he or the vestry might dissolve the relation at a moment's warning. After continuing one year and some months, Mr. Barclay resigned, and recommended to the vestry to give a title to the parish to Mr. James Craig, student of divinity, in order that he might obtain Orders,—that being necessary, according to the English canons. They agree to this, and as they did a few years after to Mr. Jarratt, but only on condition of his enter-

¹Bishop Meade, Vol. 1, p. 484.

²Bishop Meade, Vol. 2, p. 179.

³Id. Vol. 1, p. 483.

ing bond, with proper security, that he shall not by virtue of this title insist upon being the minister of this parish if he shall not be found agreeable to the gentlemen of the vestry and the parishioners, after trial. This was the common custom of the vestries in Virginia in regard to those who were only candidates for the ministry and wished to be able to comply with the canon and obtain Orders. In the year 1759, the Rev. James Craig became their minister. About this time several other chapels are ordered.

"After a few years Mr. Craig thinks of leaving the parish; and the Rev. Mr. Jarratt¹ who was about to go to England for orders, receives a title on the same condition which had been agreed on with Mr. Craig. Mr. Craig, however, still continues in the parish until his death in 1795. He appears to have had the esteem of his people. A good glebe and glebe-house are prepared for him, and he was allowed to practice medicine in connection with his ministry. At one time,—about 1790,—he appears to have left the parish, or to have been officiating in some parish or parishes around, as the vestry pass an order that if he will return to the parish and preach every Sabbath, they will raise sixty pounds for him. Whether the sixty pounds was raised or not, he appears to have laboured in his old parish until his death. His ministry was of thirty-five or thirty-six years duration, in this one parish.

"Mr. Craig united the practice of medicine with the duties of the ministry. Whether it was from the necessity of obtaining a support for his family, or from Charity to the poor I cannot say. He prospered in his worldly matters. His glebe was larger and better than most of those in the State, and he was a better manager. He had a mill of his own, and during the war it was a kind of storehouse for public provisions. Tarleton, knowing this, and that Mr. Craig was a true American and zealous in the cause of the Revolution, took the mill in his route, and, after he and his men had feasted on Mr. Craig's good mutton and fed their horses on his corn, caused barrels of flour to be rolled into the mill-pond and the whole establishment to be burned down."²

¹This was evidently Rev. Devereux Jarratt, who was ordained in London, on Christmas day 1762, and who in 1763, became minister of Bristol parish in Dinwiddie County.

²Bishop Meade, Vol. 1, p. 484.

Rev. Mr. Craig's mill was on Flat Rock Creek, a short distance below the mill later built and known as Bagley's Mill. It was but a short distance from the present town of Kenbridge.

Bishop Meade's account continues:

"To Mr. Craig, the Rev. John Cameron succeeded. He was one of four brothers who came from Scotland,—one of them besides himself, being in the ministry. The family was ancient and highly respectable. He was educated in King's College, Aberdeen, was ordained by the Bishop of Chester, in 1770, and came over that year, to Virginia. His first charge was St. James's church, Mecklenburg. From thence, in 1784, he went to Petersburg, and after spending some years there, removed to Nottoway parish. Mr. Jarratt, in speaking of the migratory course of the clergy for want of support after the Revolution, says:

"'Among others, we have a recent instance in the case of Dr. Cameron, whom you saw at my house as a visitor. He then lived at Petersburg, but induced by necessity, having a large and increasing family, he removed into a parish above me, called Nottoway, where the vestry obligated themselves to pay him a hundred pounds annually, for three years successively—But meeting with no assistance from any one of the people, the whole fell upon themselves alone. This burden they found too weighty, and it caused them to wish to get rid of the incumbent, which I am told they have effected, and Dr. Cameron is now the minister of a parish in Lunenburg County. Few or none of the people would go to hear him (at least very seldom), and very few of the vestry made a constant practice of going to church, as I have been informed, so that frequently his congregation would not exceed five or six hearers. Surely this was enough to worry him and make him think of new quarters.'

"His new quarters not being, in this respect, sufficient for his support, he was obliged to resort to school-keeping, and had a select classical school, for which, by his scholarship, he was eminently fitted. He was made Doctor of Divinity, by William and Mary College. If for his strictness he was even then complained of, how would such a school as his be now endured, by either parents or children? By nature stern and authoritative, he

was born and educated where the discipline of schools and families was more than Anglican. It was Caledonian. But he made fine scholars. There is one, at least, now alive, who is an instance of this, and bears testimony to it. His sincere piety and great uprightness commanded the respect of all, if his stern appearance and uncompromising strictness prevented a kindlier feeling. I never saw him but once, and then only for a few hours around a committee-table at our second Convention, in Richmond, and then received a rebuke from him; and, though it was not for an unpardonable sin, yet, I sincerely thanked him, and have esteemed him the more for it ever since. The father's piety and integrity have descended to more than one of his posterity. Judge Duncan Cameron, of North Carolina, was his son, and educated by him. Of him it might be said, in some good degree, as of Sir Matthew Hale, 'a light saith the Pulpit; a light saith the Bar.' Judge Walker Anderson, of Florida, is his grandson, and was his scholar, and but for ill health would have been in the ministry. I might speak of others, but it enters not into my place to enlarge more.

"Dr. Cameron continued the minister of Cumberland parish until his death in 1815. He was buried beside his daughter, Anna M. Cameron. A tombstone has been erected to their memory by his son, of whom we have just spoken,—the late Hon. Duncan Cameron, of North Carolina.

"About three or four years after the death of Mr. Cameron, the Rev. Mr. Philips, of whom I wrote in the article on Hanover, took charge of this parish and continued in it until his death."

The Rev. Mr. Philips here referred to was Rev. John Philips. He was an Englishman, of the Wesleyan school, and ordained for the Episcopal Church by Bishop Moore. Bishop Meade records of Mr. Philips that he was an exceedingly small man. "His person was," says Bishop Meade, "the most diminutive I ever saw or heard of in the pulpit, but it was remarkable for its quickness and energy of action. He required to be elevated on a high block or platform to be seen at all in the pulpit. When praying in private houses, he always knelt in the chair, not by it. He was very animated in preaching, putting his soul and voice into his extempore sermons."

The circumstance of his death was very remarkable. He and his wife were riding in a conveyance, which Mrs. Philips was driving; she always drove for him. While thus travelling he expired, and his wife did not discover the fact until she stopped at a tavern to water the horse. She then found that he was sitting by her side, a corpse.

During the interval between the death of Mr. Cameron and the coming of Mr. Philips, Mr. Ravenscroft, of Mecklenburg, then a candidate for Orders in Virginia, was recommended by Bishop Moore and accepted by the vestry as lay reader in the parish.

“The Rev. Charles Talaifero, after an interval of some years, succeeded Mr. Philips in 1831, and for six years laboured most diligently and successfully, being the means under God of rousing up the slumbering energies of the old parish. St. John’s Church was the only one standing in the parish at that time. Reedy Creek Church had been consumed by fire. Being deserted of worshippers, it was filled with fodder, and [is] said to have taken fire while some negroes were playing cards in it by night. Old Flatrock church had been disposed of and the proceeds applied to the building of St. John’s. St. Paul’s was built during the ministry of the honest and zealous Mr. Taliafero. At his entrance upon duty there were only seven regular attending communicants in the parish. During his brief ministry forty-six were added to the communion. Mr. Talifero was succeeded by the Rev. Thomas Locke, who has continued to be the minister until within the last two years. The Rev. Mr. Henderson is its present rector.

“I take from the old vestry-book the following list of Vestrymen:

“Lewis Deloney, Clement Read, Matthew Talbot, Abraham Martin, Lyddall Bacon, David Stokes, Daniel Ferth, Thomas Bouldin, John Twitty, Field Jefferson, John Edloe, John Cox, Francis Ellidge, Luke Smith, William Embry [or Embra], Peter Fontaine, Robert Wade, George Walton, Joseph Morton, Thomas Hawkins, William Watkins, Thomas Nash, John Speed, Henry Blagrove [Blaggrave], John Jennings, Matthew Marraball, John Parrish, John Ragsdale, Daniel Claiborne, Edmund Taylor, Thomas Pettis, Thomas Lanier, Thomas Tabb, William Gee,

David Garland, John Hobson, George Philips, Thomas Wynne, William Taylor, Thomas Chambers, Christopher Philips, Benjamin Tomlinson, Charles Warden, Elisha Betts, Thomas Buford, William Harding, David Stokes, John Ballard, Robert Dixon, Anthony Street, Edward Jordan, Nicholas Hobson, Sterling Niblett [Neblett], John Cureton, Christopher Robertson, James Buford, Covington Hardy, Ellison Ellis, J. E. Broadman, William Buford, James Smith, Thomas Stephenson, Bryan Lester, William Glenn, Obadiah Clay, William Tucker, Edmund P. Bacon, Thomas Garland, John Billups, David Street, Peter Eppes, W. Farmer, James McFarland, Thomas M. Cameron, William Buford, Jr.

"It will be seen that the name of Buford often occurs on this list. At one time four of the name were in the same vestry. To Mr. Thomas Buford, a pious member of the Church, the parish is now, and has been for a long time, indebted for its ability to support a minister. About sixty years ago he left an estate to the parish, which, though badly managed, has rendered effectual aid to the vestry in the support of a minister.

"To the above list I add the first election after the effort at renewing the Church began: David Street, Colonel John Street, William Overton, Roger Atkinson, Thomas Atkinson, James McFarland, Charles Smith."¹

THE PRESBYTERIANS

The Presbyterians were the first sect or denomination to make any appreciable inroads upon the Anglican church; but Presbyterianism did not make any considerable headway in the Colony for a long time after its first appearance. As early as 1683 some Presbyterians were living in eastern Virginia.²

Josias Mackie was, so far as is known, the first legal dissenting minister in Virginia.³

He qualified under the Toleration Act of 1689, and was the pastor of a congregation on Elizabeth River until his death

¹Bishop Meade, Vol. 1, p. 486-7.

²T. C. Johnson: *Virginia Presbyterianism and Religious Liberty*, 13.

³Eckenrode: *Separation of Church and State in Virginia*, 31, citing McIlwaine, 31.

which occurred in 1716. But the person who was regarded as the real founder of Presbyterianism in the United States was Francis Mackemie, who came from Ireland and settled in Accomac County, Virginia. He was licensed to preach in 1699¹ and lived a time in Virginia, but the greater part of his life in America was spent in the North. After his removal from Virginia, Presbyterianism practically died out in the eastern part of the state.

It is to Mackemie rather than to Mackie that Foote gives the honor of being the first in Virginia. He says: "The interest attached to the name, birthplace, and labors of Mackemie arises from the circumstances, that he was, in all probability, the first consistent Presbyterian minister in the United States; certainly the first in Virginia."²

In 1738 a group of Presbyterians led by John Caldwell³ "who are about to settle in the back parts of Virginia," requested the Synod of Philadelphia to appoint persons to wait upon the Governor and Council of Virginia "in order to procure the favour and countenance of the government of that province to the laying a foundation of our interest in the back parts thereof, where considerable numbers of families of our persuasion are settling."⁴

The request was granted, an address to Governor Gooch prepared and it was sent by "Messrs. Robert Cross, Anderson, Conn and Orme."

Governor Gooch assured the Philadelphia Synod that such Presbyterians as might settle in Virginia would not be disturbed by the Virginia authorities if they complied with the provisions of the Toleration Act.⁵

The Toleration Act permitted dissenters who qualified under it to absent themselves from the established church and to hold their own meetings once in two months.⁶

John Caldwell and his associates seem to have remained in Pennsylvania a year following the action of the Synod, for the

¹Johnson: *Virginia Presbyterianism and Religious Liberty*, 16.

²Foote: *Sketches of Virginia* (1st Series), 41.

³The Grandfather of John Caldwell Calhoun of South Carolina.

⁴Foote: *Sketches of Virginia* (1st Series), 103.

⁵Foote: *Sketches of Virginia* (1st Series), 104.

⁶Hening, III, 171.

next year, on May 28th, "Mr. Anderson,"¹ reported upon his trip to Virginia and submitted the letter he had obtained from Governor Gooch.

Pursuant to this understanding John Caldwell and his group of associates removed to Virginia, and he settled on Cub Creek in Brunswick County.

Rev. William Henry Foote, in his *Sketches of Virginia*, says, "The John Caldwell named in this transaction was grandfather to the Hon. John Caldwell Calhoun of South Carolina. The Colony he was the means of introducing laid the foundation of Cub Creek—in Charlotte,—Buffaloe, and Walker's Church in Prince Edward,—and Hat Creek and Concord in Campbell. He himself settled at Cub Creek; the greater part of the families that formed that settlement, ultimately removed to West Virginia, now Kentucky."²

Foote does not give the date of the settlement of John Caldwell's colony on Cub Creek and Buffaloe. The date of his coming can be established with approximate certainty from existing records. He was living in Brunswick County, Va., in that part created into the County of Lunenburg before the 5th day of May, 1746, for on that date he seemed to have helped to organize the county.³

John Caldwell and William Caldwell were members of the first county court of the county.

The will of John Caldwell bears date November 26, 1748, and was probated and recorded in Lunenburg County April 3, 1751.⁴

He therefore died before that date. William Caldwell's will was dated December 22, 1750, and was probated April 2, 1751.⁵

One of the earliest, if not the first, of the Presbyterian preachers to preach in Lunenburg County was Rev. William Robinson, who was born near Carlyle, England,⁶ of Quaker parents. His father was a physician of eminence and wealth. He was con-

¹This was Rev. James Anderson. See Foote: *Sketches of Virginia* (2nd Series), 51.

²*Sketches of Virginia* (1st Series), 104-5.

³See Chapter VII.

⁴Lunenburg County, Will Book 1, page 498.

⁵Id. page 501.

⁶Foote: *Sketches of Virginia* (1st Series), 124-5.

verted to Presbyterianism while residing at Hopewell, now Penning, New Jersey.¹ He was sent as an evangelist in the winter of 1742-3 by the Presbytery of New Castle to visit the Presbyterian settlements in Virginia, and on Haw River in North Carolina. It is said that "on entering Virginia, he was seized near Winchester by the sheriff of Orange County, which then extended to the north branch of Potomac, and was sent on his way to Williamsburg to answer to the Governor for preaching without a license. Before he had proceeded far the sheriff released him to pursue his mission."²

He spent the winter in North Carolina, and on his return preached to the Presbyterians in that part of Brunswick County,³ which was in the next year cut off into Lunenburg.

Robinson refused money that was raised for him by the people to whom he preached in Virginia; but upon being pressed to take it he consented saying he did not need it himself and would not use it for his own needs. But he said "there is a young man of my acquaintance of promising talents and piety, who is now studying with a view to the ministry, but his circumstances are embarrassing, he has not funds to support and carry him on without much difficulty; this money will relieve him from his pecuniary difficulties. I will take charge of it and appropriate it to his use; and as soon as he is licensed we will send him to visit you; it may be, that you may now, by your liberality, be educating a minister for yourselves."⁴

The student to whom he referred was Samuel Davies, a great and famous preacher, who in later years became so prominently identified with this section of Virginia, a man who was said

¹ Foote: *Sketches of Virginia* (1st Series), 125.

² Id. 126.

³ Foote says he preached to the Presbyterians in Charlotte County. Of course what he means is that he preached to the Presbyterian settlements located in what afterwards became Charlotte. This was twenty years before Charlotte became a county. Throughout his valuable writings he is constantly confusing by his failure to observe in any degree the chronology of the counties. Thus he speaks of reports having reached Governor Gooch respecting the activities of the Presbyterians, prior to 1745, "in Lunenburg, Charlotte, Prince Edward, Appomattox," etc. This was nine years before there was any Prince Edward; twenty years before Charlotte and one hundred years before Appomattox was created.

⁴ Foote: *Sketches of Virginia* (1st Series), 129.

to be as great as he looked, and whose appearance was such as to cause one to exclaim "He seems an ambassador of some mighty king."¹

On coming to Virginia he passed down the Eastern Shore through the territory where Makemie had preached and went to Williamsburg. His destination was Hanover; and though Roan and others were under indictment in the General Court for blasphemous behavior and preaching without a license there, Davies won the favor of Governor Gooch, and of the Council, and was licensed as a Dissenting Minister to preach on the lands of Samuel Morris, David Rice, and Stephen Leacy in Hanover, and Thomas Watkins in Henrico, the very scene of Roan's alleged misdemeanors. Davies at this time was described as "a tall, slim, well-formed youth, pale and wasted by disease, dignified and courteous in manner."²

Davies had not been long in Virginia before he realized that a vast field was before him and a pressing need for more ministers. In this situation he endeavored to get the Rev. Jonathan Edwards, the great New England divine, to come to Virginia. On July 4, 1751, writing from Hanover, to Rev. Mr. Joseph Bellaney, he said: "I never received any information of the kind in my life, that afforded me so many anxious thoughts, as yours concerning the great Mr. Edwards. It has employed my waking hours, and even mingled with my midnight dreams. The main cause of my anxiety, was, the delay of your letter, which I did not receive till about three weeks ago, when I was in Lunenburg, about one hundred and thirty miles from home. This made me afraid lest Mr. Edwards had settled somewhere else, being weary of waiting for the invitation from Virginia. Should this be the unhappy case, and should the obligation to his new people be deemed undissolvable, I shall look upon it as a severe judgment of incensed heaven on this wretched colony. . . .

* * * * *

"I assure myself, dear sir, of your most zealous concurrence

¹Bruce: *John Randolph of Roanoke*, I, 62; Foote: *Sketches of Virginia* (1st Series), 221.

²Foote: *Sketches of Virginia* (1st Series), 160.

to persuade him to Virginia. . . . Do not send him a cold, paper message, but go to him yourself in person. . . .

"We need the deep judgment and calm temper of Mr. Edwards among us. . . .

* * * * *

"As soon as I returned from Lunenburg, I wrote to the elders in the upper part of my congregation (which I want to cast off when they have an opportunity of obtaining a minister), urging them to take pains with the people of their respective quarters to obtain subscriptions for Mr. Edwards' maintenance; and though they had no knowledge of him, but by my recommendation, they made up about 80 pounds of our currency, which is about 60 or 65 pounds sterling, and it is the general opinion of the people, that if Mr. Edwards does in any measure answer the character I have given him (and I doubt not but he will), they can easily afford him 100 pounds per annum.

. . . . The people about the lower meeting house, which is my more immediate charge, assure me they will contribute toward the expenses of his first year's settlement; and the people in Lunenburg told me they would cheerfully subscribe toward his maintenance the first year, should he settle anywhere in Virginia."¹

To this letter is added a postscript, dated July 13, in which he says: "I did not receive the complete subscription for Mr. Edwards till yesterday, which happily exceeds my expectation. It amounts to about 97 pounds which is near 80 pounds sterling. This will undoubtedly be a sufficient maintenance."

But just as Davies had feared the distance was so great, and it took so long to communicate with one in New England from Virginia that Mr. Edwards located elsewhere before he received the message of Mr. Davies through Mr. Bellaney. That he probably would have come to Virginia is clearly indicated by a letter written July 7, 1752, to a Mr. Erskine. "I was," he says, "in the latter part of the last summer applied to, with much earnestness and importunity, by some of the people of Virginia, to come and settle among them, in the work of the ministry; who subscribed

¹Footnote: *Sketches of Virginia* (2nd Series), 41-42.

handsomely for my encouragement and support, and sent a messenger to me with their request, and subscriptions; but I was installed at Stockbridge before the messenger came."¹

In 1752, John Todd, a member of the second class graduated by the College of New Jersey (he graduated in 1749), came to Virginia. It was the purpose of Mr. Davies to locate him in that part of Lunenburg which is now Charlotte, or in the territory which is now Prince Edward. But the General Court objected to granting a license for more than the seven places already granted Samuel Davies; so Todd became an assistant to Davies and as such was licensed April 22, 1752.²

But notwithstanding Mr. Todd did not have a regular charge in Lunenburg, he preached in the county, as, for example, at the time Robert Henry was constituted pastor of the Cub Creek church, of which Henry became pastor on June 4, 1755.³ Robert Henry was a native of Scotland and a graduate of New Jersey College in 1751. Foote states that on June 4, 1755, "the installation services were performed by Mr. Todd, and Mr. Henry was constituted pastor of Cub Creek in Charlotte, and Briery in Prince Edward, both then forming a part of Lunenburg County."⁴

The Briery congregation had its origin in the conversion of Little Joe Morton, at whose house Samuel Davies spent the night on one of his missionary excursions.⁵

The other charge of Mr. Henry, that at Cub Creek was in the community where John Caldwell settled when he brought his Colony to Brunswick County. Foote says "Cub Creek Congregation was made up of a Colony of Scotch-Irish, led to the Frontiers of Virginia, by John Caldwell about the year 1738,"⁶ and that this was the place John Caldwell made his home is definitely stated by him in his sketches (First Series), where after mentioning the

¹Foote: *Sketches of Virginia* (2nd Series), 43.

²Id. 45.

³Id. 49.

⁴Id. The statement that Prince Edward was a part of Lunenburg is erroneous, as is the other statement that Prince Edward County had not then been formed. Prince Edward was formed from Amelia County, and was created the year before the event of which Foote writes. See *Virginia Counties*, etc., Bulletin of the Virginia State Library, Vol. 9, 64.

⁵Foote: *Sketches of Virginia* (1st Series), 215; (2nd Series), 50.

⁶Id. (2nd Series), 50.

different places where some of those who accompanied him settled, he says, "He himself settled at Cub Creek."¹ Of this settlement on Cub Creek Foote says: "Part of the immediate descendants of the colony on Cub Creek went to Kentucky, some to South Carolina."²

To trace the courses of the various Presbyterian preachers who in the early years faithfully labored in the territory originally comprised in Lunenburg would lead us beyond any possible limits that can be assigned to the subject. That would require a volume in itself, as the readers of Foote's two volumes several times quoted are aware.

With the founding and development of Hampden-Sidney College, in Prince Edward, just beyond the bounds of old Lunenburg, this section became an even greater stronghold of Presbyterianism than it had been before. This school had been projected by Rev. Samuel Stanhope Smith, and on February 1, 1775, the Presbytery met at Captain Nathaniel Venable's, in Prince Edward to determine upon the question of the location of the seminary.³ On the following day they determined "to build an academy-house, and a dwelling for the superintendent, and other necessary houses, as far as the subscriptions will admit, at the head of Hudson's Branch, in Prince Edward County, on an hundred acres of land, given for the use, by Mr. Peter Johnson"; and continues the record, "We entrust Mr. Peter Johnson, Col. John Nash, Jr., Mr. James Allen, Capt. John Morton, and Capt. Nathaniel Venable, or any three of them, to draw plans of the houses and let them to the lowest bidder, of which they shall give timely notice to the publick."⁴

At the same time the Presbytery appointed trustees for the institution: "We appoint the Rev. Messrs. Richard Sankey (of Buffaloe), John Todd (of Louisa), Samuel Leake (of Albemarle) and Caleb Wallace (of Cub Creek), together with Mr. Peter Johnson, Col. Paul Carrington, Col. John Nash, Jr., Capt. John Morton, Capt. Nathaniel Venable, Col. Thomas Read, Mr.

¹Page 105.

²Among these were the Calhouns. John Caldwell was the grandfather of John Caldwell Calhoun (*Foote's Sketches*, 1st Series, 104).

³Foote: *Sketches of Virginia* (1st Series), 394.

⁴Id. 395.

James Venable, Mr. Francis Watkins, and the superintendent *ex-officio*, trustees of the Academy. Seven of the Trustees shall be a quorum."¹

This was the beginning of Hampden-Sidney College.

In November, 1775, Rev. David Rice, Colonel Patrick Henry, Colonel John Tabb, Colonel William Cabel and Colonel James Madison, Jr., were added to the board of trustees.

Very soon after the school was founded Rev. John B. Smith was engaged as a teacher, and soon became the head of the institution, Rev. Samuel Stanhope Smith having accepted the chair of Moral Philosophy in New Jersey College. Inasmuch as he left in October, 1779, and Rev. John Blair Smith's services began almost with the inception of active work he is regarded as the real founder, as his brother was the projector of the institution.

The territory that now remains in the county of Lunenburg, as distinguished from the area cut off into the more westerly counties, did not, it seems, embrace such a large element of population of the Presbyterian faith as were to be found in the more immediate vicinity of the settlements of the John Caldwell Colony. Nevertheless we find in 1793, after Lunenburg county had been reduced to its present size, Presbyterian churches, or at least members of the Presbyterian church in sufficient numbers to have the services of a minister, for a record of the Presbytery for that year shows that Rev. Carey Allen and Rev. William Calhoun, who had done missionary work in Kentucky had returned, had secured their dismissal from the Synod, and had been recommended to the Presbytery, whereupon on the next day Mr. Allen was appointed to supply in Albemarle, Madison, Goochland and Buckingham; and Mr. Calhoun in Mecklenburg, Lunenburg, Nottoway, and Amelia.²

One element of the Presbyterians in Lunenburg had an interesting history,—the denomination called the Republican Methodists. Their history is closely woven with that of Rev. Clement Read, grandson of Clement Read, the first Clerk of Lunenburg County, and one of the original vestrymen of Cumberland Parish. The grandmother of young Clement Read was

¹Footnote: *Sketches of Virginia* (1st Series), 395.

²Footnote: *Sketches of Virginia* (2nd Series), 231.

a woman notable for her efforts to maintain religion in her family. She, like her husband, had been raised in the Episcopal church. But the grandson grew up "under religious influences in the Presbyterian form."¹

The Presbyterian creed, beginning with the time Samuel Davies preached at the house of Little Joe Morton, became in time the prevailing form of belief in that section. And the grandson, who became the minister, Clement Read, pursued and completed a course of study at Hampden-Sidney College. Many of his relatives had become members of the Presbyterian Church, and he grew up under its instruction. He joined that church and decided to become a minister of the gospel.

On October 10, 1788, along with Nash Legrand, at a meeting of the Hanover Presbytery at Cumberland Meeting House, he was received as a candidate for the ministry. In January, 1789, at the time that Cary Allen was received as a candidate the preparatory trials of Read and Legrand were had. In the following April, Legrand was licensed but Read was not, and in October, 1789, the "Presbytery suspended any further preparatory steps for the licensure of Mr. Read."²

The reason was that he had "become interested with the Methodists, who were numerous in some neighborhoods, and their ministers very active and acceptable."³

They were at that time still regarded as a part of the Episcopal Church.

Finally, however, they separated from the Episcopal Church and "a large body in Old Lunenburg formed a denomination called Republican Methodists," and of this body "Mr. Read was for years a minister."⁴

In fact, says Foote: "He associated with these and began preaching before he had finished his preparatory course under Presbytery,"⁵ and "was ordained by the Republican Methodists, and was an amiable, devout, and earnest preacher, respected and beloved by all that loved the gospel."⁶

¹Foote: *Sketches of Virginia* (2nd Series), 576.

²Id. 577.

³Id.

⁴Id.

⁵Id.

⁶Id.

In 1801 an effort was made "to promote unity of feeling and action among Christians in the bounds of ancient Lunenburg,"¹ as a result of which ten Baptists, ten Methodists and six Presbyterian ministers met on December 25, 1801, at Bedford Court House to discuss the subject of their differences and to see if they could not adopt some terms for living "more friendly than we have done, and even to commune together."²

The plan adopted by this group of ministers for recommendation to their respective governing bodies was for each Presbytery to admit two Baptists and two Methodists to sit in the Presbytery as correspondents; likewise each Association of Baptists, and each Conference of Methodists admitted a like number of Correspondents from the other denominations. Although it does not appear that the plan was formally adopted by the Presbytery, Association and Conference concerned, it had a good effect. Even in advance of submitting the plan to their respective church organizations, the preachers who had participated in the Bedford Conference frequently preached together, and under date of May 17, 1802, Rev. Mr. Lacy wrote: "Since that time," the time of the Conference at Bedford Court House, "greater harmony and brotherly love have been apparent among the different denominations."³

In April, 1804, at a Presbytery held at Hampden-Sidney Rev. Messrs. John Robinson and Clement Read "appeared as a committee of the Republican Methodists to confer with the Presbytery 'on the subject of an union, which it appeared their constituents anxiously desired to form with the Presbyterian Church.'"⁴

A committee was appointed to confer with them with power "to adopt such measures respecting the union contemplated, as to them may appear eligible, and to make their report to Presbytery at their next meeting." From the report made to the Presbytery at Cub Creek, it appeared that the two committees conferred, but the committee of the Republican Methodists desired to confer

¹ Foote: *Sketches of Virginia* (2nd Series), 578.

² Letter of Rev. Drury Lacy, quoted by Foote, *Sketches* (2nd Series), 578, where the whole letter is given.

³ Foote: *Sketches of Virginia* (2nd Series), 578.

⁴ *Id.* 579.

with their church upon some important points that arose. And it does not appear that the subject was followed up.

By 1809 Rev. Clement Read decided to join the Presbyterians and at a called meeting of the Presbytery on September 28th and 29th at Briery Church he was received into the Presbyterian Church.

The Republican Methodists, however, continued to exist in this part of Virginia until 1822. In that year "Rev. Messrs. Henderson Lee, John Davidson, Samuel Armstead, and Matthew W. Jackson, Ministers of the Republican Methodist Church, met the Presbytery at Charlotte Court House, and 'having adopted the Confession of Faith of the Presbyterian Church, and answered the questions put to candidates, were received and took their seats as members of Presbytery.' By this act the Republican Methodist Church, as a body, in that part of Virginia, became extinct."¹

THE BAPTISTS

The Baptists of Virginia came from three sources: From England, from Maryland, and from New England.² Virginia had been settled a full century before that denomination is mentioned by name in its annals.³

The first Baptists in Virginia "were emigrants from England, who, about the year 1714, settled in the southeastern parts of the state."⁴

The next group about 1743 came from Maryland and settled in the northwestern part of the State,⁵ while still a third and more important party came from New England. The New England group were disciples of Rev. George Whitefield, and were known as *New Lights*.⁶

This "New Light Stir" became an extensive movement, and those adhering to it "conceiving that the parish congregations, a few excepted, were far from the purity of the Gospel, determined

¹Footnote: *Sketches of Virginia* (2nd Series), 579.

²Cook: *The Story of the Baptists*, 217.

³Id. 214.

⁴Sample: *History, etc. of the Baptists*, 11.

⁵Id.

⁶Id.

to form a society to themselves. Accordingly they embodied many churches. Into these none were admitted who did not profess vital religion. Having thus separated themselves from the established churches, they were denominated Separates."¹

"The Separates first took their rise, or rather their name, about the year 1744."²

In 1751 Shubal Stearns, who was born in Massachusetts, was converted to the Baptist faith. He came to Virginia in 1754, but not meeting with the encouragement he expected in Frederick County, he went on to North Carolina where he had some friends, and founded a church on Sandy Creek in Guilford County. He was accompanied from New England by a party of followers. Stearns was a brother-in-law of Rev. Daniel Marshall, who accompanied him from Frederick County to Sandy Creek,³ and Rev. Joseph Breed was also a member of the Sandy Creek church.

The activities of the Sandy Creek group extended into Virginia, and among the converts was Dutton Lane, who shortly after his baptism by Shubal Stearns in 1758, began to preach.⁴

The Presbyterians in general had been content to observe the interpretation of the Toleration Act by the Colonial authorities, and hence had but little trouble with the constituted authorities or with the established church. There were isolated cases of complaints against them, and occasionally an incident such as that precipitated by Roan in Hanover. But in the main the policy of the Presbyterians was to avoid conflict. With the Baptists it was different. They did not conceive it to be possible in a sparsely settled country to do the Lord's work as they believed it ought to be done by confining their preaching to a limited number of definitely fixed and licensed places. Their preachers were all, or practically all, itinerants, and "the itinerants considered the British laws concerning religion as wholly un-

¹Semple: *History of the Baptists*, 12.

²Id.

³Semple: Id. 13-14. Semple speaks of his coming in 1754 to Opeckon, in Berkeley County. This was then Frederick County. Berkeley was not formed until 1772.

⁴Taylor: *Virginia Baptists Ministers* (1st Series), 29; Semple: *History, etc., of the Baptists*, 17.

justifiable, and in this spirit they disregarded them although occasionally they applied for licenses and were refused. As a consequence, an inevitable legal prosecution followed which placed the Baptists in the light of sufferers for the cause of religious freedom. . . . the Baptists could not have done their work if they had strictly complied with the Toleration Act. Itinerancy was a vital feature of their agitation; it was only by going out into the fields and hedges that they could reach a sparse population scattered over a large territory."¹

In the conflict which followed the Baptists suffered at the hands of the public authorities far more than the Presbyterians.

The early Baptist preachers generally lacked the classical education, which, for example, the Presbyterians as a rule had, but nevertheless, and possibly largely for that reason, the Baptist church grew by leaps and bounds until the movement became one of the events of Virginia history. Not only did their persecution and prosecution help them in the eyes of the populace, but there were other reasons for their success. They were democratic in politics as well as in religion "and whole hearted in their sympathy with the Colonial cause as against England."² "But," says Mr. Eckenrode, "the chief reason for success lay in the fact that the Baptists presented the great evangelical movement in the way which appealed most strongly to the masses."³

The history of the Baptist church in Virginia abounds in instances of the prosecution and punishment of Baptist preachers. Possibly the first imprisonment of any of the Baptist ministers was that of John Walter, Lewis Craig, and James Childs who were arrested in Spotsylvania County, taken before three magistrates in the meeting house yard who bound them in the penalty of one thousand pounds to appear at court for trial two days later. At court they were arraigned as disturbers of the peace; on their trial, they were vehemently accused by the King's attorney who said, "May it please your worships, these men are great disturbers of the peace; they cannot meet a man upon the road, but they must ram a text of Scripture down his throat."

¹Eckenrode: *Separation of Church and State in Virginia*, 37-38.

²*Id.* 38.

³*Id.*

They were offered their liberty if they would desist from preaching but this they refused, and were committed to prison. After being in prison four weeks Craig was released. He went to Williamsburg, laid the matter before John Blair, who interceded in their behalf; and the others, after continuing in prison forty-three days, were released.¹

William Webber and Joseph Anthony were imprisoned in Chesterfield² in 1770, and Webber, along with John Waller, James Greenwood and Robert Ware were imprisoned in Middlesex in 1771.³

Samuel Harriss, too, though he was known to be a man of high character, and had served the colony in important positions, civil and military, was arrested and taken into court as a disturber of the peace.⁴ He was accused in Culpeper "as a vagabond, a heretic, and a mover of sedition everywhere."⁵ The court ordered that he should not preach in the county again for the space of twelve months, on pain of being committed to prison. He stated to the court that he lived two hundred miles away and was not likely to disturb them again for a year, and was dismissed. But on his way home, before he got out of the county, he happened to attend a meeting. He felt the urge to preach, and he arose and said: "I partly promised the devil, a few days past, at the court-house, that I would not preach in this county again in the term of a year. But the devil is a perfidious wretch, and covenants with him are not to be kept; and therefore I will preach."⁶

The details of the persecution of Baptist ministers in Lunenburg have not been preserved, but at the opening session of the House of Burgesses in 1772, a petition was presented from Lunenburg Baptists declaring that they "find themselves restricted in the exercise of their Religion, their teachers imprisoned under various pretenses, and the Benefit of the Toleration Act denied them, though they are willing to conform to the

¹Sample: *History of Virginia Baptists*, 31-32.

²Id. 33.

³Id. 34.

⁴Cook: *Story of the Baptists*, 223.

⁵Id.

⁶Id. 223.

true spirit of that act, and are loyal and quiet subjects; and therefore praying that they may be treated with the same kind Indulgence, in religious matters, as Quakers, Presbyterians, and other Protestant Dissenters enjoy;"¹ and a similar petition from Mecklenburg County was presented on February 22, 1772.²

The persistent conflicts of the Baptists with the colonial authorities, acting in the interest mainly of the established church, and the persecution of them tended to help rather than to hurt their cause. The imprisonment of the ministers excited the sympathy of the populace; and gradually in response to public sentiment the efforts at enforcing legal restraint against the dissenters relaxed. Rev. William Henry Foote, the historian of the Presbyterians, has said: "The attempts to prevent the spread of dissent, which fell so heavily on the Baptists from the year 1768 and onwards, but convinced the more thoughtful Episcopalians that some degree of restricted toleration must be granted to the citizens of Virginia, or society must be shaken to its foundations. To appease the agitated community a bill was proposed granting privileges to dissenters."³

The different steps in an effort to satisfactorily formulate these privileges we shall not attempt to trace. This development embraced the drafting of several bills, which were not acceptable to the dissenters. It embraces too Madison's celebrated *Memo-rial and Remonstrance*,⁴ of which Semple says: "For elegance of style, strength of reasoning, and purity of principle, it has, perhaps, seldom been equalled; certainly never surpassed by anything in the English language."⁵

It is an interesting circumstance that the first permanent church established by the Baptists in Virginia, was within the original area of Lunenburg.

As early as January, 1760, the Baptists formed an association, embracing this section of Virginia. This was the first of the Baptist associations in this section and is called the *Original Separate Baptist Association*.⁶ It was formed largely through the

¹Journal House of Burgesses, 1770-72, 161.

²Id. 183.

³Foote: *Sketches of Virginia* (1st Series), 320.

⁴Madison, *Works*, II, 183, Note.

⁵Semple: *History of Virginia Baptists*, 52.

⁶Id. 64.

the activity of Rev. Shubal Stearns. After organizing in January it met again in July, 1760, at Sandy Creek Church, near a stream of that name in Guilford (now Randolph) County, North Carolina. Rev. William Murphy attended representing Lunenburg County, Virginia, Elder Samuel Harriss was present, representing Dan River, Pittsylvania County, Virginia.¹

Soon after this meeting of the Association a church was established in Virginia, which is said to have been the first Baptist church in the state. Of it Rev. Mr. Semple says:

“In August, 1760, a church was constituted under the pastoral care of Rev. Dutton Lane. This was the first Separate Baptist Church in Virginia, and, in some sense, the mother of all the rest.”²

From the meager evidence which has come to our notice, it seems this church was within that part of the original territory of Lunenburg erected into Halifax, and later created into Pittsylvania. If the assumption of location is correct, it was in Halifax at the time it was created, as Pittsylvania was not formed until 1767.

One of the early and important converts to the Baptist Church in this section was Samuel Harriss, already mentioned in connection with his persecution in Culpeper. He was a burgess of Halifax County from 1755 to 1758,³ and perhaps from an earlier period than 1755; was a justice of the peace, sheriff of the county and Colonel of Militia. He was also Captain of Mayo's Fort, and served in the commissary department during the French and Indian wars. He was converted under the preaching of Joseph and William Murphy, widely known as “the Murphy boys,” at a meeting-house near Allen's Creek, on the road leading from Booker's Ferry, on Staunton river, to Pittsylvania Court House.⁴

¹Such is the statement of Mr. Semple, *History of Virginia Baptists* (Beale), page 64, quoting (it seems) Bacchus's *History of the Baptists of New England*. However the statement as to Mr. Harriss' representing Dan River, Pittsylvania County, is not strictly accurate. Pittsylvania had not been then formed. Pittsylvania was formed from Halifax in 1767, and Halifax was formed from Lunenburg in 1752. It was Pittsylvania at the time the account was written, thus, no doubt, crept in, the inaccuracy of statement.

²Semple: *History, etc. of the Baptists*, 17.

³*The Colonial Register*, 138-145.

⁴Semple: *History, etc. of the Baptists*, page 18, note.

In 1759 he was ordained a ruling elder, and as a Baptist preacher he labored in a wide field,—from Culpeper and Orange on the one hand, and into North Carolina on the other. He, James Read, and Jeremiah Walker were among the earliest Baptist ministers to preach in the present counties of Lunenburg, Amelia, Mecklenburg, Charlotte and Halifax.¹

In 1769 about forty members were organized into a church called Nottoway. The meeting house was situated about five miles east of Burkeville. Jeremiah Walker, a native of North Carolina, at the age of about twenty-two years became the pastor of this church the year it was organized; and the church under his ministry largely prospered. In his missionary excursions, during the time of his pastorate here, he organized, or laid the basis for organizing, over twenty churches, south of James River.²

Not long after the Nottoway church was organized it was found to have such a numerous membership some distance from the church house that Meherrin Church was organized November 27, 1771. At the date of its organization it was the only Baptist church in the present counties of Lunenburg, Mecklenburg and Charlotte. It was organized with one hundred and eight members, among these being John Williams, Elijah Baker, John King and James Shelburne, who became ministers in the Baptist Church. At the first Jeremiah Walker preached for this congregation as well as the one at Nottoway, but in December, 1772, John Williams was ordained to the ministry and became their pastor. The Meherrin church prospered and its influence became so extensive that five or six churches were built to accommodate those living at too great a distance from the parent church.³ Beale,⁴ who in 1894 edited a revised edition of Semple's *History of the Baptists in Virginia*, says the original Meherrin church was maintained for thirty or forty years, and that the church house bearing the name Meherrin (in 1894), was several miles from the location of the original church, the exact location of which is no longer known.

¹Semple: *History of the Baptists*, 28.

²Semple: *History, etc. of the Baptists*, 28 and note.

³Id. 295-6.

⁴Rev. G. W. Beale.

To John Williams, Elijah Baker, John King and James Shelburn this tribute is paid by Robert B. Semple, the historian of the Virginia Baptists: "The four preachers mentioned above will always stand as monuments of honor to this, their mother church. The Baptist cause has probably not been more advanced by any four preachers in Virginia."¹

In the course of time, the General Association of the Baptist Church was for convenience, and the better administration of affairs, divided into several associations. One of these subdivisions was the Middle District Association. It met and organized in 1784. The second session was held at Rice's meeting-house, Prince Edward County, May 9, 1785. At a meeting at Mossington in May, 1788, the Roanoke Association was laid off from a part of this association. The boundaries were laid off as follows: "beginning where the Kehukee Association line crosses the Meherrin river; from thence upward by Lunenburg Courthouse to the Double Bridges; from thence to Charlotte Courthouse; thence the Lawyer's Road to New London to the upper line dividing Strawberry District."²

It must be confessed this description is not very clear and explicit. Professor Beale further explains the subject. He says: "This dividing line between the Portsmouth and Middle District Associations ran in a northwesterly direction from the Brunswick line nearly through the center of Lunenburg, Charlotte and Campbell counties to the edge of Bedford at a point ten or twelve miles below Lynchburg."

In October, 1803, at a meeting of the Middle District Association held at Walker's meeting-house, in Prince Edward County, a proposal was made to divide the district; this resulted in the creation in 1804 of two new districts from the Middle District. These were the Appomattox Association, and the Meherrin Association. We have found no record of the precise geographical lines of this district; but it seems that formerly a part of Lunenburg was within the Middle District, and a part within the Portsmouth district.

After the proposal was made in 1803 to divide the Middle

¹Semple: *History, etc. of the Baptists*, 296.

²Semple: *History of Virginia Baptists* (Beale), 256.

District, action thereon was deferred until the next meeting, and the Portsmouth Association and also the Roanoke Association were requested to be represented "so that they might, if agreeable, strike off a part of their churches in order to make the associations by the new arrangement more convenient for all parties." We are not positively advised that these associations were represented, but they must have been, for the Meherrin District clearly embraces territory not, at the time of its creation, within the Middle District. The Meherrin Association, as the district was originally laid out, embraced one church in Charlotte County, four in Mecklenburg, five in Lunenburg, two in Dinwiddie, two in Brunswick, and two in Greensville County. Lunenburg therefore had more churches than any other county of the association. The churches in Lunenburg were: Meherrin, Reedy Creek, Cedar Creek, Tussekiah and Flat Rock.

Meherrin. As early as the year 1757 or 1758 Reverend Dutton Lane preached in this locality. He was charged by Mr. Joseph Williams, a magistrate, not to come there to preach again. About twelve years later Mr. Williams became a convert and was afterwards a deacon in the church formed at that place. In 1768 Samuel Harriss and Jeremiah Walker preached there; the church was founded by Jeremiah Walker, and began its existence, as elsewhere noted November 27, 1771, with one hundred and eight members.

Reedy Creek. This church was organized in June, 1775. It was located near the stream Reedy Creek, five or six miles southeast of Lunenburg Courthouse (formerly known as the village of Lewiston). It was founded by Jeremiah Walker, and James Shelburne became its first pastor. He served this church for the period of about forty-five years. The church book of Reedy Creek church, beginning a notice of Mr. Shelburne soon after his death says: "On Monday, March 6, 1820, departed this life at his residence in Lunenburg County, in his eighty-third year, Elder James Shelburne, who had been the diligent and affectionate pastor of this church about forty-five years." Reedy Creek church began its existence with thirty-six members. In the year 1809 it had one hundred and ten members.

Cedar Creek. This church, also planted by the labors of Rev. Jeremiah Walker, began its existence in 1779. Its first minister was Rev. Stephen Jones, who died in the year 1806 at about the age of sixty-three. The membership in 1808 was fifty-five.

Tussekiah. This is a notable church. It, too, was founded by Rev. Jeremiah Walker, and began its existence in 1777, with a membership of twenty-five. The meeting house was situated about four miles west of Lunenburg courthouse on the opposite side of the road. The first house stood about one hundred yards from the location of the present house of worship. The Meherrin church of 1865 is an off-shoot of Tussekiah; and so is Mt. Carmel, which is located on the road leading from Lunenburg Courthouse to the present town of Kenbridge, and is on the same side of the road as the courthouse. Like Tussekiah it is beautifully located in an oak grove.

The first pastor of Tussekiah Church was Thomas Crymes, who was succeeded by William Ellis. Among other preachers who have served the church may be mentioned, Pleasant Barnes, Aaron Jones, T. W. Sydnor, E. S. Taylor, William Fisher and W. L. Lemon. Rev. James G. Jeffries entered the ministry from this church.

Flat Rock. This church was the youngest of the Lunenburg churches in the Meherrin district at the date of its creation. In fact it seems that the church at this place had not been actually organized at that time, for the Meherrin Association was created in 1804, and Flat Rock church, according to Elder Semple, was not "constituted" until 1805. However it is included in the table of churches of Meherrin Association as compiled by Mr. Semple. This church was founded by Rev. James Shelburne, who was its first pastor, giving it a part of his time while of course retaining Reedy Creek as his principal charge.

The use of the name Meherrin Association was discontinued. After 1819 the association was known as the Concord Association. The territory it embraced nearly coincided with the counties of Lunenburg, Mecklenburg, Dinwiddie, Brunswick and Greensville Counties.

The marriage records of Lunenburg show that the following Baptist ministers performed marriage ceremonies in the county between 1781 and 1794: James Shelburne, Thomas Crymes, David Ellington, William Ellis, William Creath and John Williams.

THE METHODIST

Rev. Robert Williams is credited with founding Methodism in Virginia. He was born in England, but settling in Ireland, he became a local preacher of the Methodist Societies, and received from Mr. Wesley license to preach in America under the regular missionaries. He is said to have been a very poor man, and sold his horse to pay his debts before embarking for the New World. When he sailed his outfit consisted of "a pair of saddle-bags containing a few pieces of clothing, a loaf of bread and a bottle of milk."¹ His fare for the passage was paid by a Mr. Ashton who came over in the same ship. He landed in New York in the fall of 1769. His labors were confined to the northern section of the country until the fall of 1771 when he was on the Eastern Shore of Maryland; he passed down the peninsula toward the lower part of Virginia. He first appeared in Virginia in 1772. This was at Norfolk where he preached his first sermon at the door of the court house. He first began to sing; the hymn finished he kneeled and prayed, and then announcing his text he preached to a disorderly crowd, who were chiefly curious, and not a little amused at the preacher's performances. Nevertheless, the church thus inauspiciously planted has prospered in the state to a marked degree.

It is said that upon the burning many years ago of the Cumberland Street church, in Norfolk, the Methodists unwittingly built their church edifice upon the very spot where Mr. Williams stood to preach his first sermon in the state of Virginia.²

Mr. Williams and Rev. Devereux Jarratt, of whom some brief mention is made in the account of the Episcopal Church, in this chapter, became intimate friends. They first met in March, 1773; Mr. Jarratt in his writings draws a picture of Mr. Williams as a plain, artless, indefatigable preacher of the gospel, with keen

¹*Memorials of Methodism in Va.* (Bennett), 47.

²*Id.* 52.

insight, superior faculties of reasoning, and capable of stirring up believers to a remarkable pitch of enthusiasm.

Upon the assembling of the first American Conference of the Methodists, in Philadelphia on July 14, 1773, the whole number of members reported from Virginia was one hundred.¹ The whole number of members in America reported at that time was 1160.² Not more than six or seven preachers attended this conference, but it laid out six circuits and stationed ten preachers; of these Virginia had two: "Norfolk, Richard Wright; Petersburg, Robert Williams."

From the most reliable accounts, the entire year 1773 was spent by Mr. Williams in preaching and forming societies in "that section of the state south of Petersburg." He no doubt traveled and preached within the present limits of Lunenburg. As many societies were organized in 1774, in Mr. Jarratt's parish, and "in other places, as far as North Carolina," it can reasonably be presumed that Lunenburg and the counties formed from her original territory were within the scope of these activities, and Methodism may be regarded as dating from that year.

Brunswick was the first circuit formed in Virginia. It returned two hundred and eighteen members to the conference of 1774. While the exact geographical bounds of the Brunswick Circuit seem not to have been described with great precision, it is certain, however, that Petersburg was included in this circuit, and so was Lunenburg County, for it "extended from Petersburg to the south, over Roanoke River, some distance into North Carolina."³ It is probable that Edward Dromgoole, George Shadford and others preached within the territory of Lunenburg in 1775, but the first important acquisitions to the Methodist ranks came following a quarterly meeting in May, 1776, at Boisseau's Chapel, in Dinwiddie County. Of this meeting Jesse Lee, a noted minister of the Methodist church, writes: "The windows of heaven were opened indeed, and the rain of divine influence continued to pour down for more than forty days." On the last day, he

¹*Memorials of Methodism in Va.* (Bennett), 64.

²From New York 180; from Philadelphia 180; from New Jersey 200; from Maryland 500; Virginia 100.

³*Memorials of Methodism in Va.* (Bennett), 72.

says: "They continued in the meeting house till some time in the night. . . . I left them," he continues, "about the setting of the sun, and at that time their prayers and cries might have been heard a mile off."

Sinners fell to the floor, mourners rose with shouts of joy, Christians gave testimony, and hundreds cried aloud for mercy. The enthusiasm of the occasion was "excessive," according to Dr. Bennett, the venerable historian of the Virginia Methodists. He quotes Jesse Lee to the effect that the Boisseau Chapel meeting "was not quite free from" excessive enthusiasm. "But," says Mr. Lee, "it never rose to any considerable height, nor was it of long continuance, . . . some wept for grief; others shouted for joy, but the voice of joy prevailed, the people shouted with a great shout, so that it might be heard afar off."

Commenting upon the effects of this meeting, Dr. Bennett says:

"Hundreds from this meeting returned home, published the glad tidings as they went; the flame spread far and wide; in less than a month several hundred were converted, and hardly anything was talked of but the wonderful work of God. The counties of Dinwiddie, Amelia, Brunswick, Sussex, Prince George, Lunenburg and Mecklenburg, all shared in the revival."¹

The minutes of the General Conference in 1777 showed a membership of 4,449, of the gain since the last report, 1,993 were from Virginia, and only 54 from all other localities.² Much of this gain was in "fourteen counties in Virginia" and the movement "crossed the Roanoke into North Carolina."³ So, Lunenburg and the contiguous counties were within the area of this remarkable religious expansion.

While the activities that have been mentioned are credited to the Methodist church, this is scarcely accurate, for the reason that there was no Methodist denomination as such then. The movement was that of the Methodist Societies within the Episcopal Church.

These actors, when the separate sect was established, identified

¹*Memorials of Methodism*, 88.

²*Id.* 97.

³*Id.* 94.

themselves with it, and by relation back their efforts from the first were credited to that denomination.

The Methodist missionaries began their work in Virginia under great difficulties. They were at the beginning not a separate church or sect but a society within the Episcopal Church. They could preach, but they could not perform the ordinances of the church. This was an especially unsatisfactory state of affairs for a group of religious zealots who believed themselves to be, and who undoubtedly were, superior, in Christian principles and a correct mode of living, to a great many of the ministers of the established church who were empowered to perform the sacraments. Of this situation one has said: "Placing ourselves in the times of which we write, unless we would excommunicate Christ from his high priesthood in the church, and his leadership over it, we must maintain that the man of loose principles and worse habits, ordained by the Bishop of London and sent to Virginia as a minister, was in every attribute of the office, whether of personal fitness or official authority, inferior to the ministers of Methodism in every essential qualification for the administration of Christian ordinances."¹

There was at least one minister, Rev. Devereux Jarratt, in the Episcopal Church, who had been ordained, and who "travelled far and wide to give the Societies the benefit of the ordinances, but he could not keep pace with the rapid strides of Methodism,"² and the converts "could not doubt, that the men who had been instrumental in bringing them to Christ for salvation, possessed, in virtue of their sacred call, the right to bring them into his visible Church by baptism, and to dispense to them the emblems of his dying love."³

The converts were willing and anxious to receive them "at the hands of those whose right to administer them rested upon a call to the ministerial office, which had been put above all human questioning by the sanction of the Holy Ghost in the conversion of multitudes of souls. In their views, the great right to preach the gospel involved the lesser right to administer its appointed

¹Dr. Lee, quoted in *Memorials of Methodism in Virginia*, 107.

²*Memorials of Methodism in Virginia*, 106.

³*Id.* 107.

ordinances,"¹ and yet "there was not a preacher from Asbury down, that could administer the Holy Sacrament, celebrate the rights [rites] of matrimony, or baptize a child. These rights [rites] they were compelled to seek at the hands of the Established Clergy."²

At the time, the doctrines of the Presbyterians, Baptists and Methodists were rapidly spreading in Virginia, and the Presbyterians at least were "in the proper sense" organizing churches.³

In meeting the Presbyterians and even the Baptists the Methodist preachers felt their official inferiority. "In all things else they were equal to the best ministers among the dissenting sects; but in respect to the ordinances, there was a painful and embarrassing inequality."⁴

The Revolutionary War was in progress, and no one knew how long it might continue. All connection with England was severed, nothing could be expected from Wesley because he was a staunch Episcopalian, and was believed to be "uncompromisingly opposed to all steps looking toward a separation from the Established Church."⁵ He had always refused to exercise the right of ordination, and he desired the American Methodist Societies to consider themselves as belonging to the Church of England.

In this state of the case there arose a feeling, among the leaders of Methodist thought in America, of "necessity for some measure that should give them the character and permanence of a Christian Church."⁶ In other words, the question arose of separating from the Episcopal Church and forming an independent church. This question really first arose in Virginia and Maryland it seems, for in the very first conference of the Methodist Societies it was decided that "Every preacher who acts in connection with Mr. Wesley, and the brethren who labor in America, is strictly to avoid administering the ordinances of baptism and the Lord's Supper," and

¹*Memorials of Methodism in Virginia*, 107-8.

²Id. 105.

³Id. 108.

⁴Id.

⁵Id.

⁶Id.

"All the people among whom we labour [are] to be earnestly exhorted to attend the church, and receive the ordinances there; but in a particular manner to press the people in Maryland and Virginia to observe this minute."¹

The question of the ordinances agitated the societies for several years, some in the south insisting on administering them, while those in the north were against so doing. The controversy came near causing a permanent rupture, but it was finally healed. There can be little doubt that Wesley himself was at this time, 1779-80, approaching the decision which a few years later resulted in the establishment of the Methodist Episcopal Church.²

The movement for establishing the Methodists as a separate church was a logical growth, which the early adherents to the Methodist Societies, at least in the beginning, were unconscious of promoting. From the beginning of the movement about 1771 until the Baltimore Conference of 1784, the work of the pioneers was such as to lead almost inevitably to the action that was taken.

Some of these early itinerants are closely identified with the section of which we write. One of these was Henry Ogburn of Mecklenburg County who was converted in the great revival of 1776. He became a minister, was received on trial in 1779, but was not then assigned a charge, probably because there was an over supply.³ Of him Dr. Bennett says:

"He labored with great zeal and success for ten years as an itinerant . . . was sent as a pioneer to the Kentucky Circuit, and amid savage tribes he planted Methodism, preaching to the hardy settlers in their 'stations,' or little forts, and sowing seed from which rose the Methodist church in Kentucky."⁴ He spent several years in Western Virginia, where "his preaching was signally blessed."

But his more important work was that in Kentucky. There at "Kenton's Station" in the cabin home of Thomas and Sarah Stevenson he organized the first Methodist Society in Kentucky.

¹*Memorials of Methodism*, 109-10.

²*Id.* 120.

³*Id.* 135.

⁴*Id.*

Another of the pioneers was John Easter, supposed to have been born in Lunenburg County, in that part now Mecklenburg.¹ His parents were among the earliest converts to Methodism in the Lunenburg section, and from them *Easter's Meeting House*, one of the oldest preaching places, afterwards embraced in Mecklenburg Circuit, took its name.²

He is mentioned by Dr. Bennett, in connection with Philip Bruce and Jesse Lee in this fashion: "Near the close of the Revolution," he says, "three men appeared in the ranks of Methodism whose labors and success as preachers of the gospel have rarely been surpassed in any age of the church. These men were John Easter, Philip Bruce, and Jesse Lee; each of whom merits a separate volume in which to record his labors, his sufferings, and his victories in the cause of Christ. Only the last named has received a tribute worthy of his noble deeds from the able pen of an accomplished kinsman, and a worthy successor in the ministerial office,"³ and continuing his account of John Easter he says: "Never did a man work with greater zeal and with greater success. . . . Beyond all doubt, John Easter was the most powerful hortatory preacher of his day. His word was like a sharp sword piercing through flesh, and bones, and marrow. His faith was transcendent, his appeals irresistible, his prayers like talking with God face to face. He lived and moved in a flame of love. A heavenly fervor dwelt in his heart, breathed in his words, and beamed in his eyes. Plain, unlettered, simple in style, almost rude in speech, he yet spoke with an authority and power before which pride fell humbled, and wicked gainsayers cowered in the dust. He never failed to reach the deepest and strongest emotions of the soul, when addressing the people, and it was no unusual thing for scores and hundreds to fall down in the pangs of sudden and powerful conviction."⁴

On one circuit, in a year, he added eighteen hundred converts to the church. Among his converts were some of the brightest minds of Methodism, including, among others, William McKendree and Enoch George.

¹*Memorials of Methodism in Va.*, 170.

²*Id.*

³*Id.* 170.

⁴*Id.* 171.

The traditions of the effect of his preaching and his faith, which have come down to us "almost exceed the bounds of belief. And yet they rest on the testimony of eye-witnesses."¹

He was credited with almost miraculous power. This occurrence is recorded by Dr. Bennett, and is widely accepted as true, as no doubt it was though not necessarily to be accounted for either as miraculous or as a direct answer to prayer. At Merritt's Meeting House in Brunswick a quarterly meeting was in progress and the assemblage was so large that the service was held in a grove near the church. A heavy cloud arose and swept rapidly toward the place of worship. The rain could be seen approaching across the fields. "The people were in consternation; no house could hold a third of the multitude, and they were about to scatter in all directions. Easter rose in the pulpit in the midst of the confusion. 'Brethren,' cried he at the top of his voice, 'be still, while I call upon God to stay the clouds, till his word can be preached to perishing sinners.' Arrested by his voice and manner, they stood between hope and fear. He kneeled down and offered a fervent prayer, that God would then stay the rain that his work might go on, and afterwards send refreshing showers. While he prayed, the angry cloud, as it swiftly rolled up toward them, was seen to part asunder in the midst, pass on either side of the ground and to close again beyond, leaving a space several hundred yards in circumference perfectly dry. The next morning a copious rain fell again, and the fields that had been left dry were well watered. It is needless to say that this visible answer to prayer filled the minds of the people with awe, and gave a great impulse to the work of God."²

John Easter had a brother Thomas who also became an itinerant preacher.

Of the father, whose name strangely is not given by the early Methodist historians, Rev. James Patterson, a pioneer preacher, said: "When I preached at Easter's in 1799, the good old man got his soul so full of the love of God that it overflowed, and he praised God and shouted until his frail body could scarcely contain his enraptured spirit. His lamp was not only burning, but

¹*Memorials of Methodism in Va.*, 172.

²*Id.* 172-3.

was in a full blaze, his wings plumed, and nothing prevented him from soaring to the realms above, but the casket of dust which contained the immortal spirit."¹

The work prospered to such extent that by 1778 a separate circuit was created in Lunenburg which was served by James Easter, and the Lunenburg circuit was officially recognized as such for the first time at the conference at Leesburg, May 19, 1778.²

The intimate relationship which Rev. Devereux Jarratt sustained to the Methodist Societies, so different from that of most of Jarratt's fellow ministers of the Episcopal Church, is shown by the records of the conference which met April 17, 1782, at Ellis' Meeting House, in Sussex County. Rev. Francis Asbury (the Bishop) attended this conference. The work of the Societies had become so extensive that it was found impractical for all the preachers to attend one conference at the north, so the plan was adopted of holding the conference in two sessions, one in the south and one in the north. The conference in the south met first, and was adjourned to meet the ensuing month at some place in the north.³

At this particular meeting the reports showed the society to comprise 11,785, of which 3,368 were in Virginia.

The conference unanimously chose Asbury to "act according to Wesley's original appointment, and preside over the American Conferences and the whole work."⁴

A vote of thanks to Rev. Devereux Jarratt was passed in the following resolution: "The Conference acknowledge their obligations to the Rev. Mr. Jarratt for his kind and friendly services to the preachers and people from our first entrance into Virginia, and more particularly for attending our Conference in Sussex, in public and private; and advise the preachers in the south to consult him and take his advice in the absence of Brother Asbury."⁵

¹*Memorials of Methodism in Virginia*, 171.

²Id. 102.

³Id. 145-6.

⁴*Memorials of Methodism in Virginia*, 148, apparently quoting the original record.

⁵*Memorials of Methodism in Virginia*, 148-9.

The record of these early Methodist activities show that one of the questions which caused grave concern was that of the preachers marrying. The preachers with wives had to be paid more than those unmarried and the inclusion of 206 pounds to support eleven preacher's wives, in the amounts to be raised "met the disapprobation of the leading laymen in some circuits." "They thought it unreasonable," says Jesse Lee, one of the oldest of the historians of the Methodist Church, "that they should raise money for a woman they never saw and whose husband never preached among them. But," he adds philosophically, "the Methodist cause is but one in every place; and he who loves his neighbor as himself, will feel for every circuit, every preacher and every preacher's family."¹

Not only did some of the laymen object to supporting the wives of preachers who did not preach for them, but Asbury himself opposed his preachers marrying. It is reported that when he heard that a favorite among his "thundering legion" as the itinerant brotherhood was called, "was a captive fast bound in love's golden fetters," he exclaimed, "I believe the devil and the women will get all my preachers."²

His objection to preachers marrying was no doubt founded on the fact that the preachers who married were not willing to subject their "families to the privations and hardships of the itinerancy."³

But notwithstanding all the opposition that could be made the records show that the Methodist preachers as a class showed a distinct inclination to become benedicks.

Between 1782 and 1784 the Methodists in America increased in number from 11,785 to 14,988, and in Virginia from 3,368 to 4,453;⁴ and it was in the last named year, 1784, at the Conference held at Baltimore, in December that the Methodist Societies in America took the definite action of forming a church organization, in the strict sense, under the title *The Methodist Episcopal Church*.⁵

¹*Memorials of Methodism in Virginia*, 153-4.

²*Id.* 184.

³*Id.*

⁴*Memorials of Methodism in Virginia*, 148, 159.

⁵*Id.* 210-11.

The Conference of December, 1784, at which the church was organized took a strong stand against slavery, one of the ordinances adopted requiring every member of the society to emancipate his slaves within twelve months, the emancipations to become effective at certain times after the date of the deed of emancipation according to the age of the slave.¹ Another ordinance directed the immediate expulsion of any one who bought or sold a slave unless the slave were bought in order to set him free.²

The Conference elected Dr. Thomas Coke and Francis Asbury "to the office of Superintendents of the Methodist Episcopal Church in America,"³ and Coke who visited Virginia to preach in 1785 did the cause a distinct disservice by his utterance on the subject of slavery. He seems not to have had the judgment and poise of Asbury, and even his most ardent admirers concede that "his zeal against slavery carried him beyond the bounds of prudence."⁴

His utterances were of such character that they were regarded as tending to incite insurrection among the slaves,⁵ and when Coke learned this upon his return from North Carolina, where he had gone, after preaching his offensive sermons in Virginia, he endeavored to correct the matter by urging upon the slaves the duty of obedience while in a state of bondage, while urging the owners to set them free. By this course "he hoped, but vainly hoped, to preserve a sort of balance in the public mind."⁶ But his course was a mistaken one. Dr. Bennett says "No plan could have been more deceptive."⁷

Requests for a suspension of the rules, Coke met with flat refusal. The Conference under his influence "declared that they would withdraw the preachers from every circuit in which the rules were not allowed to operate to their full extent."⁸

¹*Memorials of Methodism in Virginia*, 213.

²*Id.* 215. The Conference authorized the non-enforcement of its decrees on slavery in South Carolina, ordering "one thousand Forms of Discipline prepared for the use of the South Carolina Conference, in which the section and rule on slavery be left out."—*Memorials of Methodism*, 544.

³*Id.* 211.

⁴*Id.* 220.

⁵*Id.* 223.

⁶*Id.* 223.

⁷*Id.* 223.

⁸*Id.* 224.

A petition to the Legislature of Virginia was drawn up requesting an immediate or a gradual emancipation of the slaves, and the preachers in every circuit were directed to obtain as many signatures as possible.

Coke and Asbury called on General Washington at Mount Vernon, whose views in favor of abolition of slavery were well known. He received them kindly and entertained them, and while he declined to sign the petition he assured them that when the Assembly came to consider the matter he would express to it his sentiments in a letter. But Coke and the extremists found it impossible to put their plans into effect without disrupting the church, and "the petition went to the shades of oblivion before it had time to pass around a single circuit."¹ And "one month after the bold stand taken in Virginia, the preachers were compelled to suspend the rules at a Conference at Baltimore."²

Coke did not oppose the suspension of the rules. He realized his mistake, and prepared to return to England. Viewing "the sad effects which had been produced by Dr. Coke's mistaken zeal against slavery," Dr. Bennett declares, "Hardly anything could have been more fortunate for the peace of the church than his departure at this time."³

The new church had been in existence less than ten years when it suffered the loss of a considerable group in the secession of Rev. James O'Kelly and his associates. O'Kelly had been a minister in the Methodist Societies since 1778. He began his ministry in an old colonial church, whose "parish minister was greatly enraged that an upstart Methodist preacher should have the temerity to preach in his chapel; and what was worse, that he should attract more people than the regular Successor of the Apostles."⁴

He became one of "Asbury's Ironsides," and was one of the thirteen preachers selected for the office of elder, and he continued a presiding elder until he withdrew from the church. "During the whole of his time he labored in what was called the 'South District of Virginia,' which embraced nearly all the Southern Counties of the state, with a portion of North Carolina."⁵

¹*Memorials of Methodism in Virginia*, 225.

²*Id.*

³*Id.* 226.

⁴*Id.* 314.

⁵*Id.* 314.

He made a very favorable impression on Asbury, as his writings show, and one of his contemporaries describes him as "laborious in the ministry, a man of zeal and usefulness, an able defender of the Methodist doctrine and faith, and hard against negro slavery, in private and from the press and pulpit."¹

Everything went well in his relations to Methodism during the days of the Societies, and for some time after the organization of the Methodist Episcopal Church in 1784. Thereafter he developed opposition to what he characterized as undemocratic and autocratic methods of government and procedure. Jesse Lee records the fact that after his return to Virginia following the adjournment of the first Council (of which he was a member), in 1789, "he exclaimed bitterly against the proceedings and against what he himself had done in the business. He refused to have anything at all to do with the second Council."²

It has been claimed, it would seem somewhat uncharitably, that O'Kelly's course was due to his failure to be promoted in the Church, and his consequent disappointment and mortification. Likewise it has been suggested that he was not sincere in the belief he expressed that "a great overshadowing, ecclesiastical tyranny, was growing up in the Methodist Church."³

But just what ambition he had which was not gratified has not been suggested; and there is ground to suspect that the charge of a lack of sincerity may have found its basis in the animosities which the schism occasioned rather than in the facts of the case.

It must be remembered that this was a period immediately following the Revolutionary War, when in many quarters at least there was the strongest kind of feeling against arbitrary power and methods, and when the doctrines of Republicanism were highly popular and sometimes urged to an unwise extent.

Be all of this as it may, O'Kelly is credited with being the real power which caused the Virginia Conference of 1790 to turn the Council "out of doors,"⁴ and he believed it necessary to introduce the principle of Republicanism into the economy of

¹*Memorials of Methodism in Virginia*, 315.

²Jesse Lee, quoted by Dr. Bennett, *Memorials of Methodism in Virginia*, 315.

³*Memorials of Methodism in Virginia*, 318.

⁴*Id.* 316.

Methodism. This meant, for one thing, the taking away from the Bishop of the absolute and arbitrary power of appointment to office, of the circuit riders and the various other appointees under the Methodist Episcopal establishment.

The assembling of the General Conference at Baltimore November 1, 1792, was looked upon as the most important event in the annals of the Methodist movement, since the Christmas Conference of 1784. The council had proved an utter failure, and some expected an issue to be made of its revival. But the most important matter to come before the Conference was that of the revision of the Discipline. The matter of the council was not brought up, the Bishop requesting that the name of the council be not mentioned in the Conference.

In the course of the general discussion of the Discipline, O'Kelly offered the following amendment:

"After the Bishop appoints the preachers at Conference to their several circuits, if any one thinks himself injured by the appointment, he shall have liberty to appeal to the Conference and state his objections, and if the Conference approve his objections the Bishop shall appoint him to another circuit."¹

This proposition, analogous to requiring appointments by civil authorities to be confirmed, for example, appointments by the Governor to be confirmed by the Council of State was referred to as a "startling proposition," and some professed to see in it an attack upon Asbury. As such Asbury seemed to take it, for he retired from the body while the matter was being considered leaving Dr. Coke to preside. He submitted a brief statement to the Conference in which he said: "I am happy in the consideration that I never stationed a preacher through enmity, or as a punishment. I have acted for the glory of God, the good of the people, and to promote the usefulness of the preachers."

Notwithstanding the charge of the Methodist historians that this was but a personal attack upon Bishop Asbury by O'Kelly, it seems difficult, in an unimpassioned consideration of the circumstances, to wholly accept that view. Dr. Bennett, who seems unduly severe toward O'Kelly, says: "The debate on the Amend-

¹*Memorials of Methodism in Virginia*, 319.

ment was highly exciting. The ablest men of Methodism were arrayed against each other. Three days the strife went on. At first there appeared to be a majority in favor of O'Kelly. The friends of the time-honored Wesleyan plan, feared that it would be swept away by the spirit of innovation."¹

If this had been but a personal matter between O'Kelly and Asbury, it is not conceivable that the conference would have found its ablest men arrayed against each other on the proposition, so that a majority appeared to favor the Amendment, nor would it have required three days to debate the matter. Any mere personal attack upon Asbury, great and good man that he was, would have been almost summarily rejected by the Conference.

The real state of the case seems to be that O'Kelly's proposition embodied an idea about which great and good men might reasonably differ, and did differ, regardless of the relations between Asbury and O'Kelly.

The question was finally brought to an issue upon the motion of John Dickins, to divide the proposition into two questions, and vote on them separately. These were stated as follows:

1st. "Shall the Bishop appoint the preachers to the circuits?"

2nd. "Shall a preacher be allowed an appeal?"

Over the first question there appeared to be no controversy. O'Kelly's amendment had not challenged the procedure by which the Bishop had the duty to appoint the preachers—but only provided an appeal in case he were dissatisfied. "The first question was put and carried unanimously."¹

As autocratic as the vesting of the absolute power in the Bishop seems, it was argued that to give effect to O'Kelly's amendment would "involve the destruction of the itinerant system."²

It might readily occur to one to suggest that if the Bishop upon making his appointments, had such numerous appeals therefrom to the Conference, and if the Conference sustained a suf-

¹*Memorials of Methodism in Virginia*, 320.

²*Id.* 319.

ficient number of such appeals to bring about "the destruction of the itinerant system," these facts would argue strongly that the Bishop had made a very poor lot of appointments.

It is scarcely conceivable that the Conference would have overruled the Bishop except in meritorious cases; and the opposition to a provision so reasonable in principle, does seem to indicate a degree of ecclesiastical stubbornness, more akin to bigotry than to Christian forbearance; and it is not easy to understand the stubbornness of these Christian pioneers in view of these considerations.

The second question, however, was answered in the negative when the vote was taken.¹

This vote was taken after a debate which lasted all day and until bed-time at night. The next morning O'Kelly and his adherents, by letter informed the Conference that they could no longer retain their seats in that body. Efforts were made to conciliate them; a committee was appointed to wait upon them, and Dr. Coke had an interview with them, but their efforts availed nothing, the seceders expressing the firm purpose to have nothing more to do with their deliberations.

O'Kelly was at this time described by Jesse Lee as an old man, and Asbury said, "We agreed to let our displeased brethren still preach among us; and as Mr. O'Kelly is almost worn out, the Conference acceded to my proposal of giving him forty pounds per annum as when he travelled in the connexion, provided he was peaceable, and forbore to excite divisions among the brethren."²

These measures did not have the desired effect. Speaking of the departure of O'Kelly and his party from Baltimore, Jesse Lee said: "I stood and looked after them as they went off, and observed to one of the preachers that I was sorry to see the old man go off in that way, for I was persuaded he would not be quiet long, but he would try to be the head of some party."³

Thirty-six preachers withdrew from the Methodist Episcopal Church and associated themselves with O'Kelly,⁴ and the alarm

¹*Memorials of Methodism in Virginia*, 321.

²*Id.* 321.

³*Id.* 321.

⁴*Id.* 541.

which those who remained felt at this tremendous defection can scarcely be realized at this time. It was so great that some of the ablest leaders in the cause, and close associates of Asbury doubted whether the Methodist Episcopal Church as a separate organization could survive. This seems to have been the view of Dr. Coke, who sought out Bishop White and Dr. Magaw, and at a conference he had with them in Philadelphia proposed "a union between the Methodist Episcopal and the Protestant Episcopal Churches."¹ When he was later called to account, after his efforts for the union failed, and became known publicly, one of his defenses was based upon the weakness of the church and the alarm felt over the withdrawal of such a large part of the denomination in association with O'Kelly.

Jesse Lee's prediction was verified.

O'Kelly and his associates organized a new church known as *The Republican Methodists*, and after considering the matter of rules for some time "renounced all rules of Church government, and took the New Testament as their guide."²

The historians of the Methodist Church have professed to see nothing good or reasonable in O'Kelly after his withdrawal from the Methodist Church, notwithstanding his valiant services in the ranks of that body for more than fourteen years. Dr. Bennett says: "O'Kelly seemed to see nothing but Asbury climbing over the ruins of a prostrate church to the seat of an Archbishop. We can only look back with feelings of pity on a man who could thus wantonly assail Francis Asbury, whose course as a Christian Bishop affords not the slightest ground for such charges or suspicions."³

The history of the so-called O'Kellyan Schism has been chiefly written by those adhering to the Church from which he seceded. The Methodist Episcopal Church has survived, while the Republican Methodist Church has not, and the circumstances have not been such as to assure always an impartial account of the matter.

The parties engaged in a war of pamphlets and of pulpit discussion, which were not always temperate in tone or charit-

¹*Memorials of Methodism in Virginia*, 543, 541.

²Id. 327.

³Id. 326.

able in substance. But the historian who attempts to be impartial must record that O'Kelly's adversaries in this verbal warfare were quite as much open to criticism as he was.

There may be evidence that O'Kelly's complaint was against Asbury, but Dr. Bennett does not adduce it. To "show the spirit of the man, and the nature of his complaints against Asbury"¹ he adduces two letters written by O'Kelly, in neither of which is Asbury's name mentioned. In the first of these O'Kelly said: "What have I done? Overturned government? What? the Council—not Methodism. I only say no man among us ought to get into the Apostle's chair with the Keys and stretch a lordly power over the ministers and Kingdom of Christ. . . . A consolidated government is always bad."² And in the other letter he wrote: "I protest against a consolidated government, or any one Lord, or Arch-Bishop, claiming apostolic authority, declaring to have the Keys. Thus our ministry have raised a throne for Bishops, which being a human invention, a deviation from Christ and dear Mr. Wesley, I cordially refuse to touch. Liberty is contending for at the point of the sword in divers ways, monarchy, tyranny tumbling both in Church and Kingdoms, while our preachers are for erecting a throne for gentlemen Bishops in a future day, when fixed with an independent fortune they may sit and lord it over God's heritage."³

The evidence adduced goes to show that it was the system to which O'Kelly was opposed, and his opposition to Asbury was incidental and due to the fact that he occupied the office he did. He would have opposed the system regardless of who happened to be the titular head. Certainly no one can fairly conclude from the evidence at hand that O'Kelly opposed the system because Asbury was Bishop, rather than that he opposed Asbury because he was a part of the system.

In the bitter controversy that ensued it may be conceded that O'Kelly did not hesitate to give thrust for thrust endeavoring in every move to go his adversaries "one better." The truth is that the disputations reached the stage where neither side was

¹*Memorials of Methodism*, 323.

²*Id.* 224.

³*Id.* 325.

moderate or reserved in the language they used toward the other; but it does seem that the Methodists are largely responsible for the conversion of the controversy from one of principles to personalities. O'Kelly's opponents seemed to feel that if they could make it appear that the whole movement was a personal attack upon Asbury they would have a great advantage because of the universally high esteem in which the latter was held. It can scarcely be felt that his friends did him a service in diverting the controversy into this channel.

The uncharitable vein in which an historian of the Methodist Church, writing ninety years after the event, speaks of O'Kelly shows the depth to which the Methodists were stirred by the Schism, and how the embittered spirit had been nursed by them through the years.

Speaking of the growth of the Republican Methodist Church Dr. Bennett says: "The spirit of division prevailed chiefly in the Southern Counties of the State, and in the border counties of North Carolina. In all this region the influence of O'Kelly was very great, and he scrupled not to use it to the utmost of his ability in building up his own cause. And although his success in gaining Proselytes from the ranks of Methodism was far less than he anticipated, yet the history of this painful schism is full of sad memorials, families were rent asunder; brother was opposed to brother, parents and children were arrayed against each other; warm friends became open enemies; the claims of Christian love were forgotten in the hot disputes about Church government."¹

The point of view has everything to do with it. O'Kelly and his followers are thus condemned for winning converts to their church. They were engaged in gaining these adherents from every quarter from which they could be obtained. Asbury and his "ironsides" and his "thundering legion" were doing the same. When a Methodist circuit rider or evangelist succeeded in winning a convert in a family of Episcopalians, or Presbyterians or Baptists, he was not regarded by these critics of O'Kelly as rending asunder families, nor as setting brother against brother

¹*Memorials of Methodism in Virginia*, 328.

nor friend against friend. He was hailed as doing God's service in bringing conviction to one in error, and the glorious hope was entertained that the others might follow his example; to such extent does our zeal sometimes involve us in contradictions.

Some very able and thoughtful people became the associates of O'Kelly in the Republican Methodist Church. One of these was Rev. Clement Read, grandson of Col. Clement Read, the first Clerk of Lunenburg County, and a grandson also of Henry Embry, a member of the House of Burgesses. His father was Col. Isaac Read. His grandfather, Col. Clement Read, was a member of the Episcopal Church, and a vestryman of Cumberland Parish.¹

His father died at the age of thirty-seven while serving in the Revolution with the rank of Colonel, leaving the son Clement but six years old. This son was raised under Presbyterian influences, and was educated at Hampden-Sidney College, where, at the time among the trustees, were his step-father Thomas Scott, Paul Carrington who was trained in his grandfather's office, and who married his Aunt Margaret, his Uncle Thomas Read, William Cabell, who married his cousin, a daughter of Paul Carrington, Nathaniel Venable, who had also married a daughter of Paul Carrington, and Judge Nash, two of whose sisters had married his Uncles Thomas and Clement Read; and the President of the College had also married a sister of Judge Nash. He first joined the Presbyterian Church and became an applicant for a license to preach.²

He, however, became a convert to the Republican Methodists, was ordained by them "and was an amiable, devout and earnest preacher, respected and beloved by all that loved the gospel."³ Among other preachers in the Republican Methodist Church were Rev. Henderson Lee, Rev. John Davidson, Rev. Samuel Armistead and Rev. Matthew W. Jackson.⁴

It is indicative of the religious unrest and doctrinal uncertainty of the times that so important a group should have found

¹Bishop Meade: *Old Churches, Ministers, etc.* I, 486.

²Footnote: *Sketches of Virginia* (2nd Series), 577.

³Id.

⁴Id. 579.

dissatisfaction with the Methodist Episcopal Church, and should have conferred earnestly with both the Baptists and the Presbyterians,¹ in efforts to find affiliations which would give them spiritual repose and contentment. They finally consolidated with the Presbyterians in 1822.²

Dr. Bennett, speaking of O'Kelly in his old age, says: "He saw hundreds of his own followers forsaking him, and rallying again to the standard of Methodism."³

If the inference intended to be conveyed is that practically all of O'Kelly's followers returned to or united with the Methodist Church, it can scarcely be said to be accurate. Some of his followers joined the Baptist Church, while it seems the greater part at least of the preachers affiliated with the Presbyterians. Dr. Foote records the fact that "In 1822, the Rev. Messrs. Henderson Lee, John Davidson, Samuel Anderson, and Matthew W. Jackson, ministers of the Republican Methodist Church, met the Presbytery at Charlotte Court House, and 'having adopted the Confession of Faith of the Presbyterian Church, and answered the questions put to candidates, were received and took their seats as members of Presbytery.' By this act," he adds, "the Republican Methodist Church, as a body, in that part of Virginia, became extinct."⁴

Rev. Clement Read had a number of years before gone back to the Presbyterian Church.⁵

O'Kelly's "stormy and eventful life closed on the 16th of October, 1826, in the ninety-second year of his age,"⁶ and it is recorded of him that he "went down to the grave satisfied with the past, and peaceful and trusting with respect to the future."⁷

While his effort to found a separate church was unsuccessful and seemingly a misguided adventure, the secession of himself and his associates from the Methodist Church, conceivably may have done good, unfortunate as was the bitterness of the strife

¹Foote: *Sketches of Virginia* (2nd Series), 579.

²Id. 579.

³*Memorials of Methodism in Virginia*, 333.

⁴*Sketches of Virginia* (2nd Series), 579.

⁵Id.

⁶*Memorials of Methodism in Virginia*, 334.

⁷Id.

which it engendered. It was a telling, even dramatic protest against autocracy in church government, and that it had effect in preventing any further tendencies in that direction can scarcely be doubted, and much of the liberalization of procedure in various ecclesiastical bodies may be due directly or indirectly to the vigor with which he contended against a system which allowed absolute sway to "one who declares his authority and succession from the Apostles."

In the following years the Methodist Episcopal Church grew and prospered throughout this general section of Virginia. Bishop Asbury and other notables of the church visited the section, and Mecklenburg, in particular, became a stronghold of Methodism. Asbury, in his journals, mentions particularly "Ogburn's," "Holmes'," and "Salem." This last named was the famous "Salem Chapel," which seemed to hold a place of special affection in the hearts of the Methodists. The Conference for 1796 assembled there November 24, 1795,¹ and many subsequent Conferences were held there.

Prior to 1797 the Annual Conferences had no fixed limits, but the Conference at Baltimore, held in October, 1796, limited the number to six and fixed their boundaries. By this action "The Virginia Conference" was created, and as then defined embraced all of Virginia on the south side of the Rappahannock River and that part of North Carolina, north of Cape Fear River.²

It took in all of Virginia, except the Northern Neck, which was attached to the Baltimore Conference.

In the year 1797 Asbury came to Virginia, where, his health failing, he spent the winter of 1797-98 "among his old and cherished friends in Brunswick and the adjacent counties."³

It is clear from entries in his journal that he scarcely expected to survive the illness of this period, and the wonder is that he did, for he records the remedy he was taking. "I am now," he says, "taking an extraordinary diet—drink made of one quart of hard cider, one hundred nails, a handful of black snake-root, one handful of fennel seed, one handful of wormwood, boiled

¹*Memorials of Methodism in Virginia*, 344.

²*Id.* 353-4.

³*Id.* 357.

from a quart to a pint, taking one wine-glass full every morning for nine or ten days, using no butter, or milk, or meat."¹

The year 1803 is famous in the annals of Methodism as that marking the introduction of Camp meetings, an institution which became famous and remained in vogue for many years. It is a matter of local interest that the first meeting of the kind was held in Brunswick County, in the spring of that year.² The fact was commemorated by the naming of the church *Camp Meeting House*. Jesse Lee, the historian of the early church, says this meeting was held "at a new meeting house, which was named *Camp Meeting House*, that it might be remembered in future, the first camp-meeting in that part of the world was held at that place."³

"Soon after the rise of camp-meetings," says Dr. Bennett, "appeared that singular affection known as Jerks." He gives an extended account citing many instances, some of them very ludicrous of the way persons under the influence of the spell, behaved. He quotes Rev. Jacob Young's biography, which, among other instances, gives that of a Presbyterian preacher named Doke, a man of high standing, and one of the first men of eminence to suffer from this affliction. Of him he says: "Often it would seize him in the pulpit with so much severity, that a spectator might fear it would dislocate his neck and joints. He would laugh, stand and halloo at the top of his voice, finally leap from the pulpit, and run to the woods, screaming like a madman. When the exercise was over he would return to the church calm and rational as ever."⁴

Rev. Mr. Young also says: "I have often seen ladies take it at the breakfast table; as they were pouring out tea or coffee they would throw the contents toward the ceiling, and sometimes break the cup and saucer. Then hastening from the table, their long suits of braided hair hanging down their back would crack like a whip. . . . In many cases its consequences were disastrous, in some fatal."⁵

¹*Memorials of Methodism in Virginia*, 357-8.

²*Id.* 417.

³*Memorials of Methodism in Virginia*, 417.

⁴*Id.* 428.

⁵*Id.*

The marriage records of Lunenburg County show that between 1790 and 1802, the following Methodist ministers performed marriage ceremonies in the county: Henry Ogburn, John Chappel, John Easter, John Rogers, Aaron Brown, John Jones, John Neblett, Wm. McKendree, and Will Spencer; and between 1802 and 1825, Thomas Adams, T. Adams, Baxter Ragsdale, John Doyle, Littleberry Orgain, James McAden, and J. R. Foster; and between 1825 and 1845, Henry A. Reeves, James W. Hunnicutt, John G. C. Claiborne, James P. Arven, Wm. G. Wilson, Willis H. Peace, John C. Blackwell and William J. Norfleet. Some of these performed but a few marriages in a single year, and were undoubtedly itinerants or visitors, such for example as Wm. McKendree, afterwards Bishop, who performed a single marriage; but of several the list indicates a long-time residence in Lunenburg, John Neblett, for example, performing many ceremonies between 1792 and 1806, and Baxter Ragsdale between 1812 and 1830.

Bishop Asbury "founded the first Methodist Academy ever established in America."¹ Dr. Cumings, says Mr. Irby, places the date as 1784, but with better reason, it seems, Mr. Irby fixes 1785 as the date of the establishment of this school. "This school or academy was located in Brunswick County, Virginia, on the road leading from Petersburg to Boydton, at a point about midway between the two places."²

The growth of Methodism was such that several institutions of learning were founded, notably Asbury College, located near Baltimore, which was the first incorporated Methodist college in the United States. The oldest of the chartered institutions in Virginia was Randolph-Macon College, chartered February 3, 1830. Unlike several other institutions founded soon thereafter, it did not succeed to buildings and equipment already in existence, but it was built "wholly out of new materials."³

In 1828 the conference appointed a committee to consider the question of establishing a college, and the location thereof. At the conference in 1829, this committee reported. It had met in

¹Irby: *Hist. of Randolph-Macon College*, p. 7.

²*Id.*

³*Id.* 9.

the meantime to consider the question of the location, at Zion Church, in Mecklenburg County. There was a strong effort to have the college located at Physic Springs in Brunswick County, near old Ebenezer Academy. But a site offered by citizens near Boydton was finally chosen, "mainly through the influence of Rev. Hezekiah G. Leigh, the prime mover in the college enterprise, and Howell Taylor, a very influential Methodist of the county, together with Hon. William O. Goode and Col. William Townes, men of great popularity."¹

It is well known that the college was named for John Randolph of Roanoke and Nathaniel Macon of North Carolina, but why, remains in doubt. Mr. Irby says: "How it came about that a Christian and Methodist College should have been named for men who were not professed Christians, and who had never, so far as is known, shown any preference or kindly interest for the Methodist Church, has been a question of interest and speculation."²

The college continued at Boydton until it closed during the war. On account of the dire poverty of the country it was not opened for a few years after the war.

Dissatisfaction with the location of the college began even before the war and "had been increasing since 1863."³

By a resolution of the Board of Trustees, June 24, 1868, and by a vote of 19 to 9, it was decided to remove the college "to a more accessible and eligible location."⁴ And Ashland was selected. There was litigation over the removal, but soon thereafter the removal was arranged.

THE DISCIPLES OF CHRIST

The era from the Revolutionary time for a period of some fifty years was one marked by sectarian controversy and doctrinal strife. All the sects had with one accord complained of the character of the religious establishment under the Colonial regime. But with the adoption of the Bill of Rights, the disestablishment

¹Irby: *Hist. of Randolph-Macon College*, 14.

²Id. 16.

³Id. 172.

⁴Id. 173.

of the Episcopal Church, and the enactment of the Statute of religious freedom, no millenium of universal peace and concord among the different denominations was ushered in. On the contrary the strife became more bitter as the restrictions disappeared. The bodies which had complained of the autocracy of the established church, and of the arbitrary course that institution pursued became measurably subject to the same indictment they had made against it.

Not only was there generous and ungenerous rivalry of the sects against each other, but there developed factions within these separate churches, due to divergences of opinions respecting various matters of doctrine and of practice.

There had been from time to time efforts at reformation of the existing churches. Such, for example, was Wesley's effort to reform the Episcopal Church, which eventually resulted, not in its reform, but in the establishment of the Methodist Episcopal Church as a separate body. Such also, was the effort of James O'Kelly and his associates to bring about reforms in the arbitrary method of church government obtaining under Asbury in the early Methodist Church. This too resulted not in reforming the Methodist Episcopal Church, but in the organization of the body known as the Republican Methodist Church.

One of the subjects of disagreement, which especially disturbed the religious world during the general period mentioned was that of creeds. Creeds or Confessions of faith, being statements or declarations formulated by the respective religious bodies, were by them made the test of orthodoxy, and their acceptance the prerequisites of fellowship within the several bodies.

"Human creeds were authoritative and binding. Sectarianism was rife everywhere. Party lines were rigidly drawn. Christian union was ridiculed. Sects were pronounced essential to the purity, health and vigor of the body of Christ. True religion was lost sight of in contentions over rival dogmas, and human opinions and speculations were preached rather than the Gospel. Total hereditary depravity and unconditional election and reprobation were commonly taught."¹

¹Frederick D. Power, Address at World's Fair, St. Louis, October 30, 1904.

Many taught that the regeneration of the sinner was a miracle, and could come only through special and direct operation of the Holy Spirit. "Every case of conversion was a distinct act of direct and irresistible grace, and supernatural voices, dreams, visions or trances were to attest the fact of acceptance with God."¹

Such were some of the conditions when thinkers and students, in widely separated places, belonging to different religious groups, and at the time, unknown to each other began to reflect upon and question the logic and the justification of such a state of affairs. The Haldanes in Scotland, James O'Kelly and his associates in Virginia and North Carolina, Barton W. Stone and a group in Kentucky, Walter Scott and a few others in the Ohio country, and Chester Bullard in the mountains of Western Virginia, ministers of different denominations, were, unconscious of the thoughts and views of each other, through their own logical processes, in the study of the Bible coming to like conclusions.

Feeling that religion was retarded and the religious life shackled by the entanglements of human creeds and man-made systems they inscribed upon their banners the principle of "Faith in Jesus as the true Messiah, and obedience to him as our Law-giver and King the only test of Christian character, and the only bond of Christian union, communion and co-operation, irrespective of all creeds, opinions, commandments, and traditions of men."²

One of the earliest manifestations of this awakening to the lack of Biblical authority for the religious practices of the times occurred in Lunenburg County. The Philadelphia Confession of Faith prescribed by the Baptist Church had been adopted generally by the Baptist congregations in Virginia. But when in 1771, at a meeting of Meherrin Baptist Church, in Lunenburg County, the Baptist minister, Jeremiah Walker, endeavored to introduce it for adoption by that congregation, this action was opposed by James Shelburne, a young man who was a member of that church. Shelburne had "already attracted some attention

¹Frederick D. Power, Address at World's Fair, St. Louis, October 30, 1904.

²Frederick D. Power, quoted by Hodge in *The Plea and the Pioneers in Virginia*, 14.

as a fearless speaker," and "when Walker's proposition was made he arose and opposed the adoption of any human creed, maintaining that the Scriptures were a sufficient rule of faith and practice."¹

This was a very advanced position to take at that early date. Had it been followed to its logical conclusion it "must have resulted in a reformation similar to the one inaugurated by the Campbells nearly fifty years later."² Shelburne became a prominent Baptist preacher "and throughout his life earnestly advocated the abolishment of all ecclesiastical authority save that of God's Word. He stood on ground in advance of that taken by his brethren, but he never lived to see the light of the reformation dawn in the Old Dominion."³

Twenty-two years after Shelburne had declared in the Baptist Church at Meherrin that "the Scriptures were a sufficient rule of faith and practice," James O'Kelly and his followers withdrew from the Methodist Church and "renounced all rules of Church government, and took the New Testament as their guide."⁴

These are specific instances showing the dissatisfaction with the existing order of things. "In different parts of the United States simultaneously arose teachers among the religious denominations who pleaded for the Bible alone, without human additions in the form of creeds or formulas of faith, and for the union of Christians of every name upon the basis of the Apostles' teachings."⁵

The movement which thus began to take shape was not really a reformation; it was more. It was an effort at a restoration to original purity. In 1807 Thomas Campbell came from Scotland to America, to be followed two years later by Alexander Campbell, his son, a native of Ireland, who had been educated at the University of Glasgow. Thomas Campbell was a regular minister of the seceders—and as such was assigned to the Presby-

¹Hodge: *The Plea and the Pioneers in Virginia*, 29.

²Id. 30.

³Id.

⁴*Memorials of Methodism in Virginia*, 327.

⁵Frederick D. Power: Address at the World's Fair, St. Louis, October 30, 1904.

tery of Chartiers, in Washington County, Pennsylvania. His views of union and of the sufficiency of the Bible as a religious guide, led him to withdraw from that connection.

In 1809 he formed *The Christian Association of Washington*, and in September of that year issued his celebrated "Declaration and Address." This paper, notable in the theological literature of the time, "deplored the tendencies of party spirit among Christians and the enforcement of human interpretations of God's Word in place of the pure doctrine of Christ, and pleaded for the restoration of simple, original, evangelical Christianity as exhibited upon the sacred page, without attempting to inculcate anything of human authority, of private opinion, or invention of men as having any place in the constitution, faith or worship of the Christian Church."¹

He set forth the object of the association as follows: "to come firmly and fairly to original ground, and take up things just as the Apostles left them," that, "disentangled from the accruing embarrassments of intervening ages," they might "stand upon the same ground on which the church stood at the beginning."²

Alexander Campbell, the son, found himself in entire accord with the position taken by his father in the Declaration and Address and he began in 1810 publicly to urge the principles therein declared. Shortly afterwards in examining the question of infant baptism and "abandoning all uninspired authorities, and appealing to the Scriptures with critical search for the significance of words rendered from the original Greek, 'baptize' and 'baptism,' he became satisfied that they could mean only immerse and immersion, and accordingly he and his father were immersed."³

From that time forward Alexander Campbell became the Master Spirit in the movement. The Campbells and their associates organized a church at Brush Run, Pennsylvania, May 4, 1811, which in 1813 united with the Redstone Baptist Association, and ten years later with the Mahoning Association.

In 1823 Alexander Campbell started the publication of the

¹Frederick D. Power: Address at The World's Fair, 1904.

²Id.

³Id.

Christian Baptist, a monthly religious journal, which effectively brought home to religious professors and teachers in Eastern Virginia the need "of a thorough restitution of the primitive Apostolic Christianity."¹

Nowhere did this publication have more marked effect than in Eastern Virginia where education and culture were more advanced than "in more recently settled communities."²

Mr. Campbell was at the time a member of the Baptist Church at Wellsburg, Virginia (now West Virginia), which was in full fellowship with the Mahoning Association.³

The movement for the restoration "took for a time the form of a reformation in the ranks of the Baptists."⁴

In some cases, in Eastern Virginia, a majority of a congregation became allied with the restoration movement, accepting the principles set forth in the *Christian Baptist*, but there is no record of a single instance, so far as is known of their attempting to form a distinct religious body.⁵ "They were content to remain in fellowship with the congregations of which they were members so long as their religious liberties were not infringed. Often, however, individuals and sometimes a majority of some congregations were forced to sever their connection with their brethren because of the religious intolerance of the latter."⁶

"The first congregation in Eastern Virginia owing its existence to the movement for the restoration of New Testament Christianity was formed in the lower part of Louisa County in 1826."⁷

James M. Bagby and N. H. Turner were forced by their Baptist brethren to take letters of dismission from the Old Fork congregation. They and their associates built a meeting house near what is now Bumpass Station, and called it Bethany. The present Bethany is about three miles from the original site.⁸

In the summer of 1825 Alexander Campbell visited Eastern Virginia and as a Baptist minister preached the doctrine of the

¹Hodge: *The Plea and the Pioneers in Virginia*, 30.

²Id.

³Id. 30.

⁴Id.

⁵Id. 31.

⁶Id.

⁷Id. 32.

⁸Id.

Restoration in a number of Baptist Churches in that section.¹

He was well received and met among others Robert B. Semple and Andrew Broaddus, two Baptists who were later to oppose Campbell and to have a somewhat humiliating experience in so doing. Semple set about to win Campbell to the established customs and usages of the Baptists, and Campbell generously opened the columns of the *Christian Baptist* to him. In the course of the debate through its columns Campbell set forth the foundation upon which the restoration rested, in a way which may be summed up briefly as follows: "in faith, unity; in opinions, liberty."²

Broaddus too under the nom de plume of "Paulinus" joined in the debate of the subjects by contributing articles to the *Christian Baptist*.

The controversy between Campbell and Semple excited great interest in Eastern Virginia. Semple, though an able man, was no match for Campbell, who was in fact a profound thinker, a keen analytical mind, and a logician of such powers as to enable him, for example, to take rank among the leaders of the Constitutional Convention of 1829 which had in its membership such men as Chief Justice Marshall, Ex-Presidents Madison³ and Monroe, John Randolph of Roanoke, Benjamin Watkins Leigh, Chapman Johnson, William B. Giles and John R. Cook.

Semple wrote of Campbell "he is so much of a champion that to be beaten by him would not be so discreditable as it might be with some other antagonist. . . . I think him a generous combatant with one who wishes nothing but fair play."⁴

A sample of Campbell's conclusively unanswerable way in handling Bishop Semple may be given. In a letter published in

¹Hodge: *The Plea and the Pioneers in Virginia*, 35.

²Id. 39.

³Ex-president Madison in returning from the Convention spent the night with Edmund Pendleton at his home in Louisa County. Pendleton "was somewhat of an admirer of Mr. Campbell," and asked Mr. Madison his opinion of Campbell. "Mr. Madison, in answer, spoke in very high terms of the ability shown by him in the convention. 'But,' he continued, 'it is as a theologian that Mr. Campbell must be known. It was my pleasure to hear him very often as a preacher of the Gospel, and I regard him as the ablest and most original expounder of the Scriptures I have ever heard.'"—*The Plea and the Pioneers in Virginia*, 50.

⁴Hodge: *The Plea and the Pioneers in Virginia*, 46.

the *Baptist Recorder*, Semple spoke disparagingly of the restoration movement and advocated and defended the use of creeds. In it he said: "Creeds are good servants but bad masters. Give them too much authority, and they will tyrannize; but let them, as messengers carry the digested opinions of one set of men to another, and their effect is excellent. The Baptists have been a divided people ever since my knowledge of them, owing (I think) to the want of proper respect for established opinions, customs and regulations, whether written or otherwise."¹

Analysing this Campbell wrote: "On the supposition that you trace these divisions to the want of sufficient respect for a creed, then you have made a creed to mean 'established opinions, customs and regulations.' Is this the Servant? Surely if the opinions, customs and regulations are established, they are, or must be, masters; and we must submit. To this I have no objections, provided the authority that establishes them be paramount to every other.

"But what right has one generation to establish 'opinions, customs and regulations' for another? And why should you and I submit to the 'opinions, customs and regulations' established by any human authority? If I must examine for myself, what shall I examine? The Creed or the Bible? If I must not take the creed upon trust, but if you say I must go to the Bible as well as to the creed, may I not as well go to the Bible at first as at last? Say, Bro. Semple, may I not—ought I not—go to the Bible at first? If I take the creed at all, you will say: Take the creed in one hand and the Bible in the other. And of what use then is the creed? Why, say you, it will help you to understand the Bible or guide you in the examination of it. If so, then I must make the creed a pair of spectacles instead of a staff, and wear it upon my nose instead of keeping it in my hand. If I must examine the Bible through the creed, then the creed is my eyes; my artificial eyes (for it cannot be my natural eyes), my spectacles. If my spectacles are green glass, the Bible is green; if blue, the Bible is blue; and as is the creed, so is the Bible to me. I am a Calvinist, or an Arminian, or a Fullerite, according to

¹Quoted in *The Plea and the Pioneers in Virginia*, 47.

my spectacle or my creed, my 'established opinions, customs and regulations.'"¹

This character of searching analysis was too much for Bishop Semple. He declined to give his reasons for opposing the reformation, and it was believed that his reason for so doing was his unwillingness to submit them to the critical examination to which he knew they would be subjected at the hands of Campbell. Those letters which he had already written and which were so ruthlessly and effectively dissected by Campbell, were in a tone of apology admitted by James B. Taylor in his biography of Robert B. Semple to have been "too hastily written."

Semple's "refusal to give his reasons for opposing the reformation was regarded by many as a virtual acknowledgment of the weakness of his position."²

Semple was regarded as the champion of the Baptist cause in Eastern Virginia. This episode excited great interest and greatly increased the circulation of the *Christian Baptist* in that section. Many of the Baptist Ministers recognizing the unanswerable logic and scriptural soundness of Campbell's position began publicly teaching the Gospel according to these views. The public interest was challenged and great excitement prevailed in the ranks of the Baptist Church, when Thomas M. Henley, of Essex County, one of the most earnest and talented Baptist preachers in the state, took this course. Other Baptist Ministers who did likewise were Dr. John Du Val, Peter Ainslie, Dudley Atkinson, M. W. Webber and John Richards.³

The reformers seeking a restoration of the Baptist Church to the purity of Apostolic practice were content to work in the Baptist Church. In some instances whole churches accepted the principles of the restoration, while in others the membership were divided on the question. That part of the Baptist membership not agreeing with the reformers was not content to permit them to affiliate and fraternize in the same body. "Unable to refute by logic and scriptural testimony the doctrine of the

¹Hodge: *The Pica and the Pioneers in Virginia*, 48.

²Id. 49.

³Id. 48.

reformers" the Baptist Churches and Associations, "tried the high hand of ecclesiastical authority."¹

The Baptists in Eastern Virginia followed the example of the Beaver Association in proscribing the churches of the Mahoning Association, all of whose churches except three, had adopted the principles of the restoration movement.

These pious, early Baptists who continued as they termed it "orthodox," not being able to win back to their way of thinking, those who supported the restoration movement, decided to stamp out the movement root and branch by the heavy heel of ecclesiastical authority. Imitating to some extent at least, the practice of the popes in issuing bulls of excommunication, they resorted to the issuance and publication of "proscriptorial decrees." The earliest of these decrees, in Eastern Virginia, was directed at Silas Shelburne of Lunenburg County, son of James Shelburne, the Baptist Minister, who in 1771, had contended against Jeremiah Walker in the Meherrin Baptist Church that the Scriptures were a sufficient rule of faith and practice. Silas Shelburne grew up under the preaching of his father, and himself became a minister, preaching with his father, until the death of the latter when he was called to the pastorate of the church which his father had served.

At this time Abner W. Clopton, one of the leading Baptist preachers in Eastern Virginia was a member of the Appomattox Association. In the beginning he was much pleased with the work of Campbell, but later took exception to his views on "experimental religion," and he eventually became one of the most bitter partisans in the Baptist ranks. Clopton resented the action of the Meherrin Association in permitting Silas Shelburne and his co-laborers to preach as they did in Baptist Churches. The Appomattox and Meherrin Associations covered territory which adjoined each other, and so great did Clopton's resentment become that he introduced and procured the passage by the Appomattox Association of what are known as the Appomattox Decrees.²

These recommended that the Church discountenance the writ-

¹Hodge: *The Plea and the Pioneers in Virginia*, 67.

²Id. 68.

ings of Alexander Campbell, and that the Churches not invite into their pulpits any minister who holds the sentiments condemned "in the Beaver Anathema." While of course this association had no jurisdiction outside its bounds, the resolution against inviting such preachers into their pulpits was recognized as aimed at Silas Shelburne and his associates who often preached within the bounds of the Appomattox Association.¹

The Meherrin Association, or at least a majority of it, were in sympathy with the restoration, and when at one of its meetings one of Clopton's men endeavored to have the reformers cast out, he was defeated, and himself declared his non-fellowship and vacated his seat.²

The effort to combat the progress of the restoration by proscribing its advocates became popular with the Baptists. Bishop Semple was the pastor of Bruington Church in King and Queen County, and, hearing that certain persons had been immersed upon the confession of their faith, he took the matter in hand and appointed a committee to confer with other churches, and recommend what measures should be taken in the premises. Without, however, waiting for the Committee to report he sought out Andrew Broaddus, and they decided to call a conference of churches on the subject. Eight churches were represented at the meeting held in the Upper King and Queen meeting-house December 30 and 31, 1830. The subject was discussed the first day, and a committee appointed to sit at night and bring in a report for consideration the next day.

The report, after a lengthy preamble, which recited that the cause of their distress and meeting was a "system of religion known by the name of Campbellism," introduced seven resolutions dealing with the subject of spiritual regeneration, denying the sufficiency "of human nature aided by the mere written word, in salvation," recommended non-fellowship with those holding the views of the reformers, and that the churches take a decided stand against such preachers and not receive persons baptized by them.³

¹Hodge: *The Plea and the Pioneers in Virginia*, 69.

²Id.

³Id. 70.

These resolutions or decrees were dubbed by Campbell the Semple and Broaddus Decrees. Bishop Semple suffered what was possibly the greatest chagrin and humiliation of his life when on March 5, 1831, Bruington, the church of which he was pastor, rejected and refused to ratify them. Commenting on this occurrence, Campbell wrote:

"The very church, which it is said, was so aggrieved at the spread of our views as to justify R. B. Semple and Andrew Broaddus in calling a council to proscribe us; that very church, which, it is said, the mover of these decrees planted, and in which he has labored for so many years, has done itself the honor to reject the decrees of the elders. Thus has the sceptre departed from Judah and a law giver from Dover."¹

The Meeting of Bruington Church was a large one, every member except one, who was sick, being present. The decrees or resolves were read and their adoption advocated by Semple, Broaddus and Todd. The opposition devolved primarily upon Dr. John Du Val, who was fully equal to the task; his argument is said to have been very eloquent and powerful.

Upon the defeat of the proposal to ratify the report, Semple demanded that his "opponents,"—those who would not vote with him should take letters of dismission, and join some other church.²

The members, however, feeling that the church was as much theirs as it was Semple's refused so to do. Then somewhat, it would seem, in the hope to intimidate some of the weaker members, he ordered every man's name written down, and the list called over for another vote, so that each was required to answer and record his vote. This was done and the members remained firm in their determination not to approve his proposed decrees. Thus completely defeated, no alternative was left him, but to fellowship those he desired cast out, or himself withdraw from that pastorate. He did not withdraw; but the next day preached and broke the loaf with reformers and anti-reformers alike.

As time went by, however, the tension within the Baptist

¹Hodge: *The Plea and the Pioneers in Virginia*, 71.

²Id.

Church became greater rather than less. In December, 1831, Thomas Campbell, the father of Alexander Campbell visited Eastern Virginia. He visited Richmond and preached several times in a Baptist Church of which John Kerr was pastor. Through some misunderstanding it was announced that he would preach on a certain Sunday morning, and it was known that several from a distance were coming to Richmond at that time to hear him. Mr. Kerr, however, declared he had given no permission for Campbell to preach in his church at that time, and declared he would preach at that time and place himself. This was satisfactory to Campbell, but those who had circulated the announcement felt that it would not do to disappoint those who were coming in to hear Campbell, and so it was arranged for him to preach in the State Capitol. This greatly angered Kerr. He announced that the meeting at the Capitol had been highly offensive and that certain members of his church "whom others choose to call 'Campbellites' would have to withdraw." He finally succeeded, not without great opposition, in getting his congregation to adopt a resolution recommending the withdrawal of those not in sympathy with Kerr's position.

Immediately after this those believing in the principles of the restoration movement drew up and signed the following preamble and resolution :

"Whereas a resolution, connected with a preamble, stating that certain members entertaining opinions of Scripture doctrine and church government materially different from the great body of the First Baptist Church and all the Regular Baptists in Virginia, was, on the 14th of February, 1832, adopted by a majority of said church, and whereas we are satisfied that the above preamble and resolution are intended to operate upon the opinions we hold, though we have disclaimed, and do disclaim, any opinion not founded upon the New Testament; and whereas they have invited us to withdraw; therefore

"Resolved, that we whose names are hereunto subscribed do withdraw ourselves from the First Baptist Church."¹

This document was signed by sixty-eight members of the

¹Hodge: *The Plea and the Pioneers in Virginia*, 82.

church, including all the trustees and many of the other prominent and influential members.¹

These organized a separate church, and erected a brick church building on Eleventh Street between Broad and Marshall, adjoining the City Hall and Capitol. It became known as Sycamore Church, from a large sycamore tree which stood near the entrance.²

Matters soon reached such a state that "it needed but the suggestion to launch the Baptist Churches of" Eastern Virginia, "upon a course that savoured strongly of the ancient spirit of Romish bulls and interdicts. This suggestion was given in the fall of 1832, just before the annual meeting of the Dover Association, by Eli Ball, editor of the *Religious Herald*, when he published an editorial in which he advised the necessity of casting out the reformers from the Baptist ranks at the coming Association. To make the work of ejection doubly sure he advised the packing of the jury for the coming meeting of the Dover Association, and admonished the brethren not to send any one as a messenger of the churches who was suspected of having any attachment to the principles of reform."³

In order that all things might be in readiness the decree was drafted in advance in Richmond by John Kerr.

The Dover Association convened in October, 1832, and without preferring any charges, without giving any notice to the parties, or providing an opportunity for them to be heard, and without any form of trial or inquisition the Association adopted some preambles and then the following decree:

"We, therefore, the assembled ministers and delegates of the Dover Association, after much prayerful deliberation, do hereby affectionately recommend to the churches in our connection to separate from their communion all such persons as are promoting controversy and discord under the specious name of 'Reformers.' That the line of distinction may be clearly drawn, so that all who are concerned may understand it, we feel it our duty to declare that, whereas Peter Ainslie, John DuVal, Matthew W.

¹Hodge: *The Plea and the Pioneers in Virginia*, 82-3.

²Id. 83.

³Id. 84.

Webber, Thomas M. Henley, John Richards, and Dudley Atkinson, ministers within the bounds of this Association, have voluntarily assumed the name of 'Reformers,' in its party application, by attending a meeting publicly advertised for that party, and by communing with and otherwise promoting the views of the members of that party, who have been separated from the fellowship and communion of Regular Baptist Churches—

*"Resolved, That this Association cannot consistently and conscientiously receive them, nor any other minister maintaining their views, as members of their body; nor can they in future act in concert with delegates from any church or churches that may encourage or countenance their ministrations."*¹

Commenting in the *Harbinger* on the action of the Dover Association, Alexander Campbell said:

"The excommunicated brethren, with whom we are proud to fraternize, view 'sin' as the transgression of the law; 'faith' as the belief of the testimony of God; 'repentance,' as sorrow for sin; 'regeneration,' as being born again; 'baptism,' as an immersion into the name of the Father, the Son, and the Holy Spirit, on confession of faith in Jesus, for the remission of sins; 'the agency of the Spirit,' as essential to the demonstration of the mission of Jesus, and to our faith in the testimony of God; 'Church government,' as the government of the church by the laws of Jesus, executed by the public servants of the church; 'the Christian ministry,' as the ministers of Jesus Christ, called and sent by his authority; 'the whole scheme of Christian benevolence,' as the Church of the Living God. But such it appears are not the views of John Kerr, who, it is published by Eli Ball, had the honor to pen this preamble and decree, nor of those who voted with him in excluding these brethren from what they call the 'Kingdom of God.'"²

After the action of the Dover Association separation was inevitable. "The die was cast. Henceforth, within the bounds of the Dover Association the so-called 'Reformers' were to be separate and distinct from the Baptists . . . they were still,

¹Hodge: *The Plea and the Pioneers in Virginia*, 86-87.

²Id. 87-88.

however, members of the Church of Christ, and as disciples of their excommunicated chief they now took upon themselves the simple name of 'Christians,' in conformity with Acts 11:26. This indeed was one of the reforms they had urged as Baptists. They did not assume to be [the] only Christians, but forced to cast off their sectarian or divisional name, and taking the Bible as their guidebook, they became Christians only."¹

The Baptists had hoped to wholly eradicate the pernicious movement by excommunicating the heretics, but as has always been the case, such measures fail of their end, and stimulate rather than stifle the object of their oppression. So it was in this case. "The publication of the Dover Decree gave a forward impetus to the movement for the restoration of the principles and practices of the Apostles, in Eastern Virginia. It was a confession of the inability of Baptists' principles to hold their own members."²

In various communities wherever there were a sufficient number in a group for a congregation, local church groups were organized. There were a considerable number of churches with substantial memberships in what was known as the Tidewater District. This group of people employed Peter Ainslie, in the fall of 1832 to act as General evangelist of Eastern Virginia. With these developments the Disciples of Christ or Christians became a separate church organization in the state.

As a separate body they are sometimes called "Campbellites," a name they did not choose, nor have they ever approved. This name has been used because of the prominence of Thomas and Alexander Campbell in the movement which resulted in their separation from the Baptist Church. Their attitude toward the matter of name is clearly stated by Frederick D. Power in the remarkable address delivered by him at the World's Fair, in St. Louis, on "Disciples of Christ Day," October 30, 1904, following the great international convention of the Disciples. He said: "The Disciples were called Christians first at Antioch.' As the bride of Christ the church should wear the name of the bridegroom. Party names perpetuate party strife. Disciples of Christ

¹Hodge: *The Plea and the Pioneers in Virginia*, 88.

²*Id.* 95.

have been charged with presumption in calling themselves Christians and their churches Christian churches, or churches of Christ. They do not deny that others are Christians, or that other churches are churches of Christ. They do not claim to be the Church of Christ or even a Church of Christ. They simply desire to be Christians only, and their churches to be only churches of Christ. Hence they repudiate the name 'Campbellite.' The Church will be one only under the name of Christ."

Among the early preachers of the Disciples of Christ who preached in Lunenburg may be mentioned Silas Shelburn, Daniel Petty (or Pettie as the name is sometimes spelled), Chester Bullard, R. A. Smith, Benjamin Creel, A. B. Walthall, and Pleasant Barnes. Alexander Campbell is said to have preached in Old Bethany Church, near Wattsboro, before the date of the Dover Decree, or, in other words, before the separation from the Baptist Church took place. Bullard was born in Montgomery County, Virginia, Creel in Fauquier, and Walthall in Amelia.

Silas Shelburn was the son of James Shelburne, who for many years was pastor of Reedy Creek Baptist Church, a church located five or six miles southeast of the county seat of Lunenburg County. A sketch of James Shelburne's life appears in the first series of Taylor's *Virginia Baptist Ministers*. In the Church Book of Reedy Creek Church a minute respecting him begins: "On Monday, March 6, 1820, departed this life at his residence in Lunenburg County, in his eighty-third year, Elder James Shelburne, who had been the diligent and affectionate pastor of this church about forty-five years."¹

He was born about 1737, and began the pastorate of Reedy Creek Church the year it was "constituted," four years after he had challenged the Philadelphia Creed, when it was proposed to the Meherrin church. Reedy Creek church began its existence in June, 1775.² It is deserving of special mention for it was different from most Baptist churches. In fact, it can scarcely be regarded as a Baptist church at all, except in name, for James Shelburn did not believe in human creeds, and from the time of the episode, in Meherrin Baptist church in 1771

¹Sample: *History of Virginia Baptists*, 296, note by Beale.

²Id. 297.

until his death he in fact believed and taught "that the Scriptures were a sufficient rule of faith and practice." His church was therefore practically in substance and effect, what the churches of the Restoration were, minus the name. James Shelburn therefore was in a very essential sense, the forerunner of Campbell and his associates who soon after his death appeared in Eastern Virginia. He had well prepared the ground for their labors.

Silas Shelburn called "The 'Raccoon' John Smith" of Virginia, was born at the Shelburn home near Reedy Creek, about five miles from Lunenburg court house June 4, 1790. He early decided to follow in the footsteps of his father as a minister and sometime between 1810 and 1815 began to accompany his father on his preaching tours.¹

The young man early began to help his father in his ministrations, and eventually they held joint meetings.

"In one of the first meetings they held together several persons presented themselves for baptism and church membership. Father Shelburn said, 'Let the candidates be examined to see if their Christian experiences are satisfactory,' when his son, Silas, spoke up and said, 'Father, that is not in accord with the Scriptures; that is not the way the Apostles did. How can these men, who have been sinners all their lives, and who have never lived a Christian life, give a Christian experience? You might as well require every young couple who comes to you to be married to give a married experience before you perform the marriage ceremony.' 'Go on, Silas, and do right,' said the old man, and from that time forth they baptized believing penitents on their confession that 'Jesus is the Christ, the son of God.'"²

It is recorded that shortly before his death in 1820 James Shelburn thus addressed his son Silas: "Oh, my son, the church lies heavy, very heavy, on my mind. I fear that a cold and trying time is approaching, and that many will be seeking a more fashionable religion. Watch over their souls as one who must give an account unto God, and keep yourself unspotted from

¹Hodge: *The Plea and the Pioneers in Virginia*, 265.

²Id.

the world. Do not aspire after men of great swelling words, but study the Scriptures, preaching the Gospel in its simplicity; be meek, lowly and unassuming in your manners, with all holy conversation, as becometh the Gospel of Christ. Never aim at things too deep, and incomprehensible for mortals to know, remembering that there is as much made plain as it is the will of our Heavenly Father we should know; for 'Secret things belong to God, and things that are revealed belong to us.' Throughout life, whatever difficulties you may have to encounter, never return railing for railing, but contrariwise, in doing which you will overcome ten where you will one by any other method."¹

Although a true and unquestioned reformer Silas Shelburn remained nominally in the Baptist ranks much longer than many ministers with whom he fraternized, and with whom he entertained identical views. This was due to the failure of Abner Clopton to have Shelburn "disfellowshipped" by the Meherrin Association. Ultimately, however, the group of churches for which he preached dissolved their relations with the Baptist Association and "became simply churches of Christ."²

Silas Shelburn finally discontinued serving a local group of churches, and became an evangelist, and in this capacity travelled all over, and preached throughout the length and breadth of Virginia. He died September 7, 1871.

It is said of him that he was not highly educated so far as scholastic attainments were concerned, but he was deeply versed in the Bible and its philosophy. Says one: "Few could get the marrow and fatness of Scriptures as he could."³

On one occasion he was scheduled to preach at a meeting where Alexander Campbell was to be present. He was one of the best educated men of this time, and some one remembering Shelburne's lack of educational attainments, asked him if he was not afraid to preach before Mr. Campbell. "No," he answered, "I have preached before God Almighty many a time, and I don't know why I should be afraid to preach before Alexander Campbell."⁴

¹Hodge: *The Plea and the Pioneers in Virginia*, 266.

²Id.

³Id. 267.

⁴Id. 268.

While he was, it is said, one of the kindest of men, he was not averse to taking the wind out of the sail of the pretentious, especially those who seemed to have too exalted an opinion of themselves. Two anecdotes of him, which have been preserved illustrate the fact.

“A young preacher who had rather an exalted opinion of his powers, after preaching in the presence of Bro. Shelburn, asked him what he thought of the sermon. ‘Wall, brother,’ said the old man, ‘there’s a pint down on the Eastern Shore they call “Pint No Pint.” You were as near there today as you’ll ever get.’”¹

At another time a “preacher who had gone rather deeply into some metaphysical speculation in a sermon, to which Silas Shelburn had listened, asked him what he thought of his metaphysics. The reply was, ‘Metaphysics.’ Wall I didn’t know what kind of physic it was, but it made me mighty sick.”²

Besides *Reedy Creek*, among the earliest of the churches of the Disciples of Christ in Lunenburg were *Mt. Olivet*, which stood (and still stands) on the Rehoboth road, between the North and Middle Meherrin rivers, *Bethany*, which stood near Wattsboro, on Cox road, *Cool Spring*, which was located northwest of Rehoboth, on the road leading northwest from McCormick’s Mill, in the section between Juniper Creek and Grassy Fork of Middle Meherrin river, *Perseverance*, in the lower end of the county on the Two Notch road, and *Spring Hill* church on Flat Rock Road near Non Intervention.

Between 1818 and 1844, Silas Shelburn, Pleasant Barnes, Daniel Petty and Chester Bullard seem to have been the most active of the members of the Disciples of Christ Church in performing marriage ceremonies.

In addition to those identified with the several denominations mentioned, the Lunenburg County marriage records show marriages by various ministers whose denominational affiliations are not indicated by the marriage returns. Some of these performed great numbers of marriages over a considerable period of time.³

¹Hodge: *The Plea and the Pioneers in Virginia*, 268.

²Id.

³For details as to each see Chapter IX, Vol. II.

The list of those whose affiliations are not indicated embrace: Archibald McRoberts, Matthew Dance, M. M. Dance, Charles Ogburn, Renard Anderson, Garner McConnico, John Paup, Edward Almond, Joel Johns, William Davis, Richard Dabbs, Hezekiah W. Leland, Jesse Brown, James Robertson, Milton Robertson, William Richards, Stephen Jones, George Petty, Caleb N. Bell, Francis Smith, Thomas H. Jeffreys, William Hatchett, Joshua Featherston, Sterling W. Fowler, John Thompson, Benjamin Watkins, Abner Watkins, James Smith, John Wesley Childs, J. W. Fowler, Thomas D. Garrott, Robt. J. Carson, Thodowick Pryor, James M. Jeter, W. S. Wilson, B. R. Duval, Samuel G. Mason, Freemon Fitzgerald, Albert Anderson, Thomas Y. Castleman, George A. Bain, Robert Michaels, Wm. Wilson, Richard E. G. Adams, Louis Dupree and Wm. Doswell.

CHAPTER X

Slavery, Secession and the Civil War

SLAVERY AND THE SLAVE TRADE



CAUSE which succeeds, seems in the opinion of many, largely to justify itself in history, by the very fact of success. Especially is this true if its history, as well as that of the opposition to it, is written by the victors. But a cause which is defeated in an appeal to arms must, at least to the unthinking, justify itself by truth and reason at the bar of history. Presumptions are not indulged in its favor.

If one, therefore, maintains that the offenses which caused the Civil War were committed by the North, that the North was the aggressor in bringing on the war; and that the South was wholly justified in its course, one must produce his evidence and submit his case. Especially is this necessary in view of the false histories, and the erroneous impressions conveyed by the general literature of the North, for there is what amounts to a widespread determination amounting in substance to a conspiracy in that section to suppress the truth respecting the Civil War.

It has been well said that "History is the great purifier, the great leveller of mankind. Its recording angel is no respecter of persons. It is the impartial custodian of truth. It analyzes the actions of men, discovers their motives and makes plain their purposes. It separates the true from the false. It lifts up on high real heroes and drops into obscurity the base and ignoble."

But this is true of history in the abstract. For the verdict of history to properly purify and level, it must proceed upon truthful narratives. Its records must be made without respect to persons. History cannot always have its materials preserved by a "recording angel." It too often happens that those who mar and confuse her records are anything but impartial custodians of truth.

In view of the widespread falsification of the facts respecting the events out of which the Civil War grew, and the suppression of the truth or what is quite as bad, the ignoring of it, no apology need be made for a somewhat extended discussion of this subject.

The history of slavery in the country now embraced in the United States constitutes a dark chapter in its annals. Relatively small as is the praise to be bestowed upon any respecting the subject, on the one hand, and great as is the condemnation to be visited on the other, neither the praise nor the blame have been, generally speaking, justly placed. Either because of ignorance of the facts, or of ingrained prejudice, or because of motives less excusable than ignorance, many writers have misstated facts, misrepresented motives, and misapplied both praise and blame. They have condemned where censure was not due and have failed to give even a word of commendation where the highest eulogy would be but faint praise.

Few great events in the history of the world have been so falsified as the history of the causes and the facts of the Civil War. It has been said that "the conquerors write the histories of all conquered peoples;" and while the Southerners are in no sense a conquered people, yet certain it is that northern writers have attempted to write, and many to write falsely the history of the Civil War.

No people ever had better right than the people of the South, especially those of Virginia, who lived before the war and those who participated in it, to look to the tribunal of history for an assured and enduring justification for their cause and their conduct in the events which led to the war, and in the course of the war itself.

Yet in the decades which followed the termination of the war, while the South was prostrate and endeavoring painfully and patiently to rebuild its institutions and its altars destroyed, in defiance and violation of the laws of God and man and of the usages of all civilized nations even in wars, by such vandals and savages as Sherman and Milroy, Sheridan, Hunter and Pope, the youth even of the South were fed upon and instructed in errors, misrepresentation and falsification of the aims of the people of the South, and of their governments; the characters of great and

good men were belittled and defamed, and a determined effort has persisted to misrepresent to the children of the South the motives of their fathers. With audacious effrontery they were taught that the motives and purposes of their fathers were not only mistaken but altogether dishonorable.

For a considerable period practically all the histories were written at the North, and these histories as well as the general literature of the North were permeated and saturated with the grossest falsehoods, the most malicious and insidious untruths; and so general and widespread was, and is, the teaching of falsehoods, and the omissions to declare the truth and the refusal or failure of teachers of the North to tell the truth, that the condition even now amounts to a national historical scandal in which authors, publishers, school officials and teachers, are in one degree or another, widely involved.

It would seem that in the time that has elapsed since the Civil War, the bitterness of that struggle would have been so far forgotten that the truth of history might be written and taught with candor. It does not seem too much to ask that the motives and the purposes of those responsible for, and who participated in that great struggle, be examined to ascertain the truth. It might be reasonably supposed that the causes of the war would now be inquired into in a spirit of fairness. But such is not the case. Some there may be who investigate with soberness and candor and aim at fidelity to truth, but this cannot be affirmed as a general rule. The fact is that but relatively few treat with anything approaching adequacy and accuracy such subjects as that of slavery, the secession doctrine, the efforts of the Northern States to nullify the constitution of the United States and to coerce the states of the South.

The persistence of such false accounts as are currently accepted may be due, in considerable degree, to a slavish following of the false histories written in the heat of passion after the war, and it may be due in some degree to a lack of industry in searching into original sources. But above all the real reason for our false histories seems to be found in the desire of historians to write what is popular, to teach what the people want to believe, whether it is accurate or not. Writers who cater to the patronage

of public school officials find it necessary to ignore or gloss over some unpalatable things. If they did not do so their books would not be used. The result is that at the North histories are produced which tell what the people like to hear, and which do not tell what they prefer be not mentioned, even though the result is to outrage historical facts and defame the people of the South for the course they pursued. This process of teaching history made to order was illustrated a few years ago in Ohio, where a widespread demand arose for the removal of a Director of Education because he permitted the use in the schools of the state of a history whose author expressed the opinion that General Lee was an abler general than General Grant.

It is an undeniable fact that in many parts of the North a wholly wrong impression is, even now, given to the rising generation respecting the ante-bellum South, and the causes and conduct of the Civil War. This may be due, only in part, to the printed pages of the history books used in instructing the youth of the country. It seems due, in some measure at least, to the ingrained prejudices which are a part of the heritages of many, and which remain because of the failure to eradicate them by declaring and teaching the truth. There seems to be a lack, even among many school teachers, of a comprehensive understanding of the origin and the development of the subjects out of which grew the Civil War. Thus, for example, the legal, social, political and geographical factors which had so much to do with the slavery question, seem, by many, to be little understood. And yet, no just or intelligent appraisal of responsibility, of merit or demerit, of guilt or innocence can be made, without an inquiry into and an understanding of these complex matters.

It is not too much to say that the opinion held in some quarters, and, indeed, in broad and indiscriminating outline taught children in their young and impressionable years, divides the United States into two great sections, the North and the South. At the South lived before the war a wicked, bad, if not inhuman lot of white people, who were engaged in hunting down and capturing and holding in bondage the black man; while at the North were the good people, who from the beginning looked with horror upon the slavery of the blacks, and whose principal efforts and exer-

tions for generations were devoted to securing their freedom. The picture held up to the admiring gaze of innocent, uneducated and misinstructed childhood and youth, is that of these good people of the North, earning their own livings, by the sweat of their own brows, while the people of the South, rich beyond the dreams of avarice, dawdled in idleness, living upon the product of the toil of slaves, who were driven to inhuman exertions by the lash of the taskmaster.

Another phase of the picture so ignorantly and falsely presented is that at the South, in the former slave holding states, negroes were treated with the utmost harshness and cruelty, while, at the same time at the North, negroes were treated with the utmost kindness and consideration and were fully accorded the same freedom and the same rights which white persons enjoyed, without any discrimination whatsoever.

These good people at the North, thus feeling and thus treating the negroes, looked with horror upon the spectacle of negroes in bondage at the South; and the horror finally increasing to the point where the North could no longer restrain its righteous indignation, its citizenry shouldered their muskets and marched to war and freed the slaves! Such is history as it is too often taught!

In the interest of truth and in justice to the memory of the hundreds of Lunenburgers who so proudly and with such honor wore the Gray, and who shed their blood and gave up their lives on so many fields of glory, a few neglected facts of history should be recalled and repeated.

No attempt is made to write such a history of slavery and the Civil War period as should be written. That service will some day, no doubt, be performed. In the course of this discussion some unpleasant truths may be stated; some facts which most historians, especially those whose books find their way into the public schools of the North, persist in ignoring, slighting, or even falsifying, may be emphasized. This by no means indicates that the author holds a brief against the sections, for example New England, of which the unpalatable truth is told; but in view of the widespread misconception and lack of knowledge of this subject by the rank and file of the country, a need exists for

dwelling at some length upon the historical development of the slavery situation in this country. To challenge some of the popular misconceptions may contribute in some small degree to the more even balance of the scales of historical truth and justice.

Possibly not the least value of such a treatment may be the opportunity it will afford some of the severest critics of the South to become acquainted with a few neglected or ignored (and not altogether creditable) facts respecting the history of their sections and their ancestors.

The African slave trade had its origin with the Spaniards and the Portuguese, who "in the course of their African discoveries, were the first to institute the traffic in slaves, and they made great profit thereby. The English followed the example. Sir John Hawkins made several voyages, commencing in 1562, for the purpose of seizing negroes in Africa, and selling them in the West Indies; and in 1585 a company for carrying on the traffic was incorporated by letters patent of Queen Elizabeth. Thenceforward great encouragement was given to it by royal charters, treaties, and acts of parliament."¹

The first slaves in Virginia were brought into the colony by a Dutch man-of-war in 1620. It landed twenty negroes for sale.²

The people of Virginia generally were opposed to the introduction of slavery, but were powerless to prevent the purchase of slaves by those who desired them, or to prevent the growth of the slave population by natural increase as well as importation unless they were permitted to enact laws for that purpose. This the British Government steadfastly refused to permit the colony to do. The antipathy of the early Virginians to the system is evidenced by the fact that, though the system of slavery was approved by England, and a company chartered by Queen Elizabeth to carry on the trade the very year Sir Walter Raleigh first attempted to settle Virginia, when the colony got its name (1585), and although it was actually introduced into the colony in 1620, and the British Government not only countenanced but legalized

¹*Minor's Institutes*, I, 196.

²*Beverley's Hist. of Va.* 35, 1. *Robertson Practice* (2d ed.), 15 et seq.; *Minor's Institutes*, I, 182-3.

and encouraged the importation and owning of slaves, yet the system was so opposed by the Virginians and grew so slowly against that opposition that in 1671, Sir William Berkeley, then the Governor of the colony, stated that the slaves only numbered two thousand out of a total population of forty thousand, and he adds that the importation did not exceed two or three cargoes in seven years.¹

"In 1699 the General Assembly commenced the series of restrictive acts (as many as *twenty-six* in all), by which it sought to arrest or discourage the further introduction of slaves, the last being in 1772, which was accompanied by an earnest petition to the throne to '*remove all restraints which inhibited his majesty's governors assenting to such laws as might check so very pernicious a commerce as that of slavery.*'"²

"This reasonable petition, like its predecessors, was disregarded; and it serves," says Professor Minor, "to show the depth of the general sentiment upon the subject, that the preamble to the State Constitution of 1776 (which has also been the preamble to every succeeding constitution, as it is to the present one) complains of it as one of the acts of 'detestable and insupportable tyranny' of the King of Great Britain, that he had prompted our negroes to rise in arms among us,—'those very negroes whom, by an inhuman use of his negative, he had *refused us permission to exclude by law.*'"³

Not only does the record of the Colony of Virginia officially attest its staunch opposition to slavery and the slave trade, but the leaders of thought and the most influential of her citizens always deplored and opposed the institution.

The celebrated Colonel William Byrd of Westover, he who had such a prominent part in founding Lunenburg, under date of July 12, 1736, wrote Lord Egmont as follows: "Your Lord's opinion concerning rum and negroes is certainly very just, and your excluding both of them from your colony of Georgia will be very happy. . . ."

¹Hening, 215; *Minor's Institutes*, I, 184.

²*Minor's Institutes*, I, 184, citing I *Tucker's Blackstone*, Appendix, 51, note.

³*Minor's Institutes*, I, 184.

"I wish, my Lord, we could be blessed with the same prohibition. They import so many negroes here that I fear this colony will some time or other be confirmed by the name of New Guinea. I am sensible of the many bad consequences of multiplying the Ethiopians amongst us. They blow up the pride and ruin the industry of our white people, who seeing a rank of poor creatures below them, detest work for fear it should make them look like slaves. Then that poverty which will attend upon idleness disposes them as much to pilfer as it does the Portuguese. . . .

"But these private mischiefs are nothing if compared to the public danger. It were therefore worth the consideration of a British Parliament, my Lord, to put an end to this unchristian traffick of making merchandise of our fellow creatures. At least, the further importation of them into our colony should be prohibited lest they prove as troublesome and dangerous elsewhere as they have been lately in Jamaica. . . . All these matters duly considered, I wonder the Legislature will indulge a few ravenous traders to the danger of the publick safety."¹

And the ranks of those who consistently opposed the traffic embraces the names of John Dawson, Zachariah Johnson, John Tyler, James Madison, George Mason, Patrick Henry, Thomas Jefferson, George Washington, St. George Tucker, the Randolphs, and the Lees, to mention only a few who were conspicuous for their opposition to the nefarious business.

Speaking of the efforts which the people of the Colony of Virginia made to prevent the importation of slaves, Bancroft says:

"Again and again they had passed laws restraining the importation of negroes from Africa, but their laws were disallowed. How to prevent them from protecting themselves against the increase of the overwhelming evil was debated by the King in Council; and on the 10th of December, 1770, he issued an instruction under his own hand commanding the Governor 'upon pain of the highest displeasure, to assent to no law by which the

¹From unpublished Byrd Manuscripts at Lower Brandon, Va., quoted by Munford, in *Virginia's Attitude Toward Slavery and Secession*, 16-17.

importation of slaves should be in any respect prohibited or obstructed.'"¹

The attitude and general policy of Great Britain toward the slave trade is abundantly established, and it is highly discreditable to that country. Says Moore:² "She had aided her colonial offspring to become slaveholders; she had encouraged her merchants in tempting them to acquire slaves; she herself excelled all her competitors in slave-stealing; and from the reign of Queen Anne, the slave-trade was among the most envied and cherished monopolies, its protection and increase being a principal feature in her commercial policy. The great 'distinction' of the Treaty of Utrecht, as the Queen expressly called it, was that the assiento or contract for furnishing the Spanish West Indies with negroes, should be made with England, for the term of thirty years, in the same manner as it had been enjoyed by the French for ten years before."³

"This was what her great statesmen and divines of the Church of England were so eager and proud to secure for their country! For all her sacrifices in the war, the millions of treasure she had spent, the blood of her children so prodigally shed, with the glories of Blenheim, of Ramillies, of Oudenarde, and Malplaquet, England found her consolation and reward in seizing and enjoying, as the lion's share of results of the Grand Alliance against the Bourbons, the exclusive right for thirty years of selling African slaves to the Spanish West Indies and the coast of America."⁴

"Who will wonder," says Moore, "that men who had thus been taught to believe 'that the negro-trade on the coast of Africa was the chief and fundamental support of the British colonies and plantations,' in America, should frown upon legislation in the colonies so utterly inconsistent with the interest of British commerce."⁵

The attitude of the British Government was: "We cannot

¹Bancroft: *History of United States*, Vol. III, 410.

²George H. Moore, Librarian of the New York Historical Society, in his volume, *History of Slavery in Massachusetts* (N. Y. 1866).

³Queen's Speech, June 6, 1712.

⁴Moore: *History of Slavery in Mass.*, 140-41.

⁵Id. 141.

allow the colonies to check or discourage, in any manner, a traffic so beneficial to the nation."¹

It will thus be seen that the indictment of the King of Great Britain and the British Government in the preamble to the first constitution of Virginia (1776) was a very just and well based indictment, for, as Professor Minor well says, slavery "was imposed on the colony in the first instance against the earnest and oft-repeated protests of the General Assembly, by the negatives of the King of England or of his governors, on the laws enacted to prohibit the importation of and traffic in slaves."²

In other words, from the foundation of the colony until the colonies achieved their independence, slavery existed in Virginia because the English King vetoed all laws passed by the Colonial Legislature of Virginia looking to the prohibition of the slave traffic.

As soon as Virginia asserted her independence of Great Britain, and set up her own government, even while she was engaged in the life and death struggle of the Revolutionary War, she passed a law in 1778, prohibiting, under heavy penalties, the further importation of slaves.³

This was "almost *thirty years* before it was prohibited by Great Britain, and before New England would consent entirely to forego its profits by allowing the United States to prohibit it. Virginia was thus the *first country* in the world to set the seal of reprobation upon that *opprobrium of modern civilization*, the African slave-trade."⁴ However, before "the commonwealth acquired the power to direct her own policy, the number of slaves was so great (exceeding 230,000) and compared with the whites (about 360,000) as to make it alike disastrous to both races to liberate the blacks."⁵

The attitude of the people of New England toward slavery and the slave trade presents a striking contrast to that of the people of Virginia. But the actual attitude of the New Eng-

¹Moore: *History of Slavery in Mass.*, 142; *Bridges' Jamaica*, II, 475, notes.

²*Minor's Institutes*, I, 183.

³*Id.*

⁴*Id.*

⁵*Minor's Institutes*, I, 183; *Tucker's Commentaries*, I, 75; *Dew's Essay on Slavery*, 76 et seq.; *Elliot's Debates*, 3, p. 590, Speech of Patrick Henry.

landers during the colonial period, and even down to the period of the Civil War, is involved in a maze of misstatements, in false narratives and biased historical writings which appall the seeker for historical truth.

There are few subjects upon which there appears such a wealth of misstatement, and respecting which there is apparently such a determined effort from so great a variety of sources to misinform posterity and write history contrary to facts, as there is respecting the attitude of the North toward slavery, and the actual history of slavery in that part of the United States. And surprising as it is, many of the persons supporting such a purpose and engaging in such an effort have held places of high respectability and have been well esteemed by public opinion.

Thus it has been asserted that slavery was never sanctioned by law in Massachusetts; that no person was ever born a slave on the soil of Massachusetts; that the children of slaves in Massachusetts were born free; and that the abolition of slavery in Massachusetts was accomplished at one fell stroke by the constitution of 1780. Every one of these assertions is false. They are by no means a complete catalog of the claims which have been falsely made in respect to the slavery question, but they are sufficient for illustrative purposes; and the variety and character of those supporting such statements, in the face of the historical facts and the indisputable records to the contrary, present a situation unparalleled; it amounts essentially to a conspiracy against truth. When was there ever before, such an illustration of a people ashamed of their past and determined to write the history of two hundred years of their existence, not as the facts were, but as they wish they had been?

Contrary to the common opinion at this time, especially at the North, it would be difficult to find a blacker chapter in the history of human slavery within the area now comprised in the United States than that of Massachusetts. "A few years after the Puritan settlement of the colony," at "the period of the Pequot war," slavery as an "institution first appears clearly and distinctly in the enslaving of Indians captured in war."¹ And George H. Moore, a northern man, Librarian of the New York

¹George H. Moore: *History of Slavery in Mass.*, i.

Historical Society, writing in 1866, at the very close of the Civil War, when extreme views against the Confederacy, in that quarter, were current, wrote: "The stains which slavery has left on the proud escutcheon even of Massachusetts are quite as significant of its hideous character as the satanic defiance of God and humanity which accompanied the laying of the corner-stone of the Slaveholders' Confederacy."¹ After this biased implication respecting the South, Moore, in what he says of slavery in Massachusetts certainly will not be accused of doing so out of friendship or tenderness for the states of the South.

In 1637, after a capture of some of the Pequods, Roger Williams wrote Winthrop that as it had pleased the Most High to put into their hands "another miserable drove of Adams degenerate seed, and our brethren by nature, I am bold . . . to request the keeping and bringing up of one of the children. I have fixed mine eye on this little one with the red about his neck, but I will not be peremptory in my choice, but will rest in your loving pleasure for him, or any."² And from Salem, where they hanged witches and whence they sent out slave ships, in 1736 Hugh Peters wrote John Winthrop: "Mr. Endecot and myself salute you in the Lord Jesus. . . . We have heard of a dividence of women and children in the bay³ and would be glad of a share, viz.: a young woman or girl and a boy if you think good. I wrote to you for some boys for Bermudas, which I think is considerable."⁴

Winthrop's Journal discloses the fact that when these Indian slaves ran away and were recaptured they were "branded on the shoulder."⁵ And Governor Winthrop, writing to Governor Bradford of Plymouth, July 28, 1637, after giving an account of the success against the Pequods, says: "The prisoners were divided, some to those of the river [the Connecticut Colony] and the rest to us. Of these we send the male children to Bermuda,

¹*History of Slavery in Mass.*, 1-2.

²Mass. Hist. Soc. Coll., IV, VI, 195-6; Moore: *Hist. of Slavery in Mass.*, 2-3.

³Massachusetts Bay Colony.

⁴Mass. Hist. Soc. Coll., IV, VI, 95; Moore: *History of Slavery in Mass.*, 4.

⁵*Winthrop*, I, 232.

by Mr. William Peirce, and the women and maid children are disposed about in the towns. There have now been slain and taken in all, about 700."¹ Governor Bradford's note to this letter says that instead of being sent to Bermuda "they were carried to the West Indies."²

"At the very birth of the foreign commerce of New England the African slave trade became a regular business. The ships which took cargoes of staves and fish to Madeira and the Canaries were accustomed to touch on the coast of Guinea to trade for negroes, who were carried generally to Barbadoes or the other English Islands in the West Indies, the demand for them at home being small."³ Winthrop illustrates the course of trade by an entry in his journal in 1645: "One of our ships," he says, "which went to the Canaries with pipe staves in the beginning of November last, returned now and brought wine, and sugar, and salt, and some tobacco, which she had at Barbadoes, *in exchange for Africoes*, which she carried from the Isle of Maio."⁴

Not only did these New Englanders enslave the Indians and send the males to the West Indies, keeping the rest in slavery at home, but they brought negro slaves from the West Indies to New England. Winthrop, in his journal, on February 26, 1638, records the fact that Mr. Peirce, the same who took the Indians to West Indies, "returned from the West Indies after seven months . . . and brought some cotton, and tobacco, and negroes."⁵ This Mr. Peirce was master of the ship *Desire*, built at Marblehead in 1636, one of the earliest ships built in the colony.⁶ It was almost immediately put into the slave trade. After recording the facts above mentioned respecting Peirce's voyage, he adds: "Dry fish and strong liquors are the only commodities for those ports," and Dr. Belknap long afterwards, in a retrospective view of the subject declared that the "rum distilled in Massa-

¹Mass. Hist. Soc. Coll., IV, iii, 360.

²Moore: *Hist. of Slavery in Mass.*, 5.

³Moore: *Hist. of Slavery in Mass.*, 29.

⁴*Winthrop's Journal*, II, 219.

⁵*Winthrop*, I, 254.

⁶*Id.* 193.

chusetts was 'the mainspring of this traffick.'"¹ But the New Englanders were not always satisfied to buy "negroes in the regular course of traffic, which, under the fundamental law of Massachusetts . . . would have been perfectly legal."² Sometimes they stole them. A case involving the crew of a Boston ship illustrates this practice. The Boston ship in question joined with other ships from London, engaged in the same nefarious business, and together landed on the coast of Africa a small cannon, "attacked a negro village on Sunday, killed many of the inhabitants, and made a few prisoners, two of whom fell to the share of the Boston ship."³

The master, the mate and the owners had a lawsuit, in which the whole story came out. When it did, a magistrate presented a petition to the General Court, in which he charged the master and the mate with three offenses, murder, man-stealing and Sabbath breaking. The magistrates who decided the case, doubted their authority to punish crimes committed on the coast of Africa; "but they ordered the negroes sent back, as having been procured not honestly by purchase, but unlawfully by kidnapping,"⁴ and, says Moore, "In all the proceedings of the General Court on this occasion, there is not a trace of anti-slavery opinion or sentiment, still less of anti-slavery legislation; though both have been repeatedly claimed for the honor of the colony."⁵

Moore points out that the first entrance of Massachusetts into the slave trade was "not a private, individual speculation. It was the enterprise of the authorities of the colony."⁶ He quotes an order by the General Court on March 13, 1639, "that 31 8s should be paid Lieutenant Davenport for the present, for charge disbursed for the slaves, which, when they have earned it, he is to repay it back again."⁷

¹George H. Moore: *History of Slavery in Massachusetts*, 6; Mass. Hist. Soc. Coll., I, IV, 197.

²Moore: *Hist. of Slavery in Mass.*, 29.

³Id.

⁴Moore: *History of Slavery in Mass.*, 29-39, citing: *Hildreth*, I, 282; *Mass. Records*, II, 67, 129, 136, 168, 176, 196; III, 46, 49, 58, 84; *Winthrop's Journal*, II, 243, 379.

⁵Moore: *Hist. of Slavery in Mass.*, 30.

⁶Id. 9.

⁷Id., citing Mass. Rec. I, 253.

The attitude of the people of Massachusetts on the slavery question is indicated in a letter written about the summer of 1645 by Emanuel Downing to the elder Winthrop, whose sister, Lucy Winthrop, Downing married. His son was the famous Sir George Downing, English ambassador at the Hague. Emanuel Downing came to New England in 1638, and "there were few more active or efficient friends of the Massachusetts colony during its earliest and most critical period."¹ In this letter he said: "A war with the Narragansett is very considerable to this plantation, for I doubt whether it be not sin in us, having power in our hands, to suffer them to maintain the worship of the devil, which their pow wows often do; secondly, if upon a just war the Lord should deliver them into our hands, we might easily have men, women and children enough to exchange for Moores, which will be more gainful pillage for us than we conceive, for I do not see how we can thrive until we get into a stock of slaves sufficient to do all our business, for our children's children will hardly see this great continent filled with people, so that our servants will still desire freedom to plant for themselves, and not stay but for very great wages. And I suppose you know very well how we shall maintain twenty Moores cheaper than one English servant.

"The ships that shall bring Moores may come home laden with salt which may bear most of the charge; if not all of it."²

In 1708 Governor Dudley reported to the Board of Trade that there were four hundred slaves then in Boston, one-half of whom were born there.³ In February, 1720, Governor Shute reported to the same body that the number of slaves in Massachusetts was 2,000.⁴ In 1735, there were 2,600 in the province, and in 1742, 1,514 in Boston alone,⁵ and says Moore, "It is a curious fact that the first census in Massachusetts was a census of negro slaves."⁶

¹Moore: *Hist. of Slavery in Mass.*, citing the editors of the Winthrop Papers.

²Mass. Hist. Society Collection, IV, VI, 65; Moore: *History of Slavery in Massachusetts*, 10.

³Moore: *Hist. of Slavery in Mass.*, 50.

⁴Id.

⁵Moore: *Hist. of Slavery in Mass.*, 50, citing Douglass, I, 531.

⁶Moore: *Hist. of Slavery in Mass.*, 50.

In 1754, an account of the property in the province liable to taxation was required, and Governor Shirley sent a special message to the House of Representatives, in which he said: "There is one part of the estate, viz., the negro slaves, which I am at a loss how to come at the knowledge of, without your assistance."¹ Thereupon the legislature directed the assessors of the several towns and districts to ascertain and report "the exact number of the negro slaves, both male and female, sixteen years old and upwards, within their respective towns and districts."²

This was a revenue measure pure and simple, which is not only shown by the message of Governor Shirley, but by the fact that the act of the legislature directed that only the slaves who were taxable (those above sixteen years of age), be reported.

Felt's account of this census in the *Collections of the American Statistical Association*³ is a good illustration of the seeming inability of many writers to refrain from prevarication respecting slavery in the North. He says the General Court passed this order "for the purpose of having an accurate account of slaves in our commonwealth, as a subject in which the people were becoming much interested, relative to the cause of liberty."

This order made no attempt to get "an accurate account of slaves" in Massachusetts, but only "the exact number" subject to tax. Mr. Moore very justly ridicules Felt's statement saying "There is not a particle of authority for this suggestion—such a motive for their action never existed anywhere but in the imagination of the writer himself."⁴ "It is a humiliating fact," says Moore, "which should not be omitted here, that the most distinct and permanent evidence of service of the colored patriots of the Revolution, belonging to Massachusetts (most of whom were or had been slaves), has been found in the reports of the law courts in pauper cases."⁵

Not only did Massachusetts not make any suitable provision for the support of her pauper negroes and mulattoes, but the

¹Journal, p. 119.

²Id., and Moore: *Hist. of Slavery in Mass.*, 51.

³Vol. I, p. 208.

⁴Moore: *Hist. of Slavery in Mass.*, 51, note 1.

⁵Id. 222.

individual owners of slaves endeavored to rid themselves of the aged and infirm, in order to escape the expense of their support. This was in striking contrast to the attitude of the slave owners in Southside Virginia, indeed in Virginia and the South generally, where the support of the aged and infirm slaves was looked upon as a sacred and humanitarian duty, as well as a legal obligation. That in Virginia this duty was recognized as a moral and religious duty is well attested; and the kind and considerate attention to the aged slaves is evidenced by the fact that they lived to great ages, and so fully was this duty recognized that the masters often impoverished themselves in the support and care of the slaves during years not blessed with prosperity. John Randolph of Roanoke may be cited in this connection, and he was but one of thousands of whom similar facts could be affirmed. At his death many of his slaves were of great age, quite a number being over a hundred years of age. During his lifetime they were well fed and cared for and "when, because of some natural catastrophe, there was any reason for him to doubt his ability to supply them with abundant food, his distress was poignant. Productive as Roanoke was . . . Randolph had to buy, after his return from Russia, nearly \$2,000 worth of provisions for the maintenance of his slaves."¹

The sensitiveness of the Yankee pocket nerve, which plays so prominent a part in the history of negro slavery in America, is illustrated in the history of freeing slaves in Massachusetts. Here the masters kept the slaves until they were old and then gave them their freedom in order to avoid the expense of keeping and providing for them in their old age. The practice, says Moore, prevailed "to manumit aged or infirm slaves, to relieve the master from the charge of supporting them."² So widespread did this reprehensible practice become that the colony found it necessary to enact a law requiring masters upon freeing slaves to give security that they would not become a public charge, and also enacted that "none were to be accounted free for whom security is not given." Furthermore, it was expressly enacted that such persons were to continue "to be the proper charge of their re-

¹Bruce: *John Randolph of Roanoke*, II, 691.

²Moore: *History of Slavery in Mass.*, 53.

spective masters or mistresses, in case they stand in need of relief and support, notwithstanding any manumission or instrument of freedom to them made or given."¹ And this act was still in force as late as 1807.² But it was evaded by some masters, at least, through sham suits, in which the slave was permitted to recover his freedom, on some pretext or another, the master making no real defense.³ The ingenuity of the New Englanders in responding to the urge of the pocket nerve should command universal admiration.

Although some are fond of assuming for the Puritan of New England a religious quality superior to that possessed by the Cavaliers of Virginia, and indulge in religious comparisons not altogether flattering to the Virginians, that quality if it was so possessed by the New Englanders, manifested itself strangely toward the Indians, the negroes, and indeed toward all who were not of their clan and sect.

The religious, or some other quality or characteristic, of the early New Englander caused him to have a harsh, cruel and unchristian attitude toward the aborigines, the negroes, and even toward groups of the white race who did not accept the religious dogmas of the Puritans. The early New Englanders may have abounded in a certain brand of religion, their sectarian zeal may have been most abundant, but it was of a quality which enabled them as a people to visit, apparently without a qualm of conscience, the most inhuman barbarities upon the Indians and the negroes. Of the Virginians, it may be undoubtedly justly affirmed that they did not have the same measure of "religious zeal" as the New Englanders, if by that is meant that they did not have the same narrow sectarian views, the distorted beliefs, the illiberal, cruel and unchristian attitude of the Puritans toward the aborigines and the negroes. It was the absence from Virginia of the New England brand of piety which accounts for the policy of Virginia both toward the Indians and the slave trade. And that policy was far more charitable, just and generous than was that of New England. The Virginian, without

¹Laws of 1703, Chap. 2.

²Moore: *Hist. of Slavery in Mass.*, 54.

³Id. 120-21.

quoting the Bible or calling upon the name of the Almighty, in the spirit of justice which gave the world the Bill of Rights and the first written constitution of a free people in the history of the world, accorded the Indians a reasonable measure of justice and fair treatment, and persistently opposed the slave trade and prohibited the importation of slaves before either New England or Great Britain took that action, while the New Englander read his Bible with the distorted vision of the fanatic, and gathered from its texts a justification "to treat the Indians on the footing of Canaanites and Amalekites";¹ and calling upon the name of the Lord, sold even unoffending Indians into West Indian slavery as they did the young son and the wife of King Philip,² and thousands of others.

Cotton Mather wrote: "We know not *when* or *how* these Indians first became inhabitants of this mighty continent, yet we may guess that probably the Devil decoyed these miserable savages hither, in hopes that the Gospel of the Lord Jesus Christ would never come here to destroy or disturb his *Absolute Empire* over them."³

In the early days, in Massachusetts, in order to facilitate with the forms of legality the enslaving of the Indians, it was enacted that upon complaint of trespass Indians might be seized, and "because it will be chargeable keeping Indians in prison"—the sensitiveness of the pocket nerve again—the magistrates were authorized to "deliver up the Indians seized to the party or parties endamaged, either to serve, or to be shipped out and exchanged for negroes. . . ."⁴

Moore's *History of Slavery in Massachusetts* abounds in numberless detailed specifications of instances wherein the colony engaged in this nefarious traffic as a part of the public business. The record is too voluminous to be embodied herein. There is a terrible significance in the recurring phrase in the public records, "sent away by the Treasurer." "It means," says Moore, "sold into slavery."⁵ And John Eliot's petition to the Governor and Council, "sitting at Boston," declared that Indians who yielded

¹Moore: *Hist. of Slavery in Mass.*, 30.

²Id. 43.

³Id. 31.

⁴Moore: *Hist. of Slavery in Mass.*, 32, citing Plymouth Records, IV, 71.

⁵Moore: *Hist. of Slavery in Mass.*, 36.

themselves "to your mercy" were sold into perpetual slavery in the islands.¹ No attention was paid to Eliot's petition and protest, but on the contrary, on the same day a resolution was adopted under which "several were to be sent away."²

This inhuman policy toward the Indians was extended even to the Indians who were converted to Christianity, for it is recorded: "Nor did the Christian Indians or praying Indians escape the relentless hostility and cupidity of the whites . . . instances are not wanting in which some of these were sold as slaves . . . under accusations which turned out to be utterly false and without foundation."³

Some Indians were taken away on a ship, but the master being unable to sell them, put them ashore at Tangier, and left them to their fate.⁴ John Eliot endeavored to get the authorities to arrange to have them brought home. But the Puritans saw in the cruel condition of these Indians thus abandoned in a foreign land a fulfillment of prophecy, Cotton Mather triumphantly declaring "Moreover, 'tis a prophecy in Deut. 28, 68, The Lord shall bring thee into Egypt again with ships, by the way whereof I spoke unto thee. Thou shalt see it no more again; and there shall ye be sold unto your enemies, and no man shall buy you."⁵

It was not difficult for the Puritans to apply their cruel practices to any outside the pale of their communion, as the following case illustrates: On June 29, 1658, certain persons were punished by fines by the County Courts at Salem and Ipswich for siding with the Quakers, attending a Quaker meeting and "absenting themselves from the publick ordinances." Among these were Lawrence Southwick and his wife and their two children, a son Daniel and a daughter Provided Southwick. The parents of these children were separated from them and banished from the colony "on pain of death, and took refuge in Shelter Island, where they shortly afterwards died."⁶ These children

¹Moore: *Hist. of Slavery in Mass.*, 36.

²Id. 37.

³Gookin's *Hist. of the Christian Indians*; Moore: *Hist. of Slavery in Mass.*, 41.

⁴Moore: *Hist. of Slavery in Mass.*, 41-42.

⁵*Mather's Magnolia*, Book III, part III, cited in Moore: *Hist. of Slavery in Mass.*, 42.

⁶Moore: *Hist. of Slavery in Mass.*, 33, citing Mass. Records, IV, I, 367, Hazard, II, 564, Bishop, 83.

were fined ten pounds, but not being able to pay the fines, and having no estates out of which it could be collected, the General Court, the highest legislative and judicial authority in the colony, "were called upon in the following year, May 11, 1659, to decide what course should be taken for the satisfaction of the fines.

"This they did, after due deliberation, by a resolution empowering the County Treasurers to sell the said persons to any of the English nation at Virginia or Barbadoes."¹

It seems that these children were not actually sold into slavery only because the shipmasters would not transport them, fearing loss in the matter, as white persons were not bought as slaves in Virginia or in Barbadoes.²

It is a noteworthy fact that:

"The first statute establishing slavery in America is to be found in the famous *Code of Fundamentals, or Body of Liberties of the Massachusetts Colony in New England*,—the first code of laws of the colony, adopted in December, 1641."³

This statute provided for the system of slavery "as an existing, substantial fact."⁴

The ninety-first article of these laws, this "Body of Liberties," provided:

"91. There shall never be any bond slavery, villinage or captivity amongst us unless it be lawful captives taken in just wars, and such strangers as willingly sell themselves or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons doth morally require. This exempts none from servitude who shall be judged thereto by authority."⁵

This statute appears in the second edition of these laws, printed in 1660,⁶ with the addition of a word or two to correct its language. It continues in the edition of 1672.⁷

¹Moore: *Hist. of Slavery in Mass.*, 33, citing Mass. Laws, 1675, p. 51; Felt's Salem, II, 581; Mass. Records, IV, I, 366; Mass. Laws, 1675.

²Bishop's *New England*, 190; Sewel's *Hist. of the Quakers*, I, 278.

³Moore: *History of Slavery in Massachusetts*, 11.

⁴Id.

⁵Mass. Hist. Col., III, VIII, 231; Moore: *Hist. of Slavery in Mass.*, 12-13.

⁶Massachusetts Laws, Ed. 1660, page 5.

⁷Id., Ed. 1672, pp. 10, 170.

Action was taken in 1670 to collect and draw up all the laws in force and to correct errors therein, etc. This was done and reported to the General Court; and as passed a change was made to remove the possibility of construing the old law so as to exempt children of slaves from slavery. In other words, if the old law required "alienage or foreign birth as a qualification for slavery," the new law "took off the prohibition against the children of slaves being 'born into legal slavery in Massachusetts.'" ¹

The "Massachusetts law of slavery was not a regulation of indentured servants. 'Bond-slavery' was not the name of their service." ²

Mr. Moore shows conclusively that there was a clear distinction between the two, in Massachusetts, and that slavery in Massachusetts was slavery in fact, in its usually accepted form with all its hideousness.

"Thus stood the statute through the whole colonial period, and it was never expressly repealed. Based on the Mosaic code, it is an absolute recognition of slavery as a legitimate status, and of the right of one man to sell himself as well as that of another man to buy him. It sanctions the slave-trade, and the perpetual bondage of Indians and Negroes, their children and their children's children, and entitles Massachusetts to precedence over any and all the other colonies in similar legislation. It anticipates by many years anything of the sort to be found in the statutes of Virginia, or Maryland, or South Carolina, and nothing like it is to be found in the contemporary codes of her sister colonies in New England." ³ And yet, says Mr. Moore: "with the statute before them, it has been persistently asserted and repeated by all sorts of authorities, historical and legal, up to that of the Chief Justice of the Supreme Court of the Commonwealth, that 'slavery to a certain extent seems to have crept in; not probably by force of any law, for none such is found or known to exist.' Commonwealth vs. Aves, 18 Pickering, 208, Shaw, C. J." ⁴ But the authentic history of the subject is not confined to the statute law, various cases and records illustrate the facts.

¹Moore: *History of Slavery in Mass.*, 16, 17.

²Id.

³Id. 18-19.

⁴Id. 19.

A fugitive slave case, of some notoriety in Connecticut, in 1703, held: "According to the laws and constant practice of this colony and all other plantations (as well as by the civil law), such persons as are born of negro bond-women are themselves in like condition, that is, born in servitude. Nor can there be any precedent in this government, or any of her Majesty's plantations, produced to the contrary. And though the law of this colony doth not say that such persons as are born of negro women and supposed to be mulattoes, shall be slaves (which was needless, because of the constant practice by which they are held as such), yet it saith expressly that 'no man shall put away or make free his negro or mulatto slave,' etc., which undeniably shows and declares an approbation of such servitude, and that mulattoes may be held as slaves within this government."¹

Lay, in his tract entitled *All Slave-Keepers Apostates*, at page 11, in enumerating the hardships of the institution, says: "Nor doth this satisfy, but their children also are kept in slavery, *ad infinitum*. . . ."

The instructions of the town of Leicester to its representatives in 1773 suggested the extinguishment of slavery and proposed: "that every negro child that shall be born in said government after the enacting such law should be free at the same age that the children of white people are,"² and in 1777 certain negro slaves petitioned the General Court of Massachusetts that "their children (who were born in this land of liberty) may not be held as slaves after they arrive at the age of twenty-one years."³

In the case of Perkins, Town Treasurer of Topsfield, v. Emerson,⁴ it was held, in 1796, that a certain negro girl born in the Province in Wenham, in 1759, was a slave belonging to Emerson from 1765 to 1776, when she was freed. In this case "The decision of the court was given on the question of law alone, as presented upon an agreed statement of facts."⁵

¹Moore: *Hist. of Slavery in Mass.*, 24-25.

²*Id.* 26.

³Mass. Archives, Revolutionary Resolves, Vol. VII, p. 132; Moore: *Hist. of Slavery in Mass.*, 26-27.

⁴See Dane's Abridgement, II, 412; Moore: *History of Slavery in Mass.*, 23.

⁵Moore: *History of Slavery in Mass.*, 24.

The sensitiveness of the pocket nerve of the New England Yankees has served one good historical purpose. It has caused some important facts respecting this subject to be preserved in judicial records and decisions. And here it may be noted, as will more fully appear later, that the attitude of Massachusetts and New England generally toward slavery as a system, and toward the slave trade was largely controlled by economic and pecuniary considerations. Generally speaking, the record abundantly shows that questions of trade and commerce, profit and gain, a desire for money, and anxiety to escape the expense of pauper black men, rather than nobler humanitarian considerations controlled the attitude of that section generally, toward slavery and the slave trade.

A highly enlightening case is that respecting a slave named Edom London. As early as 1757 he had been a slave, and passed through the hands of nine separate owners before 1775. From his ninth owner he absconded, and enlisted in the Massachusetts army among the eight-months' men, at Cambridge, at the beginning of the Revolutionary War. His term of service under his first enlistment had not expired when he was sold again, in July, 1776, to another citizen of Massachusetts, with whom he lived about five weeks, when he enlisted in the army for a three-year term of service. His last owner received the whole of his bounty and part of his wages.

In 1806 this old black Revolutionary patriot was "poor," and "had become chargeable" to the town in which he resided. "That town magnanimously struggled through all the courts, from the Justice Court up to the Supreme Court of the Commonwealth, to shift the responsibility for the maintenance and support of the old soldier from itself to one of the numerous other towns in which he had sojourned from time to time as the slave of his eleven masters."¹

The case involving this matter is *Winchester v. Hatfield*.²

The attempt of the town to avoid its responsibility was unsuccessful. Chief Justice Parsons, in the course of his opinion in the case, said that since the introduction of slavery into Massa-

¹Moore: *History of Slavery in Mass.*, 20.

²1V Mass. Reports, 123.

chusetts, soon after the first settlement of the colony, "The issue of the female slave, according to the maxim of the civil law, was the property of the master," and answering the citation of the opinion given in 1796 by Chief Justice Dana that a negro born of a slave mother was free, he said "it is very certain that the general practice and common usage had been opposed to this opinion."

And Chief Justice Parker, in 1816, in *Andover v. Canton*¹ fully confirmed this view of the law. "The practice," he says, "was . . . to consider such issue as slaves, and the property of the master of the parents, liable to be sold and transferred like other chattels, and as assets in the hands of executors and administrators," and further he says, "We think there is no doubt that, at any period of our history, the issue of a slave husband and a free wife would have been declared free.

"His children, if the issue of a marriage with a slave, would, immediately on their birth, become the property of his master, or of the master of the female slave."

This was generally the law wherever slavery existed, that the children of female slaves were born into slavery.

And yet Charles Sumner, in the United States Senate, June 28, 1854, in a speech often spoken of as famous (but which was more nearly infamous) boldly and falsely "asserted that 'in all her annals no person was ever born a slave on the soil of Massachusetts,' and 'if, in point of fact, the issue of slaves was sometimes held in bondage, it was never by sanction of any statute-law of colony or commonwealth.'"² And says Mr. Moore "recent writers of history in Massachusetts have assumed a similar lofty and positive tone on this subject. Mr. Palfrey says: 'In fact, no person was ever born into legal slavery in Massachusetts.' Hist. N. E., II., 30, note."³

And Mr. Justice Gray, in a note to the case of *Oliver v. Sale*,⁴ said: "Previously to the adoption of the State Constitution in 1780, negro slavery existed to some extent, and negroes held as slaves might be sold, but *all children of slaves were by law free.*"

¹13 Mass. Reports, 551-552.

²Moore: *History of Slavery in Mass.*, 21.

³Id. 21.

⁴Quincy's Reports, 29.

“So distinct and positive an assertion,” says Mr. Moore, “should have been fortified by unequivocal authority.”¹ “In this case,” he continues, “Mr. Gray gives us two or three dozen separate references. These are numerous and conclusive enough as to the facts in the first clauses of his statement—that negro slavery existed in Massachusetts, and that negro slaves might be sold; but for the last and most important part of it, that *all children of slaves were by law free*, there is not an iota of evidence or authority in the entire array, excepting the opinion of the court in 1796 already referred to.”² And Dana’s statement in that case had been shown by Chief Justice Parsons in *Winchester v. Hatfield*, and Chief Justice Parker in *Andover v. Canton* to be incorrect.

Mr. Moore, after an exhaustive examination of the subject upon ample evidence, states that no fact of history is more patent to the reader of history than “that the children of slaves were actually held and taken to be slaves, the property of the owners of the mothers, liable to be sold and transferred like other chattels and as assets in the hands of executors and administrators.”³

Gray, whose remarkably inaccurate statement is quoted above was a Supreme Court Justice of Massachusetts and later served on the United States Supreme Court bench, and his statement has been widely cited as that of a gentleman of “distinguished ability,” as indeed he was. But Mr. Moore, while entertaining the highest respect for his attainments, does not hesitate to point out the “serious error” into which the Justice fell which he affirms “not even the great weight of his authority can establish or perpetuate in history.”⁴ Yet, no doubt, the incorrect statement of the case given by Gray is repeated and affirmed for truth much oftener than is Mr. Moore’s exhaustive and truthful version of the matter.

In the early part of 1777 the Legislature of Massachusetts was engaged in the first effort of that state at making a constitution. At the same time it had before it propositions to “put an end to slavery in Massachusetts.”⁵

¹Moore: *History of Slavery in Mass.*, 22.

²Id. 22-23.

³Id. 26.

⁴Id. 22.

⁵Id. 180.

This was "the first and last and only direct and formal attempt to abolish slavery in Massachusetts," and its failure "was as signal and complete as possible."¹

The whole matter was side-stepped by suggesting that the subject be taken up with Congress. And when it did come up in a national way ten years later, in the Constitutional Convention of 1787, Massachusetts, among others, maneuvered to continue the slave trade until 1808.

The "Legislature-Convention" which prepared the draft of the constitution of 1777-1778, debated at length the slavery and negro question, and it was "not unconsciously or without notice, that a majority of the Legislature of Massachusetts, specially instructed to frame the organic law for the new state, deliberately, in the year 1778, excluded negroes, Indians and mulattoes from the rights of citizenship."² This constitution was not adopted by the state, when referred to a vote, but apparently its recognition of the institution of slavery and its exception of Negroes, Indians and Mulattoes from the rights of citizenship played little part in that result. Mr. Moore says: "We have seen no evidence that this feature of the instrument elicited such opposition as might be expected in a community already prepared for negro emancipation and enfranchisement."³

Dr. Gordon, Chaplain of the Legislature, was summarily dismissed from that position because he wrote a letter condemning the draft of the constitution for not prohibiting slavery.⁴

Massachusetts finally adopted a constitution in 1780. It had prefixed to it a Declaration of Rights, which contained language nearly the same as that of the Bill of Rights of Virginia written by George Mason and adopted by the Virginia Convention, June 12, 1776, when "Virginia proclaimed the rights of man."⁵ George Mason's language was substantially, and almost literally adopted in the Declaration of Independence, and in the Pennsylvania Declaration of Rights before it was appropriated also by Massachusetts. As Moore states it, "this affirmation of natural and

¹Moore: *History of Slavery in Mass.*, 180.

²Id. 186-7.

³Id. 191.

⁴Id. 194.

⁵Bancroft, VIII, 381; Moore: *History of Slavery in Mass.*, 202.

even unalienable rights had long ceased to be a novelty before Massachusetts repeated it in her convention of 1779-80."¹

This subject illustrates the reckless disregard of facts with which latter-day historians attempt to write the history of slavery in Massachusetts and New England, as they wish it had been rather than as it was. For example, Chief Justice Shaw in 1836, says that if slavery was not abolished in Massachusetts before that date, it was abolished by the Declaration of Rights in the Constitution of 1780.² This same claim has been repeatedly made even down to the present day, notwithstanding we are living in an era of alleged impartial, critical and painstaking historical research.

The facts are that slavery as an institution gradually died out in fact but not in law in Massachusetts. It was not abolished by the constitution of 1780. Mr. Moore, in his history, characterized by a wealth of research and painstaking analysis, which should make some of the more boasting and protesting historians of the present day blush with shame for their superficial inaccuracy, has collected and cited abundant material to demonstrate that fact.³

Daniel Webster, a few years before his death, had not been able to determine when and under what circumstances slavery ceased to exist in Massachusetts.⁴

If slavery had been abolished by repeating the language of the Virginia Bill of Rights in the Massachusetts Constitution of 1780, Daniel Webster would have known it. He was too great a lawyer to have remained ignorant of so patent a fact, if it had been a fact. And a Massachusetts writer says: "Much interest has been felt of late years to know when and under what circumstances, slavery ceased to exist in Massachusetts."⁵ That it was not the intention of the Declaration of Rights to abolish slavery, and that it did not have that effect is easily demonstrable.

The petitions of the slaves for freedom were ignored.⁶ John Adams, who wrote the Declaration of Rights, was not in favor

¹Moore: *History of Slavery in Mass.*, 202.

²*Commonwealth v. Aves*, 18, Pickering, 209.

³See his *Hist. of Slavery in Mass.*, page 198 to the end of the volume.

⁴Moore: *History of Slavery in Mass.*, 202.

⁵Mass. Hist. Soc. Coll., IV, 333.

⁶Moore: *History of Slavery in Mass.*, 198 et seq.

of immediate emancipation;¹ there was no debate in the convention on the subject of abolishing slavery. Such a debate could not have been avoided if the proposal to abolish slavery had been made. Not only did the legislative history of the subject prior to this time prove this, but slaves were a recognized property in Massachusetts, and their value at this time amounted to at least half a million dollars.² To say that the members of the Constitutional Convention which made the constitution of 1780 intended "deliberately to divest the recognized title to property of their fellow-citizens, amounting to not less than half a million dollars, without a word of explanation of the high grounds of justice or public policy on which they based their action," is to make not only a false, but an absurd claim.

If it had been the intention of the constitution of 1780 to abolish slavery in Massachusetts, that purpose would have excited the public attention. The abolition of slavery would have earned encomiums pronounced by the small and impotent group who had theretofore advocated it, as it would have excited the denunciation of those who opposed abolition, and the howl of agony of those who suffered so painful an injury of the pocket nerve would have registered most emphatically. But the proceedings of the convention, the newspapers of the day, and the writings of those who constituted the convention and of their contemporaries are all devoid of any evidence to show that such was the intent or purpose of any act done by the convention which made the constitution of 1780.

Furthermore, the address of the convention on submitting the result of its labors to the voters of the state, makes no allusion whatever to the subject. "No one can read it—setting forth as it does the principal features of the new plan of government, the grounds and reasons upon which they had formed it, with their explanations of the principal parts of the system—and retain the belief that they had consciously, deliberately and intentionally adopted the first clause in the Declaration of Rights for the express purpose of abolishing slavery in Massachusetts."³

¹Adams' Works, X, 315, VI, 511, X, 379, and Moore: *History of Slavery in Mass.*, 204.

²Moore: *History of Slavery in Mass.*, 205.

³Id.

If the constitution of 1780 had abolished slavery, if that had been the effect of the Bill of Rights, or if that had been understood to be its object and purpose, the laws of Massachusetts which regulated and controlled and sustained slavery in that state would have been repealed by the legislature when it assembled under that instrument. The first legislature contained many men who had been members of the convention which framed the constitution. Yet the legislature did nothing of the kind.¹

Not only did the constitution of 1780 not abolish slavery, but the legislature, when expressly considering the subject, did not do so. In 1783 a committee was instructed to bring in a bill:

"1st. Declaring that there never were legal slaves in this Government.

"2nd. Indemnifying all masters who have held slaves in fact.

"3rd. To make such provisions for the support of negroes and mulattoes as the committee may find most expedient."²

The committee reported a bill, but it never reached a second reading, "and this last attempt in the legislative annals of Massachusetts to provide, at the same time, for the history and law of slavery within her own borders, came to an untimely end, like all its predecessors."³

Respecting this legislative attempt to falsify the history of the subject, Moore dryly observes: "As to the proposed declaration, that there never were legal slaves in Massachusetts, we need only say, that its authors could hardly have been familiar with all the facts of that history which they thus determined to sum up in a contradiction."⁴ Furthermore, after this constitution was adopted, "the newspapers continued to advertise the sale of negroes as before."⁵ This continued for an indefinite time after the constitution was adopted.

Moreover the anti-slavery men of Massachusetts were not aware of the alleged intention of the Constitutional Convention to

¹Moore: *History of Slavery in Mass.*, 215.

²House Journal III, 444; Moore: *History of Slavery in Massachusetts*, 220.

³Moore: *History of Slavery in Mass.*, 221.

⁴Id. 221.

⁵Id. 204, 207, 208.

abolish slavery in Massachusetts by the Bill of Rights, and were not aware after the constitution was adopted that slavery was abolished or that anybody contended that the constitution abolished slavery.¹

The controversy between Deacon Colman and the father of Chief Justice Theophilus Parsons, which covered a period of five years, 1780 to 1785, shows clearly that neither of them understood that the Bill of Rights of the Constitution of 1780 had any bearing upon the question of abolishing slavery.²

On November 1, 1780, Deacon Colman wrote: "The slaves in this state have petitioned for liberty and freedom from bondage, since our troubles began, in the most importunate and humble manner; yet *they are not set free in a general way.*"³ The deacon had been suspended from communion "on account of the violence of his zeal against the institution" of slavery, and in this same month, November 3, 1780, he wrote a letter to the brethren of the church from which he had been excluded, in which he declared he had been shut out "for bearing testimony against the detestable practice of slave keeping, and making merchandise of human people."⁴ This controversy raged, and these letters were written "after the establishment of the new Government and months after the (Constitutional) Convention had completed their work. . . ."⁵ Says Moore: "The legislative annals of Massachusetts record no attempt to repeal the local laws by which slavery had been established, regulated and maintained."⁶ And pointing out that "sympathy for the slave, and moral scruples against slavery" troubled Massachusetts but little, he shows that Massachusetts, after the power to deal with the subject passed to the states "uncontrolled by the action of the mother country" did not take the lead that has been claimed for that state in opposition to slavery and the slave traffic;⁷ and he further shows that "This pernicious commerce was never absolutely

¹Moore: *History of Slavery in Mass.*, 206.

²Id. 206-7; *Coffin's Newbury*, 342-50.

³Moore: *History of Slavery in Mass.*, 206.

⁴Id. 207; *Coffin's Newbury*, 342 et seq.

⁵Moore: *History of Slavery in Mass.*, 206.

⁶Id. 142.

⁷Id. 143.

crushed until the power of the nation was exercised against it under the authority of the constitution."¹

"It is not by any means well ascertained at what period, if ever, the negro was placed on the footing of political equality with the white man in Massachusetts. . . . The slave was 'emancipated by the force of public opinion,' and the same authority, without the absolute declaration and forms of law, continued to exclude the negro from actual practical equality of civic and political, as well as social rights."²

If the statements and claims of the conspiracy of historians and writers is true that slavery was abolished in Massachusetts by the Constitution of 1780, the spectacle we have presented in the Colman-Parsons controversy was that of two well-educated and well-informed citizens of that state, one contending for the abolition of slavery, which was already abolished, and the other undertaking to discipline him for inveighing against an established, legal institution, when the institution had no existence whatever.

"The people of Massachusetts all," says Moore, were "utterly ignorant of the abolition intention of the first clause in the Declaration of Rights."³

It is true that several ineffectual efforts were made in Massachusetts to prohibit the slave trade, but except to take action to prevent negroes from other states coming into Massachusetts⁴ nothing was done. A petition against the slave trade in 1787 was answered by merely referring the subject to a committee to report upon the "subject matter of negroes in this commonwealth at large."⁵ And it is significant that this was the very year that the representatives of Massachusetts, as well as of all the rest of New England, joined with North Carolina, South Carolina and Georgia, in the Constitutional Convention at Philadelphia, in assuring the continuance of the slave trade until 1808.

As the result largely of a most "flagrant and outrageous case

¹Moore: *History of Slavery in Mass.*, 144.

²Id. 196.

³Id. 207.

⁴Id. 225.

⁵Senate, Vol. VIII, 81; H. of R., Vol. VIII, 88; Moore: *History of Slavery in Mass.*, 225.

of kidnapping" which occurred in Boston in February, 1788, a law was at length passed in Massachusetts looking to the prohibition of the slave trade.¹ But even the law that was passed as the result of this outrage, was a cowardly thing, for it had a section incorporated in it "That this act do not extend to vessels which have already sailed, their owners, factors, or commanders, for and during their present voyage, or to any insurance that shall have been made, previous to the passing of the same."

Commenting on this, Moore says: "It is obvious that the 'public sentiment' of Massachusetts in 1788 was not strong enough against the slave-trade, even under the atrocious provocation of kidnapping in the streets of Boston, to treat the pirates, who had already sailed, as they deserved."² And the statute was largely a dead letter, for the Massachusetts ships and ship-owners continued openly or covertly to engage in the trade for a long time thereafter.

This act was passed March 25, 1788. On the very next day the legislature passed an act entitled "An act for suppressing and punishing of rogues, vagabonds, common beggars, and other idle, disorderly, and lewd persons."

Among other things, this law enacted "that no person being an African or negro, other than a subject of the Emperor of Morocco, or a citizen of some one of the United States (to be evidenced by a certificate from the Secretary of the State of which he shall be a citizen), shall tarry within this commonwealth, for a longer time than two months, and upon complaint made to any Justice of the Peace within this commonwealth, that any such person has been within the same more than two months, the said Justice shall order the said person to depart out of the commonwealth, and in case that the said African or negro shall not depart as aforesaid, any Justice of the Peace within this commonwealth, upon complaint and proof made that such person has continued within this commonwealth ten days after notice given him or her to depart as aforesaid, shall commit the said person to any house of correction within the county, there to be kept to hard labour, agreeable to the rules and orders of the

¹Moore: *History of Slavery in Mass.*, 225.

²Id. 227.

said house, until the Sessions of the Peace, next to be holden within and for the said county.”¹

The section then proceeds to provide that if the court finds that the African or negro had “continued within the commonwealth contrary to the tenor of this act, he or she shall be whipped not exceeding ten stripes and ordered to depart out of this commonwealth within ten days; and if he or she shall not so depart, the same process shall be had and punishment inflicted, and so *toties quoties*.”²

Respecting this law, Moore says: “We doubt if anything in human legislation can be found which comes nearer branding color as a crime!”³

“By this law,” he continues, “it will be observed that all negroes, resident in Massachusetts, not citizens of some one of the states were required to depart in two months, on penalty of being apprehended, whipped, and ordered to depart. The process and punishment could be renewed every two months.”⁴

In a single issue of the *Massachusetts Mercury*, published in Boston, that for September 16, 1800,⁵ the names of two hundred and thirty-seven negroes and mulattoes were published along with the following notice:

“NOTICE TO BLACKS.”

“The officers of police having made return to the subscriber of the names of the following persons, who are Africans or negroes, not subjects of the Emperor of *Morocco* nor citizens of the *United States*, the same are hereby warned and directed to depart out of this commonwealth before the 10th day of October next, as they would avoid the pains and penalties of the law in that case provided, which was passed by the Legislature, March 26, 1788.

“Charles Bulfinch,
“Superintendent.

“By order and direction of the selectmen.”⁶

¹Moore: *History of Slavery in Mass.*, 228-229.

²Id. 229.

³Id.

⁴Id. 229-30.

⁵Vol. XVI, No. 22.

⁶This notice and the list of names is reproduced in Moore's *History of Slavery in Massachusetts*, pages 231 to 236.

One of the objects of this law was to relieve the state of the presence of negroes so far as possible, and to place upon other states the burden of pauperism which might occur among those ejected from Massachusetts. At the same time this notice was published in Boston, similar steps were taken in other cities. The particular occasion of the revival of drastic measures to enforce this law in the fall of 1800 seems to have been the Gabriel insurrection in Virginia. This "affair" assumed at once a very serious aspect, and the alarm was 'awful' in Virginia and South Carolina. It was not confined to Virginia. "Even in Boston, fears were expressed and measures of prevention adopted."¹

The *Gazette of the United States and Daily Advertiser* of Philadelphia, on September 23, 1800, copied the notice to the Blacks printed in the Boston paper, with these remarks: "The following notice has been published in the Boston papers: It seems probable from the nature of the notice, that some suspicion of the design of the negroes are entertained, and we regret to say there is too much cause."²

The truth of the matter is undoubtedly that as slavery was not suited to the climate and conditions in New England, the holding of slaves, for labor and as servants there, gradually ceased, but the slave carrying trade continued, and the buying and stealing and importing and selling slaves by New Englanders continued to thrive and flourish.

When the New Englanders found the keeping of slaves unprofitable, it practically ceased, and Moore's statement is undoubtedly correct "that a determination gradually grew up to *consider slavery as abolished*, notwithstanding the failure of every attempt to destroy it by legislation."³ Nor is it true that in the early days there was any particular sentiment in New England against slavery or that the negro found in New England the land of justice, freedom and opportunity which has so often been claimed for that section.

Moore says: "If there was a prevailing public sentiment against slavery in Massachusetts—as has been constantly claimed of

¹Moore: *History of Slavery in Mass.*, 237.

²Id. 237.

³Id. 210.

late—the people of that day, far less demonstrative than their descendants, had an extraordinary way of not showing it.”¹ And again, “The Puritans of New England appear to have been neither shocked nor perplexed with the institution, for which they made ample provision in their earliest code.”²

Their callous indifference to the inhumanity of the system is indicated in a statement by Dr. Belknap, who says: “Negro children were considered an incumbrance in a family; and when weaned, were given away like puppies.”³

“They were,” says Moore, “frequently publicly advertised ‘to be given away,’—sometimes with the additional inducement of a sum of money to anyone who would take them off.”⁴

To themselves the New Englanders “appeared as the elect to whom God had given the heathen for an inheritance, they . . . believing themselves the favorites of Providence, imitated the example and assumed the privileges of the Chosen People, and for their wildest and worst acts they could claim the sanction of religious conviction. In seizing and enslaving Indians, and trading for negroes, they were but entering into possession of the heritage of the saints.”⁵ And the attitude of the New Englanders toward free negroes, the descendants of former slaves, was scarcely less uncharitable.

In 1846 a Massachusetts author wrote: “A prejudice has existed in the community, and still exists against them on account of their color, and on account of being the descendants of slaves. They cannot obtain employment on equal terms with the whites, and wherever they go a sneer is passed upon them, as if this sportive inhumanity were an act of merit . . . owing to their color and the prejudice against them, they can hardly be said to receive . . . even so cordial a sympathy as would be shown to them in a slave state, owing to their different position in society.”⁶

¹Moore: *History of Slavery in Mass.*, III.

²Id. 105.

³Mass. Hist. Soc. Col., I, IV, 200.

⁴Moore: *History of Slavery in Mass.*, 57.

⁵Moore: Id. 71.

⁶*Chickering's Statistical View*, 156; Moore: *History of Slavery in Mass.*, 223.

No such stricture can justly be made upon any part of Virginia. There children were all taught, and taught early, to treat negroes with kindness and consideration. It was made clear to children that negroes were the victims of circumstances, were not responsible for their condition in life; and should always be treated with justice, kindness and generosity, and that they merited pity rather than contempt.

While the keeping of slaves by persons in Massachusetts practically ceased at an early date, it is not true that slavery was abolished in Massachusetts by the Constitution of 1780. As a matter of fact, slavery remained a legal institution so far as the laws of Massachusetts were concerned until the year 1866, when the amendment to the Constitution of the United States terminated slavery forever in the entire United States. In point of law slavery continued to subsist in Massachusetts, as Mr. Moore points out, until it was there abolished "by the votes of South Carolina and Georgia!"¹

Slavery died out in New England because the New Englanders found no profit in working slaves. Horace Greeley says: "The harsh climate, the rocky soil, the rugged topography of New England, presented formidable, though not impassable, barriers to slaveholding. Her narrow patches of arable soil, hemmed in between bogs and naked blocks of granite, were poorly adapted to cultivation by slaves. . . . Slaveholding in the Northern States was rather coveted as a social distinction, a badge of aristocracy and wealth, than resorted to with any idea of profit or pecuniary advantage."² But while the New Englanders did not find it very profitable to employ slave labor in their pursuits, for the reasons pointed out by Greeley, they did find it very profitable to engage their ships in the slave trade. They might not be able to make money by working slaves, but they found it very profitable to buy and kidnap negroes and bring them in, in their ships, and sell them into slavery. This traffic beginning certainly as early as 1638 continued through the whole colonial period, and its profitable character for New England was the reason why the constitution was so phrased that the importation

¹Moore: *History of Slavery in Mass.*, 242.

²Greeley: *The American Conflict*, I, 30.

of slaves could not be stopped until 1808, even by the Federal Government.

“‘The Guinea Trade,’ as it was called then, since known and branded by all civilized nations as piracy . . . continued to flourish under the auspices of Massachusetts merchants down through the entire colonial period. . . .”¹

Mr. Moore, “To gratify those who are curious to see what the instructions given by respectable merchants in Massachusetts to their captains were in the year 1785,” gives a copy of a specimen taken from *Felt’s Salem*,² as follows:

“—————, Nov. 12, 1785.

“Capt. —————.

“Our brig. of which you have the command, being cleared at the office, and being in every other respect complete for sea; our orders are, that you embrace the first fair wind and make the best of your way to the coast of Africa, and there invest your cargo in slaves. As slaves, like other articles, when brought to market, generally appear to the best advantage; therefore, too critical an inspection cannot be paid to them before purchase; to see that no dangerous distemper is lurking about them, to attend particularly to their age, to their countenance, to the straightness of their limbs, and, as far as possible to the goodness or the badness of their constitution, &c., &c., will be very considerable objects.

“Male or female slaves, whether full grown or not, we cannot particularly instruct you about; and on this head shall only observe, that prime male slaves generally sell best in any market. No people require more kind and tender treatment to exhilarate their spirits, than the Africans; and, while on the one hand you are attentive to this, remember that on the other hand you are circumspicion cannot be observed by yourself and people, to prevent their taking the advantage of such treatment by insurrection, &c. When you consider that on the health of your slaves, almost your whole voyage depends; for all other risques, but mortality, seizures and bad debts, the underwriters are ac-

¹Moore: *History of Slavery in Mass.*, 66.

²Vol. II, 289-90; Moore: *History of Slavery in Mass.*, 66-68.

countable for;—you will therefore particularly attend to smoking your vessel, washing her with vinegar, to the clarifying your water with lime or brimstone, and to cleanliness among your own people, as well as among the slaves.

“As the factors on the coast have no laws but of their own making, and of course such as suit their own convenience, they therefore, like the Israelites of old, do whatever is right in their own eyes; in consequence of which you ought to be very careful about receiving gold dust, and of putting your cargo into any but the best hands, or if it can be avoided, and the same dispatch made, into any hands at all, on any credit. If you find that any saving can be made by bartering rum for slops, [sic] and supplying your people with small stores, you will do it; or even if you cannot do it without a loss, it is better done than left undone; for shifts of clothes, particularly in warm climates, are very necessary. As our interest will be considerable, and as we shall make insurance thereon, if any accident should prevent your following the track here pointed out, let it be your first object to protest publicly, why, and for what reason you were obliged to deviate. You are to have four slaves upon every hundred, and four at the place of sale; the privilege of eight hogsheads, and two pounds eight shillings per month;—these are all the compensations you are to expect for the voyage.

“Your first mate is to have four hogsheads privilege, and your second mate two, and wages as per agreement. No slaves are to be selected out as privileged ones, but must rise or fall with the general sales of the cargo, and average accordingly. We shall expect to hear from you, by every opportunity to Europe, the West Indies, or any of these United States; and let your letters particularly inform us, what you have done, what you are then doing, and what you expect to do. We could wish to have as particular information as can be obtained, respecting the trade in all its branches on the coast; to know if in any future time, it is probable a load of N. E. Rum could be sold for bills of exchange on London, or any part of Europe; or, for gold dust; and what despatch in this case might be made.

“You will be careful to get this information from gentlemen of veracity, and know of them if any other articles would answer

from this quarter. We should be glad to enter into a contract, if the terms would answer, with any good factor for rum, &c. If any such would write us upon the subject, and enclose a memorandum with the prices annexed, such letters and memorandums shall be duly attended to. We are in want of about five hundred weight of camwood, and one large elephant's tooth of about 80 lbs., which you will obtain. If small teeth can be bought from 15 to 30 lbs., so as to sell here without a loss, at three shillings, you may purchase 200 lbs. Should you meet with any curiosities on the coast, of a small value, you may expend 40 or 50 gallons of rum for them. Upon your return you will touch at St. Pierre's, Martinico, and call on Mr. John Mounreau for your further advise and destination. We submit the conducting of the voyage to your good judgment and prudent management, not doubting of your best endeavours to serve our interest in all cases; and conclude with committing you to the almighty Disposer of all events.

"We wish you health and prosperity,

"And are your friends and owners."

"The slaves purchased in Africa were chiefly sold in the West Indies, or in the Southern Colonies; but when these markets were glutted, and the price low, some of them were brought to Massachusetts."¹

Dr. Belknap records seeing one cargo "which consisted almost wholly of children."² And "Sometimes the vessels of the neighboring colony of Rhode Island, after having sold their prime slaves in West Indies, brought the remnants of their cargoes to Boston for sale."³

Not only did the New Englanders engage upon a huge scale in the importation of slaves, but "the traditions of one town at least preserve the memory of the most brutal and barbarous of all, 'raising slaves for the market.'"⁴ And the advertisements listed by Moore indicate the callous cruelty of these New England

¹Moore: *History of Slavery in Mass.*, 68.

²Id.

³Mass. Hist. Soc. Col., I, IV, 197; Moore: *History of Slavery in Mass.*, 68.

⁴Moore: *History of Slavery in Mass.*, 69, citing *Barry's Hanover*, 175.

slave-mongers,¹ various advertisements, the paper and issue in which they appeared being specifically cited by him, offered: "A young negro that has had the smallpox"; "Likely negro men and women just arrived;" "Negro men new and negro boys who have been in the country some time;" "just arrived, a choice parcel of negro boys and girls;" "A likely negro man *born in the country*, and bred a farmer, fit for any service;" "A negro woman about 22 years old, with a boy about 5 months;" a "likely negro woman about 19 years and a child of about six months of age, *to be sold together or apart*;" and "a likely negro man, *taken by execution*, and to be sold by publick auction at the Royal Exchange Tavern in King Street."

The history of Massachusetts, and of all the rest of the New England States, is devoid of any appeals to Great Britain, during the Colonial era, to cease vetoing measures designed to discourage and prevent the importation of slaves, such as appear in the history of Virginia.

There were, of course, in Massachusetts and New England, here and there individuals who desired the abolition of slavery and a prohibition of the slave traffic, but they were so relatively few that they could not control the policy of the colony in regard thereto.

While particular mention has been made of Massachusetts, just criticism of the northern section of the country for its attitude toward slavery and the slave trade, is not to be confined to the early history of Massachusetts and New England; nor can the measure of the well-merited censure be determined without frequent reference to and comparison of the acts of the different sections respecting this subject.

Virginia's attitude in this matter is so clearly and indelibly written in the record of her annals that all of the ignoble twaddle of the modern pseudo-teachers and historians cannot obscure the truth from posterity. Speaking of Virginia's law enacted as soon as she renounced the authority of Great Britain over her as a colony, Ballagh says: "Virginia thus had the honor of being the first political community in the civilized modern world to prohibit the pernicious traffic."²

¹Moore: *History of Slavery in Mass.*, 70.

²Ballagh: *History of Slavery in Virginia*, 23.

Not only did Virginia as a colony and a state oppose the slave trade with all her resources, but Virginia labored with all her power to induce all the other colonies to do likewise. The Virginia representatives in the Continental Congress endeavored to secure the adoption by all the colonies of a Non-importation Agreement similar to that already adopted by Virginia, which included a pledge neither to hire "our vessels nor sell our commodities or manufactures to those who are concerned in it."¹ And says DuBois: "Virginia gave the slave trade a special prominence and was in reality the leading spirit to force her views on the Continental Congress."²

But Virginia's efforts were largely unavailing against the money-getting desire which shaped the sentiment and policy of New England; for while, as already noted, it was Virginia's desire to end the slave traffic in 1787, New England in conjunction with North Carolina, South Carolina and Georgia, set the time at 1808 instead of 1787, as the limit, before which congress could not enact laws prohibiting the traffic. And even after the constitution with this provision in it, was adopted, it was the voice of Virginia which ever demanded the enactment of laws under its provisions against the slave trade, and it was the element in the North which was making money out of the traffic which opposed these laws, and continued, after they were enacted, systematically to violate them.

Virginia's attitude toward slavery is further evidenced by the history of the cession of the northwest territory. This "imperial domain" from which Ohio, Indiana, Illinois, Michigan and Wisconsin have been created, was embraced in Virginia's Colonial Charter, and while Massachusetts, Connecticut and New York asserted some sort of claim to the area they were insubstantial and unfounded. Not only was the area embraced in Virginia's Charter, but it had been conquered and reduced to possession by Virginia's soldiers "led by her son, George Rogers Clark, acting under a commission of her Governor, Patrick Henry, and her council."³ These, says Bancroft, were "Virginians in the service

¹DuBois: *Suppression of the Slave Trade*, 45.

²*Id.* 43.

³William Wirt Henry: *Life of Patrick Henry*, I, 583; Munford: *Virginia's Attitude Toward Slavery and Secession*, 26.

of Virginia." And declares John Fiske, "It was Virginia that had actually conquered the disputed territory," and that in ceding it to the General Government, "Virginia gave up a magnificent and princely territory of which she was actually in possession."¹

The day Virginia's deed of cession, March 1, 1784, was accepted by the Continental Congress, Mr. Jefferson reported a bill, the ordinance of 1784, under a provision of which "Slavery would have been excluded not only from the five states created out of the northwest territory, but from the country south of it and from which were subsequently formed the states of Kentucky, Tennessee, Alabama and Mississippi."² This provision failed by the vote of one state; but in 1787, Jefferson's views to a large extent prevailed for in that year the celebrated ordinance of 1787 was enacted into law. "No one was more active," says Fiske, "in bringing about this result than William Grayson of Virginia, who was earnestly supported by Lee."³ And Bancroft says: "Thomas Jefferson first summoned congress to prohibit slavery in all the territory of the United States . . . a congress composed of five Southern States, to one from New England and two from the Middle States, headed by William Grayson, supported by Richard Henry Lee, and using Nathan Dane as scribe, carried the measure to the goal in the amended form in which King had caused it to be referred to a committee; and, as Jefferson had proposed, placed it under the sanction of an irrevocable compact."

As passed, it was necessary for the State of Virginia to acquiesce in it, because the ordinance contained various provisions in addition to those set out in her deed of cession. The Virginia Assembly, at its next session, passed an act fixing for all time the validity of both the deed and the ordinance. Of this procedure, Bancroft says: "A powerful committee on which were Carrington, Monroe, Edmund Randolph, and Grayson, successfully brought forward the bill by which Virginia confirmed the ordinance for the colonization of all the territory then in the possession of the United States, by freemen alone."⁴

¹Fiske: *Critical Period of American History*, 191, 195.

²Munford: *Virginia's Attitude Toward Slavery and Secession*, 27-28.

³Fiske: *Critical Period of American History*, 205.

⁴Bancroft: *History of the United States*, VI, 291.

"Thus," says Munford, "the old commonwealth which had won the land from England and the Indians bore a foremost part in the legislative work by which slavery was forever excluded from the empire north of the Ohio River."¹

After the bargain had been struck between Massachusetts, New Hampshire and Connecticut on the one side and North Carolina, South Carolina and Georgia on the other, in the Constitutional Convention of 1787, by which the slave trade was prolonged, under constitutional sanction until 1808, Virginia had opportunity to record the sentiments of her leaders on the subject when the state came to consider the ratification of that instrument.

That instrument was ratified by Virginia, but under such circumstances as to make it exceedingly questionable, whether the convention of 1788 expressed the popular will of the state. Indeed it is almost the boast of Albert J. Beveridge that the advocates of adoption engineered it through the convention although a great majority of the people were opposed to it.² One of the principal objections of the Virginians to it was that it saddled the slave trade upon the country for twenty more years, the Virginians knowing that this meant the dumping upon the South tens of thousands of slaves and that these poor creatures and their innumerable progeny would remain through no fault of theirs a curse upon the land throughout unnumbered generations and uncounted years, while the North, whose boats transported them hither, and whose ship-masters bought or stole them from their native shores, would be afflicted only with the cash profits of the nefarious trade.

George Mason, in the convention at Philadelphia, in 1787, had spoken the sentiments of the mother commonwealth, when in a speech against the provision of the constitution legalizing the slave traffic until 1808, "which reads like prophecy and judgment," he said:

"This infernal traffic originated in the avarice of British merchants. The British Government constantly checked the at-

¹Munford: *Virginia's Attitude Toward Slavery and Secession*, 28.

²See Beveridge's *Life of John Marshall*, Vol. I, Chapter XII, entitled "The Strategy of Victory," and especially pages 468 to 480.

tempts of Virginia to put a stop to it. The present question concerns, not the importing states alone, but the whole Union . . . Maryland and Virginia, he said, had already prohibited the importation of slaves expressly—North Carolina had done the same in substance. All this would be in vain if South Carolina and Georgia be at liberty to import. The western people are already calling out for slaves for their new lands; and will fill that country with slaves if they can be got through South Carolina and Georgia. Slavery discourages arts and manufactures. The poor despise labor when performed by slaves. They prevent the emigration of whites, who really enrich and strengthen a country. They produce the most pernicious effect on manners. Every master of slaves is born a petty tyrant. They bring the judgment of Heaven on a country. As nations cannot be rewarded or punished in the next world, they must be in this. By an inevitable chain of causes and effects, Providence punishes national sins by national calamities. He lamented that some of our Eastern brethren, from a lust of gain, embarked in this nefarious traffic. As to the states being in possession of the right to import, this was the case with many other rights, now to be properly given up. He held it essential in every point of view, that the General Government should have power to prevent the increase of slavery.”¹

Fiske in describing the insertion of this provision in the constitution and referring to Mason’s speech in the convention of 1787, says: “But these prophetic words of George Mason were powerless against the combination of New England and the far South.”²

Governor Randolph and Madison earnestly supported Mason in the convention of 1787, Randolph declaring that the provision continuing the importation of slaves up to 1808 rendered the constitution so odious as to make doubtful his ability to support it,³ while Madison declared: “Twenty years will produce all the mischief that can be apprehended from the liberty to import slaves. So long a term will be more dishonorable to the

¹Munford: *Virginia's Attitude Toward Slavery and Secession*, 30-31.

²Fiske: *Critical Period of American History*, 264.

³He did, however, urge and vote for ratification in the Virginia Convention of 1788.

American character than to say nothing about it in the constitution."¹

We have seen above that while Madison was constrained to vote for the ratification of the constitution in the Virginia Convention, he did so only because he felt that a constitution with the odious provision in it was better than the chaotic condition that would obtain if no constitution were adopted.

In the course of the debate in the Virginia Convention of 1788, elected to consider the draft of the constitution submitted by the convention of 1787, slavery and the slave trade were denounced in no uncertain language.

George Mason said in this convention:

"We are told in strong language, of dangers to which we will be exposed unless we adopt this constitution. Among the rest, domestic safety is said to be in danger. This government does not intend our domestic safety. It authorizes the importation of slaves for twenty-odd years, and thus continues upon us, that nefarious trade. Instead of securing and protecting us, the continuation of this detestable trade adds daily to our weakness. Though the evil is increasing, there is no clause in the constitution that will prevent the northern and eastern states from meddling with our whole property of that kind. There is a clause to prohibit the importation of slaves after twenty years, but there is no provision made for securing to the Southern States those they now possess. It is far from being a desirable property. But it will involve us in great difficulties and infacility to be now deprived of them. There ought to be a clause in the constitution to secure us that property which we have acquired under our former laws, and the loss of which would bring ruin on a great many people."²

And discussing the eighth section of the constitution, in a speech on June 15, 1788, Mason said:

"Mr. Chairman, this is a fatal section, which has created more dangers than any other. The first clause allows the importation of slaves for twenty years. Under the royal govern-

¹Rives: *Life and Times of Madison*, II, 446.

²Elliot: *Debates*, Vol. 3, p. 262-3.

ment, this evil was looked upon as a great oppression, and many attempts were made to prevent it; but the interest of the African merchants prevented its prohibition. No sooner did the revolution take place than it was thought of. It was one of the great causes of our separation from Great Britain. Its exclusion has been a principal object of this state, and most of the states in the union. The augmentation of slaves weakens the states; and such a trade is diabolical in itself, and disgraceful to mankind. Yet, by this constitution, it is continued for twenty years. As much as I value an union of all the states, I would not admit the southern states into the union, unless they agree to the discontinuance of this disgraceful trade, because it would bring weakness and not strength to the union. And though this infamous traffic be continued, we have no security for the property of that kind which we have already. There is no clause in the constitution to secure it, for they may lay such tax as will amount to manumission. And should the government be amended, still this detestable kind of commerce cannot be discontinued till after the expiration of twenty years. For the fifth article which provides for amendments, expressly excepts this clause.”¹

Patrick Henry, June 24, 1788, in the course of the debate, said: “Slavery is detested. We feel its fatal effects—we deplore it with all the pity of humanity.”² “As much as I deplore slavery, I see that prudence forbids its abolition. I deny that the general government ought to set them free, because a decided majority of the states have not the ties of sympathy and fellow-feeling for those whose interest would be affected by their emancipation. The majority of congress is to the North, and the slaves are to the South. . . . I repeat it again, that it would rejoice my very soul that every one of my fellow-beings was emancipated. As we ought with gratitude to admire that decree of heaven which has numbered us among the free, we ought to lament and deplore the necessity of holding our fellow-men in bondage. But is it practicable by any human means to liberate them, without producing the most dreadful and ruinous consequences? . . . This is a local matter and I can see no propriety in subjecting

¹Elliot: *Debates*, Vol. 3, p. 417.

²*Id.*, p. 534.

it to congress."¹ And he called attention to the fact that the quota of troops requisitioned by the Federal Government from a state "will be in proportion to the number of your blacks as well as your whites, unless they violate the constitutional rule of apportionment."² "How oppressive and dangerous must this be to the southern states who alone have slaves? This will render their proportion infinitely greater than that of the northern states."³

John Dawson said:

"I have such a fixed aversion to the bitter cup of slavery, that in my estimation a draught is not sweetened, whether administered by the hand of a Turk, a Briton, or an American."⁴ And Zachariah Johnson declared:

"Slavery has been the foundation of that impiety and dissipation, which have been so much disseminated among our countrymen. If it were totally abolished it would do much good."⁵

James Madison, in answering George Mason, while differing from him respecting the advisability of ratifying the constitution, showed that he was equally as antagonistic to slavery. He said: "I should conceive this clause to be impolitic, if it were one of those things which could be excluded without encountering greater evils. The Southern States⁶ would not have entered into the union of America without the temporary permission of that trade. And if they were excluded from the union, the consequences might be dreadful to them and to us. We are not in a worse situation than before. That traffic is prohibited by our law, and we may continue the prohibition. The union in general is not in a worse situation. Under the articles of confederation, it might be continued forever; but by this clause an end may be put to it after twenty years. There is, therefore, an amelioration of our circumstances. A tax may be laid in the meantime,

¹Elliot: *Debates*, Vol. 3, p. 534-5.

²Id., p. 289.

³Id. 299-300.

⁴Id., p. 553.

⁵Id., p. 583.

⁶The states to the south of Virginia—South Carolina and Georgia.

but it is limited, otherwise congress might lay such a tax as would amount to a prohibition. From the mode of representation and taxation, congress cannot lay such a tax on slaves as will amount to manumission. Another clause secures us that property which we now possess. At present, if any slave elopes to any of those states where slaves are free, he becomes emancipated by their laws. . . . But in this constitution, 'no person held to service, or labor, in one state, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.' This clause was expressly inserted to enable owners of slaves to reclaim them."¹

Mr. Madison, then adverting to the circumstances which induced the convention at Philadelphia to include this clause which prohibited congress from preventing the importation of slaves for twenty years, but conferring the power after that time, said:

"The gentlemen from South Carolina and Georgia argued in this manner: 'We have now liberty to import this species of property, and much of the property now possessed, had been purchased, or otherwise acquired, in contemplation of improving it by the assistance of imported slaves. What would be the consequence of hindering us from it? The slaves of Virginia would rise in value, and we would be obliged to go to your markets. I need not expatiate on this subject. Great as the evil is, a dismemberment of the union would be worse. If those states should disunite from the other states, for not indulging them in the temporary continuance of this traffic, they might solicit and obtain aid from foreign powers.'"²

John Tyler followed Madison and strongly opposed the section extending the slave trade until 1808. His words are not given, but his remarks are reported as follows:

"Mr. Tyler warmly enlarged on the impolicy, iniquity, and disgracefulness of the wicked traffic. . . . It was one cause of the complaints against British tyranny, that this trade was

¹Elliot: *Debates*, Vol. 3, p. 417-18.

²*Id.*, p. 418.

permitted. The revolution had put a period to it, but now it was to be revived. He thought nothing could justify it. . . . His earnest desire was that it should be handed down to posterity that he had opposed this wicked clause."¹

After the constitution was adopted, in the first congress to assemble under it, Josiah Parker, of Virginia, endeavored to have the tariff bill levy a tax of ten dollars upon every slave brought into the country. This was the utmost limit of the power of congress to tax that traffic under the Ninth Section of Article I, of the Constitution. In supporting his proposal, Parker declared: "He was sorry the constitution prevented congress from prohibiting the importation altogether," and Parker's proposal was advocated by Theodoric Bland and James Madison. In the course of Madison's remarks, he said: "The clause in the constitution allowing a tax to be imposed though the traffic could not be prohibited for twenty years, was inserted, he believed, for the very purpose of enabling congress to give some testimony of the sense of America with respect to the African trade. By expressing a national diapprobation of that trade, it is to be hoped we may destroy it, and so save ourselves from reproaches and our posterity from the imbecility ever attendant on a country filled with slaves."²

This proposal to lay a tax on the importation of slaves failed, but the discussion brought to the attention of the country the fact that congress, in addition to laying a tax upon slaves imported, could prohibit citizens of the United States from engaging in the traffic with foreign countries. Parker was a leading member of a committee which submitted a report, which was adopted embodying these conclusions. Among the petitions presented to the next congress was one from Virginia in which the slave trade was denounced as "an outrageous violation of one of the most essential rights of human nature."³

President Jefferson, in his message to Congress, at its session of 1806-7, said:

"I congratulate you, fellow-citizens, on the approach of a

¹Elliot: *Debates*, Vol. 3, p. 418-19.

²*Annals of Congress*, Vol. I, Col. 336.

³DuBois: *Suppression of the Slave Trade*, 80.

period at which you may interpose your authority constitutionally to withdraw the citizens of the United States from all further participation in those violations of human rights which have so long been continued on the unoffending inhabitants of Africa, and which the morality, the reputation and the best interests of our country have long been eager to proscribe."

Pursuant to this presidential suggestion, a law was passed prohibiting the slave trade and imposing forfeitures and fines upon ships and ships' crews engaged in the traffic. But those who in 1787 were not willing for the traffic to end until 1808, were, when this latter date arrived, unwilling to forego the profits to be derived from the employment of ships in this abominable trade. Notwithstanding the contempt in which the slave trade was held, and notwithstanding it had now been made solemnly and constitutionally unlawful, it continued. Northern ships and northern capital continued to be employed in the business and the trade "continued from time to time between the coast of Africa, the United States, West Indies and Brazil, despite the efforts of the federal authorities to enforce the laws made for its suppression. In all these efforts Virginians, holding official places, were most earnest and energetic in their warfare against the trade."¹

The notorious violations of the law, which continued, caused President Madison in his message to congress, December 5, 1810, to declare:

"Among the commercial abuses still committed under the American flag . . . it appears that American citizens are instrumental in carrying on the traffic in enslaved Africans, equally in violation of the laws of humanity and in defiance of those of their own country," and he urged congress to devise more effective means for suppressing the evil. President Madison had occasion again in his message on December 3, 1816, to urge congress in the same direction.

The original federal law prohibiting the slave traffic provided for the forfeiture of the slaves illegally imported, and that the disposition of such slaves should be left to the states wherein

¹Munford: *Virginia's Attitude Toward Slavery and Secession*, 35.

they were found. In the course of time certain slaves illegally brought into the country were captured and sold, thus "defeating one of the prime objects of the law, which was to prevent any increase in the slave population."¹ Thereupon, in 1819, under the leadership of Charles Fenton Mercer and John Floyd, both of Virginia, a law was enacted requiring the President to use armed cruisers off the coasts of Africa and America to suppress the trade, providing for the immediate return to Africa of any imported slaves, directing the President to appoint agents to receive and care for them on their return and appropriating one hundred thousand dollars to carry out the general purposes of the law. The House of Representatives, on the motion of Hugh Nelson, of Virginia, fixed the death penalty as punishment for violating the law, but this provision was stricken out in the Senate.²

In February, 1823, Mercer introduced and secured the adoption of a resolution by the House of Representatives, directing the President to enter upon negotiations with all maritime powers of Europe and America for the effective abolition of the slave trade, and its denunciation as piracy under the laws of nations.³

It was realized that in order to effectually enforce the law a "right of search" was essential, and Mercer was indefatigable in his efforts to have that right accorded. He secured the adoption in May, 1821, of a resolution in the House, according a right of search to Great Britain in return for a like right to be accorded by Great Britain to the United States. The Senate, however, failed to concur in this resolution.

Subsequently President Monroe submitted to congress a treaty with England embodying this provision, and in his message on the subject dated May 21, 1824, he said: "Should this convention be adopted there is every reason to believe that it will be the commencement of a system destined to accomplish the entire abolition of the slave trade."

But the ship owners for some reason did not want their ships searched for slaves, and mustered sufficient strength in the Senate to prevent the ratification of this treaty. The same "Eastern

¹Munford: *Virginia's Attitude Toward Slavery and Secession*, 36.

²DuBois: *Suppression of the Slave Trade*, 120, note 3.

³*Annals of Congress*, 17th Congress, second session, pp. 435, 928.

brethren" or their children or successors, who as George Mason charged, "had, from lust of gain, embarked in this nefarious traffic," for the same reason continued in it, in defiance of the constitution and the laws made pursuant thereto.

President Tyler, a Virginian, in his message to Congress, June 1, 1841, informed that body as follows:

"I shall also at the proper season invite your attention to the statutory enactments for the suppression of the slave trade which may require to be rendered more effective in their provisions. There is reason to believe that the traffic is on the increase. . . . The highest consideration of public honor as well as the strongest promptings of humanity require a resort to the most vigorous efforts to suppress the trade."

In December, 1841, in a message to Congress, President Tyler said:

"I invite your attention to existing laws for the suppression of the African slave trade, and recommend all such alterations as may give to them greater force and efficiency. That the American flag is grossly abused by the abandoned and profligate of other nations is but too probable." And in the following year, 1842, in the preparation of the Ashburton Treaty, President Tyler secured the insertion of a clause providing for the co-operation of squadrons to be maintained by the United States and Great Britain, off the coast of Africa, to suppress the slave trade.¹

Although Brazil had by statute prohibited the African slave trade, yet the traffic there continued with apparently but little effort to suppress it, and in this traffic citizens of the United States, as ship owners, or crews, were engaged despite the laws of the United States.

The length to which some citizens of the United States went "from lust of gain" is indicated by a communication from Henry A. Wise² of Virginia, Consul at Rio de Janeiro, under date of February 18, 1845, to the Secretary of State:

¹Tyler: *Letters and Times of the Tylers*, II, 219.

²Later Governor of Virginia, and a Brigadier-General of the Confederacy; always a strong anti-slavery man.

"I beseech, I implore the President of the United States to take a decided stand on this subject. You have no conception of the bold effrontery and the flagrant outrages of the African slave trade, and of the shameless manner in which its worst crimes are licensed here, and every patriot in our land would blush for our country did he know and see, as I do, how our citizens sail and sell our flag to the uses and abuses of that accursed practice."¹

On December 4, 1849, President Tyler in his message to Congress said:

"Your attention is earnestly invited to an amendment of our existing laws relating to the African slave trade, with a view to the effectual suppression of that barbarous traffic. It is not to be denied that this trade is still in part carried on by means of vessels built in the United States and owned or navigated by some of our citizens."

The facts here set forth by no means exhaust the record, but they, possibly, sufficiently indicate the attitude of Virginia toward the slave traffic. Virginia's representatives at the first meeting of the Continental Congress defined her position in the "Notable memorial," which declared:

"The abolition of domestic slavery is the great object of desire in those colonies, where it was unhappily introduced in their infant state. But, previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importations from Africa."²

The attitude of the leading Virginians from the Colonial period forward, was one of uncompromising hostility toward the African slave trade. They denounced it as inhuman, and sought by state laws, by federal statutes, by concert with foreign nations, to end the traffic and to drive it from the seas. They resolutely opposed in every way additions to the slave population of America because they were "profoundly convinced that every such importation was fraught with menace to the social, economic and moral well-being of the nation and rendered more difficult

¹Spear: *American Slave Trade*, 81.

²Ford: *Writings of Jefferson*, I, 440.

the emancipation of those who had already been brought to her shores."¹

The position Virginia declared to the first Continental Congress was "the philosophy of the situation as defined by the great statesmen of the Revolutionary period and to their views their ablest successors in Virginia adhered down to the outbreak of the Civil War."²

Having seen the attitude of Virginia and of the North respectively toward the slave trade, it is interesting to look into the position of the North toward slavery itself, and toward the negro race. The actual facts regarding the attitude and acts of the different states of the North toward slaves and the free black men, in the decades preceding the Civil War, will be viewed as unaccountably strange by the rank and file of the uninstructed and the falsely informed of that section of the present day.

The examination shows that generally speaking the people of the North, who were so ready later to intermeddle with the affairs of the South, had no real love for the negro. The evidence is lacking of a genuine practical interest in his well-being, supported by public measures for its accomplishment.

We have already seen the treatment accorded the blacks in Massachusetts; anything more hostile it would be difficult to conceive. Under the antagonistic and hostile policy adopted by Vermont and New Hampshire, the negro population of these two states decreased in the half century between 1810 and 1860.³ Even the biographers of William Lloyd Garrison record the fact that there existed a "Spirit which everywhere at the North, either by statute or custom, denied to a dark skin, civil, social and educational equality—which in Boston forbade any merchant or respectable mechanic to take a colored apprentice; kept the colored people out of most public conveyances; and permitted any common carrier by land or sea, on the objections of a white passenger, to violate his contract with 'a nigger' however cultivated or refined."⁴ New York, New Jersey and Pennsylvania

¹Munford: *Virginia's Attitude Toward Slavery and Secession*, 40.

²Id.

³Id. 169.

⁴*William Lloyd Garrison* (by his children), I, 253.

by statute deprived free negroes of most of the privileges which they enjoyed in the period succeeding the Revolution. In New Jersey in 1807 and in Pennsylvania in 1838, they were deprived of the right of suffrage. In New York in 1821, as a prerequisite to voting, a much higher property qualification was required of them than was required of the whites.¹

But these restrictions in the far north were nothing compared to the laws obstructing the immigration of the blacks and their exercise of rights in the "free states" on the same lines of latitude as Virginia and Maryland, and in which the free negroes were most likely to settle when manumitted in the South.

These laws, antagonistic to the black man, are illustrated (but not exhausted) by the following: In Ohio laws were enacted inhibiting negroes from settling in that state, unless they produced certificates of their freedom from a court of record, and executed bonds with approved security, not to become charges upon the counties in which they settled. "They were not permitted to give evidence in court in any cause where a white man was party to the controversy or prosecution, nor could they send their children to the public schools."²

In Indiana, free negroes were at first allowed to settle in that state, provided they gave bonds, with approved security, not to become charges upon the counties where they lived. But in 1851 this stringent provision was made much more drastic by the constitution adopted that year which specifically provided that "no negro or mulatto shall come into or settle in the state after the adoption of this constitution."³ Moreover this clause in the constitution of Indiana was adopted by over ninety thousand majority of the popular vote.⁴

In Illinois in 1853, a series of laws was enacted designed "to prevent the immigration of free negroes into this state." The third section of the law declared it a misdemeanor for a negro or mulatto, bond or free, to come into the state with the intention of residing, and the next section provided that any negro

¹Hart: *Slavery and Abolition*, 83.

²Munford: *Virginia's Attitude Toward Slavery and Secession*, 170-71.

³Article XIII, Sec. 1; Williams: *History of the Negro Race in America*, II, 119-122.

⁴Wilson: *Rise and Fall of the Slave Power in America*, II, 185; Munford: *Virginia's Attitude Toward Slavery and Secession*, 171.

coming into the state in violation of the act should be fined and sold for a time sufficient to pay the fine and the cost. These provisions were not deemed sufficiently drastic and the next succeeding Constitutional Convention enacted that "No negro or mulatto shall immigrate or settle in this state after the adoption of the constitution."¹

The constitution embodying this provision was submitted to popular vote, and this article was submitted separately. The constitution was rejected by a vote of approximately 16,000, but the above provision was approved and became a part of the organic law of Illinois by a majority of 100,590 votes. This vote was taken in August, 1862. Thus, the fact is that barely a month before Abraham Lincoln issued his first Emancipation Proclamation, the people of his own state, Illinois, by this enormous majority wrote into their constitution a clause preventing free negroes from coming into that state.

In 1857 the State of Oregon adopted a constitution which provided that:

"No free negro or mulatto, not residing in this state at the time of the adoption of this constitution, shall come, reside or be within this state . . . and the legislative assembly shall provide by penal laws for the removal by public officers of all such negroes and mulattoes, and for their effectual exclusion from the state, and for the punishment of persons who shall bring them into the state or employ or harbor them."² This provision of the Oregon Constitution was adopted by a popular vote of 8,041 for to 1,081 against it.

These facts indicate, what a full consideration of the subject demonstrates, that the people of the North were willing, many of them even fanatically determined, to force upon the South a condition and a status respecting the blacks which they would not think of subjecting themselves to, in the North.

In these northern states, as we have seen, they not only would not permit slaves to be held in their midst, but they would not permit black men to reside in those states. Their antipathy to slavery is understandable enough, but if they were the real

¹Constitution of 1862, article XVIII, Sec. 1.

²*The Organic and Other General Laws of Oregon*, 97-98.

friends of the blacks, can the same be said of their refusal to permit free black persons to live in their midst, and endeavor to earn an honest living? Scores of instances can be cited of slaves emancipated in Virginia, and money bequeathed to settle them in Ohio, Illinois, or Indiana; and in many instances these provisions failed because these states shut their inhospitable doors in the face of the black man whether he was slave or free.

John Randolph of Roanoke freed all his slaves, and directed his executors, Judge William Leigh, Bishop William Meade and Francis Scott Key, to purchase a body of land not exceeding four thousand acres, to remove the slaves thither, erect houses and provide clothes and utensils for them; all of his estate, with certain exceptions, was given to his executors to carry out the provisions of his will. Among other things, his will provided:

"I give my slaves their freedom to which my conscience tells me they are justly entitled. It has a long time been a matter of the deepest regret to me that the circumstances under which I inherited them, and the obstacles thrown in the way by the law of the land have prevented my emancipating them in my lifetime, which it is my full intention to do, in case I can accomplish it."

The reference here to the "circumstances under which I inherited them," etc., is to the fact that the property which he inherited was encumbered by enormous debts—the "British debts," which were the burden of his life, and which he did not finally discharge until late in his life.

Litigation arose over Randolph's will, at the end of which Judge Leigh acquired 3,200 acres of land in Mercer County, Ohio, as a home for Randolph's former slaves. The writer has heard his father recount the story of the journey of this colony as told by one of Judge Leigh's representatives (Wiltshire Cardwell, as he now recalls), who was in actual charge of the party. When the company were arrived in Ohio, night coming on they prepared to make camp. The people of the neighborhood protested, and suggested a better camping place farther on; they moved along, and when they halted again, protests were again made against their camping; but as night was near at hand they had no disposition to go farther; threats were then made that if they camped, forcible, and if necessary violent means would be

employed against them; thereupon, Cardwell mounted a wagon rifle in hand, announced his determination to camp, declared he was not awed or intimidated by the threats made, indicated his picket lines, and assured his auditors that while he was a peaceable man, and engaged in a peaceable and lawful business, yet he would not hesitate to return shot for shot and would visit a full measure of retaliation for any injury done. The party camped that night without disturbance, and pursued their journey in peace on the following morning.

Henry Howe, in his *Historical Collections of Ohio*, treats the case with the greatest brevity, and evinces no disposition to record the full details of the treatment of black free men in Ohio. Speaking of Judge Leigh's efforts to find a home for Randolph's slaves, and of their settlement in Ohio, he says: "These arrived in the summer of 1846 to the number of about 400, but were forcibly prevented from making a settlement by a portion of the inhabitants of the county.¹ Since then, acts of hostility have been commenced against the people of this settlement; and threats of greater held out if they do not abandon their lands and homes."²

So, it turned out, the attitude of the North regarding the freeing of the slaves was that they insisted they should be freed by the slave states, but that they should not be allowed even as free men to go into the northern and western states. This of course meant that if freed they would either have to be colonized in some place like Liberia or remain free, in the states in which they had been slaves. The North proposed to create by the freeing of the slaves a domestic problem of the greatest proportion and magnitude but declined to assume any part of the responsibility in solving that great problem. A more absurd, illogical, selfish attitude it would be impossible to conceive.

In Virginia, with the slave population, by natural increase, growing more and more numerous, her soil becoming more and more impoverished, and the slave owner finding it more and more difficult to make ends meet, with mortgages on practically every plantation, the owners of slaves were forced to seek some

¹Mercer County, Ohio.

²Vol. II, 505.

measure of relief from the congestion of the slave population. This was done in various ways: by emancipation where possible, but the slaves would not always accept freedom.¹

The Virginians purchased lands in Mississippi and Alabama, and under their sons, sons-in-law or others, founded new plantations, largely for the purpose of providing for the expansion of the slave population. Thither were removed parts of the slaves by families so as to disturb family ties as little as possible. This kindly policy, which under the circumstances was the most humane a justly disposed and generous hearted people could devise, has been malevolently misrepresented and viciously falsified. The emigration of slaves from the congested plantations of Virginia, under some such circumstances, furnishes, in large measure, the statistics upon which the vicious calumniators at the North base the charge that the practice in Virginia was general of breeding slaves for market.

After reviewing the constitutional provisions and the laws of Northern States excluding negroes, Beverly B. Munford asks: "If the people of the North thus regarded their few negroes as a dangerous and perplexing element, how much more should the people of Virginia hesitate in face of the conditions and problems which confronted them? If Indiana and Illinois, with populations of over three million whites and less than twenty thousand blacks, felt constrained to deny free negroes the right to enter their states, how much more should their sister, Virginia, with only one million whites and nearly half a million black slaves, fear to add to her already large free negro population?"²

Lincoln well knew the feeling at the North, and when driven finally in the face of calamity to the northern arms to advocate at a day too late, terms of emancipation that might have succeeded, if properly urged at an earlier time, he endeavored to allay the northern fears. In his message to Congress in December, 1862, he said:

¹See an account of the Freeing and Colonization of the slaves of John Thom, and of the return of practically all of them within a year to the plantation of their former master, in *Virginia's Attitude Toward Slavery and Secession*, 73-74.

²*Virginia's Attitude Toward Slavery and Secession*, 172-73.

“But it is dreaded that the freed people will swarm forth and cover the whole land. Are they not already in the land? Will liberation make them more numerous? Equally distributed among the whites of the whole country, and there would be but one colored to seven whites. Could the one in any way disturb the seven?

“But why should emancipation South send the free people North? People of any color seldom run unless there be something to run from. Heretofore colored people to some extent have fled North from bondage and now perhaps from both bondage and destitution. But if gradual emancipation and deportation be adopted they will have neither to flee from. . . . And in any event cannot the North decide for itself whether to receive them.”¹

Under the policy of demanding that the slaves be freed but refusing black free men the right to reside in the Northern States, Virginia had no such choice as Lincoln declared the North had of deciding “whether to receive them.”

¹*Messages and Papers of the Presidents*, VI, 140-141.

CHAPTER XI

Slavery, Secession and the Civil War—Continued

THE RISE OF THE ABOLITION FANATICS—NULLIFICATION AT THE NORTH



ADISON had warned New England, North Carolina, South Carolina and Georgia, in the convention of 1787, that the constitutional permission to import slaves for twenty additional years would produce "all the mischief that can be apprehended from the liberty to import slaves." His statement was amply justified by the event. With the determined antipathy in Virginia to the slave trade, the detestation of slavery as an institution, and the general sympathy throughout Virginia for that unfortunate element of the population, if the slave trade had been ended in 1787 there is little doubt that emancipation would have been accomplished at an early date in Virginia. Even though she was burdened with the great influx of slaves which the extension of the traffic to 1808 made inevitable, and notwithstanding the subject was one of the greatest difficulty, Virginia addressed herself to the task with great earnestness.

There was in fact no great difference of opinion as to the wisdom of emancipating the slaves in Virginia, until the rise of the fanatical abolitionists in the North, who by their acts, doctrines and course of conduct forced the Virginians, in justice to themselves, and in order to preserve their self-respect, to dispute the falsehoods and maintain their statehood, individual and constitutional rights to deal with the subject as a matter of state concern.

But while there was practical unanimity as to the wisdom of abolishing slavery, there was grave difference of opinion as to the means best suited to accomplish this. It was admitted on every hand, by all who had intelligence enough to be entitled to

an opinion, that simply to free the slaves *en masse* would produce an intolerable condition, and would leave them in a far worse state than they were in slavery.

Hundreds throughout the state freed their slaves either by will or deed, and in some instances left all their property for the settlement and support of the slaves. In many instances provisions were made for their settlement in Ohio, or Indiana, or Illinois or some state where slavery did not exist, or for their settlement in Liberia.

The creation of that free republic in Africa was in fact an outgrowth of Virginia's effort to solve the problem of freeing the slaves, and leaving them in a state of freedom, in happier and more congenial surroundings than had been their lot in slavery. Several plans of emancipation were suggested, notably those of Thomas Jefferson and of St. George Tucker; and the wisest men of Virginia, as well as the rank and file of her citizenry discussed the subject with the greatest earnestness and persistence, in endeavors to find the solution of the problem. This widespread interest in the subject led to its consideration by the legislature of 1832-3. No detailed account of the consideration of the subject by that legislature can be embodied in a work of this limited scope. It belongs to a history of the institution of slavery, rather than to a local county history. There are several accounts which give with more or less fulness the history of the subject.¹

The seriousness with which the Virginians addressed themselves to the subject is indicated by the fact that it occupied the greater part of the time and interest of the Legislature, and the subject was discussed with a breadth and range and frankness seldom paralleled in the consideration of any subject. Thomas Jefferson Randolph, Thomas Jefferson's grandson; Thomas Marshall, son of John Marshall, the great Chief Justice; James McDowell, afterwards Congressman and Minister to France; William Ballard Preston, afterwards Congressman and Secretary of the Navy in President Tyler's cabinet, and other men of similar ability, rank and standing were among the anti-slavery

¹See: Wilson, *Rise and Fall of the Slave Power in America*; Ballagh, *History of Slavery in Virginia*; Slaughter, *Virginian History of African Colonization*; Munford, *Virginia's Attitude Toward Slavery and Secession*.

members of that body, and earnestly sought a solution of the vexing problem. Of the debate of the subject in this legislature, Henry Wilson says: "It was one of the ablest, most eloquent and brilliant debates that ever took place in the legislature of any of the states. Most of those who participated in it were young and rising men who afterwards achieved high position and commanding influence."¹ And Ballagh in his *History of Slavery in Virginia*, says: "Day after day multitudes thronged the Capitol to hear the speeches. The assembly in its zeal for the discussion set aside all prudential considerations, such as the possible effect of incendiary utterances that might make the slave believe his lot one of injustice and cruelty, and so give him the excuse of a revolt, or might encourage further aggressions by Northern Abolitionists."²

It was the feeling of many that the sentiment throughout Virginia for emancipation was so widespread, that the practical difficulty of the question of what to do with the slaves after they were freed, was all that was in the way to the inauguration of emancipation on so widespread a scale that it would mean the end of the system in as short a time as was prudent for its accomplishment. Many, indeed most of the slave owners, were poor. They had to a large extent impoverished themselves in supporting the thriftless blacks and their ever increasing progeny. They were not, as a general rule, able to bear the expense of freeing the slaves and of their removal from the state. William H. Brodnax, a Southside Virginian, from the heart of the "Black Belt," no doubt expressed the general view when he declared that many owners "would manumit their slaves if means for their removal were furnished by the state, but who could not if the additional burden of removal were placed upon them."³

The House of Delegates adopted a resolution providing that the Commonwealth should provide for the immediate removal of the negroes now free and those who may hereafter become free, "believing that this will absorb all of our present means." This was adopted by a vote of 65 to 58.⁴ And the House thereupon

¹Wilson: *Rise and Fall of the Slave Power in America*, I, 195.

²Page 138.

³Slaughter: *Virginia History of African Colonization*, 48.

⁴*Journal of the House of Delegates*, 1832, 110.

passed a bill which comprehensively provided for a continuous system of deportation and colonization of free negroes, of the Commonwealth, and such as thereafter might become free. This bill, however, was lost in the senate by one vote. Thereafter several plans for the gradual emancipation of the slaves were brought forward and discussed. The views as to means, however, were divergent, and opinion could not be crystallized on any one sufficiently to enable it to be enacted into law. "No enlarged, wise or practical plan of operations was proposed by the abolitionists," says Dew;¹ and of the efforts made at the time, Ballagh declares: "Will was not wanting but method unhappily was."²

One great difficulty in any solution of the problem was to find means for solving the slavery problem without leaving behind "a greater problem, the negro problem."³ It was this difficulty, real to those in direct contact with the conditions, but ignored by the fanatical abolitionists, which caused such friends of abolition as the great Virginian editor, Thomas Ritchie, to hesitate as to the best means to be employed.

The failure to adopt at this time a system of emancipation was a great disappointment to the anti-slavery people of Virginia, especially so, as the failure resulted principally from inability to agree upon the means to be employed, rather than from disagreement respecting the desirability and wisdom of emancipation. The question, however, was so large a one, it was involved in so many perplexing difficulties, that the wonder is, in retrospect, not that they failed to agree, but that they came so near, at that early date, to agreement upon so comprehensive a plan of treatment of the subject. Even Lincoln, it will be remembered, years later declared that the subject was so difficult a one that a hundred years would not see the end of the abolition question.

There is little doubt but what Virginia would have followed the subject with such vigor and determination after the memorable events of 1832-33, that decisive action would have been taken within a decade or two, but for the rise of the fanatical

¹Thomas R. Dew, *An Essay on Slavery*, 6.

²*History of Slavery in Virginia*, 138.

³Ambler: *Thomas Ritchie*, 168.

abolitionists in the North, the projection into the matter of elements over which she had no control, and the embarrassment to which she was subjected in dealing with the subject, by the necessity to which she was put to defend her constitutional rights from the officious intermeddling of outsiders.

Thomas Jefferson Randolph, who was the foremost advocate of gradual emancipation, in the Virginia Legislature of 1832, says that "after the adjournment of the Legislature in 1833, the question was discussed before the people fairly and squarely, as one of the abolition of slavery. I was re-elected on that ground in my county. The feeling extended rapidly from that time in Virginia, Kentucky and Missouri until Northern abolitionism reared its head."¹ The re-election of Randolph, to which he alludes, was from one of the largest slave holding counties in the state. This instance typifies the situation throughout the state; everywhere there was continued interest and a growing determination to end the system.

Such being the record of the Virginians in opposition to the slave trade, and to slavery, and such being her manifest desire to see all slaves freed, the question will of course occur to those who have learned their Civil War history from the books of Northern enemies of the South: Why did Virginia secede and fight to perpetuate slavery? The answer is, she neither seceded nor fought for that purpose.

Virginians generally heartily desired to see the end of the system. General Robert E. Lee was opposed to it. "In this enlightened age," he wrote, "there are few, I believe, but will acknowledge that slavery as an institution is a moral and political evil. It is useless to expatiate on its disadvantages. I think it is a greater evil to the white than to the colored race, and while my feelings are strongly interested in the latter my sympathies are more deeply engaged for the former."² And General Lee never owned any slaves except those he inherited, and these he freed long before the war.³

¹T. J. Randolph, Pamphlet, Sept. 25, 1870, in Virginia Historical Society, quoted in *Virginia's Attitude Toward Slavery and Secession*, 51.

²Henderson: *Campaigns of Stonewall Jackson*, I, 108.

³McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 23.

General Jackson held views similar to General Lee's. "He never owned but two slaves, both of whom he bought at their request, one a man and the other a woman. The owner of the negro man had to sell him because of financial difficulties. The negro asked General Jackson to buy him, and let him work until he accumulated enough money to pay him back. This he did, and in working as a waiter in a hotel he earned the money, repaid General Jackson and secured his freedom. The other of General Jackson's slaves was a negress, who was about to be sold and sent away from Lexington. She asked General Jackson to buy her, which he did, and he offered to allow her to work and repay him his money and have her freedom. She preferred to remain with General Jackson and his wife, as a slave, and was an honest, faithful and affectionate servant."¹

General Joseph E. Johnson never owned a slave. Dr. Hunter McGuire, who was a member of the Stonewall Brigade, testifies that in that brigade "not one soldier in thirty owned or ever expected to own a slave."²

General A. P. Hill never owned a slave, and regarded the institution as an evil, much to be deplored.³

General J. E. B. Stuart never owned but two slaves; one he disposed of for cruelty to one of his children, and the other he returned to his home in Kentucky.⁴

General Fitzhugh Lee never owned a slave.⁵

Commodore Matthew Fontaine Maury never owned but one slave, a woman who remained a member of his family until her death, years before the war. He owned no slave at the time of the war.⁶

Major Robert Stiles, formerly a prominent member of the Richmond Bar, and a member of the Richmond Howitzers, speaking of the motives which impelled the men to fight, says:

"Why did they volunteer? For what did they give their

¹McGuire and Christian: *The Confederate Cause and Conduct of the War Between the States*, 22.

²Id. 22-23.

³Munford: *Virginia's Attitude Toward Slavery and Secession*, 157.

⁴Id.

⁵Id.

⁶Id.

lives? . . . Surely, it was not for slavery they fought. The great majority of them had never owned a slave, and had little or no interest in the institution. My own father, for example, had freed his slaves long years before."¹ Certainly not one in twenty of the soldiers from Lunenburg owned a slave.

Albert Bushnell Hart, the Harvard Professor, says: "Out of 12,500,000 persons, in the slave holding communities in 1860, only about 384,000 persons—or one in thirty-three—was a slaveholder."² And Admiral Chadwick in his analysis of the census returns for Virginia shows that of the 52,128 slaveholders in the state, one-third held but one or two slaves, half one to four, and that but one hundred and fourteen persons held as many as one hundred each. He also shows that the great majority of the soldiers in the ranks of the Confederate Armies, from Virginia and the South, possessed no such interest.

So it is nothing but a miserable perversion of the truth to assert that Virginia fought to perpetuate slavery.

It may be interesting to some to note in passing that General Grant was a slave owner and never set his slaves free. He continued to own them to the last and they were freed by Lincoln's Emancipation Proclamation.

And yet in the face of the record of Virginia on the subject, John Fiske, in his *Old Virginia and Her Neighbors*, would convey the impression that with the year eighteen hundred and eight all thought of emancipation in Virginia disappeared; and he would have his readers believe that Virginians fought the Civil War to perpetuate slavery because they found it profitable. Worthy thought for a New England Yankee, in view of the history of that money grubbing, slave-trading people!

One of the post-war services to posterity of that ever-thinning line of those who wore the Gray has been to help to keep the record straight, and Fiske's work has been appropriately characterized by them.

The late Dr. Hunter McGuire, Medical Director of Jackson's Corps, Army of Northern Virginia, Chairman of the History Committee of the Grand Camp of Confederate Veterans, has laid

¹Stiles: *Four Years Under Marse Robert*, 49.

²Hart: *Slavery and Abolition*, 67.

bare Fiske's special pleading and "slanderous sentences," and demonstrated the "utter unreliability of this historian when speaking of slavery, the causes of the war, or the rights asserted by the South." It is to be deeply regretted that his entire account cannot be incorporated herein.¹

In part, he says of Fiske: "He has seen, more plainly than any other perhaps (what the Northern orators and writers are silently or openly yielding), that every claim of the South, of such sort as naturally rests upon categorical facts, is already *res adjudicata* in our favor at the bar of the world. He knows from the writers around him (Mr. Lodge and others), that our claim to the right of secession cannot be resisted; that the right of coercion cannot be maintained; that the superior personal and military character of our leaders is beyond dispute; that estimating Americans, foreign mercenaries, and the negroes in their ranks, the average type and quality of their private soldiers was far below ours; and their numbers so far superior that the Southern victories set the world wondering. He knows, too, that the records made up along the track of armies and their own statistics of deaths in prison have forever proved our higher civilization in war. So he foresees and dreads the day of doom, when, as already prophesied, history is to declare the truth triumphant and his the 'Lost Cause.' His writings, the others as well as the history, prove his consciousness that there remains to his section only this last resort—to make the world believe that our motives were base—a charge which they hope will be answered with more difficulty, inasmuch as it rests upon unsubstantial and intangible interpretation of facts, and not upon facts themselves. . . . He is an advocate seeking to procure pardon for the wrong-doings of his own section by persuading the world of the guilt of ours; by convincing all who read or study his book (our own children among them), that in defiance of all reasons to know the wrong of slavery, we argued before the war and fought in it, not from conviction of duty or loyalty to our constitutional rights and

¹It may be seen in *The Confederate Cause and Conduct in the War Between the States* (Richmond), by Hunter McGuire and George L. Christian.

those of our children, not even from insulted and outraged manhood, but simply to hold the negro in possession."¹

The total falsity of the charge of Fiske thus so adequately characterized by Dr. McGuire must be recognized by all who give any heed to the facts.

It is not only an utterly false charge to claim that the Virginians gave no thought to the question of emancipating the slaves after 1808, but it is a fact that their inability to make progress on the subject in the decades preceding the Civil War was due almost entirely to the attitude of the Northern people, and the measures taken by the Northern States.

The riot of contumelious slander indulged by Northern writers against the South and Southerners has run the gamut from stupid, uninformed mendacity to deliberate, voluntary, inexcusable falsification.

In the course of the prosecution of these purposes, it has been charged that the South was the aggressor in the war; that Virginia seceded and joined the Confederacy to perpetuate slavery, because the people of Virginia found slavery profitable, and that after 1808, Virginia ceased to give any thought to the possibility of emancipating her slaves.

The South has been described as the wrong-doer, the malefactor throughout the entire history of this era, while the North has been held up as the defender of the Constitution and the preserver of the Union.

The Southern States have been scoffed at and maligned as the author of secession, and those who upheld the doctrine are denounced as utterly base, and as rebels and traitors.

Respecting all of this the South can with confidence await the historical judgment of a posterity sufficiently removed from the event to consider the facts with a calm impartiality.

Respecting slavery, at the North, and in the Northwest, various views were represented. There were those who recognized slavery as the domestic concern of the individual states, who realized that slavery was an evil that was with us when the Union was formed and the Constitution adopted, who recognized

¹McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 13-14.

the fact that the Federal Government had no authority over slavery in the states, and who knew that the Union would never have been created, if the control of that institution had not been left to the states, and who knew that the constitution would never have been adopted if the fugitive slave provision had not been inserted therein. They deprecated the institution of slavery, just as Jefferson, and Henry, Washington and Mason, Madison and Marshall did, but they had respect for the Constitution and the laws made pursuant thereto. That element at the North, respectable as it was, and embracing the North's greatest men, as the event proved, found itself in the minority.

There were also at the North the abolitionists. The term abolitionist had a different signification in the North from what it had in the South, or to speak more accurately, there was a great difference between the views and tenets of abolitionists in the North and those of the South. The Southern abolitionist wanted to see the institution of slavery abolished by some reasonable, practical, constitutional plan, while the group of Northern abolitionists, of which we now speak, held very different views. "Southern abolition was reform and an appeal to the master; Northern abolition was revolution and an appeal to the slave; one was peaceful and the other mutually destructive of both races by a servile insurrection."¹

Under the leadership of such men as William Lloyd Garrison and Wendell Phillips, the Northern abolitionist regarded the instant, immediate freedom of the slaves as paramount to every other consideration. Obsessed with but one idea, characteristic of fanatics generally, they reckoned not the consequences to the country, to the union, to the states or even to the negroes. In sober thought, it would have been easy for any sane man to conclude that such a program as they advocated would have had the worst consequences imaginable for the negroes themselves. Such considerations affected them not at all. Systematically, deliberately, with the cunning of the madman, the resourceful, persistent vigilance of the religious fanatic, they sowed the seeds of discord, preached the gospel of hatred, spread the doctrine of sedition,

¹T. J. Randolph, pamphlet already cited.

and proclaimed a treasonable revolt against the Constitution of the United States.

Holding the Constitution of the United States a "League with death and a covenant with hell," they openly advocated violations of it, and of the laws made pursuant thereto; they incited slaves to murder their masters and their masters' families; they stole and enticed away slaves, and spirited them by the underground railroad to Canada; they sent their spies and emissaries, in every garb and disguise, often posing as teachers or missionaries to stir up revolution and revolt, and to incite slaves to every form of horrible crime.

Garrison and his followers knew that under the Constitution "Congress has no right to interfere with any of the States in relation to this momentous subject."¹ And knowing that "The Constitution could not be changed without the consent of the slave states, or a considerable portion of them; and certainly that consent was not likely to be given,"² and finding that instrument, the creature of the wisdom of the founders of the republic in the way of their fanatical desires, they easily solved their difficulty by deliberately ignoring, violating and denouncing it. True, it is claimed by Garrison's biographer that when Garrison denounced the Constitution as a "covenant with death" and an "agreement with hell," "the American people . . . lifted up their hands as if they had heard the most awful blasphemy."³ But that did not prevent the doctrine from growing with astonishing rapidity at the North. Approving Garrison's doctrine and appropriating his words, the Massachusetts Anti-Slavery Society in January, 1843, adopted the following resolution: "That the compact which exists between the North and the South is a covenant with death and an agreement with hell—involving both parties in atrocious criminality, and should be immediately annulled."⁴ Garrison's position was that the constitutional provisions, respecting slavery were not to be acknowledged as binding "for a single day."⁵ He declared, "There is but one honest, straightforward

¹Johnson: *Garrison and His Times*, 335.

²Id.

³Id. 336.

⁴*William Lloyd Garrison*, by his children, III, 88.

⁵Johnson: *Garrison and His Times*, 336.

course to pursue the Union must be dissolved."¹ And Wendell Phillips voiced the same view when he said: "As to disunion, it must and will come. Calhoun wants it at one end of the Union, Garrison wants it at the other. It is written in the counsel of God."²

The rise of the Northern abolitionists, their fanatical doctrine, their unlawful and criminal acts, their reckless irresponsible preachments aroused the resentment of Southerners, whether favoring the freedom of the slaves or not, and did the cause of the black man infinite harm.

Thomas Jefferson Randolph, speaking of the activities of the Northern abolitionists, said: "The Southern people feared to trust to the intervention of persons themselves exempt by position from the imagined dangers of the transition."³

In 1843 George Tucker, Professor of Political Economy, at the University of Virginia, said: ". . . . it may be confidently asserted that the efforts of abolitionists have hitherto made the people in the slave-holding states cling to it more tenaciously. Those efforts are viewed by them as an intermeddling in their domestic concerns that is equally unwarranted by the comity due to sister states, and to the solemn pledges of the federal compact. In the general indignation which is thus excited, the arguments in favor of negro emancipation, once open and urgent, have been completely silenced, and its advocates among the slaveholders, who have not changed their sentiments, find it prudent to conceal them. . . . Such have been the fruits of the zeal of the Northern abolitionists in those states in which slavery prevails; and the fable of the Wind and the Sun never more forcibly illustrated the difference between gentle and violent means in influencing men's wills."⁴

Dr. Henry Ruffner, President of Washington College, in 1847, describing the halt of the progress in anti-slavery measures, said:

"But this unfavorable change of sentiment is due chiefly to the fanatical violence of those Northern anti-slavery men usually

¹*William Lloyd Garrison*, by his children, III, 414.

²Martin: *Wendell Phillips*, 207.

³Pamphlet (Sept. 25, 1870), in Virginia Historical Society.

⁴*Progress of Population and Wealth*, 108.

called abolitionists. . . . They have not, by honorable means, liberated a single slave, and they never will by such a course of procedure as they have pursued. On the contrary, they have created new difficulties in the way of all judicious schemes of emancipation by prejudicing the minds of slave holders, and by compelling us to combat their false principles and rash schemes in our rear; whilst we are facing the opposition of men and the natural difficulties of the case in our front."¹

The same character of testimony as to the mischief done the anti-slavery cause by the abolitionists is given by thoughtful Northern men. Thus Dr. William Ellery Channing said, as early as 1835:

"The adoption of the common system of agitation by the abolitionists has not been justified by success. From the beginning it created alarm in the considerate and strengthened the sympathies of the free states with the slaveholder. It made converts of a few individuals but alienated multitudes.

"Its influence at the South has been almost wholly evil. It has stirred up bitter passions and a fierce fanaticism which have shut every ear and every heart against its arguments and persuasions. These effects are more to be deplored because the hope of freedom to the slaves lies chiefly in the disposition of his master. The abolitionist proposed indeed to convert the slaveholders; and for this reason he approached them with vituperation and exhausted upon them the vocabulary of reproach. And he has reaped as he sowed. . . . Thus, with good purpose, nothing seems to have been gained."² George Lunt of Boston has written:

"After the years of 1820-21, during which that great struggle which resulted in what is called the Missouri Compromise was most active and came to its conclusion, the states of Virginia, Kentucky and Tennessee were earnestly engaged in practical movements for the gradual emancipation of their slaves. This movement continued until it was arrested by the aggressions of the abolitionists upon their voluntary action."³ And George

¹*The Ruffner Pamphlet* (1847), Lexington.

²*The Works of William E. Channing*, 735.

³*The Origin of the Late War*, 33.

Ticknor Curtis, also of Boston, after describing the events in the Virginia legislature of 1831-32, and of the continued progress of the movement for gradual emancipation, citing the reelection of Thomas Jefferson Randolph, the leader of the movement, from Albemarle, one of the largest slave-holding counties in the state, said:

“But in the meantime came suddenly the intelligence of what was doing in the North. It came in an alarming aspect for the peace and security for the whole South; since it could not be possible that strangers should combine together to assail the slaveholder as a sinner and to demand his instant admission of guilt, without arousing fears of the most dangerous consequences for the safety of Southern homes, as well as intense indignation against such an unwarrantable interference. From that time forth emancipation whether immediate or gradual could not be considered in Virginia or anywhere else in the South.”¹

Thomas Ewing of Ohio, speaking of the officious intermeddling of the abolitionists, said:

“The North has taken the business of abolition into its own hands and from the day she did so we hear no more of abolition in Virginia. This was but the natural effect of the cause.”²

Daniel Webster, in pointing out the harm the abolitionists were doing, said:

“Public opinion, which in Virginia had begun to be exhibited against slavery and was opening out for the discussion of the question, drew back and shut itself up in its castle. I would like to know whether anybody in Virginia can now³ talk openly as Mr. Randolph, Governor McDowell and others talked in 1832, and sent their remarks to the press? We all know the facts and we all know the cause; and everything that these agitating people have done has been not to enlarge but to restrain, not to set free, but to bind the faster the slave population of the South.”⁴

¹Curtis: *Life of James Buchanan*, II, 278.

²Crittenden: *Proceedings of the Peace Convention*, 142.

³He was speaking in 1850.

⁴Whipple: *Webster's Great Speeches*, 619.

Stephen A. Douglas, in the Bloomington, Illinois, speech of July 16, 1859, said:

“There is but one possible way in which slavery can be abolished and that is by leaving the state according to the principle of the Kansas-Nebraska Bill, perfectly free to form and regulate its institutions in its own way. That was the principle upon which this republic was founded. . . . Under its operations slavery disappeared from . . . six of the twelve original slave-holding states; and this gradual system of emancipation went on quietly, peacefully and steadily so long as we in the free states minded our own business and left our neighbors alone. But the moment the abolition societies were organized throughout the North, preaching a violent crusade against slavery in the Southern States, this combination necessarily caused a counter-combination in the South, and a sectional line was drawn which was a barrier to any further emancipation. Bear in mind that emancipation has not taken place in any one state since the Free-soil Party was organized as a political party in this country. . . . The moment the North proclaimed itself the determined master of the South, that moment the South combined to resist the attack, and thus sectional parties were formed and gradual emancipation ceased in all the Northern slaveholding states.”¹

And even Abraham Lincoln, before he began to make one character of speech in the section where abolition sentiment was strong, and another character of speech where the sentiment was to the contrary, described the Northern abolitionists as “those who would shiver into fragments the Union of the States, tear to tatters its now venerated constitution, and even burn the last copy of the Bible, rather than [that] slavery should continue a single hour.”²

Although the question of abolishing slavery within a state was legally a matter of concern for that state alone, and was so left by the Constitution of the United States, yet it is conceivable that the anti-slavery people of the nation might have gone about the national eradication of the institution, in a manner that would

¹*Lincoln-Douglas Debates* (Columbus), 31.

²Nicolay and Hay, *Abraham Lincoln*, I, 174.

not only not have been opposed, but would have been supported by the slave states, or at least a great majority of them.

If the abolitionists and the majority of the people of the North had conformed to the usages of civilized people, and had recognized the authority of the constitution and had sought by moral means and suasion, and by legal procedure to change the constitution and had conducted a campaign which resulted in so doing, and if that change had taken from the states and lodged in the federal government the authority and the power to abolish slavery, and if the federal power had then abolished the institution, little fault could be justly found with this procedure, however far it may have departed from the status produced by the original instrument.

But such were not the methods of the abolitionists and the Black Republicans. They did not deign to be required to conform to law, to recognize constitutional limitations, or obey the decisions of the most august judicial tribunal on the face of the earth. With smug hypocrisy and malicious purpose, they prated of ignoring the constitution,—denouncing it as a league with death and a covenant with hell,—they denounced and damned the Supreme Court,—and appealed to a “Higher Law” than the constitution and the laws of the United States, as a mask and justification of their malicious, murderous purposes.

Their record is a record of blackness and infamy, and the thousands and thousands of pages of false history and literature, which since the war have been written to make the ‘worse appear the better reason’ cannot obscure from posterity the truth of their infamous course toward the people of the South.

The course which the Northern abolitionists chose to pursue was a blow at all law, and was an ignorant interference with the growth of the emancipation principle by the voluntary acceptance by the community at large of continually improving standards of treatment of the colored race.

The extension of the control of the fanatical abolitionists over representative public men in the North presents a study of interest. It presents a curious intermingling of forces, and few subjects better illustrate the willingness of public men,—politicians, some of whom are reputed to be statesmen,—to stultify

themselves by yielding their honest opinions to the clamor of a noisy and insistent group, rather than run the risk of being retired to private life for the sake of principle.

In 1837, in protesting against a resolution adopted by the legislature of Illinois, Abraham Lincoln and Dan Stone caused to be spread upon the journal of that body a paper which contained the following: "They believe that the Congress of the United States has no power under the Constitution to interfere with the institution of slavery in the different states.

"They believe that the Congress of the United States has the power under the Constitution to abolish slavery in the District of Columbia, but that the power ought not to be exercised unless at the request of the people of the District."¹

In the course of the famous Lincoln-Douglas debates, Lincoln said in his Charleston speech of September 18, 1858: "I am not, nor ever have been, in favor of bringing about in any way, the social and political equality of the white and black races; . . . I am not, nor ever have been, in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say, in addition to this, that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together, there must be the position of superior and inferior, and I as much as any man am in favor of having the superior position assigned to the white race. . . . I do not understand that there is any place where an alteration of the social and political relations of the negro and the white man can be made, except in the State Legislature,—not in the Congress of the United States. . . ."² And continuing, he said: "Now, at this day in the history of the world we can no more foretell where the end of this slavery agitation will be than we can see the end of the world itself. The Nebraska-Kansas bill was introduced four years and a half ago, and if the agitation is ever to come to an end, we may say we are four years

¹Nicolay and Hay: *Abraham Lincoln*, Vol. I, 140; Munford: *Virginia's Attitude Toward Slavery and Secession*, 54.

²Ill. Hist. Collection, III, 267-8.

and a half nearer the end. So, too, we can say we are four years and a half nearer the end of the world; and we can just as clearly see the end of the world as we can see the end of this agitation. . . I say, then, there is no way of putting an end to the slavery agitation amongst us but to put it back upon the basis where our fathers placed it; no way but to keep it out of our new territories,—to restrict it forever to the old states where it now exists. Then the public mind *will* rest in the belief that it is in the course of ultimate extinction.”¹ And he added: “I do not mean that when it takes a turn toward ultimate extinction it will be in a day, nor in a year, nor in two years. I do not suppose that in the most peaceful way ultimate extinction would occur in less than a hundred years at least; but that it will occur in the best way for both races in God’s own good time, I have no doubt.”²

In his speech at Quincy, October 13, 1858, Lincoln said, speaking of slavery: “We have a due regard to the actual presence of it amongst us, and the difficulties of getting rid of it in any satisfactory way, and all the constitutional obligations thrown about it. I suppose that in reference both to its actual existence in the nation, and to our constitutional obligations, we have no right at all to disturb it in the states where it existed, and we profess that we have no more inclination to disturb it than we have the right to do it. We go further than that; we don’t propose to disturb it, where, in one instance, we think the Constitution would permit us. We think the Constitution would permit us to disturb it in the District of Columbia. Still, we do not propose to do that, unless it should be on terms which I don’t suppose the nation is very likely soon to agree to,—the terms of making the emancipation gradual, and compensating the unwilling owners. Where we suppose we have the constitutional right, we restrain ourselves in reference to the actual existence of the institution and the difficulties thrown about it. We also oppose it as an evil so far as it seeks to spread itself.”³

Lincoln in his speech at Alton, October 15, 1858, said:

“It is nothing but a miserable perversion of what I *have* said,

¹Ill. Hist. Collection, III, 305.

²Id.

³Id. 405.

to assume that I have declared Missouri, or any other slave state, shall emancipate her slaves: I have proposed no such thing."¹ And again in the same speech:

"The Judge alludes very often in the course of his remarks to the exclusive right which the states have to decide the whole thing for themselves. I agree with him very readily that the different states have that right. He is but fighting a man of straw when he assumes that I am contending against the right of the states to do as they please about it. Our controversy with him is in regard to the new territories. We agree that when the states come in as states they have the right and the power to do as they please. We have no power as citizens of the free states, or in our federal capacity as members of the Federal Union through the General Government, to disturb slavery in the states where it exists."² And again: "If there be a man amongst us who is so impatient of it as a wrong as to disregard its actual presence among us and the difficulty of getting rid of it, suddenly in a satisfactory way, and to disregard the constitutional obligations thrown about it, that man is misplaced if he is on our platform. We disclaim sympathy with him in practical action. He is not placed properly with us."³

But Lincoln came to repudiate these doctrines, as the world well knows. Many others at the North held the views which Lincoln quite clearly expressed, but they were not strong enough for the abolitionists, and the politician was too much in the ascendancy, in the make up of most of them to enable them to stand staunchly by their convictions. They yielded to the clamorings of the fanatics, and changed position on constitutional, legal and moral questions, in order apparently to follow, at least not lose the support of, the wild, fanatical abolitionists led by such irresponsible men as Garrison and Phillips, even when doing so involved them in contradictions of positions they had maintained for years. Some who thus changed may have been sincere, they doubtless were, but it is impossible to believe that all, or indeed very many were, or that they were primarily animated by any reason, except that of expediency.

¹Ill. Hist. Collection, III, 473.

²Id. 480.

³Id. 482.

It was in vain that sober-minded, level-headed men, whether of the North or the South, warned the abolitionists of the folly of their course, and the mischief they were doing.

Dr. James Waddell Alexander, a Northerner, who came to Southside Virginia "with all the prepossessions of a Northern man against slavery" and who resided in Charlotte County several years and was in the habit of returning for frequent visits, a man who resided there in close association with the whites and blacks, thought the slaves of Southside Virginia "unspeakably superior to the Northern free blacks."¹ He soon came to the conclusion that what to do with the slaves was a matter for the state, a local matter, which the agitators of the North did not understand, and with which they should not intermeddle. In one of his letters he said:

"The servants, who wait upon genteel families, in consequence of having been bred among refined people all their lives, have often as great an air of gentility as their masters. The comfort of slaves in this country is greater, I am persuaded, than that of the free blacks as a body in any part of the United States. They are no doubt maltreated in many instances; so are children; but in general, they are well clad, well fed, and kindly treated. Ignorance is their greatest curse, and this must ever follow in the train of slavery. The bad policy and destructive tendency of the system is increasingly felt; you hear daily complaints on the subject from those who have most servants. But what can they do? Slavery was not their choice. They cannot and ought not to turn them loose. They cannot afford to transport them; and generally the negroes would not consent to it. The probable result of this state of things is one which philanthropists scarcely dare contemplate."² And only six years before the beginning of the Civil War, he wrote:

"I am deeply convinced that a majority of the South will one day come to the point of mitigating slavery, so far as to make a sort of feudal apprenticeship; and that it will be abolished. Every year—even in the face of Northern rebuke—hundreds of new

¹Alexander: *Forty Years Familiar Letters*, V. I, 353.

²Id. 93.

voices are raised in behalf of marriage, integrity of families and license to read. To a practical mind it is striking that abolitionism has abolished no slavery."¹ While favoring emancipation, Dr. Alexander did not favor immediate emancipation. After he had been observing slavery for twenty years he wrote: "That the most miserable portion, physically and morally of the black race in the United States, is the portion which is free, I am as well assured as I can be of any similar proposition. That immediate emancipation would be a crime I have no doubt."²

The Rev. Dr. Nehemiah Adams, of Boston, during the decade before the war, spent some months in the study of slavery in Georgia, South Carolina and Virginia. He had strong prepossessions against it, but his study of the actual conditions on the ground, led him upon his return to Boston to warn the abolitionists in these words: "Hands off! The question is a domestic one best settled by the South, and only delayed and hampered by interference from without."³

But the warnings and the protests were of no avail.

Virginia reaped the harvest of abolition incendiarism in such grim facts as the Southampton Insurrection of 1831. Under the leadership of Nat Turner, a negro preacher, who had been accorded considerable freedom of movement, the negroes attacked the whites in the night and before the insurrection was suppressed fifty-seven white persons, principally women and children, had been killed. The leader of this insurrection was a slave to whom the privilege of an education had been accorded, and one of his lieutenants was a free negro. It was the widespread belief, and undoubtedly the fact, that influences and instigations from without the state were responsible for these murders.

The extreme abolitionists openly proclaimed the right and the duty of the slave to secure his freedom by murder or any other act necessary to that end. They taught the doctrine by every manner of means possible to be employed. Among these were the employment of pictures to convey the suggestion of uprising

¹*Forty Years Familiar Letters*, V. 2, 218, Jan. 14, 1856.

²*Id.*, V. 2, 52.

³Bruce: *John Randolph of Roanoke*, II, 132.

and of murdering their masters, to those who could not read. Many of these were intercepted in the mails, and the curious inconsistency of the abolitionists is seen, in their complaints regarding the illegality of the suppression of their pictures and literature. When it served their purpose they appealed to the protection of the laws under the Constitution; when it did not serve their purpose they denounced it, violated it, called a crusade of revolt against it, and branded it a covenant with death and an agreement with hell.

From the rise of the abolitionists until the opening of the Civil War, the people of Virginia were constantly harassed by the emissaries of these Northern agitators. They sent their spies into communities, and they quietly and stealthily did their work while ostensibly engaged in some lawful business. The brazen effrontery of some of the acts committed was truly astonishing. A happening at Petersburg illustrates the fact. Some of the abolition spies had persuaded five slaves to run away from their owners. In order to transport them out of the state, a barque, the *Kesiah* from Brandywine, Delaware, on May 30, 1858, was brought to Petersburg on this nefarious mission and tied up at the wharf, the runaways were smuggled aboard, and before any suspicion was excited, it weighed anchor, dropped down the river and was well on its way to the high sea. However, her mission became known, she was followed by a steamer with several policemen and a number of citizens aboard, and was overtaken and searched. The negroes were found stowed away in the hold of the vessel.¹

The Captain of the *Kesiah*, one Bayliss, was arrested, brought back to Petersburg, and tried on five indictments for kidnapping, found guilty on each, and sentenced to eight years in the penitentiary on each, forty years in all. He was ably defended by Messrs. Jones and May, two of the most prominent lawyers of that day. Bayliss remained in the Virginia penitentiary until the Federals captured Richmond in 1865.

It did not always happen that the marauding emissaries of the abolitionists were captured, as was Bayliss; in fact, they usually were not, so stealthily did they work.

¹Claiborne: *Seventy-five Years in Old Virginia*, 137.

The capture of the *Kesiah*, the trial and conviction of Bayliss, created a very serious impression throughout Southside Virginia. "This incident," says Dr. Claiborne, "not only served to awaken our citizens to a sense of the insecurity of their property, with secret emissaries plotting crime on their streets, but it also aroused resentment toward a people who, under the guise of friends, could arm and employ such emissaries as robbers and assassins to do their own dirty work."¹ Dr. Claiborne was fully able to correctly interpret the feeling of the people at the time. He was a lifelong resident of the section, and personally observed the things of which he wrote.

Throughout the long and painful period of the activities of the Northern Abolitionists, extending from before 1830 up to about 1859, many of the people of Virginia did not suppose that the acts of these fanatics were widely endorsed at the North. They believed them to be the work of a relatively few individuals. They were unwilling to believe that the people of the North endorsed the injustice and wrong perpetrated upon them, who had done them no evil, and who had a right to claim, and to expect, equal rights and equal protection under the law and the constitution of the whole country.²

A thorough and critical consideration of the legislation at the North might have given the Virginians a different view. The enactment in state after state of laws designed to prevent southern owners of slaves from having the benefit of the provision of the United States Constitution and of the federal laws respecting runaway slaves, should have been notice to them that the hostility of the North toward the South was not confined to a small group of fanatics. Such laws, presumably, could not have been enacted and kept on the statute books of various states, if a majority of the voters did not approve them.

However, the Virginians may have misjudged the ill temper and the unfairness of the North, they were soon to be disillusioned. They were soon to learn that the antagonism to slavery, North and Northwest, was such as to countenance any measures for its abolition, lawful or unlawful, peaceful or violent. Whether

¹Claiborne: *Seventy-five Years in Old Virginia*, 137.

²*Id.*

a majority of the people of the North were of the extreme abolition type, may, of course, well be doubted, but "whether that was true or not, it is certain that a vast majority of every Northern community was in sympathy with obstacles thrown in the way of recapturing escaped slaves. Everybody, North and South, was well aware that in many instances the slave was enticed from his home by abolition emissaries. Yet when he reached the North, thousands who would not have gone South to incite him to escape did all they could to make the work of the emissaries effectual.

"In such a condition of affairs, the practical difference between the abolitionist and the sympathizer, to the man who lost his slave and could not recover it, was very nebulous."¹

The matter more and more absorbed the national attention. It became impossible to attribute the views that were expressed, and the acts committed, to a class of unrepresentative men. Wendell Phillips might represent an undefined constituency or indeed no constituency at all, in his vituperative denunciation of the Southerners and all things Southern, but he was no more insulting and abusive than were Charles Sumner and Ben Wade, the former a United States Senator from Massachusetts, and the latter a Senator from Ohio. "We may search," says John S. Wise, "through the congressional debates in vain for more coarse and insulting language than that used by Senator Ben Wade, of Ohio, upon the floor of the Senate."²

The states of the South contended for their rights under the Constitution of the United States. While Virginia deprecated the institution of slavery, and desired to see the end of it, as we have abundantly shown, she insisted upon the right to deal with the institution within her borders as she saw fit. She did not recognize the right of Garrison or Phillips, or Lovejoy, or Giddings, or Ben Wade, or Sumner, or the negro, Fred Douglass, to tell her what she, a sovereign state, should do.

The legal position of the Southern States under the Constitution was impregnable; and Virginia in insisting upon her right to deal with the slavery question within her borders, was insist-

¹John S. Wise: *The End of An Era*, 114.

²*The End of An Era*, 115.

ing upon a position which had been well established since the government was created, and universally admitted at all times, except latterly by a small group of abolitionist fanatics. No one had more clearly or fully recognized this principle and right than Lincoln himself, as we have seen.

“The Republican party was organized in 1854 to maintain the tenet that Congress had the right, as it was its duty, to exclude slave owners with their slaves from the territories.”¹ That party had its origin in a constitutional misconception; or to put the matter another way, it was organized to do an unconstitutional thing. The Supreme Court of the United States, three years later, really so decided, for it decided that Congress possessed no such power.

The Republican party was the party of the abolitionists and the anti-slavery men of the North, and that party thought its party tenets more sacred than the Constitution of the United States and more important than the independence and prestige of the United States Supreme Court; and in pursuance of that position the Republican party reasserted its position, and advanced the doctrine that Congress had a right to legislate upon the subject in disregard of the mandates of the Supreme Court of the United States. This meant, of course, that it took the position that on this subject Congress should be privileged to legislate as it saw fit, regardless of constitutional limitations, and regardless of the decisions of the Supreme Court upon the constitutional questions.

Garrison and the extreme abolitionists railed at the court, and their contempt of it almost as much as their reprobation of the Constitution, was responsible for their insistent demand for a dissolution of the Union.

Lincoln was more wordy, less frank in his avowal, but the substance of his stand on the Dred Scott case was to place him completely in the ranks of the abolitionists on the question of repudiating the Supreme Court decision.

The discussion of the general subject in the Lincoln-Douglas debates was to further enlighten the South as to party position, and the personal views of leading public men. The alarm of that

¹Munford: *Virginia's Attitude Toward Slavery and Secession*, 186.

section was but natural, upon the political turn of affairs, within the next few years.

In the course of the Lincoln-Douglas debates of 1858, the Dred Scott decision came in for its full measure of discussion.

Douglass, in his speech at Quincy, October 13, 1858, speaking of it, said: ". . . I choose to abide by the decisions of the Supreme Court as they are pronounced. It is not for me to inquire, after a decision is made, whether I like it in all the points or not. . . . I tell you that I take the decisions of the Supreme Court as the law of the land, and I intend to obey them as such."¹

In this same debate, Lincoln said: ". . . we . . . oppose that decision as a political rule which shall be binding on the voter to vote for nobody who thinks it wrong; which shall be binding on the members of Congress or the President to favor no measure that does not actually concur with the principles of that decision."² This no doubt meant that Lincoln and those of his view proposed "a political rule" through the instrumentality of Congress and the President to produce a result directly contrary to the decision of the Supreme Court. This likely accounted for the reaffirmation of its original position, by the Republican party in its platform of 1860, in defiance of the Supreme Court's decision.

Answering Lincoln, Douglas said:

"He," Lincoln, "tells you that he does not like the Dred Scott decision. Suppose he does not, how is he going to help himself? He says that he will reverse it. How will he reverse it? I know of but one mode of reversing judicial decisions, and that is by appealing from the inferior to the superior court. But I have never yet learned how or where an appeal could be taken from the Supreme Court of the United States! The Dred Scott decision was pronounced by the highest tribunal on earth. From that decision there is no appeal, this side of Heaven. Yet, Mr. Lincoln says he is going to reverse that decision. By what tribunal will he reverse it? Will he appeal to a mob? Does he intend to appeal to violence, to lynch law? Will he stir up

¹Ill. Hist. Col., III, 418-19.

²Id. 405.

strife and rebellion in the land, and overthrow the court by violence? He who attempts to stir up odium and rebellion in the country against the constituted authorities, is stimulating the passions of men to resort to violence and to mobs instead of to the law.”¹

But no extended view can be here indulged of the range of debate and discussion of the subject, during this period.

In its discussion, doctrines and counter doctrines, refinements and qualifications of opinions, were announced, and the vocabulary of explanation was well-nigh exhausted. Sumner in “polished oratory” and Ben Wade in the coarse billingsgate of which he was an acknowledged master, breathed their deep malice toward the South. Men like Senator Seward of New York, while declaring adherence to the constitution and to its guarantees, declared that “an irrepressible conflict” existed between the North and the South. Lincoln, in 1858, in the debate with Douglas, had declared that a house divided against itself could not stand and that the Union could not continue part free and part slave. Public men, some of them at least, spoke in contradictions, under such circumstances as to leave doubt as to their good faith. Lincoln was one of these. He did not hesitate to preach one doctrine in Northern Illinois, which was largely abolitionist, and another doctrine in Southern Illinois, which was largely pro-slavery. Few things in the history of political debate can be compared to the transcendent ability with which Douglas crushed him in that campaign; and Douglas dealt few blows more telling than that by which he exposed Lincoln’s vacillation and duplicity. For example, he questioned Lincoln as to how he would vote if Congress should not prohibit slavery in a territory, and it applied for admission with a Constitution recognizing slavery; for some time he did not answer. When Lincoln finally answered, his answer was evasive and, in fact, no answer at all to the questions asked. Thereupon, Douglas in the course of his speech at Quincy, October 13, 1858, pounced upon him in characteristic fashion.

“I submit,” he said, “to you whether that answer of his to my suggestion does not justify me in saying that he has a fertile

¹Ill. Hist. Col. III, 418-19.

genius in devising language to conceal his thoughts. I ask you whether there is an intelligent man in America who does not believe that that answer was made for the purpose of concealing what he intended to do. He wished to make the Old Line Whigs believe that he would stand by the compromise measures of 1850, which declared that the states might come into the Union with slavery or without, as they pleased, while Lovejoy and his abolition allies up North explained to the abolitionists that in taking this ground he preached good abolition doctrine, because his proviso would not apply to any territory in America, and therefore there was no chance of his being governed by it. It would have been quite easy for him to have said that he would let the people of a state do just as they pleased, if he desired to convey such an idea. Why did he not do it? He would not answer my question directly, because up North the abolition creed declares that there shall be no more slave states, while down South, in Adams County, in Coles, and in Sangamon, he and his friends are afraid to advance that doctrine. Therefore, he gives an evasive and equivocal answer, to be construed one way in the South and another way in the North, which, when analyzed, it is apparent is not an answer at all with reference to any territory now in existence."

Again Douglas drew a fatal parallel between two of Lincoln's speeches. In a speech at Chicago, Lincoln had said:

"I should like to know, if taking this old Declaration of Independence, which declares that all men are equal upon principle, and making exceptions to it, where will it stop? If one man says it does not mean a negro, why may not another man say it does not mean another man? If that declaration is not the truth, let us get the statute book in which we find it, and tear it out."

And in concluding this speech, Lincoln said:

"My friends, I have detained you about as long as I desire to do, and I have only to say, let us discard all this quibbling about this man and the other man, this race, and that race, and the other race being inferior, and therefore they must be placed in an inferior position, discarding our standards that we have left us. Let us discard all these things, and unite as one people throughout

this land until we shall once more stand up declaring that all men are created equal.”

In a speech at Charleston, Illinois, September 18, 1858, Lincoln said:

“I will say then, that I am not nor ever have been in favor of bringing about in any way, the social and political equality of the white and black races; that I am not nor ever have been in favor of making voters of free negroes, or jurors, or qualifying them to hold office, or having them to marry with white people. I will say in addition that there is a physical difference between the white and black races, which I suppose will forever forbid the two races living together upon terms of social and political equality, and inasmuch as they cannot so live, that while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of the superior position being assigned to the white man.”¹

Upon this parallel Douglas commented: “Thus you see that when addressing the Chicago Abolitionists he declared that all distinction of race must be discarded and blotted out because the negro stood on an equal footing with the white man; that if one man said the Declaration of Independence did not mean a negro when it declared all men created equal, that another would say that it did not mean another man; and hence we ought to discard all difference between the negro race and all other races, and declare them all created equal. Did old Giddings, when he came down among you four years ago, preach more radical abolition than this? Did Lovejoy, or Lloyd Garrison, or Wendell Phillips, or Fred Douglass ever take higher abolition ground than that?”

Then turning to what Lincoln had said at Charleston, he declared his declaration there good doctrine, but said he, “Mr. Lincoln is afraid to advocate it in the latitude of Chicago, where he hopes to get his votes. It is good doctrine in the anti-abolition counties, for him, and his Chicago speech is good doctrine in the abolition counties. I assert, on the authority of these two speeches of Mr. Lincoln, that he holds one set of principles in

¹Ill. Hist. Col. III, 414-415.

the abolition counties and a different and contradictory set in the other counties."¹

Lincoln had made a weak attempt to dodge Douglas' logic by quoting from a speech he had made at Ottawa some time before, but it did not and could not reconcile the contradictions involved in the Chicago and the Charleston speeches. And mercilessly Douglas drove home his point. "I do not question," said Douglas, "that he said at Ottawa what he quoted; but that only convicts him further, by proving that he has twice contradicted himself, instead of once. Let me ask him why he cannot avow his principles the same in the North as in the South—the same in every county—if he has a conviction that they are just? But I forgot—he would not be a Republican if his principles would apply alike to every part of the country. The party to which he belongs is bounded and limited by geographical lines. With their principles they cannot even cross the Mississippi River on your ferry-boats. They cannot cross over the Ohio into Kentucky. Lincoln himself cannot visit the land of his fathers, the scenes of his childhood, the graves of his ancestors and carry his abolition principles, as he declared them at Chicago, with him.

"This Republican organization appeals to the North against the South; it appeals to Northern passion, Northern prejudice, and Northern ambition, against Southern people, Southern States, and Southern institutions, and its only hope of success is by that appeal."²

With the spread of their doctrines at the North, the fanning of the flames of hatred of the South, the winning of converts and the intimidation and control of politicians, the abolitionists took advance ground, or rather felt more secure in the position they had taken.

Under the cover of a pestilential breed of so-called "Personal Liberty" laws, the abolitionists undertook to totally nullify the provisions of the Constitution and the Federal Fugitive Slave laws. A distinguished Northern historian admits, or rather we should say frankly records, the fact that the Northern "States set out with the deliberate intention of avoiding or interfering

¹Ill. Hist. Col. III, 414-415.

²Id. 415.

with the act of 1793,"¹ and from time to time passed laws to make their resistance to recovery of the fugitives more certain and effective.

A splendid summary of these laws, as they existed upon the eve of the Civil War is contained in the *Report of the Joint Committee of the General Assembly of Virginia, on the Harper's Ferry Outrages*, dated January 26, 1860. This report is printed as Appendix I, in Robertson's *Life of Alexander Hugh Holmes Stuart*. They are reviewed at length in *The Rise and Fall of the Confederate States Government*.²

To such extreme did some of the Northern States go that persons who committed murder in inciting slaves to insurrection, and who escaped out of the state where the crime was committed, were harbored and prevented from being tried. For example, Governor Dennison of Ohio, refused to honor a requisition from Governor Wise of Virginia, for one of John Brown's co-assassins, who had committed murder in Virginia and escaped to Ohio.

No extended or exhaustive effort need be made to trace the history of nullification measures invented, sponsored and championed by the abolitionists and the Black Republicans throughout the North. It may be noted, in passing, however, that it does seem singular that Northern histories and Northern literature have laid at the door of the South all the odium attaching to the doctrine of nullification. To the distinction and the honor of a long time devotion to the principle and the practice of it in a variety of reprehensible ways, the North seems to have a clear and undisputed title.

No historian North or South will deny that slavery was an established institution in all the states when the Constitution of the United States was formulated by the Convention at Philadelphia in 1787, nor contend that the Constitution would have been adopted by the requisite number of states if it had not contained the provisions it did for representation based on slave property, and respecting the return of fugitive slaves. Not only will these propositions not be controverted, but everyone must

¹Hart: *Slavery and Abolition*, 283.

²By Jefferson Davis, President of the Confederacy.

admit that the whole of the Constitution as adopted by the states was equally and impartially binding upon all the states, and the citizens of all the states.

Such then, being the case, how, it will be asked, did it come about that the North arrogated to itself the prerogative of supervising the institution of slavery within the states at the South?

The answer is that a majority at the North succumbed to the falacious doctrines of the abolitionists, and with their rise and the organization of the Black Republican Party prostituted their energies to repeated assaults upon the Constitution. James G. Blaine wrote: "Abolitionists from the very beginning of their energetic crusade against slavery had seen the Constitution standing in their way, and with the unsparing severity of their logic had denounced it as 'a league with hell and a covenant with death.'"¹

The abolitionists contended that: "The time had come when it was absolutely necessary to destroy the idolatrous reverence for the Constitution which had so long been the shield and buckler of slavery, and a covert for tricksters and hucksters of every sort."² And declared one of them: "It was a high service rendered to the people of this country when the anti-slavery movement assailed their fortress, and showed it to be full of dead men's bones and all uncleanness."³ And speaking of the position of Congressmen, one of the abolitionists said: "The simple truth was that, between what the Constitution forbade them to do in opposition to slavery and required them to do for its support, there was hardly an inch of ground on which they could stand; and so, one after another, smitten by the popular idolatry of the instrument, they found no place for the soles of their feet save in the slippery ways of compromise, where they were utterly powerless to help the slave. . . . How could men be true to the slave, and at the same time obey an oath to sustain a pro-slavery constitution? Under such conditions, Congress became a sepulchre, where free souls could hardly draw the breath of life.

¹Blaine: *Twenty Years of Congress*, I, 176.

²Johnson: *Garrison and His Times*, 338.

³*Id.*

If Sumner and Wilson and Hale and Chase did breathe and do noble work there, it was only because they found a way to break through the web which the Constitution wove about them, and thus maintain their allegiance to the Higher Law. That they were able to do this may have been owing very largely to the influence of the Garrisonian movement in diminishing the popular reverence for the Constitution as it had so long been interpreted, and in forming a public opinion which would pardon a breach of sinful compromises, but would *not* pardon a want of fealty to the cause of freedom."¹ This was written by Oliver Johnson, a contemporary follower and associate of Garrison, and no one will question that he accurately portrays their position.

It will be observed that there is not the slightest reference to or acknowledgment of the authority of the states to deal with the question. There is the frank admission that under the Constitution Congress had no power to deal with the question; and there is the demand that it assume such power. There is further praise for those who broke their oaths and "found a way" to violate the Constitution, and there is praise and pardon for those who broke "sinful compromises,"—meaning thereby laws of the United States, which had been legally and solemnly enacted.

With such a philosophy, and such leaders, there is little wonder that the course of the conduct of the North was such that George Lunt, the Northern writer, declared: "Of four several compromises between the two sections of country since the Revolutionary War, each has been kept by the South and violated by the North."

Not only was this true, but during the whole history of the agitation of the subject no instance can be cited where "the South violated the Constitution or any of the laws made in pursuance thereof; whilst, on the contrary, fourteen of the Northern States passed acts nullifying the fugitive slave law, passed by Congress in obedience to the Constitution,"² and denounced and defied the decisions of the Supreme Court.³

¹Oliver Johnson: *Garrison and His Times*, 338-39.

²McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 184.

³Id.

Thousands of instances could be cited, but one will serve for illustration. A fugitive slave in Ohio was arrested under the fugitive slave law. He was taken from the officers of the law by a mob composed of students from Oberlin College, led by one of the professors. Two members of the mob were arrested, tried and convicted, and imprisoned in the jail at Cleveland. These proceedings, of course, were had in the Federal Court for the Northern District of Ohio. Thereupon a writ of *habeas corpus* was granted by a judge of the Supreme Court of Ohio, and the release of the prisoners sought on the claim that the Supreme Court of Ohio could nullify the Fugitive Slave Act, and likewise the judgment of the United States Court for the Northern District of Ohio.¹ Instead of pursuing the orderly process of appeal to the higher Federal Courts, this absurd course was taken, and it was taken because the Fugitive Slave Law had been repeatedly upheld by the Federal Courts; and because it was hoped the Ohio Court would be so far subservient to the abolitionists' cause, as to assume a jurisdiction it did not have, and render a decision in defiance of all law and orderly procedure. The decision was against the prisoners by a vote of three to two, but that any judge should have voted as the two did, shows the extent to which even those in high office in the North, would sometimes show their subserviency to the abolitionists, and violate their oaths, in deference presumably to the so-called "Higher Law," the catch phrase of the abolitionists.

Judge Swan who rendered the opinion in the case had been elected in 1854, by the anti-slavery sentiment in Ohio. "The Fugitive Slave Law was extremely odious from a political standpoint to Judge Swan and his party associates."² But he could not see any possible ground for such a decision as was asked at the hands of the court by the abolitionists. Randall and Ryan, in their history of Ohio, declare that "a more courageous opinion from an honest judge was never given." They admit that the decision was right, and that there was really not two sides to the question. What then must have been the public senti-

¹Ryan: *Lincoln and Ohio*, 26; Randall and Ryan: *History of Ohio*, IV, 135-138.

²Randall and Ryan: *History of Ohio*, IV, 135.

ment of the state, to justify at their hand such extravagant praise for courage to decide rightly so plain a case?

And yet Judge Swan was kicked out of office, by the Republican Party which he helped to found, although he had been elected by a majority exceeding seventy-seven thousand.¹

Of him, Randall and Ryan say: "His fine career as a jurist, his high character, his decided views against the extension of slavery, all called for a nomination to the high office which he held, but his opinion had aroused the indignation of the radical element of the Republican Party, and under the leadership of Wade, Chase and Giddings a renomination was refused him."² Continuing, they say: "It is difficult in moments of deliberation to conceive how men well versed in the law and having high ideals of citizenship could take this attitude. Judge Swan's position was such as any just and honorable judge, who had due regard for his oath of office and who honored his conscience would take, but the intolerance of the abolitionists was exercised against him."³

The trouble was these men who were responsible for kicking Judge Swan out did not have the high ideals of citizenship which these magnanimous historians attribute to them. To respect his oath of office and honor his conscience was exactly what they did not want Judge Swan to do.

Rufus P. Spaulding, one of the attorneys in this case, wrote concerning the defeat of Judge Swan for renomination: "He was dropped for the reason that he, as a judicial officer, recognized the Fugitive Slave enactment of 1850 to be of binding force in Ohio."⁴ And he added that the other two judges who concurred with him would be dropped as soon as their terms were up.

Commenting on this subject, Randall and Ryan say: "The proposition was, that a Judge of the Supreme Court should ignore a law that was duly passed by the Congress of the United States and declared constitutional by the highest tribunal of the land;

¹Randall and Ryan: *History of Ohio*, IV, 135.

²Id. 137.

³Id.

⁴Id.

and this should be done because the judgment of the majority of the citizens of Ohio was opposed to the law in principle and for that reason would decline to obey it."¹

By such means throughout the North did the sections where the Black Republicans were in the ascendancy turn out of office faithful and upright men, and put into office those who would do what that "just and honorable judge, who had due regard for his oath of office and who honored his conscience" would not do.

Thus in Ohio (and the same was largely true elsewhere in the North), the successor of Judge Swan was expected by the dominant party to subscribe to an extreme doctrine of nullification. They were in fact committed to a proposition which struck at the very foundation of the Constitution. It was demanded that they adhere to the doctrine that the laws of Congress duly passed and declared constitutional by the United States Supreme Court should nevertheless be declared unconstitutional by the State Courts in Ohio; that the judgments and decrees of Federal Courts in Ohio should be reviewed and reversed by the State Courts of Ohio; and that prisoners convicted of violating the laws of the United States, and imprisoned by the Federal Courts therefor, should be freed by the State Courts! And yet the latter day historians and writers of the North, ignoring and suppressing these facts, point the finger of scorn at the South because of the alleged nullification doctrines of some of its citizens.

Garrison protested that no one should swear to support the Constitution of the United States, and insisted that an oath to do so was not binding.

The determination in the North to nullify the Constitution on the subject of slavery was open and persistent. A Northern historian² has cited at length instances which he declares "showed the determination of the abolitionists that the Fugitive Slave Law should not be carried out," and by 1847 he declares "the tide of anti-slavery feeling had . . . risen to a point where, law or no law, decision or no decision, the return of fugitives was openly resisted."³

¹*History of Ohio*, IV, 138.

²Albert Bushnell Hart: *Slavery and Abolition*, 282.

³*Id.* 284.

Not only were such measures adopted by the legislatures, the public officials and courts of the North, in defiance of the Constitution, the laws, and of the comity which should obtain between states, but other measures, more reprehensible, if possible, were employed by the people of the North. Societies and secret groups were organized throughout the North, and their activities took on almost every imaginable form. They financed and ran the "Underground Railroad." They created and distributed incendiary and insurrectionary literature. They financed the activities of those who endeavored to incite the slaves to murder by violence, poison and arson; they secretly manufactured, paid for and distributed arms, some of them of special design, such as the pikes furnished John Brown, for the use of the slaves. These they believed the slaves could use with more deadly effect than fire arms, with the use of which they were not familiar; and these things were done, it was hypocritically claimed, in obedience to the dictates of the "Higher Law."

It is, of course, not true that there was absolute unanimity of views or perfect concert of action at the North; but matters were strongly running thus in the grooves marked out by the abolitionists; and politicians, in endeavoring to keep in their good graces and still receive a respectable conservative following, were finding their positions more and more untenable.

CHAPTER XII

Slavery, Secession and the Civil War—Continued

THE DOCTRINE OF SECESSION



HOWEVER, theretofore, politicians might have been able to successfully pursue an equivocal course, and whatever the apparent success of their duplicity in endeavoring to confuse with words designed to conceal rather than to reveal their thoughts, events were in the making which would show them in their true colors, and prevent the people from being further misled as to where they stood on the great issues of the day.

This revelation came as the result of the John Brown raid. John Brown was born in 1800 and lived for fifty-six years without any sort of prominence. In 1855 he appeared in Kansas and became the leader of an armed band of free-soilers. On his way to Lawrence in 1856, he heard of the conflict that had there occurred and he decided to get into the fray. He reckoned up that five free-soil men had been killed and he decided to kill an equal number of victims. On Saturday night, May 24, 1856, he and his band of assassins visited house after house upon Pottawatomie Creek, and "calling man after man from his bed, murdered them in cold blood."¹ These men were called from their homes, unarmed, forced to go a distance with Brown's band, and were then murdered and mutilated in the most revolting manner. For example, a man named Doyle and his two sons were among their victims. They were taken about two hundred yards from their home, and the father was "shot in the forehead and stabbed in the breast." One "son's head was cut open, and there was a hole

¹Wise: *The End of An Era*, 125.

in his jaw as though made by a knife." The other son was found dead nearby in the grass, "his fingers cut off and his arms cut off, his head cut open, and a hole in his breast."¹

Armed conflicts ensued, and the uprisings were not put down until United States dragoons under Colonel Sumner arrived. Before these soldiers came Brown had captured a number of men, who were being held prisoners. These he was required to release, but he, himself, was not molested, either by the military or by the civil authority, although a United States Marshal was with Sumner at the time, and Brown was known, or at least strongly suspected of the murders on the Pottawatomie.

Soon after this Brown conceived the idea of gathering a band and going to Virginia, inciting the negroes to rise, and massacre the white inhabitants indiscriminately. He assembled his party at Tabor, Iowa, in the autumn of 1857 and thence came to Ashtabula County, Ohio, with a view to attending a military school and obtaining such rudimentary instruction as was deemed needful in the enterprise on Virginia. For two years Brown and his more active confederates were cautiously engaged in procuring information by means of secret emissaries, collecting money, recruiting men, and obtaining supplies and arms and ammunition "to be used in the accomplishment of their fiendish purpose."²

Brown and his conspirators met at Chatham, Canada, in May, 1858, and "formed what purported to be a constitution for a provisional government which was to be substituted for the fundamental law of Virginia when it should have been subverted."³

Under this "Constitution," W. C. Munroe, a free negro, was elected President, A. M. Chapman, Vice-President, John Brown, Commander in Chief, Richard Realf, Secretary of State, J. H. Kagi, Secretary of War, George B. Gill, Secretary of the Treasury, Owen Brown, Treasurer, and M. K. Delaney, Corresponding Secretary. Subordinate military officers were appointed

¹Wise: *The End of An Era*, 125.

²Report of the Joint Committee of the General Assembly of Virginia on the Harper's Ferry Outrages.

³Report of the Joint Committee of the General Assembly of Virginia on the Harper's Ferry Outrages. Wise: *End of An Era*, 128-9.

under the authority of this alleged constitution, all of whom were required to take oaths to support it.¹

With these arrangements completed, "Brown and his associates established a secret military rendezvous in Washington County, in the State of Maryland, a short distance from Harper's Ferry."² This rendezvous was on a farm Brown had rented, and here while ostensibly engaged in agricultural pursuits he was able quietly, without exciting suspicion, to collect his arms and ammunition. To this point he "caused to be conveyed 200 Sharpe's rifles, which had been furnished to Brown by the Emigrant Aid Society of Massachusetts, to accomplish his bloody purposes in Kansas; about the same number of revolver pistols, with large quantities of ammunition and clothing, and 1,500 pikes, which had been manufactured to his order by Charles Blair of Collinsville, Connecticut. These pikes are very formidable weapons, and peculiarly adapted for the use of the slave population, who are unskilled in the management of fire-arms. The heads are about fifteen inches in length, with sharp edges, and the handles are longer than the ordinary musket, with a view to give those who employ them an advantage in a hand-to-hand contest with troops armed with the musket and bayonet."³

In October, 1858, John E. Cook, one of the conspirators, one of Brown's most trusted Lieutenants, was dispatched, under false pretenses, into the interior of Jefferson County to ascertain the number of able-bodied slaves in particular neighborhoods, and to learn their dispositions toward their masters; and Brown himself went on a similar mission to other localities.⁴

Brown seems to have had no doubt that the slaves would rise. He took it as a matter of course that the slaves, to a man, would eagerly rise at his call, and fall upon and slay all the unsuspecting whites within their reach. He had not, it seems, the slightest understanding of the kindly, even affectionate relations between many of the masters and the slaves of Virginia. The wide-

¹*Report of the Joint Committee of the General Assembly of Virginia on the Harper's Ferry Outrages.*

²*Id.*

³*Id.*

⁴*Id.*

spread extent to which he expected support from the slaves seems to be argued by the paucity of the number of his followers which he assembled at Harper's Ferry for his grand attack. He assembled his cohorts to the number of twenty, composed partly of black and partly of white men, at his farm house, and Sunday night, October 16, 1859, they marched on Harper's Ferry. About 10:30 at night they seized and took prisoner the watchman at the railroad bridge across the Potomac, and then descended upon the United States Armory and took possession of it. The possession of the armory gave them possession of "about 50,000 stand of arms of different kinds."¹

Having secured possession of the armory, "Parties were sent into the neighborhood, who broke into the dwellings of unsuspecting citizens, seized them in their beds, and carried them and their slaves as captives to Harper's Ferry, where they were held in close custody."²

In the morning local troops assembled in considerable number, but they hesitated to storm the engine-house, in which Brown and his band had taken position as the more impregnable fortress, because many citizens were held prisoners in it. During the day's skirmishes four citizens of Virginia were killed and ten wounded. On the following night, Col. Robert E. Lee, in command of a detachment of marines from Washington, arrived. Awaiting daylight, early on the morning of the 18th, the marines stormed the engine house, captured it, released all the captives and either killed or took prisoners all the conspirators therein.

Among the conspirators taken prisoners were Brown, Stevens and Coppoc. Cook, one of Brown's chief lieutenants, and another named Hazlitt, had been sent to the farm in Maryland with teams and wagons, with several slaves pressed into service, to bring over the rifles, pistols and pikes assembled there. When they heard of the condition of their confederates at Harper's Ferry, Cook and Hazlitt fled to the mountains and made their escape. They were both captured in Pennsylvania and returned to Virginia for trial and punishment. The slaves at the first opportunity returned to their masters.

¹*Report of the Joint Committee of the General Assembly of Virginia on the Harper's Ferry Outrages.*

²*Id.*

It was possibly an "ill omen" for Brown's venture that early in the morning the first person killed was an inoffensive colored man, a porter at the railway station. He was frightened it seems by the warlike display and sought to escape. He was shot as he ran away. "The next victim was a citizen killed standing in his own doorway. The next, a graduate of West Point, who, having heard of the trouble at the Ferry, was shot from the armory as he rode into town on horseback armed with a gun."¹

Brown and his co-conspirators who were captured were indicted and tried for treason, murder, and inciting slaves to insurrection. They were, on pleas of not guilty, convicted and hanged. Brown was accorded a trial conceded to have been fair, and conducted in the most unexceptionable manner. He was defended by Honorable D. W. Voorhees of Indiana and other counsel of his choice from Massachusetts and Ohio, and every witness he desired was summoned and appeared at the trial.²

In later years some have suggested insanity as an excuse for John Brown's acts. Neither he nor his counsel made that claim, and it is not generally made by the historians of the North. There is nothing in the suggestion, but if such a plea is to be allowed old John Brown, it must be with full implication upon the sanity of the hundreds and thousands in the North who were cognizant of his plans, and fully supported them.

Of John Brown's acts, Dr. Claiborne well says:

"It was vain to say that these were the acts of a fanatic and a madman. Unhappily, this was not true, or, if true, there were thousands of madmen and assassins and traitors at his back, proclaiming a higher law than the law of their country, and a law calling for 'pikes for the slave-holder, fire for his dwelling, and poison for his water.'"³

John Brown has been described no doubt justly, as "the character of murderous monomaniac found at the head of every such desperate venture," as "an uncompromising, blood thirsty fanatic."⁴ After brutally murdering the unoffending, unarmed

¹Wise: *The End of An Era*, 128-29.

²Claiborne: *Seventy-five Years in Old Virginia*, 140; Wise: *The End of An Era*, 130.

³*Seventy-five Years in Old Virginia*, 141.

⁴*Id.* 124.

citizens on the Pottawatomie, "it was said that on the next morning, when the old man raised his hands to Heaven to ask a blessing, they were still stained with the dry blood of his victims."¹ And that he had the "overweening egotism the inordinate vanity of lunacy," there seems little doubt.

The constitution which he and his group of followers adopted in the "convention" in Canada, presided over by a negro preacher, for the government to be set up in Virginia, when the state government was overthrown, his issuing military orders from his farmhouse near Harper's Ferry, described by them as "Head-quarters War Department, Provisional Army, Harper's Ferry,"² were the acts at least of a vainglorious, blood-thirsty fanatic. It seems altogether probable that John Brown, in the exaltation of his stupendous conceit, expected the same immunity for any act he might do in Virginia as had been accorded him respecting the murders committed in Kansas. He may have been a conceited bigot, a vainglorious fool, a blood-thirsty fanatic, but he knew right from wrong and he fully understood the character of the crime he committed against the Virginians.

The Virginians felt no exultation at the fate of the deluded old fanatic. He was a victim of his own lawlessness. In giving an account of how the verdict was received the *New York Herald* said: "Not the slightest sound was heard in the vast crowd, as this verdict was returned and read; not the slightest expression of elation or triumph was uttered from the hundreds present . . . nor was this strange silence interrupted during the whole of the time occupied by the forms of the court."³ And John Brown himself said, before the sentence of death was pronounced upon him: "I admire the truthfulness and candor of the greater portion of the witnesses who have testified I feel entirely satisfied with the treatment I have received on my trial. Considering all the circumstances, it has been more generous than I expected."⁴

In the circumstances of the case no other result was possible.

¹See Rhodes: *History of the United States*, II, 162.

²Claiborne: *Seventy-five Years in Old Virginia*, 138-39.

³Quoted in *The End of An Era*, 130-31.

⁴*Id.* 131.

John Brown had indeed "whetted knives of butchery" for the Virginians "and had come a thousand miles to kill people who had never heard his name."¹ "Any other penalty" than the one inflicted upon him, "would have been a travesty of justice, and a confession that the organized governments which he assailed were mockeries, affording no protection to their citizens against midnight murder and assassination."²

When Virginia had performed the imperative, if unpleasant, duty of executing John Brown, it was with the deepest indignation that she learned of the attitude toward her at the North because she had done the natural and inevitable thing in protecting her citizens and upholding the majesty of the law.

"Instead of receiving sympathy and support from her Northern brethren in capturing and executing with form of law a notorious murderer, Virginia was denounced throughout the North, her Governor threatened with death, and John Brown received the honor of an apotheosis."³

"When it was learned that, in many parts at the North, churches held services of humiliation and prayer; that bells were tolled; that minute-guns were fired; that Brown was glorified as a saint; that even in the legislature of Massachusetts, eight out of nineteen senators had voted to adjourn at the time of his execution; that Christian ministers had been parties to his schemes of assassination and robbery; that women had canonized the blood-thirsty old lunatic as 'St. John the Just'; that philanthropists had pronounced him 'most truly Christian'; that Northern poets like Whittier and Emerson and Longfellow were writing panegyrics upon him; that Wendell Phillips and William Lloyd Garrison approved his life, and counted him a martyr,—then Virginians began to feel that an 'irrepressible conflict' was indeed upon them."⁴

At a meeting in Tremont Temple, Boston, many bitter speeches were made, and one by J. I. A. Griffith was applauded, in which

¹Quoted in *The End of An Era*, 130-31.

²*Id.* 130.

³Claiborne: *Seventy-five Years in Old Virginia*, 141. And they are still, in Ohio, glorying in John Brown's murderous career. *Columbus Dispatch*, Sept. 29, 1926.

⁴Wise: *The End of An Era*, 133-34.

he declared: "The heinous offense of Pilate in crucifying Jesus whitened into virtue when compared with that of Governor Wise in his conduct toward John Brown,"¹ and Wendell Phillips said in Henry Ward Beecher's Church in Brooklyn that John Brown had as much right to hang Governor Wise as he had to hang John Brown, and that "on the banks of the Potomac history will visit that river more kindly because John Brown has gilded it with the eternal brightness of his glorious deed, than because the dust of Washington rested upon one side of it."²

The great jurist and writer, Judge Black, of Pennsylvania, says the abolitionists "applauded John Brown to the echo, for a series of the basest murders on record. They did not conceal their hostility to the Federal and State Governments nor deny their enmity to all laws which protected white men. The Constitution stood in their way, and they cursed it bitterly. The Bible was quoted against them, and they reviled God the Almighty himself."³

In January, 1860, a joint committee of the General Assembly of Virginia investigated the Harper's Ferry Outrages. Notwithstanding the Democrats had full control of the executive and legislative departments of the government, the committee elected as its chairman, that great Virginian, Alexander Hugh Holmes Stuart, an old Whig who was then a member of the American party. As chairman of this committee he prepared an elaborate report,⁴ which was adopted by the committee and read before the Legislature, January 26, 1860.

After reviewing immediate events of Brown's raid, the arrest, trial and execution of Brown and some six or seven of his conspirators, the report said:

"But, in the opinion of your committee this is but a single and comparatively unimportant chapter in the history of this outrage. They would cheerfully have undertaken the task of investigating the subject in all its relations and ramifications if they

¹Claiborne: *Seventy-five Years in Old Virginia*, 141.

²Claiborne: *Seventy-five Years in Old Virginia*, 142.

³McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 184.

⁴Which among other places may be seen as Appendix I, in Robertson's *Alexander Hugh Holmes Stuart*.

had possessed the power to compel the attendance of witnesses who reside beyond the limits of the Commonwealth; but having no such power, they are constrained to leave that branch of the investigation in the hands of the Committee of the Senate of the United States.

“Your Committee have no hesitation, however, in expressing the opinion, from the evidence before them, that many others besides the parties directly engaged in the raid at Harper’s Ferry are deeply implicated as aiders and abettors, and accessories before the fact with full knowledge of the guilty purpose of their confederates. Some of these, like Gerritt Smith of New York, Dr. S. G. Howe of Boston, Sanborn and Thaddeus Hyatt of New York, and probably others, are represented to have held respectable positions in society; but whatever may have been their social standing heretofore, they must henceforth, in the esteem of all good men, be branded as the guilty confederates of thieves, murderers and traitors.

“The evidence before your Committee is sufficient to show the existence, in a number of Northern States, of a widespread conspiracy, not merely against Virginia, but against the peace and security of all the Southern States.”

The report is a long, detailed and able document. It is regretted it cannot be here noticed at greater length. It declared:

“Whether the recent outrages perpetrated upon the soil and citizens of Virginia will have the effect of awakening the conservative sentiments of the North into efficient action remains to be seen. Your Committee cannot relinquish the hope that such will be its effect, and thus good may come out of evil. Your Committee have no appeals or remonstrances to address to their fellow-citizens of the North. They doubtless comprehend their obligations under the Constitution to the people of the South. . . . As Virginia was among the foremost in the struggle for national independence, and contributed as much as any other state to the formation of the Constitutional Union, she would be among the last to abandon it, provided its obligations be faithfully observed. . . .

“But the Union which they have been taught to love and revere

is the Union contemplated by the Constitution,—a union of communities having equal rights,—a union of sovereign states entitled to regulate their domestic affairs in their own way, and bound to fulfil their obligations to each other with scrupulous fidelity. When it shall cease to be such a Union, it will forfeit all claims to their respect and affection. Virginia feels that she has discharged her whole duty to her sister states, and she asks nothing from them that is not guaranteed to her by the plain terms of the Federal Compact. . . . We desire nothing but friendly relations with our sister states of the North. We ask of them nothing to which they have not solemnly bound themselves by the compact of the Constitution. But we understand our rights, and we are resolutely determined to maintain them. We disclaim all aggressive purposes. But when we are threatened with the knife of the assassin and torch of the incendiary, we cannot fold our arms in blind security.”¹

In the presence of such an event as the John Brown massacre, his trial and execution, and the widespread discussion which ensued, no public man at the North could conceal his views on the subject, even if he desired so to do. The position taken on this subject clarified and explained equivocal statements of the past.

Horace Greeley, the editor of the leading Republican newspaper of the North, the *New York Tribune*, declared he would “not by one reproachful word disturb the bloody shrouds wherein John Brown and his compatriots are sleeping”; John A. Andrews presided at a John Brown meeting, praised John Brown and declared he was right, whether the enterprise against Virginia was wise or foolish, and the next year Andrews was elected Governor of Massachusetts; Northern elections in the months succeeding John Brown’s raid on Harper’s Ferry showed Republican gains.

But possibly the most significant utterances by public men in the North respecting the John Brown raid were those of William H. Seward and of Abraham Lincoln. Lincoln spoke in February, 1860, at Cooper Institute, New York. What he would say regarding the ordeal Virginia had gone through as a result of the John Brown raid was awaited with great interest. To the

¹Robertson: *Alexander Hugh Holmes Stuart*, 174-76.

amazement of the people who supposed he stood for law and order whatever his views on slavery might be, he merely characterized John Brown's effort as "peculiar," and while he said it was absurd, he had no word of censure whatever. Soon afterwards, Seward spoke in the Senate. His detestation of slavery was more widely known than Lincoln's. "Up to this time, he had no formidable competition for the Republican nomination for the Presidency."¹ In his speech in the Senate, Seward said: John Brown "attempted to subvert slavery in Virginia by conspiracy, ambush, invasion and force," and he added "this attempt to execute an unlawful purpose in Virginia by invasion, involving servile war, was an act of sedition and treason, and criminal in just the extent that it affected the public peace and was destructive of human happiness and life." Seward was a man of more refinement than Lincoln and he represented a constituency more highly civilized, and one in which there existed a greater respect for law and order. Just and right as was Seward's manly avowal, it no doubt cost him the nomination of his party and the Presidency of the United States.

Lincoln's doctrines became clearer to the people of the South. His advocacy of reversing the Dred Scott decision by political action took on a definite and sinister meaning, in view of his countenancing the acts of John Brown, which even Seward declared were sedition and treason, and which Judge Black, of Pennsylvania, declares were "a series of the basest murders on record."

The aggressions of the North revived, and in a different quarter, the discussion of the doctrine of secession. Since the Civil War it has been quite the fashion to refer to secession as the unpardonable sin, and many writers at the North have vied with each other in violent, even vicious denunciation of Virginia and the South for seceding. Those who pursue this course are strangely forgetful of the facts of history.

The earliest insistence upon that right came from the North, and the earliest secession movements originated in the North. Not only was this so but the abolitionists who precipitated the

¹Wise: *The End of An Era*, 135.

Civil War were up to the very opening of that conflict loud in their insistence upon a severance of the Union.

The right to secede from the Union was so generally held by the statesmen of the South that no collation or summary of their views need be here made. A profound lawyer has declared: "We venture the assertion that no unprejudiced mind can to-day read the history of the adoption of the Constitution and the formation of this government under it without being convinced that the right of secession as exercised by the South did exist."¹

It is at the present day possibly a matter of greater interest that the right of the South to secede is fully sustained by Northern and foreign writers.

A Northern writer has said:

"A popular notion is that the state-rights-secession or disunion doctrine was originated by Calhoun, and was a South Carolina heresy. But that popular notion is wrong. According to the best information I have been able to acquire on the subject, the state-rights, or secession doctrine, was originated by Josiah Quincy and was a *Massachusetts heresy*."²

Quincy's doctrine was announced in 1811, when he was opposing the admission of the territory, now Louisiana, into the Union. He declared that if the bill passed it would be subversive of the Union "and the several states would be freed from their federal bonds and obligations, and that, as it would be *the right of all (the States)*, so it will be *the duty of some to prepare* definitely for a separation, amicably if they can, violently if they must."³

But this writer might have found the doctrine sponsored from Massachusetts even earlier, for in 1803, Timothy Pickering, a Senator from Massachusetts, Secretary of State in the cabinet of John Adams, complaining of what he chose to call the "oppression of the aristocratic Democrats of the South," meditated and suggested the secession of the New England States. "I will not despair," he said: "I will rather anticipate a new con-

¹Judge George L. Christian, in *The Confederate Cause and Conduct in the War Between the States*, 37.

²McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 39.

³Id.

federacy. . . . That this can be accomplished without spilling one drop of blood I have little doubt. . . . *It must begin with Massachusetts.* The proposition would be welcomed by Connecticut; and could we doubt of New Hampshire? But New York must be associated; and how is her concurrence to be obtained? She must be made the center of the confederacy. Vermont and New Jersey would follow, of course, and Rhode Island of necessity."¹

In 1814 the Hartford Convention, consisting of delegates sent by the legislatures of Massachusetts, Rhode Island and Connecticut, as well as from various counties and towns from other Northern States, deliberated behind closed doors, and debated the question of seceding from the Union. The sentiment was strong for leaving the Union, and no doubt that section, which had done all it could to help England win the War of 1812, would have withdrawn from the Union but for the termination of the war before the plans of the seceders could be put into effect.

In 1839, Ex-President John Quincy Adams, in an address delivered in New York, said:

"The indissoluble link of union between the people of the several states of this confederated nation is, after all, *not in the right*, but in the heart. If the day should ever come (may Heaven avert it) when the affections of the people of these states shall be alienated from each other, the bonds of political association will not long hold together parties no longer attracted by the magnetism of consolidated interests and kindly sympathies; *and far better will it be for the people of the disunited states to part in friendship with each other than to be held together by constraint.*"²

Soon after General Taylor was nominated for the Presidency, a petition was presented to the United States Senate "asking Congress to devise means for the dissolution of the Union," and Seward, Chase and Hale, among others, voted for it.³

¹McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 40.

²*Id.* 40-41.

³*Id.* 41.

In 1844 the Legislature of Massachusetts threatened that if Texas were annexed to the United States a dissolution of the Union might be expected.¹

During Lincoln's first term in Congress he made a speech which Judge Black declares advocated the right of secession. In the course of this speech he said:

"Any people anywhere being inclined and having the power have the right to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, most sacred right, a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it. Any portion of such people that can may revolutionize and make their own any or so much of the territory as they inhabit."²

Discussing the Virginia and Kentucky resolutions of 1798 and 1799, Henry Cabot Lodge declares the North in respect to them was controlled by *expediency* and not by *principle*. In his life of Webster he says that when the resolutions were submitted, "they were not opposed on *constitutional grounds*, but only on those of *expediency* and hostility to the revolution they were considered to embody."

The foreign point of view was declared by a distinguished English writer as follows:

"I believe the right of secession is so clear, that if the South had wished to do so, for no better reason than that it could not bear to be beaten in an election, like a sulky school boy out of temper at not winning a game, and had submitted the question of its right to withdraw from the Union to the decision of any court of law in Europe, she would have carried her point."³

M. de Tocqueville, in his work, *Democracy in America*, says:

"However strong a government may be it cannot easily escape from the consequences of a principle which it has admitted as

¹McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 41.

²Nicolay and Hay: *Abraham Lincoln*, I, 105.

³Quoted by Judge Christian in *The Confederate Cause and Conduct in the War Between the States*, 38.

the foundation of its constitution. The Union was formed by the voluntary agreement of the States; and in uniting together they have not forfeited their nationality nor have they been reduced to the condition of one and the same people. If one of the states chose to withdraw its name from the contract, it would be difficult to disprove its right of doing so; and the Federal Government would have no means of maintaining its claims directly, either by force or by right."¹

Lord Brougham in his *Political Philosophy* says of the character of the government of the United States:

"There is not, as with us, a government only and its subjects to be regarded; but a number of governments, of states, having each a separate and substantive, and even independent existence, originally thirteen now six and twenty, and each having a Legislature of its own with laws differing from those of the other states. It is plainly impossible to consider the constitution which professes to govern this whole Union, this federacy of states, as anything other than a treaty."² And Mr. Gladstone in his famous speech at Manchester, April 24, 1862, put the matter tersely and succinctly when he said: "We have no faith in the propagation of free institutions at the point of the sword."³

There was not only the early insistence upon the doctrine of secession, at the North, to which we have called attention, but there was no denial of it up to the very opening of the Civil War. On November 9, 1860, in discussing the contemplated secession of the Cotton States, Horace Greeley wrote in the *New York Tribune*:

"If the Cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace. The right to secede may be a revolutionary one but it exists nevertheless; and we do not see how one party can have a right to do what another party has a right to prevent."⁴ And again Greeley wrote:

¹Vol. II, 257.

²Part 3, p. 336.

³Rhodes: *History of the United States*, IV, 80.

⁴Id. III, 140.

"If it [the Declaration of Independence] justified the secession from the British Empire of three millions of colonists in 1776, we do not see why it would not justify the secession of five millions of Southerners from the Federal Union in 1861. If we are mistaken on this point, why does not someone attempt to show wherein and why?"¹ And as late as February 23, 1861, he wrote:

"We have repeatedly said and we once more insist that the great principle embodied by Jefferson in the Declaration of American Independence that governments derive their just powers from the consent of the governed is sound and just; and that if the Slave States, the Cotton States, or the Gulf States only, choose to form an independent nation they have a clear moral right to do so."²

It is not to Greeley's credit, therefore, that "he had the audacity (and may we not justly add mendacity, too?) to say, after the war, that he never at any moment of his life had 'imagined that a single state, or a dozen states, could rightfully dissolve the Union.'"³

But Greeley is but one of tens of thousands who after the war denied and repudiated the views they espoused before the war.

Representative Daniel E. Sickles, in a speech in the House of Representatives, December 10, 1860, said: "In our Federal System, the recognized right of secession is a conservative safeguard. It is the highest constitutional and moral guarantee against injustice. . . . The opposite dogma which is extensively believed at the North, that no matter what wrongs a state may have to endure, it may and ought to be compelled by force to remain in the Union, even as a conquered dependency, is a most dangerous error in our system of government, and has contributed largely to the existing anarchy."⁴

This man was afterwards an officer in the Union Army, and

¹Curtis: *Life of James Buchanan*, II, 430.

²Id.

³McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 44-45.

⁴Congressional Globe, 36 Cong., 2 Session, Part I, p. 40.

some of his acts reflected no credit upon him either as a soldier or as a citizen.

President Buchanan, in his message to Congress on December 3, 1860, said:

“The fact is that our Union rests upon public opinion and can never be cemented by the blood of its citizens shed in civil war. If it cannot live in the affections of the people it must one day perish. Congress possesses many means of preserving it by conciliation; but the sword was not placed in their hands to preserve it by force.”

Edward Everett, in a written communication on February 2, 1861, to the union meeting called to assemble at Faneuil Hall, said:

“To expect to hold fifteen states in the Union by force is preposterous. The idea of a civil war, accompanied, as it would be, by servile insurrection, is too monstrous to be entertained for a moment. If our sister states must leave us, in the name of Heaven, let them go in peace.”¹

And even Wendell Phillips, speaking at New Bedford, Massachusetts, on April 9, 1861, said:

“Here are a series of states girding the gulf who think that their peculiar institutions require that they should have a separate government. They have a right to decide that question without appealing to you or me. A large body of people, sufficient to make a nation, have come to the conclusion that they will have a government of a certain form. Who denies them the right? Standing with the principles of '76 behind us, who can deny them the right?”²

Whittier was opposed to coercion. He wrote: “As to fighting, in any event, to *force back* the seceders I see no sense in it.”³ And again (to Sumner): “The conflicting rumors from Washington trouble me. I am for peace, not by conceding our prin-

¹Lunt: *Origin of the Late War*, 431.

²Schouler: *History of Massachusetts in Civil War*, I, 45.

³Pickard: *Life and Letters of Whittier*, II, 436.

ciples, but by simply telling the slave states, 'go'—border ones and all."¹

The New York Times, on March 21, 1861, declared editorially that "there is a growing sentiment throughout the North in favor of *letting the Gulf States go*. . . . Let us separate in peace—let us dissolve the partnership and let the Slave States take care of themselves, rather than run the risk of a civil war—is the sentiment and language of thousands who have no sympathy with the ultraists on either side."

And as late as April 10, 1861, Seward, the Secretary of State, in an official communication to the American Minister to Great Britain, wrote:

"For these reasons he [the President] would not be disposed to reject a cardinal dogma of theirs [the Secessionists], namely, that the Federal Government could not reduce the seceding states to obedience by conquest, even though he were disposed to question that proposition. But, in fact, the President willingly accepts it as true. Only an imperial or despotic government could subjugate thoroughly disaffected and insurrectionary members of the state. This Federal Republican system of ours of all forms of government is the very one which is most unfitted for such labor."²

There were able men in the North, Republicans and Democrats, who seeing nothing odious about secession sought to have all the other states of the Union secede from New England. That section was regarded as a noisy, troublesome busy body, the elimination of which would assure the peace and harmony of the rest. It was proposed that all the states, except New England, one at a time join the South.³

The contention was that "to join our destinies with the South will be to continue our trade and intercourse, our prosperity, progress and happiness, uninterrupted and perhaps in an augmented degree."⁴ And Horace Greeley declares that "arguments

¹Pierce: *Sumner*, IV, 5, note. This was written March 13, 1861.

²*Diplomatic Correspondence*, 1861, 58.

³Greeley: *The American Conflict*, I, 439.

⁴Ex-Governor Rodman M. Price of New Jersey to L. W. Burnett. Greeley: *The American Conflict*, I, 439.

nearly identical . . . were used to like purpose by Governor Seymour of New York, but in private conversations only."¹ And on December 9, 1860, the *New York Herald* declared: "The current of opinion seems to set strongly in favor of a reconstruction of the Union, without the New England States. The latter states are supposed to be so fanatical in their views as to render it impossible that there should be any peace under a government to which they were parties."

But exemplifying a fact which has been but too prominent in its history, the North found considerations of sordid, material advantage strong enough to overcome philosophical considerations of right and abstract principles of justice.

Thus although the *New York Herald* originally fully upheld the right of the Southern States to secede, yet when it contemplated the loss of material prosperity to the North, it did not hesitate to reverse itself on the question of principle, because of reasons of gain and expediency.

The weight which such considerations had with it are clearly apparent. Speaking of the commercial situation of the Northern cities it said:

"The union of the North with the South is the source of their prosperity, for by that union the North reaps immense profits on Southern products, by doing for the South its foreign trade, and thus accumulates capital which enables the North to establish manufactures and reap a second harvest from the South."² And again: "In less than two years, unless a reaction shall be produced by the omnipotent voice of the people, New York will be on the verge of ruin, and the false calculations of anti-slavery despotism will be seen in the prostration of trade commerce and manufactures, in the states between Canada and the Potomac."³

The New York Times confessed outright that it was consideration of material prosperity rather than question of right which controlled the final action of the North when it said: "There never has been a time since the election when there was so much

¹*The American Conflict*, I, 439.

²Nov. 4, 1860.

³March 25, 1861.

unity of conviction and purpose as at the present moment *we were divided and confused till our pockets were touched.*"¹ And yet again the charge is confessed in this language:

"The West will never consent to have the Mississippi at its outlet or in any part of its course in the hands of a foreign, and possibly a hostile, power."² And the readiness with which many of the North were willing to turn their coats, and reverse their doctrines is illustrated by Daniel Sickles, who declared in a speech in Congress, December 10, 1860, that no troops should ever pass the limits of New York City for the purpose of holding a state in the Union,³ but he succumbed to the economic argument and on January 17, 1861, declared that the commercial interest of the North as well as the "national destiny" required that the Federal Government keep both political and territorial control of the whole country.⁴

James Ford Rhodes, speaking of the condition of things in 1861, says:

"There were at this time in the Border States of Virginia, Maryland, Kentucky and Missouri unconditional Secessionists and unconditional Union men; but the great body of the people, although believing that the wrongs of the South were grievous and cried for redress, deemed secession inexpedient. . . . All denied either the right or the feasibility of coercion."⁵ This is an accurate statement of the matter. As Mr. Munford well says: "There were two distinct schools of thought and yet both denied the right of the Federal Government to coerce the people of the Cotton States."⁶

Charles Francis Adams says:

"Virginia made state sovereignty an article—a cardinal article—of its political creed. So logically and consistently it took the position that though it might be unwise for a state to secede,

¹March 30, 1861.

²*Springfield Republican*, December 25, 1860.

³Congressional Globe, 36 Cong., 2 Session, Part I, 40.

⁴Congressional Globe, 36 Congress, 2 Session, Appendix, 87.

⁵*History of the United States*, III, 214.

⁶*Virginia's Attitude Toward Slavery and Secession*, 290.

a state which did secede could not and should not be coerced. . . . This position . . . is based on the fundamental principle of the consent of the governed; and in the days immediately preceding the Civil War something very like it was accepted as an article of correct political faith by men afterwards as strenuous in support of a Union re-established by force as Charles Sumner, Abraham Lincoln, William H. Seward, Salmon P. Chase, and Horace Greeley. The difference was that confronted by the overwhelming tide of events, Virginia adhered to it; they in the presence of that tide, tacitly abandoned it."¹

No one ever more strongly championed the principle than Daniel Webster the great "expounder of the constitution." Webster's views, and Webster's position have been falsified by the historians and the literature of the North, until Webster if he were to return to earth and read the stuff would suppose that it all referred to another man. He would never recognize himself. Those who are so busily engaged in the falsification of facts, and the misrepresentation of history, go back to Webster's reply to Hayne, a speech made in 1830. And so far as much teaching is concerned one might well believe based upon it, that this speech was almost his sole deliverance upon public topics. But even in this speech Webster did not deny the fundamental ground taken by the South in the matter of secession. He was discussing nullification not secession.

Henry Cabot Lodge, in his *Life of Webster*, speaking of his reply to Hayne, says:

"The weak places in his [Webster's] armor were historical in their nature. It was probably necessary (at all events Mr. Webster felt it to be so) to argue that the Constitution at the outset was not a compact between the states, but a national instrument, and to distinguish the cases of Virginia and Kentucky in 1799, and of New England in 1814, from that of South Carolina in 1830. The former point he touched upon lightly; the latter he discussed ably, eloquently and at length. Unfortunately the facts were against him in both instances."² And Lodge further says:

¹*Lee at Appomattox and Other Papers*, 403-4.

²Lodge: *Daniel Webster*, 176.

“When the Constitution was adopted by the votes of the states at Philadelphia, and accepted by the votes of the states in popular convention, it is safe to say that there was not a man in the country, from Washington and Hamilton on the one side to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered into by the states, and from which each and every state had the right peaceably to withdraw—a right which was very likely to be exercised.”¹ But whatever may have been his views then, Webster left no doubt in later years as to what he thought about the course pursued by the North toward the South and the merits of the question involved. Webster saw during a period of twenty-one years after that speech was made, the rise of the abolitionists, the encroachments of the North, urged by malice and vindictiveness, upon the South; and while we hold no brief for Webster, and believe that he was far from the measure of greatness some have claimed for him, yet we are prompt and ready and eager to record him as a champion of law and order, a lawyer of ability and leagues above the mediocrity of the section which produced him.

Webster witnessed the enactment throughout the North of the “pestilential breed” of “Personal Liberty Laws.” He observed the growth of the abolitionists who had no respect for the Constitution, for law and order, for human life, or for divine revelation.

He saw the growth of the determination at the North, “law or no law, decision or no decision,” that the Constitution of the United States and the decision of the Supreme Court would be defied on the question of slavery.

It was in view of these things that Webster in a speech at Capon Springs, Virginia, in 1851, said:

“If the South were to violate any part of the Constitution intentionally and systematically, and persist in so doing from year to year, and no remedy could be had, would the North be any longer bound by the rest of it; and if the North were deliberately, habitually and of fixed purpose to disregard one part of it, would the South be bound any longer to observe its obligations? . . .

¹Lodge: *Daniel Webster*, 176.

How absurd it is to suppose that when different parties enter a compact for certain purposes, either can disregard any one provision and expect nevertheless the other to observe the rest! A bargain cannot be broken on one side and still bind the other."¹ And in another speech made at Buffalo, N. Y., during the same year, Webster said:

"The question, fellow-citizens (and I put it to you as the real question)—the question is, whether you and the rest of the people of the great State of New York, and of all the States, will so adhere to the Union—will so enact and maintain laws to preserve that instrument—that you will not only remain in the Union yourselves, but permit your Southern brethren to remain in it and help to perpetuate it."²

Even Ben Wade, of Ohio, of odious memory in the South, who afterwards was one of the most notorious "South-haters," in 1855 said in a speech in the United States Senate:

"Who is the judge in the last resort of the violation of the Constitution of the United States by the enactment of a law? Who is the final arbiter, the General Government or the States in their sovereignty? Why, sir, to yield that point is to yield up all the rights of the States to protect their own citizens, and to consolidate this government into a miserable despotism."

In a speech on December 18, 1860, he said:

"I do not so much blame the people of the South because I think they have been led to believe that we today, the dominant party, who are about to take the reins of government, are their mortal foes, and stand ready to trample their institutions under foot."³ Yet, "notwithstanding the expression of these sentiments, we know, as we say, that this man became one of the most ardent supporters of the 'miserable despotism' established by Abraham Lincoln, and became the second officer in that 'despotism' on the assassination of Mr. Lincoln."⁴

¹McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 42.

²Id.

³Id. 43.

⁴Id.

Despite Webster's warning and his plea, as well as that of many other able and patriotic men, not the slightest progress was made in turning the North from its fatal course of nullification, which drove the Cotton States to secession. Rhode Island alone repealed the obnoxious statutes.

William Lloyd Garrison, resenting Webster's eulogies of the Constitution, said: "Let Daniel Webster, the greatest and meanest of his countrymen, exhaust his powers of eulogy upon it if he will; the effort will but render his character base and contemptible with posterity."¹ While Wendell Phillips, scoffing at Webster as the "Defender of the Constitution," said: "God gives us great scoundrels for texts to anti-slavery sermons. See to it, when nature has provided you a monster like Webster, that you exhibit him—himself a whole menagerie—throughout the country."²

William Rawle, a distinguished lawyer and jurist of Pennsylvania, whose work on the Constitution was recognized as an authority, and was taught at West Point up to the outbreak of the Civil War, said:

"It depends on the State itself to retain or abolish its principle of representation, because it depends on itself *whether it will continue* a member of the Union. To deny this right would be inconsistent with the principles on which all our political systems are founded, which is that the people have in all cases a right to determine how they will be governed."³

James C. Carter, of New York (a native of New England), one of the greatest lawyers America has produced, said:

"I may hazard the opinion that if the question had been raised not in 1860, but in 1788, immediately after the adoption of the Constitution, whether the Union, as formed by that instrument could lawfully treat the secession of a State as rebellion and

¹William Lloyd Garrison, by his children, III, 457.

²Wendell Phillips: *Speeches, Lectures, Letters* (Lee and Shepard), 43.

³Goode: *Recollections of a Lifetime*, 57; McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 41.

suppress it by force, few of those who participated in forming that instrument would have answered in the affirmative."¹

But authorities and quotations need not be multiplied, on the question of the right of secession or the legality of the position of the South. It was everywhere admitted, from the foundation of the Union up to the eve of the Civil War; and the position has seldom if ever been more clearly stated than by Benjamin J. Williams, a distinguished writer of Massachusetts. After pointing out that when the thirteen colonies threw off their allegiance to Great Britain they became independent states, independent of each other, and that the Articles of Confederation provided that "each state retains its sovereignty, freedom and independence," he says: "The Constitution of the United States, which immediately followed, was first adopted by the States in convention, each State acting for itself, in its sovereign and independent capacity, through a convention of its people. And it was by this ratification that the Constitution was established, to use its own words, 'between the States so ratifying the same.' It is then a compact between the States as sovereigns, and the Union created by it is a federal partnership of States, the Federal Government being their common agent for the transaction of the federal business within the limits of the delegated powers."²

Such was the doctrine of the right of secession, for the exercise of which the South has been so reviled, although as Judge Black, the distinguished Pennsylvania jurist and author, says, it "like slavery was first planted in New England. There it grew and flourished and spread its branches far over the land before it was ever dreamed of at the South."³

With the North's record on the doctrine of secession, and the widespread opinion at the North that if the two sections could not agree a peaceful parting of the ways was entirely in order; with the demand of the abolitionists for a severance of the Union, and with the Cotton States withdrawing from the Union,

¹McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 187.

²*Lowell Sun*, June 5, 1886.

³McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 186.

and the extreme wing of the abolitionists expressing delight that they did so, the responsibility for the war that was waged to force the seceded states to re-enter the Union, the responsibility for the blood that was shed to destroy the Government that was left us by our Revolutionary fathers, and to substitute in its place a consolidated government created by force of arms, becomes an important and interesting inquiry.

The determination to coerce the States—to compel them to remain in the Union by violence, if necessary, seems to have been reached some time between the time of Lincoln's election to the Presidency and his famous call upon the States for troops to accomplish that purpose on April 15, 1861.

This determination seems to have been reached by Lincoln and a small group or clique, who were at some pains to devise ways to prevent this purpose from being checkmated at the North. This conclusion seems to have been typically a politician's conclusion, rather than that of a statesman or a patriot. Questions of political patronage, party and personal prestige undoubtedly had much to do with the course this clique decided to pursue.

At one of the last meetings of President Buchanan's Cabinet, the members were unanimous that the Federal Government had no constitutional authority or power to coerce a state to remain in the Union. We have reviewed at sufficient length above, the views of Northerners, including Lincoln, on the subject of the right to withdraw from the Union.

The idea of coercion was sprouting in Lincoln's mind as early as November 15, 1860, for then he said:

"My own impression is, leaving myself room to modify the opinion, if, upon further investigation, I should see fit to do so, that this Government possesses both the authority and the power to maintain its own integrity. That, however, is not the ugly point of this matter. The ugly point is the necessity of keeping the Government together by force as ours should be a Government of fraternity."¹

While Lincoln "cut his cards" so as to get the votes of the

¹Schotler: *History of Massachusetts in the Civil War*, I, 45.

abolitionists, he did not hesitate to repudiate some of them on occasions. Thus he declared that John Brown was not a Republican; and extremists like Wendell Phillips only admitted Lincoln to half, if that much, fellowship. The truth is, it seems, Lincoln was always so much concerned to know where a majority stood, that he always left himself a loophole in committing himself to anything. Be all of this as it may, Lincoln and the group under whose influence he was, did not hesitate to espouse the doctrine of coercion, when they thought they could "get away with it," even if it involved such gravely questionable measures as in effect making war, without the authority of Congress. Lincoln's proclamation calling for troops to subdue the seceded states is generally now, if not universally admitted, to have been an act of war, and many believe he pursued the course he did without assembling Congress to pass on the question of war, because he and his advisers believed it doubtful whether Congress would pursue the course he desired. He had fallen under the influence of such men as Chandler who demanded a course that would assure some "bloodletting."

A course which would result in a peaceful accommodation and avoid war was not deemed in the interest of the Black Republican party.

There was apparently something akin to consternation in the ranks of the Black Republican party, when an Ohio newspaper, *The Ohio State Journal*, always anti-slavery, advocated "peaceful separation," and even went so far as to suggest the expulsion of South Carolina from the Union in order to preserve peace, on the ground that South Carolina had always been "a source of vexation, trouble and expense."¹ This paper contended that the body which had the power to admit a state into the Union had the power to expel a state. It suggested that petitions be circulated for the expulsion of South Carolina, and that the Ohio members of Congress take the lead in this expulsion business.² But, to use a slang expression, South Carolina "beat them to it." She seceded before such measures could be taken.

¹Ryan: *Lincoln and Ohio*, 167.

²Issue of November 17, 1860.

Protesting against the growth of coercion sentiment in the North, the *Springfield Republican* said:

“The first principle of a Republican Government is violated, the civilization of the age is disgraced, by forcing, through superior brute power, a single state to remain in the confederacy against her will. The Federal Government will not sustain or justify itself by such a course of violent coercion.”¹

The *New York Tribune*, always strongly anti-slavery and anti-southern, as late as April 5, 1861, declared that if the Union men of the South were not strong enough and numerous enough to keep their states from going out of the Union, what was the use of fighting. Its idea of the Union sentiment and the spirit of the Unionists at the South must have been stupid and unintelligent indeed. Its declaration against coercion was emphatic: “It is perfectly idle to talk of subduing even half the people of seven states if the other half dumbly, abjectly submit to whatever exactions the dominant power shall see fit to impose. . . . The Free States will not attempt to subjugate even the Gulf States and hold them in vassalage, for that neither can nor should be done.”

Such was the doctrine of the leading Republican paper, while the *New York Herald*, the leading Democratic paper, said:

“This government can never exist by force. Its basis, its structure, and whole theory entirely preclude such an idea; and to keep unwilling states in the Union it will become necessary to subvert the principles of the Declaration of Independence and change the Union into a military despotism, resting for its support not on public opinion but on bayonets.”²

How and why the Black Republican party decided on the doctrine of coercion, we need not undertake now to inquire. It is beyond the scope of this treatment. It is an intricate and difficult subject, the full truth of which will probably never be known, because it would involve telling the truth regarding the sordid, personal, ambitious hopes of gain and preferment, which those who shaped the policy were ashamed to tell or decent

¹December 3, 1860.

²December 21, 1860.

enough to refrain from recording. One thing, however, is plain, and is written indelibly with the blood of multiplied thousands, upon innumerable battlefields, the Black Republican party, then in power, adopted that policy,—and the Civil War was the fatal result.

On December 20, 1860, South Carolina, by a convention assembled to consider the question, repealed the ordinance adopted May 23, 1788, by which it ratified the Constitution of the United States, and resumed all of the rights it had delegated to the Federal Government. Other states followed in withdrawing from the Union; Mississippi on January 9, 1861; Alabama, January 11, 1861; and Louisiana, January 26, 1861.

The consideration of what course Virginia should pursue was an all absorbing topic in that state.

While Virginia resented the unlawful course of the states of the North, and deplored the violations of the Constitution not only by the Northern States, but by the federal authorities, she had no desire to abandon the Union. She had taken a foremost part in making the Union; her sons had in greater measure than any other similar group, helped to create the Constitution; she felt the keen injustice of being driven out of the Union by a fanatical element which according to Abraham Lincoln "would shiver into fragments the Union of these states [and] tear to tatters its now venerated Constitution," and that, too, led by this same Lincoln who had now become their plastic tool.

She exhausted every resource to preserve the Union. James Ford Rhodes says: "Virginia, whose share in forming the Union had been greater than that of any other one state, was loath to see that great work shattered, and now made a supreme effort to save it."¹

¹Rhodes: *History of United States*, III, 290.

CHAPTER XIII

Slavery, Secession and the Civil War—Continued

COERCION OF THE STATES—THE WAR FOR SOUTHERN INDEPENDENCE



THE General Assembly of Virginia issued a call to all the states who desired a settlement of the questions absorbing the public attention, so the Union might be saved, to send commissioners to a conference to meet in Washington on February 4, 1861. This Assembly is known in history as the Peace Convention or Peace Congress. At the same time Virginia sent commissioners to South Carolina and to other seceded states, to urge them to avoid any act or course of conduct which would embarrass the work of the Peace Convention.

Twenty states sent representatives to the Washington Convention, but some of these from the North came more for the purpose of preventing accomplishment of a peaceful accommodation than for any other purpose. It was by the Republican States of the North looked at from the standpoint of what was expedient for the Republican party, rather than what was good for the country. The party that was in the saddle was the Black Republican party; it was the party of the abolitionists, the south haters, and those who held the Constitution of no esteem when it interfered with their purposes. As a party matter its leaders did not feel that they could afford not to live up to a program of sectional hatred and malice toward the South which the extreme abolitionists expected of them. To pursue any other than such a partisan course would be to desert the extreme ground of the Northern faction then in power, and to take the ground of the less extreme element in the North, which, while numerous, and probably constituting an actual majority, were not in control,

as a result of the peculiar distribution of ballots, which produced the election of Lincoln although he had only a minority of the popular votes.

The Republican politicians, in other words, felt that to pursue a course which would preserve the Union would weaken if not turn out of power the Black Republicans.

The Peace Convention was therefore doomed to failure before it assembled.

Ex-President John Tyler was elected President of the Convention, and in a speech of great ability recited Virginia's adherence to the Union, her desire to see it preserved, and invoked the co-operation of all to accomplish its preservation.

Ex-Senator William C. Rives, in the course of one of his speeches said of the position of Virginia: "She is just now the neutral ground between two embattled legions—between two angry, excited and hostile portions of the Union. Something must be done to save the country, to allay these apprehensions, to restore a broken confidence."

And George W. Summers, another of the Virginia delegates, opened an address of great logic, power and patriotism, with these words:

"Mr. President, my heart is full! I cannot approach the great issues with which we are dealing, with becoming coolness and deliberation! Sir! I love this Union. The man does not live who entertains a higher respect for this government than I do. I know its history—I know how it was established. There is not an incident in its history that is not precious to me. I do not wish to survive its dissolution."¹

So ably, eloquently, even pathetically, did such men as these plead for justice, for a patriotic rather than a partisan consideration of the subject that it seems impossible to believe that success would not have crowned the efforts of the convention but for the purpose of the Black Republican politicians to defeat it. A detailed account of their activities need not be here attempted. Their position and purpose are indicated by the now well known

¹Crittenden: *Proceedings of Peace Convention*, 14, 135, 151.

letter of Zachariah Chandler, a Senator from Michigan, to the Governor of that State. The letter follows:

“Washington, February 11, 1861.

“*My dear Governor:*

“Governor Bingham and myself telegraphed you on Saturday, at the request of Massachusetts and New York to send delegates to the Peace, or Compromise Congress. They admit that we were right and that they were wrong; that no Republican state should have sent delegates; but they are here and cannot get away. Ohio, Indiana, Rhode Island are caving in and there is danger of Illinois; and now *they beg us, for God’s sake, to come to their rescue and save the Republican Party from rupture.*¹ The whole thing was gotten up against my judgment and advice and will end in thin smoke. Still, I hope as a matter of courtesy to some of our erring brethren that you will send the delegates.

Truly your friend,

Z. Chandler.

His Excellency, Austin Blair.

P. S. Some of the manufacturing states think that a fight would be awful. Without a little blood-letting this Union will not, in my estimation, be worth a rush.”²

The Peace Convention thus failed, and the country moved toward dis-union and civil war, but history cannot but ascribe to Virginia motives of the highest patriotism, in calling the states into council, with a view to avoiding war and preserving the Union. The Northern historian Rhodes says: “The historical significance of the Peace Convention consists in the evidence it affords of the attachment of the Border Slave States to the Union.”³

The delay of Virginia in acting upon the question of secession, and the opposition to her leaving the Union voiced by some of her ablest sons and the leading newspapers, was exceedingly dis-

¹This language is not italicized in the original. We have done so for emphasis.

²Crittenden: *Proceedings of Peace Conference*, 468.

³*History of the United States*, III, 307.

appointing to the Southern States which had seceded. They were disposed to censure the people of the state as "Submissionists,"—that is, as being willing to continue to submit to the denials of constitutional rights to which they were subjected at the North, and to the unjust calumnies and indignities to which they were subjected. They did not accurately gauge the temper of the people. Their delay, deliberation and caution, was prompted by patriotism, not by fear; their patience and delay was that of judgment and was not to be attributed to a lack of courage.

A newspaper correspondent at this period, writing from Richmond, said:

"I wish very much there could have been a stenographic report of all the sermons that were preached, and that they could be given to the public in a double issue of the *Whig* or *Enquirer*, for they would convince both the North and South, if anything could, that Virginia means to have a settlement of the vexed questions at issue between the two sections of the country, as a *sine qua non* of her remaining in the just broken Union. At the North it is fondly believed by the infatuated Black Republicans that the Old Dominion has not the remotest idea of severing the ties which bind her to the federal government, and at the South, we are regarded as 'Submissionists,' because we do not wish to go out *instantly*. The publication of yesterday's discourses would speedily disabuse both the extremes of their false impressions. These efforts, so far as I can gather their general meaning from street conversation and report, were marked by a deep love for the Union as established by our fathers, but spoke out a very firm purpose not to keep it up at the expense of principle and through the forfeiture of freedom."¹

The popular feeling on the question of principle was no doubt well embodied in a resolution introduced in the Virginia Senate, January 8, 1861, by Mr. Douglass of King and Queen, which declared that the use of force by the Federal Government for the purpose of maintaining union among the states "would of itself be destructive of the true spirit of the federative system, sub-

¹*The Daily Express* (Petersburg), Jan. 9, 1861, article from the Richmond Correspondent dated Jan. 6.

versive of the ends for which it was constructed, and revolutionary in all its natural and inevitable results," and that Virginia ought to and will, resist all attempts by the Federal Government thus to overthrow and destroy the Union, and "will regard any forcible measures taken against any of the constituent members who shall have dissolved their connection with it, as dangerous to her freedom and security, and demanding the most active preparations for defence."¹

In few sections of the country was the drama playing upon the national stage being watched with greater interest than in Lunenburg; it was watched not only with great interest, but with an understanding which was unsurpassed in the state. The people of Lunenburg saw, and saw clearly, what others seem not to have seen, or refused to recognize, that the policy of the Black Republican party was one which sooner or later would drive all the Southern States out of the Union. The action of the mass meeting of Lunenburgers, January 14, 1861, was clear-cut and emphatic upon the subject of attempting to maintain a union by force, and respecting the policy of coercion of the states.

The *Richmond Enquirer* of January 28, 1861, carried the following account of the Lunenburg mass meeting:

"PUBLIC MEETING IN LUNENBURG.

"At a public meeting of the citizens of Lunenburg County, without distinction of party, held at the Court House, on Monday, the 14th day of January, 1861, that being court day, John R. Garland, Esq., was called to the Chair, and W. W. Webb was appointed as Secretary.

"The object of the meeting was explained by Dr. Ro. H. Crawley at the request of the Chair.

"On motion of Wm. A. Nash.

"Resolved, That the Chair appoint a committee of five to draft resolutions for the consideration of the meeting.

"Whereupon the following named gentlemen were appointed to constitute said committee: Wm. A. Nash, Wm. M. Bagley, Ro. H. Crawley, Geo. W. Hardy, and Wm. Y. Neal, and the following gentlemen were on motion, added to the committee:

¹*The Daily Express* (Petersburg), Jan. 9, 1861.

Col. John A. Stokes, Col. Wm. H. Hatchett, and O. Smith, who immediately retired for consultation.

"While the committee were out, Thomas H. Campbell, Esq., of Nottoway, who was called on by the meeting, made an able and eloquent address, maintaining the right of secession, and the importance of Virginia's taking position immediately with her sister Southern States.

"The committee through their chairman, reported the following resolutions:

1. Resolved, That the County Court, now in session, be requested to levy a tax on the county sufficient to arm three volunteer companies of militia of fifty men, each: one in the upper end, one in the lower end, and one in the center of the county.

2. Resolved, That the Court appoint a committee to negotiate for the purchase of said arms.

3. Resolved, That in the opinion of this committee, Virginia is bound by every principle of honor, interest and justice to make common cause with any seceding state if coercion should be *attempted* by the Federal Government.

"The resolutions were unanimously adopted.

"On motion,

"Resolved, That the proceedings of this meeting be published in the newspapers of the cities of Richmond and Petersburg, and in the New York Herald.

"The Justices having been summoned for the purpose, and a majority being present decided unanimously, to make the levy necessary to arm the companies, as prayed for in the resolutions above.

"On motion, the meeting adjourned.

John R. Garland, Chairman."

"W. W. Webb, Sec'y."

Such views were by no means confined to Lunenburg County. The people of Mecklenburg County held similar views.

On January 21, 1861, "A tremendous meeting in the Court House" was addressed by several gentlemen, who took decided ground "in favor of putting Virginia immediately out of the

Union, among these were Tucker Carrington and Thos. F. Goode, who are the only candidates for the Convention in Mecklenburg."¹

The sentiment in Mecklenburg could not be mistaken, but apparently the meeting adopted no resolutions.

The action of the Lunenburg people in adopting the foregoing resolutions was taken in view of what they felt sure was the plan and purpose of the incoming national administration, and before Lincoln made his famous Indianapolis speech, which was everywhere regarded as an avowal of the doctrine of force and coercion, and was looked upon by the people of Lunenburg as a justification and confirmation of their worst fears. The conditional reference to coercion in the foregoing resolutions is in marked contrast to resolutions adopted later after that policy was more clearly avowed by the Republicans.

The *Richmond Enquirer* printed in its issue of February 4, 1861, the exchange of letters between Lincoln and J. A. Spencer, of Wheeling, Virginia, in which Lincoln disclosed that he was prepared to accept the extreme doctrine that he would not treat decisions of the Supreme Court of the United States as binding upon the people of the North if he regarded the decisions as "hostile to the advancement of Republican principles."

Spencer in his letter had asked Lincoln two questions, the second of which was:

"2d. Do you regard the *Dred Scott* decision as binding upon the people of the North?"

Lincoln replied from Springfield, Illinois, January 2, 1861.

"To your second, I reply in the negative, for this reason: Said decision is hostile to the advancement of Republican principles, and therefore attended with danger in a Government like ours."

The General Assembly of Virginia, then in session, had called the National Peace Congress or Convention, at Washington, and in addition it also provided for the election of delegates to a convention of the entire state to take into consideration the grave problems and dangers then confronting the country. The election

¹*Richmond Dispatch*, January 25, 1861.

was held February 4, 1861. In most sections of the state candidates representing the different shades of thought were put forward to be voted for. Some were for immediate secession, others unconditionally for the Union, while still others, conservatives, were for secession, but only in the event every possible resource could not save the Union, upon terms possible to be accepted at the South. The great question was whether the state would, as the issues were then made up, adhere to the Union. At the time this election was ordered, South Carolina, Mississippi, Florida, Alabama, Georgia and Louisiana had seceded, and two days before the Virginia election was held the great state of Texas seceded.

The campaign for seats in the Convention was exceedingly spirited, and the issues were discussed with a range and ability seldom equalled. The popular interest was very great, and conventions and mass meetings made known their views and wishes by means of carefully considered and ably drawn declarations and resolutions. A mass meeting of the students of Hampden-Sidney College, on January 17, 1861, was typical. After an able, lengthly and fiery preamble, among other resolutions adopted was this one:

“That while we look with horror upon civil war, and desire that not a drop of blood be spilt, yet we believe that we would be justly branded as ignominious cowards if we do not take a noble stand now; therefore, if Virginia wishes her honor unsullied and her name free from reproach, she should, as soon as the convention assembles, pass an ordinance declaring the severance of all connection with the Union, and if war must come let her place her trust in the God of battles, who is also the God of right, and will sustain us in our just cause.

“That we have thought it proper thus to express our opinions, because we are directly interested in the honor and welfare of Virginia, and if war comes, we will be among those who have to fight her battles.”¹

Lunenburg was one of the few counties in the state where the candidate for the convention, favoring secession had no oppo-

¹*The Daily Express* (Petersburg), Jan. 23, 1861.

sition. This group of counties embraced also Mecklenburg and Charlotte. In Brunswick there were two candidates, but both favored secession, one immediately, while the other advocated waiting until the efforts of the Peace Commission failed. This latter candidate, the conservative, won. Petersburg by a vote (for the two Union candidates) of 1165 to 427, elected a Union candidate, and Dinwiddie, Chesterfield, Prince George, Surry, Greenville, Halifax and Prince Edward all returned Union men. While there was a Union candidate in the field in Nottoway and Amelia, the secession candidate won.

Thus it will be seen that Lunenburg, Mecklenburg and Charlotte were the center and the focus of a very strong secession sentiment, and that Nottoway and Amelia were a close second to this group.

The correspondent of the *Richmond Enquirer*, reported the result of the election of February 4, 1861, as follows:

"For Wm. J. Neblett, 'Irrepressible Secessionist,' 375 votes. No opposition. Against referring to the people, 360; for referring only 24.

"Old Lunenburg is a 'South Carolina' of a county, only 24 men that are willing to submit to the rule of Lincoln; but I fear there are not enough Lunenburgs in the state."¹

The returns from the election throughout the state showed that a large majority of the delegates elected were opposed to Virginia's secession, and by a vote of 100,536 to 45,161, "the people commanded that the findings of the Convention should be submitted to them for ratification or rejection."²

Of the result of this election, Charles Francis Adams, a Northern man, says:

"Thus be it always remembered, Virginia did not take its place in the secession movement because of the election of an anti-slavery President. It did not raise its hand against the National Government from mere love of any peculiar institution, or a wish to protect or perpetuate it. It refused to be precipitated

¹*Richmond Enquirer*, Feb. 8, 1861.

²Munford: *Virginia's Attitude Toward Slavery and Secession*, 256.

into a civil convulsion; and its refusal was of vital moment. The ground of Virginia's final action was of wholly another nature, and of a nature far more creditable."¹

The result of the election in Virginia was of the greatest importance to the whole Union. On the day before the election William H. Seward wrote from Washington: "The election tomorrow probably determines whether all the slave states will take the attitude of disunion. Everybody around me thinks that that will make the separation irretrievable and involve us in a flagrant civil war. Practically everybody will despair." A few days later he wrote that the result of the Virginia election had come "like a gleam of sunshine in a storm," and that "at least the danger of conflict, here or elsewhere, before the 4th of March has been averted."²

Seward thus not only correctly characterized the result of the election, but he indicated very definitely his belief that Lincoln's attitude upon and after his inauguration would decide the question of whether there would be war.

And Adams says: "Though over forty years ago, I well remember that day—gray, overcast, wintry—which succeeded the Virginia election. Then living in Boston, a young man of twenty-five, I shared—as who did not—in the common deep depression and intense anxiety." Adams describes the first receipt of the news and then says: "Virginia, speaking against secession, had emitted no uncertain sound. It was as if a weight had been taken off the mind of everyone."³

The historian Rhodes says:

"The election in Virginia for members of her State Convention had much significance. The one hundred and fifty-two delegates chosen were, with substantial correctness, classed as thirty so-called Secessionists, twenty Douglas men and one hundred and two Whigs, which proves, asserted the *Richmond Whig*, a journal which argued strenuously for delay, that 'the Conserva-

¹Lee at *Appomattox and Other Papers*, 403.

²Adams: *Lee at Appomattox and Other Papers*, 402.

³Id. 402.

tive victory in Virginia is perfectly overwhelming,' the precipitators having sustained 'a Waterloo defeat.'"¹

But, however it might be with others, Lunenburg was highly disappointed at the result of the election in Virginia, and felt that to delay withdrawing from the Union was but to play into the hands of the enemies of the South. And while the course Virginia pursued was highly creditable to her, and establishes beyond the peradventure of doubt her attachment to the Union, yet it can scarcely be questioned that if she had pursued a different course the whole issue of the war might have been different.

If the sentiment of Lunenburg had been predominant in the state, Virginia would have seceded before Lincoln was inaugurated.

Speaking of the secession of Texas two days before the Virginia Convention election, Robert B. Munford says:

"Had Virginia at that critical moment declared for a like policy, it is almost certain that the remaining Southern States would have followed her example. In such an event, President Lincoln would on the day of his inauguration have found the Capital of the Union encompassed by the States of Virginia and Maryland, both members of the new confederation."²

Thus, it is a reasonable speculation that if Virginia had then gone out of the Union, the tremendous sentiment in the North for a peaceful separation would have prevailed. And even if hostilities had been begun the National Capital would have fallen easily into the hands of the Southern Confederacy. It is altogether unlikely that Lincoln would have precipitated war by calling on the states for troops, if Virginia, Maryland and the rest of the border states had been out of the Union when he was inaugurated.

The Convention assembled on the 13th of February, 1861, a day or two before Lincoln had made his Indianapolis speech. The *Richmond Enquirer*, on February 14, 1861, printed an edi-

¹James Ford Rhodes: *History of United States*, III, 309.

²*Virginia's Attitude Toward Slavery and Secession*, 255.

torial entitled: "*Mr. Lincoln has spoken,*" in the course of which it said:

"Mr. Lincoln describes invasion and coercion to consist only in 'marching an army' into a Southern State *'with hostile intent.'*

Concluding the editorial said:

"Holding that a state possesses no sovereignty whatever—no more sovereignty than a county—Mr. Lincoln deems it his duty to repress, by force of arms, if necessary, any exercises or, as he would term it, any usurpation of sovereignty by state authority.

"Comment on this development is unnecessary. It is sufficient that we attract to it the attention of the people of Virginia. Sooner or later, this position of Mr. Lincoln must compel from the State Convention an ordinance of active and effectual resistance. So far as the Convention is concerned, nothing is involved but a question of time. We would urge the people of the state to take time by the forelock. Fill up the ranks of your volunteer companies. Form new companies. Organize and drill without ceasing. Brighten and sharpen your arms, and keep them bright and sharp. The time is close at hand when well drilled corps and well polished arms will be eminently useful."

On February 15, the *Richmond Dispatch* said that Lincoln's Indianapolis speech "is everywhere understood as declaring for coercion."

But notwithstanding the complexion of the State Convention just assembled, and even in advance of news of Lincoln's Indianapolis speech, the people of Lunenburg knew the time had come to prepare for action. The Indianapolis speech only served to confirm them in the views they already held. Nor did they need the call to arms so eloquently made by the editor of the *Enquirer*. They had already reached the conclusion that an appeal to arms would not likely be avoided and acted accordingly.

On February 6, 1861, a "straight-out, unconditional" secession meeting was held at Non-Intervention, in the lower end of the county. The following account of it appeared in the Petersburg and Richmond papers:

“LUNENBURG PREPARING FOR WAR.”

“At Non-intervention, on Wednesday, the 6th of February, was held a meeting, composed of the citizens of the lower end of the county, for the purpose of organizing a corps of cavalry.

“On motion of J. R. Featherston, George L. Bagley was called to the chair, and C. Tacitus Allen, appointed Secretary.

“After some preliminary business, the following officers were unanimously elected:

“Captain—David R. Stokes; Lieutenants—1st, Colin Neblett; 2nd, C. Tacitus Allen; 3rd, J. R. Featherston; Sergeants—1st, J. W. Wilkinson; 2nd, John H. Ragsdale; 3rd, W. T. Blackwell; 4th, E. D. Boswell; Corporals—1st, John T. Rudd; 2nd, J. J. Johnson; 3rd, Lewis J. Hite; 4th, R. E. Ragsdale. Color Sergeant—R. A. Blackwell. Bugle-blower, Samuel Waddy Snead. Surgeon, Wm. T. Elder, M. D.; Surgeon’s Mate, W. J. Allen, M. D.

“At the suggestion of the Secretary, the company adopted ‘Loch Leven Rangers,’ as its title; and at the suggestion of the committee on selection of a motto, *Sic Semper Tyrannis* was adopted amid vociferous shouts and thunders of applause.

“After all business was done, many gentlemen were called on to address the audience. Messrs. Wm. A. Nash, John H. Ragsdale, J. Maclin Smith and C. Tacitus Allen responded in strong Southern speeches, all advocating straight-out unconditional and eternal separation from the infamous North. When one of her adopted sons remarked during his speech that ‘Lunenburg had covered herself *all over* with glory,’ shouts, such as never before greeted the ears of man, continued without intermission for several minutes.

“The people of Lunenburg are thoroughly aroused, and they will never rest until the carcasses of Scott and Seward are rent asunder by the glittering edge of a Southern sword. Never again will they listen to the syren voice of compromise, though its melody may exceed that of the nightingale.

George L. Bagley, Chm’n.”

“C. Tacitus Allen, Sec’y.”¹

¹*Richmond Enquirer*, Feb. 16, 1861.

On March 4, 1861, the day Lincoln was inaugurated, the *Enquirer* appeared in the garb of mourning, and said editorially:

“On this day, the chosen and avowed representatives of the tyranny of fanaticism—of the meanness of political corruption—of the violence of inequality, injustice and intolerance—is installed as the Chief Executive of the shattered residuum of a once glorious Union of co-equal sovereign states, peopled by communities of freemen. Fellow-citizens of Virginia, we mourn in the grief of shame.”

And on the following day it editorially denounced Lincoln's inaugural as “the declaration of war.”

Lincoln's inaugural and the announcement of his cabinet created a profoundly painful impression throughout Virginia. One paper¹ said of the inaugural: “Every Southern man will at once see that it declares war against the seceded states.”

And the whole tenor of all the papers was in criticism of the coercion position taken by him; his position on slavery which was quite well known, was scarcely noticed. Papers which up to this time had been strongly opposed to secession now came out in firm advocacy of it, not on the score of slavery at all but because of the determination to reduce sovereign states from that condition to a condition of servile subordination to superior force.

Lincoln had not only been apprised of what a policy of coercion would mean so far as Virginia was concerned, but John B. Baldwin, one of the leading Union men of the Convention of 1861, told Lincoln that if he would issue a proclamation declaring that the Federal Government had no intention of coercing the Cotton States, there would be no danger of Virginia's leaving the Union. “Only give this assurance to the country, in a proclamation of five lines, and we pledge ourselves that Virginia will stand by you as though you were our own Washington.”²

But Lincoln was committed to the fatal policy; he was under the influence and orders of the leaders of the extreme wing of the Black Republicans.

In its issue of March 9, 1861, *The Daily Express* of Peters-

¹The *Norfolk Day Book*.

²Munford: *Virginia's Attitude Toward Slavery and Secession*, 270.

burg, a paper of considerable circulation in Southside Virginia, which had steadfastly opposed secession up to this time, said:

“Lincoln’s Inaugural and Cabinet . . . effectively crushed out all our Union sympathies, and put an end to all our previously cherished feelings against secession.

“Until the inauguration of Lincoln, and the official announcement of his cabinet, we were disposed to go and did go with those who favored plans of adjustment upon fair and equitable terms. . . . We entertained the hope—yea, we cherished the expectation—that there would be found in the moderate wing of the Black Republicans sufficient strength to co-operate successfully with the olive-branch men of the Southern States for the re-establishment of peace upon a mutually satisfactory basis, and that thus would be laid the foundation for a re-union of the severed states, that might possibly follow.”

And referring to the action of the Black Republicans in the Peace Conference and in Congress, the editorial said: “Swine have just as good a conception of the real nature and value of pearls as the Chandler-Lovejoy wing of Black Republicans have of the real nature and value of our free institutions. We are totally disgusted with the intolerable and irreclaimable viciousness of these creatures, and are ready to greet a separation from them with our whole heart.

“They have pretty essentially and effectually cured us of *Unionism*. We have not another word to say against secession. Let it go on until it sweeps away every Southern State in its course.”

In its issue of March 9th, *The Daily Express* says:

“The Farmville *Journal*, a neutral paper, edited by a gentleman hitherto as conservative as any in his section, came out unqualifiedly in favor of immediate secession. The intelligent editor has been several days in attendance upon the Convention; he has given the fullest consideration to the arguments on both sides, and his conclusion now is that Virginia cannot remain, without dishonor, in a Union of which Lincoln, Seward and Chase are President, Directors and Company.”

The *Richmond Whig*, the leading Union newspaper in the state, while avowing its stand for the Union, demanded fair treatment for the South and repudiated the doctrine of coercion. In its issue of March 9, 1861, it led with an article demanding that the state legislation at the North designed to nullify the United States Constitution be repealed, and warned that coercion would be a fatal policy.

These items indicate the change in the public opinion that was taking place throughout Virginia. Although the great majority of the Convention had been elected as anti-secessionists, the fact that such views were no longer in the ascendant could not be denied. Representative citizens "back home" informed the representatives in the Convention of the change of position by the rank and file of the citizenship. Mass meetings were held and resolutions sent up telling their representatives that, whereas, they had heretofore opposed leaving the Union, no other course consistent with honor and right could now be pursued. The Virginia newspapers widely carried the news that Lincoln had made Joshua R. Giddings Consul General at Montreal, so that he could the more effectively handle the receiving end of the "Underground Railroad."

On March 11, 1861, the people of Lunenburg held one of the most notable meetings in the history of the county. Strong as had been the sentiment of her people on the great issues before them, on no previous occasion were their views expressed with such eloquent determination as on this one. A report of the meeting and the resolutions adopted were sent to William J. Neblett, her representative in the Convention, and were by him presented for the consideration of the delegates.

The *Richmond Enquirer* of March 15, 1861, carried the following account of the matter:

"Thursday, March 14, 1861.

"The Convention met pursuant to adjournment, at 12 o'clock, and was called to order by the President.

"Prayer by the Rev. Mr. Baker.

"Public meeting in Lunenburg."

"Mr. Neblett—I desire to present the following resolutions,

which were adopted by my constituents at a meeting on the 11th ult. [inst.]. I will merely remark that these resolutions were adopted unanimously, and that the gentleman who presided at that meeting, has, until very recently, been a submissionist. These resolutions point in but one direction, for my constituents are aware of the fact that there are between two and three hundred thousand of our kinfolk at the South with whom they are anxious to unite their destinies without delay:

“On Monday, the 11th inst., the people of Lunenburg assembled at their Court House, it being court day, for the purpose of taking into consideration the great crisis under the galling pressure of which we are now suffering.

“On motion of R. H. Crawley, David R. Stokes was called to the chair, and, on motion of John T. Merryman, C. Tacitus Allen was appointed Secretary.

“Dr. Crawley briefly stated the object of the meeting.

“Dr. Merryman moved that a committee of five be appointed to draw up and present to the meeting for adoption, resolutions expressive of the sense of the county. Wm. C. Snead, Dr. E. T. Merryman, Col. R. H. Allen, J. R. Garland and Dr. Passmore constituted the committee, who reported the following preamble and resolutions:

“Whereas, we believe that our proud Commonwealth will be ruined unless the stern voices of her independent sovereigns interpose to arrest the dire calamity; and whereas a certain man called Abraham Lincoln, on the 4th of March, 1861, did disgrace the Presidential Chair of this country; and, whereas, a certain method of adjustment of political troubles is before the sovereigns of this country for adoption or rejection, which was elaborated and recommended by what was wrongfully called a Peace Congress, we, the sovereigns of the County of Lunenburg, do unanimously adopt the following resolutions, which embrace our well guarded opinions on the present crisis:

“1st. Resolved, That secession, *direct, straight out, eternal*¹ is the salvation of Virginia.

“2d. Resolved, That as far as we were concerned, Abraham

¹Italics in original.

Lincoln should never have waved his sceptre over the state that boasts of a Washington's grave.

"3d. Resolved, That we are irreconcilably opposed to *any* border State Convention, and do hereby request our delegate in the State Convention now in session, to oppose every effort tending to that end, and to press with all his might and ability the *immediate* and *everlasting* separation of Virginia from *all* the non-slaveholding states, and to a union with the Cotton States.

"4th. Resolved, That we regard as coercion the retaking of forts, the collection of the revenue, or the *assumption* or even maintenance of any power in the seceded states by the government at Washington, and will resist the same to the point of the bayonet.

"5th. Resolved, That in the Peace Congress report, we recognize a willful and deliberate encroachment upon the rights of the South, consequently we repudiate it, we scorn and regard it as 'the *scum* that rises when a nation boils.'

"6th. Resolved, That we have ever been and are now opposed to compromise of any character with Lincoln's party or sympathizers.

"7th. Resolved, That we are *for the South, the whole South, and nothing but the South*, so help us God.

"The preamble and resolutions were received by an intensely enthusiastic meeting, with such plaudits of approval as never before greeted the ears of mortal man, and adopted without a single dissenting voice. No speeches were made. All passed off in all the eloquence of silence, which indicated a determined spirit. The day for speeches has long since passed, and the time for *action* is present. Upon the brow of every man was written, in unmistakable and indelible characters, 'my home is in the South, my grave shall be there too.' If ever determination characterized the action of any people, it is stamped upon the actions of the people of Lunenburg. In days now gone forever, they cherished a devoted love for the American Union, and for that flag which has floated in splendor over every sea, which has been hailed with rapture in every clime where civilization has made a foot-print. They have witnessed the downfall of the

nation's citadel of honor, and now desire to leave its dishonored ruins to the care of those who wantonly undermined its once grand and lofty pillars. They are eager to detach the 'old mother of states and statesmen' from the accursed North, ere its fierce and desolating tide of furious fanaticism shall sweep her hallowed soil. Their ardent affections are closely entwined around the destiny of the Old Dominion. May oblivion never shroud her splendor is their only prayer. But if their mother state should ever conclude to cling to the North, in all its hideousness and heinousness, we dare say every citizen of Lunenburg will leave her to the *owls* and *bats* of abolition and seek some spot of earth where the sceptre of Lincoln can never desecrate their graves.

David R. Stokes, President.

C. Tacitus Allen, Secretary."

The *Richmond Whig*, a powerful organ in Virginia, ably edited, was wholly opposed to the secessionists and their propaganda. In its issue of March 15, 1861, it made the briefest reference possible to the Lunenburg Resolutions in the following language:

"Mr. Neblett presented the proceedings of a meeting of citizens of Lunenburg. Referred to the Committee on Federal Relations."

And editorially, in this same issue, under the title, *A Grand Prospective Stampede*, it took a slap at the Lunenburgers and those of the same way of thinking in these words:

"The precipitation newspapers and politicians are terribly exercised, at present, about a grand 'prospective stampede' of our Virginia population to the Gulf States, which they are fully advised is in active operation in all the rural districts of the state! Numbers of the largest slave-holders are to leave the state very soon, and many of the most flourishing agricultural districts are to be left as desolate as the wilderness of Jamaica!—*unless* the Convention forthwith pass an ordinance of secession!" etc.

And in another editorial of the same date it scoffed at such meetings as that held in Lunenburg, saying:

"A little knot of persons about the court-houses and cross-roads of some of the counties commit a grievous mistake in imagining, as they evidently do, that because *they* are in favor of immediate secession and revolution, therefore the whole people of the state are equally as run-mad as themselves and occupy the same position." It characterized the meetings as "one-sided" and as "great humbugs worthy of but little respect," and was stout in its advocacy of a conference or convention of the Border States.

The Lunenburg resolutions excited considerable discussion, as well they might, for nothing comparable to them in force, vigor and eloquent determination are to be found among the contemporary proceedings in any county.

Lunenburgers were jocularly twitted respecting their determination to leave the Union, and as a result of the vigorous, independent course Lunenburg pursued, beginning with the meeting of January 14, and culminating with that of March 11, 1861, Lunenburg came to be known as "The Free State of Lunenburg," or as the "Old Free State," names in which she takes a pardonable pride.

In the *Free State News* of August 1, 1913, there is an account of how Lunenburg County got the name of the "Free State." This article was written by Captain C. T. Allen, giving his recollection of the matter after the lapse of over fifty years. It is of course correct in the main, but not in all details. It fixes the date of the meeting as in January, 1861, without naming the precise date. But some parts of the article do not coincide with the published account of the meeting of January 14, 1861, hereinabove given, nor of the meeting of March 11, 1861.

Captain Allen's version of the nick-naming of the county is as follows:

One of the speakers at the meeting was "a beardless boy, now an old man of seventy-odd years, and a citizen of Kenbridge, Captain C. T. Allen. He favored secession straightout, thorough preparedness for war, and fight-fight-fight to the last ditch. If

Virginia didn't secede and join the Southern States that had seceded, he favored the secession of Lunenburg County from the state. Just at this juncture someone in the audience yelled out in a stentorian voice: 'Yes, and set up a Free State of our own.'

* * * * *

"A committee on resolutions was appointed. They reported several resolutions in keeping with the thoughts and utterances of the speakers, which largely favored secession. An account of the meeting was published in the Petersburg Index.¹

"The papers in Richmond and Petersburg, in a somewhat sarcastic vein, dubbed the county as 'The Free State of Lunenburg.' It bears that name today."²

It is possible that this account is intended to refer to the meeting of February 6, 1861, at Non-Intervention. That meeting was presided over by George L. Bagley, and none of the others were.

A day or two after Lunenburg adopted her resolutions of March 11, 1861, Mecklenburg also adopted resolutions, briefly but firmly declaring that the honor and the dignity of Virginia require her secession and her taking her place with the South. These resolutions were presented to the Convention at Richmond by Mr. Goode on March 16, 1861.

A correspondent of the National Intelligencer, from Nottoway Court House, declared "Secession is in the ascendant here, and the people are anxious for the Convention to act. . . . Lincoln's inaugural is very generally and properly denounced."

The Daily Express, of Petersburg, of March 11, 1861, carried notice of a meeting signed "Many Citizens," as follows:

"All true lovers of Constitutional Liberty, and of the Union, as our fathers formed it, are requested to meet at Phoenix Hall, on Monday night, at 8 o'clock, in order to instruct our delegate in the State Convention, now assembled, to go for *Immediate Secession*. Let there be a Grand Rally."

Commenting on this notice the paper said: "If Virginia ever intends to do anything now is the time."

¹It was some other paper. The Index was not published then.

²*Free State News*, August 1, 1913.

Petersburg, a conservative stronghold, had sent an anti-secessionist to the Convention, but this paper now said "that since the adjournment of Congress there have been changes enough in the city to reverse that majority and as it has been in Petersburg so it has been in every other conservative stronghold of the state."¹

The correspondent of *The Daily Express* on March 15, wrote that, "Mr. Goode² of Mecklenburg in a beautiful speech of several minutes, presented a series of resolutions passed by the citizens of his county, expressing a determined and unmistakable desire for Virginia to leave a dishonored Union, and immediately take her position by the side of her sisters of the South."³

In the face of all this change in sentiment in what had been strongholds of Unionism, the Convention debated the great issues, and hesitated to give up hope of weathering the storm. On April 8, 1861, the Convention determined to make a final effort to prevent a dissolution of the Union. It adopted the following resolution:

"Whereas in the opinion of this Convention the uncertainty which prevails in the public mind, as to the policy which the Federal Executive intends to pursue towards the seceded states is extremely injurious to the industrial and commercial interests of the country, tends to keep up an excitement which is unfavorable to the adjustment of pending difficulties, and threatens a disturbance of the public peace; therefore,

"*Resolved*, That a committee of three delegates be appointed by this Convention to wait upon the President of the United States, present to him this preamble and resolution, and respectfully ask of him to communicate to this Convention the policy the Federal Executive intends to pursue in regard to the Confederate States."

William Ballard Preston, Alexander H. H. Stuart and George W. Randolph were chosen as the delegates to lay this matter before the President. They left Richmond, on the 9th, but due to a

¹*The Daily Express, Editorial*, March 11, 1861.

²Thomas F. Goode.

³*The Daily Express*, March 16, 1861.

violent storm and a washout on the railroad they did not reach Washington until mid-day Friday, April 12th. Lincoln granted them an audience the following day, and while he was evasive, Mr. Stuart declared "his declarations were distinctly pacific, and he expressly disclaimed all purpose of war." Seward, the Secretary of State, and Bates, the Attorney General, gave Mr. Stuart the same assurance of peace. And yet at the time of these interviews the demand for troops was already formulated, and when the commissioners returned to Richmond, "the same train on which they traveled brought Mr. Lincoln's proclamation for seventy-five thousand men to wage a war of coercion against the Southern States."¹

Mr. Stuart says of this matter: "This proclamation was carefully withheld from us, although it was in print, and we knew nothing of it until Monday morning when it appeared in the Richmond papers. When I saw it at breakfast, I thought it must be a mischievous hoax, for I could not believe Lincoln guilty of such duplicity."²

In the Presidential election of 1860, Virginia had voted for the Bell and Everett ticket, the candidates of the Constitutional Union party. John Letcher, a strong Union man, was Governor of Virginia, and the Convention then in session was overwhelmingly composed of delegates opposed to secession. Their anger and chagrin can scarcely be imagined, when Lincoln's call for troops to make war on the seceded states became public. This call "fell as a bombshell upon the Union men of the Convention."³

Everyone now saw that the Virginia Secessionist leaders, such as Dr. John Herbert Claiborne, had rightly interpreted the trend of events, and had correctly foreseen the purposes of the Black Republicans. They had correctly prophesied the perfidy which could now no longer be concealed or denied.

Upon receipt of Lincoln's call Governor Letcher promptly replied:

"I have only to say that the militia of Virginia will not be

¹McGuire and Christian: *The Confederate Cause and Conduct in the War Between the States*, 14.

²Id.

³Claiborne: *Seventy-five Years in Old Virginia*, 156.

furnished to the powers at Washington for any such use or purpose as they have in view. Your object is to subjugate the Southern States, and a requisition made upon me for such an object—an object in my judgment not within the purview of the Constitution or the Act of 1795—will not be complied with. You have chosen to inaugurate civil war; and having done so, we will meet it in a spirit as determined as the administration has exhibited toward the South.”

And on April 16, 1861, the *Richmond Whig*, which had so ably fought against Virginia's leaving the Union, carried as the first article in its first column the following:

“LINCOLN'S PROCLAMATION.

“WAR ON A GRAND SCALE.

“*To your tents O Israel!*”

“Just as we were going to press last night, we received a telegram with President Lincoln's Proclamation, calling for 75,000 men to invade the Southern States. We have no time or space for comment. The only fitting reply from Virginia is a levy *en masse* of every man able to bear arms, to fight to the death for our altars and firesides.”

Virginia declared herself upon the question of secession, in electing delegates to the Convention of 1861. But when the Republicans declared their policy of coercion that was quite another matter.

Even men, who like Governor Wise hotly opposed secession, coupled their declaration with the further one that they were equally opposed to Northern coercion.¹

“No one,” says Beverley B. Munford, “acquainted with the historic position of Virginia could doubt what her action would be if called to decide for or against coercion.”² And Charles Francis Adams, discussing the crisis thus precipitated, says:

“So now the issue shifted. It became a question not of

¹John S. Wise: *The End of An Era*, 158.

²*Virginia's Attitude Toward Slavery and Secession*, 260.

slavery or of the wisdom, or even the expediency of secession, but of the right of the National Government to coerce a sovereign state. This, at the time, was well understood.”¹

Lincoln and his advisers wholly misunderstood and misinterpreted the temper, spirit and purpose of Virginia. They thought that with a Union Governor in office, and a vast majority of the Convention “Union,” Virginia would not take her stand with the Southern States, regardless of the extent or character of the measures the administration might adopt. Lincoln was insistent that the Virginia Convention adjourn. Feeling that Virginia was safely “Union,” he thought the convention afforded the secessionist a forum in which to air their views and in which to make converts to their cause.

When the convention did not adjourn in response to his suggestion, he devised a scheme to place Virginia irrevocably on the Union side, regardless of the fact that the Convention continued in session. This scheme involved the famous call for the 75,000 militia. He had no doubt that Virginia through her Union Governor would respond to this call and place the military forces of Virginia under the direction of the Federal Administration. It was a game of gigantic bluff. But Governor Letcher promptly and effectively called Lincoln’s bluff.

Two days after Lincoln’s proclamation was made public, Virginia seceded. In the concluding hours of the Convention “strong men spoke for or against secession, with sorrowful hearts and in voices trembling with emotion.”²

Virginia was, by Lincoln’s proclamation, reduced to the alternative of furnishing her quota of troops to be used in coercing her sister states, or of refusing to do so, and refusal was equivalent to secession. Where the state stood on that issue could not be doubted.

The Convention voted for secession eighty-eight to fifty-five (nine not voting), and a month later the people of the state approved secession by a vote of 128,884 against 32,134.

While the action of the Convention provided for the vote

¹*Lee at Appomattox and Other Papers*, 404.

²Munford: *Virginia’s Attitude Toward Slavery and Secession*, 281, citing Rhodes: *History of United States*, III, 386.

which was afterwards taken with the result above mentioned, events marched with such rapidity that the state had actually taken an unmistakable stand in the civil conflict before the election was held.

While, as has been shown, there never had been, until the rise of the Black Republican party, any question of the right of a state peaceably to withdraw from the Union, and resume all the rights of a sovereign state, which it had before it ratified the Constitution of the United States, and although the Convention of Virginia in ratifying the Constitution of the United States expressly declared that the rights granted might be resumed by the people for whom the Convention spoke, whenever the powers granted were perverted to their injury or oppression, the party which assumed control of the Federal Government March 4, 1861, the Black Republican party, had put forth the doctrine of the right of one group of states to establish their supremacy over the other by force of arms. This was a new and strange doctrine, and one which found no warrant in the entire history of the Union from its foundation.

Hamilton said in the convention of 1787: "It has been well observed that to coerce the states is one of the maddest projects that was ever devised." Yet upon the maddest of projects the Lincoln administration was determined to embark.

In view of the overwhelming Union sentiment shown throughout the state, in the election of delegates to the State Convention of 1861, there is no reason to question that Virginia would have remained in the Union if the Black Republican administration had not sought to put its policy of coercion into effect against the seceded states. While Virginia had not elected to secede, she recognized the right of the states to do so, in the exercise of their sovereign will. The question was one not of right but of wisdom and expediency. While Virginia did not doubt her own right to secede, she did not believe it wise or expedient so to do. But she would not countenance measures of coercion against sovereign states, who exercised not only a sovereign, but a constitutional right in withdrawing from the Union. These states while in the Union had been most shamelessly abused in their constitutional rights by the states of the North; for that reason they

were amply justified in withdrawing; but over and above all, in withdrawing they were but exercising a right which the states individually had, a right no where, in the past, more fully expounded and insisted upon, than at the North.

From this review of events and this consideration of the facts of the case, it will be seen that the origin of the Civil War was very different from what is widely stated in most of the books and literature of the North which deal with the subject. These books and this literature widely misrepresent the facts, and as a result there is great misunderstanding of the subject where these books are read and given credence.

The Civil War had its origin in persistent and repeated violations of the Constitution of the United States by the Northern States and by the citizens of these states, with the knowledge and connivance of their public officials. It originated in constant infringement of the Constitutional rights of the people of the South; and the denial of the rights of the states of the South to conduct their domestic affairs as they saw fit; it originated in the denial of the sovereignty of the states and in the determination of the Northern States to force the Southern States to conform to Northern wishes and desires respecting their internal institutions; it originated in the denial by the North of the right of states peaceably to withdraw from the Union; these were all real, and contributing causes,—but the primary, the proximate cause of the war, at least so far as Virginia was concerned, was the determination of the North by coercion and force of arms to keep the states of the South from withdrawing from the Union.

Thus Virginia left the Union; and such, in brief were the succession of events, and the philosophy of the subject, which impelled Virginia to enter the arena of arms with her sisters of the South.

Into the conflict thus precipitated, Lunenburg entered with a zeal born of outraged justice and nursed through months of waiting for the call to vindicate herself and her state from half a century of mendacious, malicious, misrepresentation and calumny.

And when the issue came, whatever had been the differences, Virginia was of one opinion now.

As late as March 4, 1861, Matthew Fontaine Maury wrote: "Virginia is not at all ready to go out of this Union; and she is not going out for anything that is likely to occur, short of coercion—such is my opinion."¹

But when coercion was employed, the whole of Virginia, all Virginians of every complexion of opinion theretofore, went out with absolute unanimity.

John B. Baldwin, when asked after President Lincoln's proclamation what would be the position of the Union men in Virginia, wrote:

"We have no Union men in Virginia now. But those who were Union men will stand to their guns, and make a fight that will shine out on the page of history as an example of what a brave people can do after exhausting every means of pacification."²

It is impossible at this date to tell the number of soldiers Lunenburg furnished to the Confederate cause. After the first companies left the county, with their quotas full, soldiers enlisting from the county were placed, it seems, almost indiscriminately in whatever company had a deficiency without reference to where the units were from. And even at the very beginning of the war many Lunenburgers enlisted in companies being raised in other counties, and likewise some, at least, from other counties joined Lunenburg companies.

As we have seen above, the Loch Leven Rangers were organized on February 6, 1861, at Non-Intervention. As such that organization never saw service.

It was reorganized in May, 1861, as the *Flat Rock Riflemen*.

Captain Cornelius Tacitus Allen, who was 2nd Lieutenant in the Company when it was reorganized explains the reason therefor as follows: "It was first intended," says he, "that the company should be a Cavalry Company, but the idea prevailed that cavalry wouldn't be needed, and would be of but little service, that if we desired to be *in the war* at all, we must go as infantry, so the company's name was changed from *Loch Leven Rangers*

¹Corbin: *Life of Matthew F. Maury*, 186.

²Jones: *School History of the United States*, 239.

to *Flat Rock Riflemen*.¹ Captain Allen says the company was organized on the 23rd day of April, 1861, at Spring Hill Church in Lunenburg County, and that shortly thereafter it went into camp at the "Old Taylor Place" near St. John's Church, which thus came to be known as Camp Taylor; and the photostat copy of the muster roll preserved in the Virginia State Library bears notations showing that many of the company enlisted May 20, 1861, at St. John's Church.

The following is the roster of the company when it was mustered into service:

Muster roll of Captain David R. Stokes Company (C) of the Twentieth Regiment of Va. Volunteers Army of the Confederate States of America, Lieut. Col. Jas. R. Crenshaw, formerly Lt. Col. J. Pegram from the 30th June, 1861, when last mustered to the 31st of August, 1861.

(This company was enlisted May 20, 1861, at St. John's Church.)

David R. Stokes, Captain.	Bragg, Alex. B.
Colin Neblett, 1st Lt.	Blackwell, Ro. A.
C. Tacitus Allen, 2nd Lt.	Bell, F. Nat.
Jno. R. Featherston,	Boswell, Thos. R.
Brt. 2nd Lt.	Bowers, S. Y.
H. E. Boswell, 1st Sgt.	Browder, J. W.
E. S. (G?) Hardy, 2nd Sgt.	Bottom, Wm. W. (or A.)
N. M. Neblett, 3rd Sgt.	Cralle, Ed. A.
I. (or J.) W. Wilkerson,	Crowder, Green A.
4th Sgt.	Crowder, Geo. W.
J. J. (or I. I.) Featherston,	Cox (?), C. B.
1st Corp.	Dix, Wm. A.
J. D. May, 2nd Corp.	Dix, Jno. G.
L. J. (or I.) Hite, 3rd Corp.	Estis, Jno. Jas.
C. M. Hardy, 4th Corp.	Gee, George E [ldige]
Allen, Wm. J.	Gallion, T. G.
Andrews, Wm. G.	Elder, Jno. H.
Andrews, Jno. F.	Gallion, W. T.
Andrews, Lowry	Hite, Jas. L.
Atkinson, Wm. M.	Hawthorne, F. S.
	Hawthorne, Sam W.

¹Captain Allen's manuscript in the writer's possession.

Hardy, R. V.	Ragsdale, Thos. W.
Hardy, A. A.	Rainey, C. B.
Hardy, Jno. Y. (or G.)	Rainey, R. W.
Harriss, Chas. H.	Reese, W. L. (or G. or T.)
Harriss, Junius H.	Smith, Ben. E.
Hudson, Jno. J. (or I.)	Smith, R. J.
Hazlewood, Jno. J. (or I.)	Saunders, Dr. Archer
Hines, J. J. (or I. I.), (T. S.)	Shell, Jack R.
Hawkins, Sam S.	Saunders, E. T.
Hall, Ro. J. (or I.)	Saunders, Wm. H.
Ingram, Thos. L.	Saunders, S. Y.
Ingram, Saml. H.	Snead, S. W. (or I. W.)
Inge, T. N.	Snead, J. J. (or I. I.)
Johnson, J. W. (or I. W.)	Snead, Thos. A.
Johnson, J. J. (or I. I.)	Skinner, John C.
Jackson, J. G. (or I. G.)	Taylor, W. D. (or W. W.)
Laffoon, J. A. (or I. A.)	Taylor, E. J. (?) ¹
Laffoon, W. G.	Taylor, B. I. (?) ¹
Laffoon, R. G.	Tomlinson, T. B. (or F. B.) ¹
Laffoon, M. M.	Tisdale, R. (?) W. ¹
Laffoon, W. D. (or W. W.)	Tucker, W. H. ¹
Leonard, P. D.	Tucker, S. L. ¹
Magher, J. G.	Tucker, G. (?) M. ¹
Marable, Z. M. P.	Houk, J. M. (or I. M.) ¹
Manson, T. F.	Vailes, Jos.
Murrell, Geo.	Walthall, W. I. (or W. J.)
Mathews, Wm.	White, Chester B.
Malone, C[laiborne]	Walker, J. Abner
Malone, Thos. B.	(or I. Abner)
Moore, John I. (or J.)	Walker, G. E.
Moore, Abram F.	Wilkerson, Thos. A.
Phillips, Jas. R.	Winn, J. J. (or I. I.)
Peace, Jno. J. (or I.)	Winn, W. R.
Ragsdale, Geo. A.	Wilmoth, A. C.
Ragsdale, Jas. G.	Winn, W. H. (or U. H.)

Miss Nannie Neblett, daughter of Dr. Sterling Neblett, at that time a patriotic young belle of the county, sister to Colin

¹These names illegible on muster roll are supplied from pay roll of Sept. 25, 1861.



Battle Flag of the Flat Rock Riflemen.

Neblett, a Lieutenant in the company, presented to the company "a beautiful silken flag with the name of the company embroidered on it and also *Our Rights*."¹ "At her request," says Captain Allen, "I presented the banner to the company at Spring Hill Church on May 18, in a speech of a few minutes."²

The company remained in camp until Friday, May 23, 1861. The men then dispersed to their homes with instructions to rendezvous at Camp Taylor the following Monday. "So," says Captain Allen, "on said date we gathered at Camp Taylor about 9 o'clock. It was a sad day, yet good spirits prevailed. All the neighbors, and many who lived too far off to be called neighbors, collected at Camp Taylor to bid us 'Good-bye.' Many sent their wagons and buggies to take us to the railroad station, Blacks and Whites (now Blackstone), in Nottoway Co., on the (then) South Side Railroad."³

The company proceeded to Richmond by way of Burkeville "Junction" and the Richmond & Danville Railroad. Upon reaching Richmond the company bivouacked in Old Trinity Church for several days, and on May 29th, 1861, the company was inspected by Col. Jno. B. Baldwin and mustered into the service of the State of Virginia for one year.⁴

Two of the company, R. E. Ragsdale and J. G. T. Shell, were rejected because they were not eighteen years of age.

"At the time of this muster, after excluding these rejected men, the company," says Captain Allen, "had 102 men." It had a few more a month or so later, according to the first official muster roll that has survived.

Upon being inspected and mustered into service, the company was ordered to the camp of instruction at the Hermitage Fair Grounds, and that evening the soldiers there assembled were addressed by President Davis and Honorable Louis T. Wigfall of Texas, and great enthusiasm prevailed.

Major Nat. Tyler was assigned to command the battalion of which this company was a part, and the ten companies in the in-

¹Captain Allen's MS.

²Id.

³Id.

⁴Id.

struction camp were organized into the 20th Regiment of Virginia Volunteers.¹ This regiment was commanded by Lieut. Col. John Pegram, an old United States army officer, afterwards a Major General in the Confederate Army, who was killed at Five Forks, April 2nd or 3rd, 1865.

Captain George C. Orgain enlisted a company at Lewiston (Lunenburg C. H.), on May 21, 1861, which also became a part of the 20th regiment of Virginia Volunteers. The detailed movement of this company from the time of its enlistment until it became a part of this regiment seems not to have been recorded. Its roll is as follows:

Muster roll of George C. Orgain's company of the 20th Regt. Virginia Volunteers. Lt. Col. James R. Crenshaw (formerly Jno. Pegram), from June 30, 1861, to August 31, 1861.

This company was enlisted at Lewistown on May 21, 1861.

George C. Orgain, Captain.	Buckner, William R.
James L. Williams, 1st Lieut.	Buckner, James H.
George C. Lester, 2nd Lt.	Bayne, John W.
Thomas A. Orgain, 2nd Lt.	Bentley, John J.
Samuel R. Brown, 1st Sgt.	Barton, William A.
James R. Orgain, 2nd Sgt.	Barton, John T.
William J. Cox, 3rd Sgt.	Bridgforth, William L.
John T. Crymes, 4th Sgt.	Crafton, Richard W.
Richard D.(?) White,	Crafton, John A.
1st Corp.	Crafton, William T.
Joel M. (W.) Parrish,	Crafton, Lewellyn M.
Corpl.	Collins, John C.
Samuel C. Fowlkes, Corpl.	Coleman, Thomas C.
Douglass B. Woodson, Corpl.	Dodd, James W.
	Dungans, John A.
Ashworth, Joel T.	Dupriest, James A.
Arvin, Samuel T.	Dupriest, John H.
Burnette, James R.	Eggleston, E. J.
Barnes, Clement	Fowlkes, William E.
Barnes, Pleasant	Flowers, John R.
Bradshaw, William L.	Foster, Josiah W.

¹Captain Allen's MS.

Gills, Daniel A.	Pamplin, David L. A.
Green, Thomas C.	Roach, Elijah
Gallion, Thomas A.	Roach, William J.
Hudson, Gideon B.	Robey, Archer N.
Hazlewood, John J.	Rutledge, William C.
Hazlewood, George W.	Snead, George W.
Harding, Robert W.	Smith, Thomas A.
Harding, A.	Smithson, Darius M. B.
Hall, John T.	Tisdale, Henry M.
Inge, Edward G.	Verser, Leroy J.
Jones, Charles W.	Williamson, James W.
Lester, Sterling H.	Woodson, Abner T.(?)
Mize, Jacob R.	Worsham, James S.
Mize, William H.	Wilkes, Benjamin W.
Mize, Benjamin H.	Wilkes, William R.
Marker, Philip C.	White, Edward B.
McKinney, John Q. A.	Winn, Lewellyn P.
McLaughlin, Peter B.	Winn, Lewis E.
Parrish, Edward H.	Winn, Joseph (?) H.

On June 11th, 1861, the 20th Regiment embracing Captain Stokes' and Captain Orgain's companies were ordered to join the army of Northwestern Virginia, then at Laurel Hill, Randolph County, Virginia (now West Virginia). The troops proceeded over the Fredericksburg & Potomac Railroad to Fishersville, and thence to Staunton, where General Wise (former Governor Henry A. Wise), the commander of the forces in this section, was presented with a fine horse by the citizens of Augusta County. Judge Sheffey of Staunton made the presentation address.

Captain Stokes' company was compelled to leave three sick men at Staunton, J. W. Wilkerson, Jas. (Jno.) F. Andrews and Thos. F. Manson. Dr. J. L. Hite was detailed to attend them.

From Staunton the troops marched to Buffalo Gap, reached Bull Pasture River by June 15, crossed the Greenbrier on the 17th, and reached Beverley, the county seat of Randolph County on Tygarts Valley River, on the 19th, and on the 20th the forces reached Laurel Hill, after seven days' march from Staunton.

The regiments at this time at Laurel Hill were those of Col.

Taliaferro, Col. Jackson, Col. Fulkerson and Col. Pegram. There were also two companies of cavalry, one from Greenbrier County and one from Bath. There was also a small artillery force.

On June 27th, one of Captain Stokes' men, Charles H. Harriss, was shot and killed by Joel T. Ashworth, a member of Captain George C. Orgain's Company, who was on picket duty, and who mistook him for a Federal soldier. The circumstances were such that no blame attached to Ashworth, as Harriss had disobeyed orders and had gone too far in front of the encampment. Harriss was buried with military honors, and his funeral was preached by Captain J. M. P. Atkinson, of the "Hampden-Sidney Boys." Captain Atkinson was a Presbyterian Minister, and a professor at Hampden-Sidney College.¹

On July 3, the force at Laurel Hill, or at least a part of them, embracing Captain Stokes' and Captain Orgain's companies, were ordered to Rich Mountain to reinforce Col. Heck; the force moved under Major Tyler, Col. Pegram being absent. After some skirmishing for several days, during which some men were wounded and a few killed, the battle of Rich Mountain was fought on July 11, 1861.

The Confederates held a clearing of some 30 or 40 acres, on the summit of Rich Mountain, embracing the house of one David L. Hart. The Federals made two charges, and were repulsed, but with reinforcements "their overwhelming numbers overcame our brave troops, and they were forced to retreat to avoid being completely surrounded."²

Captain Allen estimated that Gen. Rosencranz had between 4,000 and 5,000 men, while Col. Pegram's command at Rich Mountain was between 1,200 and 1,500; a part of his force was in the entrenchments before the camp expecting an attack.

General George B. McClellan was in general command of the Federal forces, Rosencranz commanding between 4,000 and 5,000 men and McClellan himself between 7,000 and 8,000 men.

Upon the repulse of the Confederates on the top of Rich Mountain, they retired toward the entrenchments in the rear and ambushed the road, expecting the Federals to follow up their

¹Capt. Allen's MS.

²Id.

advantage, but they did not do so. The explanation was that they had conceived the plan of getting in the rear of the Confederates, which they were able to do through the treachery of David L. Hart, who was very familiar with the entire territory.

After the repulse from the top of the mountain and the failure of the Federals to follow up and attack, Col. Pegram decided to attack them, and he selected Captain Stokes' Company to lead the charge. The attack was to be a surprise charge at midnight. Careful reconnoitering, however, disclosed that the Federals had moved up and were encamped about 3,600 strong, on the previous field of battle, while Col. Pegram had not exceeding 500 men for this particular enterprise, so it was abandoned.

Discovering the men under Rosencranz in their rear and those under McClellan in front and in such force, nothing remained but to endeavor to get out of the trap as best it could be done. Five companies were placed under command of Major Tyler with directions to make their way through the mountains to Beverley and thence to Gen. Garnett at Laurel Hill. Col. Pegram himself proceeded to the camp at Rich Mountain in an endeavor to save the forces there.

After a march of incredible hardship and suffering, Major Tyler's command got through, but as Gen. Garnett had retreated from Laurel Hill, the forces were marched in the direction of Staunton. When the retreating party reached Monterey, Captain Stokes resigned his commission, "for which he was severely criticized."¹

Col. Pegram and 600 or 800 men undertook to retreat and eluded the pursuers for several days, but were finally captured. Among those captured were twenty-nine of Captain Stokes' men.

The Lunenburg companies received their baptism of fire and blood at Rich Mountain. "Here," says Captain Allen, "I saw for the first time wounded, bleeding, dying and dead men—my first sight of human blood—I shall carry with me to my grave the awful feeling that possessed me as I looked at those men! They were crying, groaning, praying, and at the same time *cheering us* who had come to their aid, urging us to go forward and save the day or die in the attempt."²

¹Captain Allen's MS.

²Id.

The entries on the rolls extant of Captain Orgain's Company as to casualties are dim and indistinct, in some cases illegible, but sufficient can be made out to show that some forty or fifty men were killed and many taken prisoners.

The flag presented to Captain Stokes' Company by Miss Nannie Neblett was hid in a hollow log, preparatory to the night attack at first decided upon and was subsequently found by the enemy and taken away. It was returned to Virginia under the Act of Congress for the return of the captured battle flags, and is now preserved in the Confederate Museum at Richmond, Virginia.¹

On the retreat from Rich Mountain, on the night of July 13th, one of the prisoners attempted to escape, and the guards shot at him. This occurred on a night march. The firing produced a panic (some of the soldiers thinking they were being attacked), especially among the men of Col. W. C. Scott's regiment, the 44th Virginia. They shot wildly and at random and some were killed.

When the forces reached Monterey, Highland County, they were met by Gen. Robert E. Lee, then comparatively little known, who had been sent to reinforce them.

Before they could reach Staunton practically the whole force were sick, some had measles, and others distempers of various sorts. Captain Allen, then a 2nd Lieutenant, was very ill; and after some time in Staunton, was taken home.

The remnants of the companies which had composed the 20th Virginia were ordered from Monterey to Richmond, and were there furloughed for twenty-two days. Nearly all were sick and several died.

In September, 1861, those who remained of the unit, and were able to do so, reported in Richmond, when by order of the Secretary of War the 20th Virginia Regiment was disbanded in consequence of "utter prostration by disease, etc."

Thus ended the career of the *Flat Rock Riflemen*.²

Another Lunenburg Company, of which too few details are available respecting its history, was Company "H" of the 59th Regiment of Wise's Brigade. This company was enlisted in

¹Where the writer saw it Sept. 3, 1926.

²Capt. Allen's MS.

1861, and surrendered at Appomattox. The roster of this company as it appears in Volume 6 at page 433 et seq. of the Confederate Soldiers, in the Virginia State Library, is as follows:

Ellis, J. W., Capt.	Bragg, R. R.
Surrendered at Appomattox.	Bishop, R. L.
Bishop, J. A., 1st Lt.	Surrendered at Appomattox.
Surrendered at Appomattox.	Bailey, A. J.
George, W. W., 2nd Lt.	Surrendered at Appomattox.
(Captured June 3, '64, at Morris Ts(?). Was also	Brown, R. A.
2nd Lt. Co. H, 26 Bat. in Va. Int.). (Cap. June 3, '64, at Cold Harbor.)	Died in hospital.
Gregory, E. J., 3rd Lt.	Crafton, R. E.
Bryant, J. J., Lieut.	Clark, Zeb.
	Davidson, J. H.
Tisdale, R. W., 2nd Sgt.	Davis, J. W.
Surrendered at Appomattox.	Died in hospital.
Pollard, L. J., 3rd Sgt.	Ellis, E. F.
Surrendered at Appomattox.	Elder, (H.)
Goodwin, M. T., 4th Sgt.	Fowlkes, T. C.
Surrendered at Appomattox.	Gunn, S. H.
Marshall, W. S., 1st Corpl.	Gee, H. M.
Surrendered at Appomattox.	Goodwyn, E. W.
	Green, F. A. W.
Ashworth, A. J.	(Had 7 sons in C. S. Army, See Acts 1889-90.)
Wounded at Deep Creek.	Green, T. C.
Anderson, T. H.	Hodgins, A. H.
Ashworth, J. S.	Hardy, R. V.
Surrendered at Appomattox.	Hawkins, S. Branch.
Binnes, R. E.	Surrendered at Appomattox.
Disabled in the service.	Hawkins, R[obert].
Bishop, Alf.	Surrendered at Appomattox.
Bohannon, R.	Hart, T. B. (or T. P.).
Bayne, E. G.	Wounded at the Crater.
Bohannon, Benj.	Hankins, J. T., or
Bragg, W. L.	(Hawkins, J. T.)
Burnett, W. H.	Wounded at the Crater.
Surrendered at Appomattox.	Hayth, C. T.
	Jones, S. H.

- Jones, G. R.
 Kelton, J[os.] H.
 Wounded near Richmond.
 Moore, J. B.
 Died in the service.
 Moore, R. A.
 McGarry, John.
 Transferred to Navy S. V.
 309. Dec. 30, '63.
 Mason, E. H.
 Wounded at 5 Forks.
 Marable, J. E.
 Merrell, J. W.
 Matthews, I. A.
 In 1st Co. H, 9th Va.
 Inftry. Transferred to 28
 Bat. of Co. C—discharged
 Sept. 9, '62, subsequently
 this Co. became Co. H of
 the 59th Va. Infantry.
 War Dept., May 27-15.
 Nunnally, J. L.
 Overton, J. T. B.
 Wounded at Nottoway
 Bridge.
 Overton, Thomas B.
 Procise, J. H.
 Rutledge, W. R.
 Roberts, J. L.
 Surrendered at Appomattox.
 Ragsdale, W. H.
 Surrendered at Appomattox.
 Robertson, G. C.
 Wounded at Five Forks.
- Ragsdale, Richard
 (See Co. E, 59.)
 Prisoner Roanoke Island
 Feb. 2, 1862, released at
 Elizabeth City, N. C., Feb.
 21, '62.
 Spain, E. M.
 Surrendered at Appomattox.
 Shelton, J. F.
 Died in hospital.
 Slaughter, W. S.
 Disabled in service.
 Tucker, W. A.
 Veale, Amos E.
 (11 years old). Drummer.
 "Served through the war
 whenever the Reg. went
 into a fight. Veale laid
 aside his drum, got a
 musket and did as good
 shooting as anyone in the
 Co. He lived through the
 war without receiving a
 wound. Porter's History."
 White, E. B.
 Surrendered at Appomattox.
 Winn, C. M.
 White, C. A.
 Wounded near Petersburg.
 Wallace, J. C.
 Wounded.
 Wallace, S. A.

In addition to the infantry companies of Captain David R. Stokes and Captan George C. Orgain and Captain J. W. Ellis, Lunenburg, at the beginning of the war sent a company of cavalry known as the *Lunenburg Light Dragoons*. It was Company G of the Ninth Regiment of Cavalry.

“This company was organized several years prior to the war, and was styled ‘The Lunenburg Light Dragoons.’ Its first Captain was William E. Stockdell, who was succeeded by W. H. Hatchett. After some time spent at Ashland, where the company was drilled by Colonels Fields and Lomax, it was ordered early in 1861 to West Virginia, where it remained with the ‘Lee Rangers’ under Captain W. H. F. Lee until the latter part of the winter of 1862, when it was ordered to Fredericksburg, where it was made one of the constituent companies of the Ninth Regiment of Virginia Cavalry.”¹

The roster of the company appears in Volume 9, at page 401 et seq. of the Confederate Soldiers in the Virginia State Library. The compiler of this list has evidently endeavored to embrace the names of all who were at any time members of the company. Certainly all those whose names are given were not all members of the company at the same time.

The roster is as follows:

Hatchett, W[m.] H., Captain. Resigned 1861, in Pocahontas Co.	Hardy, C. B., Orderly Sgt. Lt. Wounded.
Knight, O[scar] M., Captain. Resigned.	Winn, George (G. A.), Orderly Sgt.
Stokes, Jno. A., 1st Lt.	Bragg, John O., 2nd Sgt.
Staples, James T., 2nd Lt.	Smith, Orlando, 2nd Lt.
Fowlkes, A. E., 2nd Lt. Killed at Boonesboro.	Wilson, R. W., 2nd Sgt.
Davis, N. E., 2nd Lt. Killed at Manassas.	Tisdale, W. H., 2nd Sgt. Wounded. Capt'd. In prison to end of war.
Neblett, N. M., 2nd Lt.	White, Frank, 2nd Sgt.
Averett, C. E., Orderly Sgt. Discharged on act. disability. Promoted Lieut. Col.	McCormick, B. D., 2nd Sgt. Promoted from Corporal.
Bolling, Stith, 1861, Orderly Sgt. Captain. Wounded 6 times.	Hatchett, Peter M., 4th Sgt.
Love, D. R., Orderly Sgt. Lt. Wounded at Nance's Shop.	Love, Allen H., 2 Corpl.
	Hatchett, P. M., Corpl.
	Staples, Servetus A., Corpl.
	Smith, W. W., Corpl., Sgt. Wounded.
	Staples, Egbert A., 3rd Corpl.

¹Roster 9, page 401, Virginia State Library.

- Fowlkes, Armstead E.,
4th Corpl.
Privates
- Arvin, George T.
Arvin, Marcellus
Arvin, Mortimore (L.)
Armes, R. A. (or R. J.)
Wdd. at Culpeper.
Arvin, T. J.
Atkinson, W. (Wm. M.)
Averette, Chapel E.
Atkinson, W. M.
Bailey, Jim
Barnes, P[eter] B.
Barnes, W. A. (or W. H.)
Barrow, Henry (or Barron)
Baugh, J. A.
Baugh, William J.
Bell, Adam
Blackwell, J. C.
Blackwell, R. A.
Blackwell, W. T.
Bishop, J. H. (or I. H.)
Bolling, J. R.
Bolling, H.
Bolling, H. E.
Boswell, Thomas (T. R.)
Boswell, H. E.
Bruce, R. L.
Bolling, J. E.
Bruff, I. H. (or J. H.)
Burnett, William (W.)
Burke, John
Burton, Thomas (T. C.)
Brooks, John (J. T.)
Wounded.
Butterworth, James (J. M.)
Brown, Saml. Robert
Bishop, Chapman
- Brydy, Ro. B.
Brown, S. D.
Clark, Robert E.
Couch, J. W.
Clarke, George
Clarke, James H.
Wounded at Falmouth.
Clarke, James T. Killed.
Clarke, VanBuren F.
Wounded at Nance's Shop.
Coleman, W[at] (or A. W.)
Cox, G. W. (George M.?)
Crowder, R. B.
Chumney, Grief C.
Chumney, W. M.
Crymes, Leonard
Crowder, Marcellus A.
Clarke, Robert E.
Dance, Wesley S.
Daniel, George
Dawson, R. G.
Surrendered at Appomattox.
Davis, Ashley L.
Wounded at Fredericksburg.
Dawson, John
Dowdy, John
Dowdy, W. B.
Durby, H.
Dyson, F. H.
Dodson, Lloyd
Dodson, W. R.
Davis, Nicholas E.
Dowdy, James (W.)
Davis, W. S.
Edmunds, Saml. W.
Edmonds, Sit.
Edmondson, J. B. (or J. R.)
Wounded at Gettysburg.

- Estes, John J. (J. J. or I. I.)
 Estis, Duck
 Eubank, A. J.
 Eubank, James (F.)
 Eubank, John
 Eubank, William
 Eubank, Robert (T.).
 Trans. fr. Co. K, 1st Rgt.
 Res. S. O. 15 Jan. 1865.
 Elder, John H.
 Eubank, J. E.
 Ellis, Joseph
 Faris, Booker L.
 Featherstone, Jim (J.).
 Wounded.
 Featherstone, (J.) Richard
 Figg, B. E.
 Forrest, R. J.
 Fowlkes, C. B.
 Forrest, Wm. B.
 Fitzgerald, D. C.
 Fuqua, Littleton T.
 Fuqua, S. A.
 Findlay, James W., Sgt.
 Figg, B. F.
 Gary, W. T.
 Gary, Warner K.
 Gary, L. M.
 Gillispie, W.
 Gee, George E.
 Gee, L. M.
 Gauding, A. E.
 Gauding, James M.
 Gregory, ———.
 Hardy, J. T.
 Trans. from Co. K. Regt.
 Reserved S. O. 15, Jan. 19,
 1865.
 Hamlin, William C.
- Hardy, A. A. Wounded.
 Hardy, John J.
 Hardy, Luther C. Wounded.
 Hardy, J. E.
 Harding, H. A. (or H.)
 Hardy, Wilson M.
 Killed at Hagerstown, Md.,
 on retreat from Gettysburg.
 Harris, J. M. (Joseph M.)
 Hardy, C[harles] M.
 Harding, A. D.
 Hatchett, A.
 Hite, L. J.
 Harris, J. H.
 Hawthorne, H. (W.)
 Hawthorne, Fred (Fed)
 Hite, James
 Hughes, Mather J. P. Killed.
 Hurt, John P.
 Hurt, M. B. (Munford B.)
 Harding, E. D.
 Wounded in Nottoway Co.
 Hardy, Littleton
 Hazzlewood, ———
 (Hazlewood)
 Harris, Joseph M.
 Jeffress (Jeffries), Llewellyn
 Jones, M.
 Jones, P. E.
 Jones, J. W.
 Johns, B. T. (Branch T.?)
 Johnson, J.
 Johnson, Rufus
 Johnson, William
 Jordan, ———
 Johnson, J. R. (or T. R.)
 Jenkins, Joseph R.
 Johnson, J. (W.)
 Knight, George

- Knight, L. H. (or L. N.).
 Discharged 1861 at Ash-
 land, Va.
 Lee, J. H.
 Lee, William A.
 Love, J. (N.)
 Love, S. H. (Stephen Henry)
 Trans. from 1st Reg. Res.
 Co. K. S. O. 15, Jan. 15,
 1865.
 Love, Tom
 Love, D. R. (David R.)
 Malone, C.
 Malone, W.
 Manson, F. S.
 Marable, Jim
 Mize, Jacob (R.).
 Wounded at Gettysburg.
 Mize, S. S.
 Moore, T. G.
 Mug, John
 Marshall, E. O.
 Moore, John or J. J.
 Malkintine, _____
 McCormick, D. P.
 Mann, J. A.
 Died in service.
 Monteith, A. K.
 Manson, Richd.
 May, Charles
 McIntire, Dan'l
 McCormick, Beverly D.
 Neblett, H.
 Nickleson, _____
 Nash, F. Killed.
 Neale, J. C.
 1865, 3 mos. Trans. fr. Co.
 K, 1 Reg. Res. S.. O. 15,
 Jan. 19, 1865.
- Norman, Henry
 Nicholson, John W.
 Nicholson, Vancouver
 Nethers, Arnold
 Overton, Richard J.
 Wounded at Ream's Station.
 Orgain, James. Killed.
 Orgain, _____
 Palmer, J. W.
 Passmore, William
 Petty, John D.
 Phillips, William
 Powell, L.
 Pugh, _____
 Powell, J. L.
 Ransom, John
 Ransom, P. J. (or T. J.)
 Richards, H. B.
 Robinson, R. F.
 Robertson, A. S.
 Rennolds, _____
 Richerson, John
 Ragsdale, J. G.
 Russell, J. (Joel H.).
 Captured 1862 at Fal-
 mouth, Va.
 Rux, A. P.
 Rowlette, A. E. (Aurelius E.)
 Russell, J. B.
 Rudd, T. J. (or John T.)
 Snead, F. M.
 Shackleton, J. A. (James A.)
 Singleton, _____ (D. W.)
 Smith, C. C. (Charles C.)
 Smithson, Buck
 Smith, J. B.
 Smith, H. C. (Henry C.)
 Smith, John H.
 Smith, O. M. (Orlando M.)

Smith, B.	Tonkin (Tompkins),
Smith, Robert	William F.
Street, W.	Tisdale, William H.
Discharged 1861 at Ashland.	Thomas, John R.
Smith, George	Vaughan, N. H.
Shelton, L. (E.)	Died and buried at
(Llewellyn E.).	Pt. Lookout, Md.
Wounded at Brandy Station.	Vaughan, W.
Stokes, S. A. (or S. Y.)	Wagstaff, G. B. (George B.)
Stokes, E. M. (Edward M.)	Walker, Al.
Stokes, J. Bedford. Killed.	White, E[dwin]
Stokes, William H.	White, F[rank]
Sturdivant, T. W. or P. W.	Winn, George (A.)
Stuart, James P.	Winn, W. H. (or Harrison)
Staples, Egbert A.	Winn, Jno. (A.)
Smithson, Dal.	Winn, Wash[ington] C.
Smith, Joshua	Wilson, Ad. (or J. A.)
Stokes, Jno. A., 1st Lt.	Wilson, William A.
Resigned 1861 in W. Va.	Wise, W. A.
disability.	Whitmore, G. A.
Smith, William W.	Williams, T. J. (Tingnal J.)
Tarry, G. W. (George W.)	Wilkerson, J. W.
Thomas, Pomp	Weakley, James K.
Thomas, William R.	Wilson, Richard H.
Tisdale, W. C. (William C.)	Winn, L. M.

The muster rolls show that in April, 1862, this company had the following officers:

O. M. Knight, Captain	A. E. Fowlkes, 2nd Lt.
Orlando Smith, 1st Lt.	Stith Bolling, 2nd Lt. Jr.

The roll for December, 1862, is entitled "Captain Stith Bolling's Company" but shows: Orlando Smith to be the Captain with the notation, "resigned Jan. 17, 1863," and shows 1st Lt. Stith Bolling promoted to the captaincy. At that time

N. E. Davis was 1st Lt. and
David R. Love, 2nd Lt.

The roll for April 30, 1864, shows the company serving under

Col. R. L. Y. Beale. The personnel of the company at that time was as follows:

Stith Bolling, Capt.	Chumney, G. C.
D. R. Love, 1st Lt.	Crowder, M. A.
N. M. Neblett, 2nd Lt.	Dawson, R. G.
C. B. Hardy, 1st Sgt.	Estes, J. J.
Wm. M. Chumney, 2nd Sgt.	Edmundson, J. B.
G. A. Winn, 3rd	Eubank, Wm. L.
Jas. M. Gaulding, 4th	Eubank, J. E.
H. W. Hawthorne, 5th	Eubank, A. J.
W. W. Smtih, 1st Corp.	Eubank, J. F.
E. A. Staples, 2nd Corp.	Faris, B. S.
B. D. McCormick, 3rd Corp.	Fuqua, L. T. (or S. T.)
T. (or S.) J. Williams,	Fuqua, Saml.
4th Corp.	Fitzgerald, D. C.
Arvin, M. L.	Featherstun, J. J.
Arvin, M.	Featherstun, J. R.
Arvin, T. J.	Forrest, P. J.
Arvin, G. T.	Gillispie, W. S. (or L.)
Armes, R. J.	Gaulding, E. A.
Atkinson, Wm. M.	Gaulding, D. E.
Baugh, W. J.	Hardy, S. C. (or L. C.)
Brooks, J. T.	Hardy, A. A.
Butterworth, J. M.	Hardy, C. M.
Boswell, T. R.	Harding, H. A.
Burton, T. C.	Hurt, J. P.
Blackwell, R. A.	Hite, J. L. (or S.)
Blackwell, T.	Hite, S. J. (or L. J.)
Broff, J. H.	Johns, B. T.
Burke, W. J.	Jeffress, L. M. (or S. M.)
Boswell, H. E.	Johnson, J. J.
Burnett, W. W.	Johnson, T. R.
Barnes, J. D.	Johnson, J. W.
Barnes, W. H.	Jones, I. W. (or J. W.)
Clark, V. F.	Jones, P. E.
Clark, J. H.	Jones, M.
Clark, James	Lee, J. W. (or I. W.)
	Lee, J. H. (or I. H.)

Lee, Wm. E.	Singleton, D. W.
May, J. D. (or I. D.)	Staples, J. T.
Mise, J. B.	Tarry, G. W.
Neblett, H. M.	Tisdale, W. H.
Nicholas, J. E. (or I. E.)	Tisdale, W. C.
Overton, R. J.	Thomas, J. R.
Passmore, Wm.	Thomas, Wm. R.
Petty, J. D.	Vaughan, G. W.
Palmer, J. W.	Vaughan, N. H. (or W. H.)
Russell, J. H.	White, Edwin
Richardson, J. (or I.) W.	Winn, Jno. A.
Runyan, T. G.	White, Francis
Richards, H. B.	Winn, W. H.
Robertson, A. S. (or L.)	Walker, J. A.
Smith, C. C.	Whitmore, G. A.
Smith, H. C.	Wilkinson, J. W.
Shelton, L. E. (or S. E.)	Wilson, W. A.
Stokes, W. H.	Wagstaff, G. B.
Smith, J. B. (or I. B.)	Wilson, J. A.
Smith, R. A.	Hughes, J. P. (or J. R.)
Smith, W. F.	

After the Rich Mountain disaster and the disbanding of the Twentieth Virginia Regiment, the survivors of the Lunenburg companies returned to their homes. But the stirring scenes in the national drama called them again to battle after a brief recuperation.

In the winter of 1861 some of the survivors of that campaign and others joined in the organization of an artillery company from Lunenburg. Captain Cornelius Tacitus Allen, who had been a lieutenant in Captain David R. Stokes' Company, has left an account of the organization and the service of this company.

"The company," says Captain Allen, "was organized at St. John's Church in the lower end of Lunenburg in January, 1862."¹ The official roster, in the archives of the Virginia State Library gives the added item that the date of its organization was January 6, 1862.² At the organization Dr. Samuel W. Hawthorne

¹Capt. Allen's MS.

²Roster 14, page 371.

was elected Captain, C. Tacitus Allen, First Lieut., F. S. Hawthorne, Second Lieut., and M. M. Laffoon, Junior Second Lieutenant.¹

The company was re-organized under an Act of Congress in May, 1862,² when the officers were:

Dr. Samuel W. Hawthorne, Captain,
C. Tacitus Allen, First Lieutenant,
George C. Lester, Second Lieutenant,
James C. Hamlet, Junior Second Lieutenant.

Captain Hawthorne resigned in June, 1862, and C. Tacitus Allen was promoted to the Captaincy, George C. Lester to First Lieutenant, James C. Hamlet to Second Lieutenant, and Thomas A. Wilkerson was made Junior Second Lieutenant.³

The name adopted upon the organization of the company was *Lunenburg Rebel Artillery*.⁴ "It was mustered into service in January, 1862, and became Co. F, 2nd Regt. Virginia Artillery."⁵

In Roster 14, at page 371, of the records of Confederate soldiers preserved in the Archives Department of the Virginia State Library appears this entry:

"This company was organized as the 'Lunenburg Artillery' but was assigned on May 23, 1862, to the 22nd Battalion, Virginia Infantry as Co. F, and by S. O. 63, March 16, 1864, was permanently detached from the 22nd Battalion—became a part of J. Hampton Gibbs 13th Battalion Virginia Artillery—never a part of the 22nd Battalion of Infantry. (See War Dept. Acts 17, 1916.)"

Dr. Samuel W. Hawthorne, Captain of this company at its organization, did not accompany it into the active service. "He resigned after two or three months non-active service, in compliance with a pressing request from the people in his section of the county that they needed his services as a physician at home. There was at that time a scarcity of physicians in the county."⁶

¹Capt. Allen's MS.

²Id.

³Id.

⁴Id.

⁵Id.

⁶Roster 14, p. 371, Va. St. Lib.—note by Capt. Allen.

The roll of this company as it appears on the Roster¹ in the Virginia State Library seems to have been compiled with great care and diligence. Captain C. T. Allen was the Captain of the Company from the time it went into service at Chaffins Bluff until he was captured at Sailor's Creek three days before Lee's surrender. The list that follows taken from the Roster mentioned is evidently intended to embrace all who were at any time members of the company, and to note the rank attained at any time during the term of service.

Allen, C. Tacitus, Captain ²	Andrews, B. W.
Hawthorne, F. S., 1st Lt.	Andrews, C. N.
Lester, Geo. C., 1st Lt.	Bowers, John T.
Wilkerson, T. A., 2nd Lt.	Bradshaw, J. T. (John T.)
Hamblette (Hamlet), J. C., 3rd Lt.	Barrow, L. E. Surrendered at Appomattox.
Laffoon, M. M., 2nd Lt.	Blunt, J. F.
Laffoon, Jugurtha A., 1st Sgt.	Burks, Geo. W.
Manson, Thos. F., 2nd Sgt.	Bragg, T. C.
Lucas, J. T., 3rd Sgt. ³	Barr, J. R. Surrendered at Appomattox.
Cralle, W. C., 4th Sgt.	Burnett, S. J.
Bridgforth, W. L., 5th Sgt.	Connally (or Connelly), W. H.
Laffoon, R. G., 1st Corpl.	Crowder, John
Cralle, E. A., 2nd Corpl.	Callis, Geo. W.
Hudson, J. J. (I. I.), 3rd Corpl.	Coleman, W. S.
Allen, E. M., 4th Corpl.	Coleman, L. M.
Arvin, M.	Coleman, A. H.
Allen, W. J. (W. I.), (Hospital Steward Chaffins Bluff)	Cumbia, W. A.
Andrews, J. E.	Crafton, L. M.
Andrews, Lowery (L.)	Crawley, R. R. Surrendered at Appomattox.
Andrews, Geo. W.	Coleman, E. M.
Andrews, W. S. (Wm. Sterling)	Callis, J. H.

¹Vol. 14, page 371 et seq.

²Wounded at Sailor's Creek; captured, in prison in Washington, D. C., and at Johnson's Island, in Lake Erie. Released in June, 1865.

³Surrendered at Appomattox.

- | | |
|----------------------------|--------------------------------|
| Davis, J. H. | Hazlewood, J. W. |
| Surrendered at Appomattox. | Hammock, W. C. |
| Dodd, Geo. W. | Harris, G. |
| Dupriest, Chas. A. | Hart, John (Substitute) |
| Daniel, W. J. | Halmburg, John (Substitute) |
| Daniel, Winston J. | Hudson, J. J. |
| Dolan, T. J. | Wounded at Sailors Creek. |
| Daniel, Joel W. | Inge, T. N. |
| Drake, Silas J. | Inge, C. W. |
| Dyson, F. A. | Jackson, J. G. |
| (Douglas, R. H.) ("Should | Justice, W. T. |
| be C. A. 28th Rgt.") | Justice, G. W. |
| Edmunds, W. H. | Jackson, B. W. |
| Eanes, R. W. | Jackson, T. A. |
| Epperson, D. J. | Kirk, Geo. M. |
| Elder, E. M. | Detailed S. O. 6, Jan. 9, '65. |
| Died in service. | Kirk, G. W. |
| Floyd, Robt. | Love, J. M. (I. M.) |
| Flippin, Jno. F. Wounded. | Lambert, John A. |
| Featherston, W. B. | (Substitute) |
| Surrendered at Appomattox. | Laffoon, W. D. |
| Floyd, W. W. | Laffoon, W. G. |
| Killed at Sailors Creek. | Laffoon, M. L. (W. L.) |
| Floyd, Geo. W. (Geo. J.) | Laffoon, R. G., 5th Sgt. |
| Farley, G. H. | Lambert, T. H. |
| Faris, M. R. | Love, Jennings M. |
| Gallion, W. T. | McAllister, James N. Died |
| Grant, W. R. | and buried Pt. Lookout, Md. |
| Gills, J. M. | Moore, W. M. |
| Gallion, T. G. | Moore, T. E. |
| Gregory, J. H. | Moore, J. U. |
| Garland, R. C. | (or J. N. or I. U.) |
| Hamblett (Hamlett), C. R. | Moore, C. R. |
| Hawthorne, P. W. | Moore, J. M. |
| Hawthorne, R. P. | Moore, J. J. |
| Hines, T. S. | Manson, R. W. |
| Hazlewood, J. J. | Detailed as Courier. |
| Hazlewood, W. G. | Surrendered at Appomattox. |

- Murrell, Geo. W.
 Morgan, O. B., App. Sgt.
 Major Gibbs 13th Battalion
 Va. Art.
 Matthews, J. R.
 Marshall, R. T.
 Marable, Z. M. P.
 Morgan, Richd.
 Moore, S. J.
 Moore, W. F.
 Manson, T. F.
 Nolley, Geo. M.
 Nash, James W.
 Nolley, G. W.
 Surrendered at Appomattox.
 Ozmores, E. A.
 Overby, J. W.
 Wounded at Sailors Creek.
 Overby, W. E.
 Potts, Albert
 Parrish, Joel W.
 Parrish, Geo. W.
 Parrish, Ed. H.
 Parrish, Jno. W. J.
 Parrish, James W.
 Parrish, Joseph M.
 Parrish, William A.
 Piercy, Thos. L.
 Pettus, S. V.
 Peace, W. F.
 Peace, J. J.
 Phillips, J. R.
 Purdy, W. H.
 Deserted May 11, 1862.
 Parrish, W. H.
 Parrish, L. M.
 Perkins, W. P. (W. B.)
 Parrish, J. J.
- Ragsdale, R. E.
 Ragsdale, Thos. W.
 Ragsdale, S. G.
 Ragsdale, Jas. G.
 Rainey, Charles B.
 Robertson, Jas. (J. S.)
 Roberts, James H.
 Ragsdale, John H.
 Ragsdale, Irvin S.
 Robinson, T. V.
 Scraggs, W. H.
 Skinner, C. V.
 Skinner, J. B.
 Surrendered at Appomattox.
 Skinner, J. C.
 Skinner, D. A.
 Skinner, J. R.
 Stone, B. A.
 Snead, J. J. (Substitute)
 Trans. to Stokes reserve
 S. O. 23, Jan. 28, 1865.
 Snead, E. M., 4th Corpl.
 Snead, John W.
 Smith, B. E.
 Surrendered at Appomattox.
 Smithson, W. B.
 Saunders, Albert.
 Jan. 22, 1862.
 Surrendered at Appomattox.
 Skinner, E. A.
 Skinner, C. F.
 Snead, G. W.
 Snead, Geo. Hainey
 Smith, A. S.
 Saunders, J. A.
 Surrendered at Appomattox.
 Saunders, W. H.
 Saunders, E. T.

Stokes, Colin. - Surrendered at Appomattox.	Taylor, James J. (M. D.) (Capt. Allen has this name, T. James Taylor, M. D.).
Stokes, Henry (Hailey)	Vaughan, Alex.
Singleton, R.	Watkins, C. L.
Saffoon [Laffoon] W. S. Surrendered at Appomattox.	Wilson, R. H.
Tucker, R. P.	Waller, J. R.
Tucker, Geo. M.	Winn, W. R.
Tucker, S. L.	Winn, J. J.
Tomlinson, R. H.	Whipple, W. K. (Substitute)
Tomlinson, T. B.	Wilkes, B. W. Died and buried at Pt. Lookout, Md.
Taylor, E. L. Wounded at Sailors Creek, Apr. 6, 1865.	Wilkinson, W. O. J.
Taylor, W. D.	Watkins, T. M.
Taylor, B. J. Surrendered at Appomattox.	Walker, W. E.
Taylor, R. H. Surrendered at Appomattox.	Woodson, Beverly. Surrendered at Appomattox.
Turner, H. H.	Winn, Wm. E.
	Wilson, I. H. Died in service.

Not all of the men of this company were from Lunenburg. Some of them were from Brunswick and some from Nottoway Counties.¹

This list may be regarded as a practically full and accurate roster of this company. It checks with remarkable accuracy with the list of the company made up by Captain Allen primarily from the muster roll of December 31, 1863,² and yet there is evidence to convince that the two lists were from different sources.

Captain Allen states that the company may have contained, at some time, a few men whose names he had forgotten and who did not appear on the muster roll which he had before him in making his roster, and accordingly we find upon the roster in the State Library the names of T. C. Bragg, J. R. Barr, S. J. Burnett, J. H. Callis, Winston J. Daniel, T. J. Dolan, R. C. Garland, J. J. Hudson, C. W. Inge, J. M. Love, James N. McAllister, W. F. Moore, G. W. Nolley, John W. Snead, R. P. Tucker,

¹Captain Allen's MS.

²Id.

W. O. J. Wilkinson, Wm. E. Winn and I. H. Wilson, who are not on Captain Allen's list. In a few cases the list in the State Library seems to carry duplications. For example, it has J. M. Love and Jennings M. Love. Captain Allen's list has Jennings M. Love, but no J. M. Love. They were likely one and the same individual.

The first service of this company is thus described by Captain Allen: "In the spring of 1862," he says, "the United States Government was using with great effect Iron-clad Gunboats—afterwards called 'Monitors,' along the rivers of the South; and the Confederate Government, then established at Richmond, Va., became seriously apprehensive that such gunboats would ascend James River and attack Richmond and possibly destroy it. The moral effect of the great naval engagement between the *Merri-mack* and the *Monitor* in Hampton Roads gave good grounds for such apprehension. Thereupon, the Confederate Government turned its attention to a defence of Richmond against the 'Monitors,' and this company on account of its size and the good material comprising it, was detached from the 2nd Regiment of Artillery to man the 'Powhatan Battery,' situated on the north bank of James River within a couple of hundred yards south of the 'Old Mayo' residence a mile or so below Richmond."¹

Here the company was stationed during the seven days battles around Richmond, and within hearing of many of the battles, but it did not participate in any of them, because, as Captain Allen says, "The apprehension was that if General McClellan should be victorious in said battles, the 'Monitors' would at once ascend the James and attack Richmond. Hence the detention of the company at Powhatan Battery." But "McClellan was defeated, routed and driven from Eastern Virginia in a series of battles, the like of which for hard fighting, superb strategy, and splendid bearing of the Confederate soldiers, the world has never seen!"²

After this development, "The company was then sent down the James, some 8 or 10 miles, on the same side thereof, to Chaffin's Bluff, one mile below Drury's Bluff, which was on the

¹Capt. Allen's MS.

²Id.

south side of the river, and put in charge of the 'Iron Battery.' There the company remained, guarding the city of Richmond against gunboats, which were ever in the lower James in considerable numbers, until the end of the war."¹

On September 28th, 1864, in the night, a Federal force under General B. F. Butler, crossed the James on a pontoon bridge thrown across at or near Varina, a few miles below Chaffin's Bluff. On the morning of the 29th they attacked in force Fort Harrison, a strong fort in the outer line of entrenchments around Richmond. It was situated about a mile in the rear of Chaffin's Bluff. In resisting Butler's assault upon Fort Harrison, Captain Allen's company participated, and though the Federals succeeded, by the concentration of a large force against the relatively small number defending the fort, in taking it before sufficient forces could be concentrated at that point to successfully defend it, yet the defenders held the entrenchments with great stubbornness until Pickett's Division of Lee's Veterans came to their rescue about two o'clock in the afternoon.

In this fighting a considerable number of Captain Allen's Company were killed and wounded, Captain Allen being among the wounded.

The company continued at Chaffin's Bluff until the spring of 1865, when General Grant made his left-flank movement on General Lee around Petersburg, and broke his line, which disaster necessitated the evacuation of Richmond.

Captain Allen's company left Chaffin's Bluff Sunday night, April 2, 1865, at midnight and crossed over the James at the military bridge just above Drury's Bluff,² and joined in the general retreat towards Lynchburg.

The circumstances of the retreat are best told in Captain Allen's words:

"We went," he says, "in the direction of Lynchburg, moving on as rapidly as we could, day and night. We left the 'Bluff' with about one day's rations, which were consumed on Monday. From that time until Thursday evening, April 6th, we had noth-

¹Captain Allen's MS.

²Id.

ing to eat. Four days and four nights retreat without anything to eat, and without rest and sleep, had a terrible effect on us all. I saw men stagger as they plodded along the road, and some fell asleep and dropped their guns as they walked along—so utterly exhausted they were. On Thursday evening, April 6, 1865, . . . we were confronted by Federal infantry and artillery in our rear. Under such circumstances was fought the last general battle of Lee's Army—the battle of Sailor's Creek—(a few miles northward from Burkeville, a railroad station on the old Richmond & Danville and the old Southside Railroad) and in Amelia County.

“Our company went into this battle, utterly exhausted from loss of sleep and fatigue, and greatly weakened by hunger, with about 65 or 70 men.

“The battle lasted about an hour or more. It began about 4 o'clock in the evening. The Confederate loss was, as was reported and I had no doubt then of the truth of the report, about 3,000 or 4,000 killed and wounded and several thousand captured.

“As well as I remember about 30 of our men, i. e., of my company, were killed and wounded, and the balance captured. A few escaped.”¹

“Johnny Blunt,” says Captain Allen, “was desperately wounded,—both legs broken by balls,—and he died afterwards. One of the Andrews boys was killed, but which one I do not now remember.” Captain Allen was slightly wounded, the fragment of a shell striking his left foot.

Captain Allen, and others of his company captured, were taken to Burkeville, thence to City Point, where the officers and men were separated. The officers were taken to Washington and confined in the old Capital Prison, and the men were sent to Point Lookout or Fort Delaware.

Captain Allen was one of some 3,000 Confederate officers confined in the old Capital Prison at the time President Lincoln was assassinated. The whole number of Confederates would undoubtedly have been massacred by an infuriated mob, but for “the timely action and thoughtful humanity of General Green Clay Smith, then a member of Congress from Kentucky.”²

¹Captain Allen's MS.

²Id.

Captain Allen was afterwards sent a prisoner to Johnson's Island, in Lake Erie, where upon taking the oath of allegiance in the latter part of June, 1865, he was released. He reached his father's house in Lunenburg County, June 25, 1865. The men of his company who had been taken prisoner, and who had not died in prison were released about the same time.¹

Another company which was composed partly at least of Lunenburg men was Company "C" of the 44th Battalion of Virginia Infantry. It is not, in the present state of investigation, now possible to give a history of the first services of this company. It was possibly not organized at the very beginning of the war. At any rate some Lunenburgers who did not, because of their youth, enter the army at first, found their way into it along in 1863.

The roll of the company as it stood March 1, 1865, is as follows:²

Morrison, A. B., Capt.	Davis, William
Allen, R. A., 1st Lt.	Davis, Rich'd
Smith, G. E., 2nd Lt.	Davis, W. A.
Green, S. M., 3rd Lt.	Delbridge, J.
Phipps, W. E., 1st Sergt.	Deshazor, H. C.
Trotter, T. H., 2nd Sergt.	Duffer, John
Drake, J. F., 3rd Sergt.	Dugger, S. J.
Petterway, G. W., 4th Sergt.	Heath, R. G.
Cox, A. S., 1st Corpl.	Harwell, T. A. (r W.)
Estes, W. T., 2nd Corpl.	Johnson, R. T.
Jackson, R. E., 3rd Corpl.	Maby, A.
Bowen, T. A., Private	McLaughlin, J. R.
Bailey, W. H.	Myrick, J. C.
Bridyman, J. W.	Moore, J. W.
Bryant, Edwin	Moore, G. W.
Coleman, J. W.	Mullins, J. M.

¹Captain Allen's MS.

²This record has been preserved in the diary kept during the war by 2nd Lieut. George E. Smith, after the war a prominent and honored citizen of the county. He represented Lunenburg in the Legislature, was County Treasurer, and prominently identified with the public interests of the county. He lived for many years at Rehoboth, later moved to Victoria, where he died in 1925.

Murray, J. R. H.
 Norwood, Wm.
 Norwood, Peter
 Nunnally, E. E.
 Peebles, James
 Reese, J. J.
 Rooke, Benj.

Robertson, A. T.
 Rutledge, J. H.
 Saddler, J. W.
 Shearin, H. S.
 Stansbury, James
 Sledge, C. L. A.
 Wells, Robt.

Mr. George E. Smith has also preserved in his diary the following "List of the men lost [from this company] the week previous to the surrender."

Phipps, Sergt.
 Drake, Sergt.
 Cox, Corpl.

Harwell
 McLaughlin
 Moore
 Robertson
 Shearin
 Stansbury
 Wells

Bowen, Private
 Deshazor
 Dugger

And the following entry in this invaluable original record gives the men of this company who surrendered at Appomattox:

"Appomattox C. H. Apl. 10th [1865].

"Members of Co. 'C' 44th Va. Battalion who were present at the surrender of the Army of N. Va. at Appomattox C. H. April 9th, '65:

Capt. A. B. Morrison
 Lts. R. A. Allen
 " G. E. Smith
 " S. M. Green
 Sgt. Trotter, T. H.
 " Petterway, G. W.
 Corpl. Estes, W. T.
 " Jackson, R. E.
 Pvts. Brightman, J. W.
 " Coleman, J. W.
 " Duffer, John
 " Heath, R. Y.

Pvts. Johnson, R. T.
 " Moore, J. W.
 " Murray, J. R. H.
 " Norwood, Wm.
 " Norwood, Peter
 " Peebles, James
 " Nunnally, E. E.
 " Myrick, James
 " Reese, J. J.
 " Reese, John
 " Sledge, C. L. A.
 " Sadler, J. W.

Captured in retreat: J. F. Drake; W. A. Cox."¹

¹From the Diary of George E. Smith.

From information contained in the diary of George E. Smith who was elected a Second Lieutenant in this company, October 13, 1863, we are able to trace to some extent the movements of this unit. He joined the 44th Battalion of Virginia Volunteers, September 12, 1863, and joined the command in Petersburg and went into camp at the Model Farm on September 25th, and later was stationed at the Powder Mills. On December 18th, a portion of this command under Lt. Smith was detailed as a train guard on the railroad between Petersburg, Virginia, and Weldon, N. C.

In January, 1864, Lt. George E. Smith and his guard were ordered to report to Lt. Samuel Jones at Gaston, N. C., and to Captain Finn at Weldon. On February 4th, 5th and 6th these soldiers at Weldon watched the marching through of Pickett's Division on its way to Newberne, N. C.

In March, 1864, this guard was ordered to rejoin the battalion which was then guarding the High Bridge on the Southside Railroad, but before this was done the order was countermanded and the guard was ordered to the front with the militia "as the enemy are reported to be advancing on City Point,"¹ and the battalion was ordered from the High Bridge to Petersburg. Upon its arrival it did guard duty of one character or another until May 6, when General Butler's army was reported to be advancing on Petersburg from City Point, thereupon this command was ordered to proceed to Jordan's farm between City Point and Petersburg, and was assigned to take charge of Battery No. 2 one mile from Jordan's farm, and two days later was transferred to Battery No. 5. It was subsequently ordered from Battery No. 5 to Dunn's farm to meet a body of Negro Cavalry, which, however, did not put in its appearance.

From Dunn's farm this force was moved to Butterworth's Bridge, and shortly thereafter ordered into camp at Model Farm for a short rest.

On May 25th the command went to the front again, and was stationed successively at Jordan's farm and Friend's farm and was then moved down to guard the Norfolk and Petersburg Railroad. On the 28th, Lt. Smith was detached, put in command of

¹George E. Smith's Diary, in the possession of the writer.

Company "A" and sent on picket duty down the Baxter road, after which service he rejoined his own company. Again on June 2, Lt. Smith was put in command of Company "E" and assigned to picket duty along the Norfolk and Petersburg Railroad, and thence on the same character of duty on the Broadway road.

On June 9th the Federals with a force of about 4,000 cavalry attacked the Confederate lines on the sector where these men were stationed, but the attack was repulsed by the 44th Battalion assisted by the 46th Virginia Regiment. Several men of the 44th were wounded, but none killed. After this encounter General Beauregard inspected the line of works and passed Battery 5, where this company was stationed. The works at Battery 5 were strengthened and more guns mounted.

On June 14th Lt. Smith, with twenty-five men from Company "C," was ordered to take charge of Battery No. 3, which mounted two Napoleon guns. Captain Morrison with the rest of the company was ordered to Battery No. 2, and the men were drilled in artillery practice.

The events of June 15, 1864, we will tell in Lt. Smith's words:

"The enemy," says he, "fifteen or twenty thousand strong under Generals Butler and Smith advance from City Point on our position which extends from Battery No. 1 to No. 9. Our force consisted of the 44th and Hood's Battalions and a portion of Wise's Brigade and Sturdivant's Artillery, a total of about 1,200 men. Skirmishing commenced about sunrise; the enemy made several assaults on our position during the day and were handsomely repulsed until late in the evening, when they forced us back about a quarter of a mile on our right by a concentration of their forces on that point. After our right gave way, I dismounted the guns at Battery No. 3 and fell back to No. 2, as Battery No. 3 was enfiladed by the Yankee Infantry and Artillery. The enemy had about twenty-four pieces of artillery engaged and we had about the same number. The Yankees lost 1,500 men in killed, wounded and prisoners. Our loss was two hundred and fifty. Major Batte¹ was captured together with

¹Commanding the 44th Battalion of Virginia Infantry.

twenty-five men from our Battalion, only two companies of which (A and C) were engaged. We also lost several men killed and wounded. Our artillery was very destructive to the enemy indeed. I fired 225 rounds of shell at the enemy during the day from Battery No. 3. I had a very narrow escape from the explosion of a shell after I left the Battery. We fell back to Battery No. 2 where we halted and held the enemy in check until the morning of the 16th, when we were reinforced by Johnson's and Hoke's divisions."¹

Of the events of the 16th of June, 1864, he says:

"The enemy commenced an enfilading fire on Battery No. 2 about sunrise from Batteries Nos. 5 and 8. Four men belonging to the 27th S. C. regiment were wounded at Battery 2 soon after the enemy commenced shelling it."²

Lieutenant Smith's command was ordered by General Hagood to report to General Beauregard, and it left for Petersburg, where it was relieved from duty for twenty-four hours; they evidently needed rest for Lt. Smith briefly records on the 16th that we "haven't slept any for two days and nights."

On the next day General Lee arrived in Petersburg to begin the grim struggle which was to hold the attention of the world for so many weary months. On the 17th of June, 1864, says Lieut. Smith, "Gen. Lee's army begin to march through town today. Saw Gen. Lee and staff for the first time . . . the enemy commence shelling the city tonight."

On the 18th of June, 1864, the army of Northern Virginia was still passing through Petersburg.

Our Lunenburg soldiers were put on duty to guard the Pocahontas Bridge, where on July 10 "Sergeant Tucker" was killed by a shell. The guard under the command of Lieut. Smith in July, 1864, were ordered into camp on an island above Campbell's Bridge and were largely employed in provost duty in Petersburg.

On September 26th, 1864, Lieut. Smith visited Chaffin's Bluff,

¹George E. Smith's Diary.

²Id.

arriving there soon after the fall of Fort Harrison, and due to the movement of troops from Petersburg to meet this threat upon Richmond he was compelled to walk from Chaffin's Bluff back to Petersburg, and when he arrived he found that his company had been ordered to the trenches where he joined them on the night of the 27th at Battery 45 "on the right of our line."

Early in October this company was ordered from Battery 45 to the trenches at Wilcox's farm, where they constructed "Bomb-proofs," and were under the shells of the enemy almost continuously; in November they were shifted to the trenches on the Southern Railroad. In December they were encamped on the Squirrel Level road, where they were "entirely without quarters," and where they suffered greatly as it was very cold, hailing and snowing much of the time.

While in this locality they fought the battle of Bellefield on the 10th of December, repulsing the enemy.¹ Here they remained until the 14th of December, when says Lieut. Smith, "We are relieved by Scale's N. C. Brigade, and ordered back to Wilcox's, Hallelujah!"

During the following two months this company fought in various localities along the battle line before Petersburg.

On February 8, 1865, Lt. Smith made the entry in his diary that "negotiations for peace are going on at Norfolk," and on the next day that "all peace negotiations cease, without a cessation of hostilities." He records the fact that on the 18th and 19th of March there were "Heavy movements of troops on both sides to our extreme right," and on the 25th he records that General Gordon, who had relieved Johnson's Division, attacked and carried the enemy's works "just to our left." There was, he says, heavy picket firing "in our front tonight," the night of March 28th, and he records that on the 29th of March there was "very heavy picket firing and mortar shelling from immediately in our front on Wilcox's farm to the Appomattox river," and the troops remained in "the ditches" expecting an attack. On March 30th there was fighting near Hatcher's Run. On April 1st, 1865, a part of the 44th Battalion was sent on picket duty.

¹George E. Smith's Diary.

On April 2nd, says Lieut. Smith, there was "Heavy fighting on the lines around Petersburg, the enemy assault and capture a portion of the works on our left. Our Battalion is ordered into the fight about sunrise and continue to fight until late in the evening. We retake our works (except one fort) and capture 1,000 prisoners. The enemy assault our works six times after we retake them, and are repulsed each time with prodigious loss to them. The fighting ceases about 8 o'clock in the evening. Our loss in today's fighting is not very heavy. We lost two Captains killed and eight men wounded in our Battalion.

"The army commence evacuating the lines around Petersburg about dark. Our Battalion with Grimes Division leave the city about 11 o'clock at night and take up the line of march for Amelia C. H. March until nearly daybreak when we halt a while to rest as the men are almost exhausted, not having slept any of consequence in three days. The roads are very muddy indeed."¹

On March 3rd, 1865, Grimes' Division, of which this company was a part, was the rear-guard of Lee's army in its retreat. At 11 o'clock it crossed the Appomattox and drew up in battle formation to prevent the enemy from attacking the wagon trains; it went into camp about 10 o'clock at night, and resumed the march about daybreak the following day, and reached Amelia C. H. at about 11 o'clock. During the 4th and the 5th this division skirmished with the enemy, at times drawing up to give battle to retard his progress.

On the 6th of March, the day of the battle of Sailor's Creek, Lieut. Smith records that the skirmishing began about 8 o'clock, and says he, "My Battalion was engaged with the enemy five different times today. We lost 7 men from Company 'C' in today's fighting," and the enemy captured a portion of the wagons about dark.

Lieutenant Smith was detached on skirmish line duty with the 2nd Louisiana Regiment, and reached High Bridge about ten o'clock at night on the 6th of March.

The following day, March 7th, 1865, this force marched

¹George E. Smith's Diary.

through Farmville and camped near Willis' Mountain in Buckingham County. At early dawn on the 8th they moved in the direction of Lynchburg and went into camp near Appomattox C. H. at six o'clock in the evening.

We tell the story of April 9, 1865, in Lieutenant Smith's words:

"We leave camp at 4 o'clock and reach Appomattox C. H. about sunrise. When we reached the C. H. we found the enemy in line of battle about half a mile beyond. Gen. Lee attacked the Yanks after he arrived and drove them nearly a mile when he ordered his men to fall back, as the enemy were in such overwhelming numbers that our army was almost entirely surrounded. The whole army halted here, and hostilities ceased about 9 o'clock A. M. and negotiations commenced immediately for the surrender of the Army of Northern Virginia. Lee surrendered the army to General U. S. Grant about 12 o'clock. There were about 21,000 men surrendered and only 8,000 of them were arms bearing men. Our provision was nearly exhausted and the army was completely broken down. We were all paroled, and remained in camp on the field where we surrendered until the morning of the 12th of April."¹

Lieutenant Smith and some of the rest of the Lunenburgers left Appomattox C. H. on the 12th of April and returned by way of Prospect depot, Burkeville, Blacks and Whites (Blackstone), and thence to Lunenburg, arriving on April 14th, 1865.

As the war progressed and the man power of the South became depleted, reserve forces, composed of men too old or infirm, and boys too young ordinarily to be called to military duty, were formed. One of the companies of this class of soldiers was Company K of the 1st Battalion of Virginia Reserves. The captain of this company was W. H. Stokes of Lunenburg County. Its full membership is not known but Isaac Bonaparte Bell (I. B. Bell), M. Barnes and E. J. Harding were members of it.

Isaac Bonaparte Bell was one of three brothers who served in the Confederate Army. The other two brothers were Frank Nathaniel Bell (F. Nat. Bell), a member of Captain David R.

¹Lieut. George E. Smith's Diary.

Stokes' Company; taken prisoner at Rich Mountain and paroled, the other brother, David T. Bell, was a hospital nurse most of the time, but the unit to which he belonged is not now known.

The alacrity with which the Lunenburgers responded to the call to arms is indicated by the way they hastened to join companies being formed in adjoining counties. The *Nottoway Grays* were organized January 12, 1861. This company was Company G, 18th Regiment, Hunton's (Garnett's) Brigade. Captain Reps Connolly was its captain. The following Lunenburgers were members of this company:¹

- T. A. Orgain ("Killed at Gaines Mill—the first man of the Co. killed.")
- E. Boswell. Killed at Gaines Mill.
- W. W. Boswell
- Jno. Campbell
- A. L. Davis
- J. Deshazor
- Jas. A. Elder. Killed at Gettysburg.
- Thomas Gregory. Wounded at Gettysburg.
- J. T. (or J. S.) Hardy
- L. (or Leroy) Hudson. Wounded at Five Forks.
- H. (or A.) Hatchett. Wounded at 1st Manassas, and died of disease in August, 1861.
- W. (or W. J.) Jeter.
- Edmund Irby. Wounded at Gettysburg, and died in prison of disease, 1865.
- G. W. Moore
- R. B. Munford. Wounded at Sailor's Creek.
- S. Neal. Discharged, unable to render service.
- E. C. Orgain. Killed at Gaines Mill, 2nd member of the company killed.
- J. Orgain. Transferred to Lunenburg Cavalry, killed in 1862.
- B. Russell
- J. A. Webb. Wounded at Gettysburg.

¹Roster 2, page 352 et seq. Va. State Library.

L. E. Webb. Wounded at Boonesboro and Sharpsburg, surrendered at Appomattox, served through entire war, having enlisted in 1861.

W. H. Winn. Wounded at Sharpsburg.

J. H. Snead.

This record of the Lunenburg soldiers of the campaigns of 1861-1865 is, as the writer is painfully aware, incomplete. Respecting the degree of incompleteness he hesitates to venture a speculation. His being apparently the first attempt after more than sixty years have elapsed since the close of the war to compile a roster of Lunenburg troops, completeness can scarcely be expected. Undoubtedly these names will be supplemented from time to time by other investigators and his hope is that an approximately complete list will eventually result. The efforts of this writer in this field can be viewed in no other light than that of preliminary pioneering.

Two Lunenburg Confederate soldiers, who were well known to the writer, seem not included in any of the companies mentioned above. They were Robert R. Hazlewood and Abner C. Dixon. Hazlewood was a veteran of the Gettysburg campaign and was one of the soldiers who made Pickett's immortal charge. The writer as a small boy heard him several times describe, with considerable detail, not now remembered, the particulars of that unparalleled feat of bravery.

Entirely too few of the Confederate soldiers left accounts of the part they took in the great and memorable struggle. Captain C. T. Allen was a notable exception, and every Lunenburger owes him a debt of gratitude for the memorial he has left. Captain Allen contemplated writing a history of Lunenburg, or rather a series of sketches of Lunenburgers, which would have probably embraced much Civil War material, but his manuscript and the material he had accumulated through many years were destroyed when his residence in Kenbridge was burned some years ago. He put off the preparation of this work until too late. He was past seventy when in 1914 he announced his purpose to write this book.

The diary of Lt. George E. Smith is an invaluable document,

but Mr. Smith could have told many interesting things in addition to the items mentioned in his journal. He promised the writer to prepare a written memorandum covering his recollections of the Civil War period, but he died before that was ever done.

Mr. Richard Wilkins Manson (familiarily known as "Dick" Manson), one of the few surviving Confederate soldiers of the county (83 years old in 1926), in a conversation with the writer on August 29, 1926, gave a brief and interesting account of his participation in the war.

He enlisted in Captain Samuel Hawthorne's Company, Company F of the 2nd Virginia Artillery, afterwards commanded by Captain C. T. Allen, and was stationed at Chaffin's Bluff. The service of that company is detailed above. Captain Allen received a request for two of the most daring men of this company to serve as couriers. He detailed for this duty Mr. Manson and W. L. Bridgforth, and Mr. Manson became a courier on the staff of General Custis Lee.

This command was in the thick of the fight at Sailor's Creek. Mr. Manson escaped and on the next day, April 7, 1865, he saw General Robert E. Lee in Farmville, when General Lee inquired regarding the fate of General Custis Lee. Mr. Manson reported to him that he had been captured, but he thought he had not been wounded in the battle. This was apparently the first authentic news General Lee had of the fact.

General Lee then directed Mr. Manson to join his own staff until there was other service for him, and he accompanied them to Appomattox Court House. When it was decided to open negotiations for the surrender Mr. Manson was sent on the detail with a flag of truce to General Grant, and he went back with General Lee and his staff to General Grant's headquarters, and was present and heard the conversation when General Lee stated to General Grant the terms upon which he would surrender the Army of Northern Virginia. Briefly they were that he would parole his Generals, the Generals their Colonels, and they their Captains, and the Captains their men; the Confederates to retain their private side arms, private property, etc. During the interview, says Mr. Manson, General Grant was as kind and courteous to General Lee as if they had been brothers.

After this interview, states Mr. Manson, General Grant moved his headquarters to the McLean house, where the paroles were printed and where General Lee signed the articles of surrender. Mr. Manson's parole was signed by General Lee's Adjutant, Colonel Walter Taylor, who read General Lee's last order, his memorable farewell, to the army.

