

Fall 2008

Hearts and Minds, the American Revolution in South Carolina: A Study in the Application of Militia Violence to Influence Politics

Paul K. Reimann
Old Dominion University

Follow this and additional works at: https://digitalcommons.odu.edu/history_etds



Part of the [Military History Commons](#), [Political History Commons](#), and the [United States History Commons](#)

Recommended Citation

Reimann, Paul K.. "Hearts and Minds, the American Revolution in South Carolina: A Study in the Application of Militia Violence to Influence Politics" (2008). Master of Arts (MA), Thesis, History, Old Dominion University, DOI: 10.25777/y2s6-jy63
https://digitalcommons.odu.edu/history_etds/214

This Thesis is brought to you for free and open access by the History at ODU Digital Commons. It has been accepted for inclusion in History Theses & Dissertations by an authorized administrator of ODU Digital Commons. For more information, please contact digitalcommons@odu.edu.

HEARTS AND MINDS,
THE AMERICAN REVOLUTION IN SOUTH CAROLINA: A STUDY IN THE
APPLICATION OF MILITIA VIOLENCE TO INFLUENCE POLITICS

by

Paul K Reimann
B.S. June 1975, University of Illinois

A Thesis Submitted to the Faculty of Old Dominion University
in Partial Fulfillment of the Requirement for the Degree of

MASTER OF ARTS

HISTORY

OLD DOMINION UNIVERSITY
December 2008

Approved by:

Dr. Jonathan Phillips (Director)

Dr. Jane Merritt (Member)

Dr. Michael Carhart (Member)

ABSTRACT

HEARTS AND MINDS, THE AMERICAN REVOLUTION IN SOUTH CAROLINA: A STUDY IN THE APPLICATION OF MILITIA VIOLENCE TO INFLUENCE POLITICS

Paul K. Reimann
Old Dominion University, 2008
Director: Dr. Jonathan Phillips

This thesis examines both the military and political aspects of the genesis and application of militia violence in South Carolina immediately prior to and throughout the Revolution. It assesses the affects of violence on the part of both Patriots and Loyalists in controlling the support provided by the colonists to either army in South Carolina. Warfare in the Southern Colonies transformed, for the patriots, from the accepted European style of battle to the more successful employment of the frontier militia in the role of partisans.

Hearts and Minds argues that the use of violence by the rebel militia was an essential part of winning the war of popular support. *Hearts and Minds* assesses the development of militia forces and the changes to the tactics, techniques and procedures of militia in South Carolina. It outlines the factors of partisan warfare in South Carolina and how they differed from the other colonies. It uses the Battle of King's Mountain as a case study in the employment of militia forces during the Southern Campaign, highlighting the violence and cruelty associated with this form of warfare. It focuses on the effects of violence and intimidation to mold public opinion and support in the colonies; demonstrating that the use of militia as partisans on both sides and the subsequent effects, retribution and retaliation, had a significant impact on the escalation of violence during the Revolution.

For Lori, for putting up with numerous
long nights and the clutter of hundreds of references.

ACKNOWLEDGEMENTS

I wish to thank Dr. Jonathan Phillips, Dr. Jane Merritt, Dr. Michael Carhart, and Dr. Lorraine Lees for all the assistance and support they provided. I would also like to thank my sons, John, Tom, and Ian, for their enthusiasm with history in general and this thesis in particular. Finally, I want to thank my wife, Lori, for letting me work on this during holidays, weekends, and nights when I kept her up reading.

TABLE OF CONTENTS

Chapter	Page
I. INTRODUCTION.....	1
II. HISTORIOGRAPHIC OVERVIEW.....	4
III. THE BATTLEGROUND: SOUTH CAROLINA.....	23
IV. REVOLUTION, THE SOUTHERN CAMPAIGN, AND THE MILITIA WARS.....	43
WAR MOVES SOUTH.....	48
V. KINGS MOUNTAIN: CASE STUDY IN MILITIA WARFARE.....	60
THE BATTLE.....	67
VI. CONCLUSIONS.....	73
BIBLIOGRAPHY.....	81
VITA.....	87

LIST OF FIGURES

Figure	Page
1. Rebel Approaches.....	65
2. Diagram of the King's Mountain Battlefield.....	67

CHAPTER I

INTRODUCTION

The American Revolution has been popularly remembered as a conflict between the professional armies of the English and the citizen-soldiers of the American Colonial Militia. The “minuteman,” has become the icon of the American Revolution, the epitome of the militia concept, and the Cincinnatus of America’s war for independence. However, scholars of the period have illustrated the importance of the Regular Continental Army in the eventual victory over England. They do highlight the importance of using the militia, but primarily in conjunction with the Regular Army so as to provide the stability and regimentation to the militia units and consequently making the militia more dependable.¹

There were instances where the militia acted alone against the British and their allies, specifically in the regions of South Carolina. Due to the defeat of the Continental Armies during the siege of Charleston and the battle of Camden in 1780, the militias were the only active rebel units in South Carolina for over a year. Absent the controlling effect of regular military forces, the subsequent partisan tactics employed by the militia escalated in violence not only between them and the enemy military forces, but additionally against that part of the civilian population supporting the enemy. It is there that this thesis will focus in order to assess the impact of the militia.

The thirteen English colonies in North America had many things in common, particularly their militia systems which had its origins in the English Militia. The English militia system was the product of the distrust of a standing professional army among most

This paper follows the format requirements of *A Manual for Writers of Term Papers, Theses, and Dissertations* 6th edition by Kate L. Turabian

¹ See Chapter 2 for a discussion of the scholarly works.

Englishmen and Colonials. The concept was simple: each able bodied man would volunteer when called in order to support the community, state, or colony in time of need. When the crisis ended, the militia units would disband until needed again. The use of militia in the North American colonies evolved over the course of the late eighteenth century to meet not only the internal and external security needs but also the political needs of the people involved. Militia bands came to represent law and order, particularly in the frontier regions. Control of the militia would become a key issue in America's fight for independence and the violence which ensued, particularly in South Carolina.

The Revolutionary War in the Southern Colonies has been characterized as a civil war not defined by geography, but waged by father against son, brother against brother, neighbor against neighbor.² It witnessed some of the most savage and cruel fighting of the Revolution in a region where a majority of the fighting forces on both sides was local Militia. The tactics used for these militiamen were developed in the backcountry frontier of the Carolinas. These methods reflected the colonists' experience of fighting Native Americans and slave revolts with all the associated savagery. This was the military background for the South Carolina militiamen during the initial period of revolution. It was not that different from most of the other colonies.³

The fighting in South Carolina was much more brutal and remorseless than elsewhere in the colonies. In studying the degree of militia violence in South Carolina, one receives an accurate example of the use of violence, particularly by militia, representative of that of the Southern Colonies. Both North Carolina and Virginia were

² John Pancake, *This Destructive War: The British Campaign in the Carolinas, 1780-1782* (Alabama: University of Alabama Press, 1985), 50 -54.

³ Pauline Maier, *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765-1776*. Paperback Edition. (New York: W. W. Norton & Company, 1991), 24.

comparatively free of the effects of British occupation, whereas Georgia and British Florida were ensconced in the British sphere of influence early in the war and had little partisan activity until relatively late in the conflict. South Carolina was the only Southern colony that was occupied by the British and had a state government in hiding. As such, it presented a classic military environment for partisanship, in this instance militia warfare.⁴

In *Hearts and Minds*, I will argue that the use of violence by the rebel militia was an essential part of winning the war of popular support. I will also show that, while this violence was beneficial to the patriots, it quickly caused an escalation into a war of retribution in which violations of the rules of war were common. *Hearts and Minds* assesses the development of militia forces and the changes to the tactics, techniques and procedures of militia in South Carolina. It outlines the factors of partisan warfare in South Carolina and how they differed from the other colonies. It uses as a case study the Battle of King's Mountain, a battle fought between two American forces, to illustrate the violence and cruelty associated with militia warfare. King's Mountain was chosen because it resulted in the end of an effective loyalist militia movement in South Carolina. Finally, I will compare this case study with the use of regular Colonial Army troops highlighting the lack of the rules of war when control of forces is ineffectual.

⁴ John Morgan Dederer, "Making Bricks without Straw: Nathanael Greene's Southern Campaign and Mao Tse-Tung's Mobile War," *Military Affairs* 47, no. 3, (Oct., 1983): 116.

CHAPTER II

HISTORIOGRAPHIC OVERVIEW

The Southern Campaign (1780-1781) has been characterized by historians as America's first civil war due to the violence witnessed on both sides and the familiarity of the combatants with each other. There are differing opinions as to why this violence was brought about, but most historians center on a few key reasons: the Campaign in general; popular and political resistance; backcountry migration and makeup; and militia violence and the resultant Partisan War.

The frontier methods of combat used by both sides in South Carolina during the Revolution had an impact on the tactical employment of troops. They also had an additional influence in the strategic planning by both sides. Local support was essential for successful campaigning in the Colonies. Both sides relied on the local populous to provide men, material, and intelligence. Both sides fought for this support. Both also fought to deny support to the other side. In many instances, particularly in South Carolina, each side used draconian methods to demonstrate the error of supporting the 'wrong' side.¹ The question arises as to whether these methods used were significantly different from the other colonies, or whether the violence in South Carolina was a manifestation of the colonial method for dealing with political dissent and social disorder in the absence of regular colonial troops. Additionally, the success of the Patriots in South Carolina brings into question the ability of any government, not just that of Great Britain, to win a partisan war not internal to its own borders, especially one so distant.

¹ Leslie F.S. Upton, ed., *Revolutionary Versus Loyalist: The First American Civil War: 1774-1784* (Toronto: Blaisdell Publishing, 1968), ix.

The fight in South Carolina for the hearts and minds of the people during the American Revolution had its origin in the formation and early political life of the colony. Jonathan Mercantini provides a keen insight into the political background of South Carolina, specifically during the period from 1748 to 1775. His study centered on the relationship between the three arms of colonial government; the Governor, the Council, and the Commons House, and the struggle for power during the formative years prior to the Revolution. He noted that, during this period, South Carolina elites engaged in repeated contests over the extent of their rights and privileges and the limits of imperial power in the colony. He observed that South Carolinians were determined to defend the rights that they believed they possessed, primarily from precedent and custom. By the time of the revolution, challenging external authority had become ingrained in South Carolina's political culture. This protection of rights pushed South Carolina to revolution, despite other factors should have supported loyalty to the Crown in the colony.²

Analysis of the Southern Campaign highlights the degrees and methods by which violence was applied by both sides in South Carolina. In his study on South Carolina and the Revolution, historian John Gordon found the militia to be a key element in the revolution in South Carolina. Both sides understood that it was very important to appoint militia officers of one's own political persuasion. And it was the patriots, or Whigs, who gained control of the militia, thus controlling much of the coastal region and the interior of South Carolina.³ Gordon observed that the Regulator period had been a time for

² Jonathan Mercantini, *Who Shall Rule at Home? The Evolution of South Carolina Political Culture, 1748-1776* (Columbia, South Carolina: University of South Carolina Press, 2007), 257.

³ John Gordon, *South Carolina and the American Revolution* (Columbia: University of South Carolina Press, 2003), 13.

choosing sides.⁴ The chances were good that those same alignments would be maintained in the Revolution fought in the back country.⁵ The Revolution continued the process already started before the war, where the rising backcountry and the plantocracy of the lowlands found a common cause.

Gordon found the British strategy for defeating the revolutionaries poorly developed due to a lack of understanding of the situation in America. To defeat the Whigs in the Southern Campaign, Lord Cornwallis employed methods which were used with great success by the British Army in Scotland in 1748 to defeat the Jacobian rebellion. To defeat the Highlanders, the Duke of Cumberland had sought to defeat his opponent in decisive battle (Culloden). As his means for doing so he placed main reliance on a conventional force of British regulars. He used loyal elements of the Scottish population to help defeat the disloyal ones, using militia units as components of his army. Once the battle was won and the Highlanders routed, he established garrisons in Scotland and rooted out to destruction the infrastructure by which the clan were sustained.⁶ One can readily discern the similarities between Cumberland's and Cornwallis's strategies.

However, the differences between the situations in America and Scotland were great. Scotland was basically an island surrounded by water, which allowed the British to use their Navy in support of the conflict. South Carolina had water on only one of its three borders, which greatly limited the effectiveness of the Royal Navy. Only a fraction of the Scots had risen in revolt (some of the Highland Clans), and they were looked upon

⁴ The Regulator Period in South Carolina spans from the Cherokee Wars of 1760-61 to the Circuit Court Act of 1769. The movement was centered on Backcountry vigilante activities which were intended by the frontier settlers to help establish law and order on the frontier. There were those who supported the Regulators and their mission and those who opposed the vigilante aspect and the autocratic method of applying violence to promote order. See Chapter III.

⁵ Gordon, 99; Richard Maxwell Brown, *The South Carolina Regulators* (Cambridge: The Belknap Press of Harvard University Press, 1963), 135.

⁶ Gordon, 137.

with disdain by the Lowland Scots. The South Carolina Whigs were far greater in proportion to the total population, and the Whigs were in much better position geographically to recruit those colonials who were neutral.⁷ Gordon saw the failure of British Strategy as caused by the war the Americans fought. It was a continental approach, as opposed to a naval strategy, that was steadily wearing down Britain's ability to put forces in the field.⁸

Piers Mackesy, in *The War for America*, covered the well known period from 1775 through 1783, but looked at the period with a British perspective. Mackesy analyzed the significant events of the Revolutionary period, but only briefly mentioned the battles. Instead he dealt with the political and sociological perspective as seen by Lord North (Prime Minister for most of the period), Lord George Germain (Secretary for Colonial America), King George III, and the senior British commanders.

Lord Germain was, by 1778, determined to go on the offensive in the South. He believed that Georgia and South Carolina would provide needed replenishment facilities to support the southern end of the blockade, and additionally supply needed timber and provisions for the West Indies that had previously been supplied by the American colonies.⁹ Germain was convinced that the Loyalist population would rise up in support of the king once British regulars landed in South Carolina. He was primarily convinced by the findings presented by James Simpson, royal Attorney-General of South Carolina.

⁷ Gordon, 139.

⁸ Gordon, 181.

⁹ Piers Mackesy, *The War for America: 1775-1783*, Bison Book Edition (Lincoln, Nebraska: University of Nebraska Press, 1993), 233.

After Charleston had fallen, Simpson was confident that in a month or two South Carolina would return to peace and loyalty.¹⁰

Mackesy found that Cornwallis's initial victories in South Carolina were illusionary. He and his troops gained in reputation with each success, but he could ill afford the cost in troops each victory required. He also could not make gains in the progress of pacification. Loyalist militia became increasingly more difficult to recruit, particularly after the King's Mountain Battle. The approach of Continental Regulars to a particular area invariably brought a resurgence of loyalist militia desertions and an increase in partisan activity. While Cornwallis could hang militiamen who had deserted to the enemy when captured, Mackesy felt that "in an auction of terror, the rebels could always outbid him."¹¹

Because of the expanded conflict after France joined the American cause in 1778, the British Army became more heavily tasked throughout the Empire. Loyalist Regular units such as the British Legion and the Prince of Wales Loyal Americans made up a great portion of most British expeditions and gave the Southern campaign the "murderous character of a civil war."¹² He determined that the large proportion of colonists who were neither dedicated loyalists nor patriots had chosen their allegiance out of war weariness. When they found themselves forced to serve in militias against their friends, colonists deserted in droves.

Mackesy made a convincing argument on the bankruptcy of the Southern Campaign. He noted that Cornwallis was convinced that the only way to protect British

¹⁰ Mackesy, 343; Alan S. Brown, "James Simpson's Report on the Carolina Loyalists, 1779-1780," *The Journal of Southern History* 21, no. 4. (November, 1955), 516-518.

¹¹ Mackesy, 343.

¹² Mackesy, 344.

gains in South Carolina was to push forward. As long as there was a nucleus of regular Continental troops, the occupied areas could never be effectively pacified. Mackesy compared the British position in the South to Napoleonic armies in Spain. The troops needed to be dispersed so that they could effectively check the guerrilla activity and protect their lines of supply.¹³ However, they had to be able to concentrate against any regular force in order to prevent defeat in detail. Unfortunately, any concentration of forces relinquished the countryside to rebel forces. As long as Nathaniel Greene, Commander of Patriot forces in the South, could keep his army in existence, it acted as a rallying point for militia, who were then sent to roam the countryside attacking British foraging units and any Loyalist supporters. The war of attrition was a war the British could not win.¹⁴

John S. Pancake, in his work on the Southern Campaign, concluded that the War of Independence broke the pattern of warfare to date. It had become a war for the support of the local population, for their "Hearts and Minds." He saw the British as fighting a war of posts, protecting or occupying key cities or positions. Pancake states that Nathaniel Greene never lost sight that he was fighting a political war. Greene saw the war as a "contest for the States dependent on public opinion."¹⁵ General Greene was not a skilled tactician. In fact, he technically lost most of the actions he commanded. However, he understood the necessity of winning the population over and took steps to ensure this was accomplished. He began controlling the looting of the colonial militia and instilled discipline into its ranks, to the point of hanging some of the most severe

¹³ Mackesy, 404-405.

¹⁴ Mackesy, 407.

¹⁵ Greene to Sumter, January 8, 1781, Greene Papers, *Library of Congress*, quoted in Pancake, *This Destructive War*, 244.

perpetrators. Greene also instructed mobile forces under William Washington and Francis Marion to harass General Cornwallis's supply lines, thus forcing Cornwallis to appropriate supplies from the colonists along his route of march, regardless of their loyalties. This helped to drive those colonists who still remained loyal to change their allegiance, which in many cases was ephemeral at best.¹⁶ Pancake argued that, while General Greene may not have been at the Battle of Yorktown, it was through his initiative and generalship that Cornwallis found himself in Yorktown, surrounded and outnumbered.

Dan Morrill concurred with John Pancake that the conflict in the southern colonies was at its root a struggle for the allegiance of the "rank-and-file" of the colonial populous, primarily the white population.¹⁷ In *Southern Campaigns of the American Revolution*, Morrill argued prior politics, more important than simple support of the British or American cause, determined allegiance.¹⁸ He also argued that the reasons for people choosing sides defied simple classifications.¹⁹

Morrill looked at specific groups which came to play in the battle for allegiance. He compared Whigs to Tories, looked at the effects of Indians and slaves into the equation, and also studied the militias and the effects of violence on the population. Finally, he analyzed the southern strategy of Lord Germain to determine its viability in the Revolution. Morrill believed the appearance of alliance with the Indians was a detriment to the overall British strategy. Fear of attacks along the frontier was a more urgent driver for allegiance than politics. The reports that England had prompted Indian

¹⁶ Pancake, 161-171.

¹⁷ Dan L. Morrill, *Southern Campaigns of the American Revolution* (Baltimore: The Nautical & Aviation Publishing Company, 1993), 3.

¹⁸ Morrill, 4-5.

¹⁹ Morrill, 36.

attacks along the frontier, along with the fact that the Royal Indian agent was a Tory, were “hardly an inducement to persuade white settlers to support the Loyalist movement.”²⁰ The additional perception that the English planned for using freed slaves against the colonists was unwelcomed. Lord Dunmore, the Royal Governor of Virginia, had suggested that slaves who rose up against their patriot masters and bore arms for the king might gain their freedom. Considering that one of the greatest fears in the South was a slave insurrection, and that in 1775, South Carolina had 110,00 slaves and just 90,000 white colonists, Morrill reasoned that Dunmore’s proclamation “greatly diminished” England’s ability to win the hearts and minds of the white population of the South.²¹

Morrill’s study of the British strategy in the south reflects similar conclusions presented by Pancake, Mackesy, and Gordon with respect to the reliance on loyalist militia support. He felt the strategy suffered from false assumptions and miscalculations. The greatest of these was the belief that the Government could defeat the Rebellion at minimal cost because of the propensity of loyalist who would flock to support the king.²² The British worked against their own interests by their stealing from the population and by the British forces’ wanton destruction. Morrill believed the key to the Southern Campaign lay in the backcountry.²³ Here, more than the set piece battles such as Moore’s Creek Bridge, Camden or Cowpens, was where reprisals were carried out by “unrelenting bands of grisly partisans” taught to fight on the frontier.²⁴

²⁰ Morrill, 31.

²¹ Morrill, 31-32.

²² Morrill, 41.

²³ Morrill, 47, 76.

²⁴ Morrill, 50.

Wayne Lee argued that violence was seen as a legitimate means of political action, generally in the form of riots.²⁵ Riots were a means of protesting what was perceived as injustices, when lawful petitions and protests were ignored. This perceived right, inherited from England along with the other rights of Englishmen, condoned the use of violence and riot in order to defend against the abuse of authority. Lee also studied the extended use of violence by the colonial militia in the maintenance of order.²⁶ He noted that colonists had arrived with a particular mindset about the way to fight a war, and when confronted with a different mindset and a difficult military problem, they escalated the brutality of their war.²⁷

Pauline Maier focused on the colonies' formative years prior to 1776 to analyze the causes of the colonial dissatisfaction with England. She found that for Englishmen, the difference between forceful resistance and revolution was the target of the process; the first being against the illegal acts of the king's representatives, the second against the king himself.²⁸ Maier chronicled the progression from resistance during the Stamp Act, through the colonial support of John Wilkes, mayor of London and Member of Parliament, to the surprise Parliamentary elections of 1774. Maier outlined the escalation of resistance towards Parliament concerning the Stamp Act as "Parliamentary Error." The Sons of Liberty acted as the focal point of resistance to the Parliament. Their central preoccupation was with winning a mass basis of support, converting the population at large into Sons of Liberty. The Stamp Act agitation was a classic instance of limited

²⁵ Wayne E. Lee, *Crowds and Soldiers in Revolutionary North Carolina: The Culture of Violence in Riot and War* (Gainesville, FL: University Press of Florida, 2001), 14.

²⁶ Lee, *Crowds and Soldiers*, 137-146.

²⁷ Wayne E. Lee, "Early American Ways of War: A New Reconnaissance, 1600-1815," *The Historical Journal* 44, no.1 (2001): 274.

²⁸ Maier, *From Resistance to Revolution*, 40.

forceful resistance in that the fundamental authority of the state was not contested.²⁹

Maier believed that South Carolina's support of John Wilkes in his struggle against the king's government marked a turning point in Trans-Atlantic relations. By 1769, Ben Franklin concluded that the colonists were no longer justified in speaking of the wisdom and justice of Parliament. The colonists determined to bypass the ministries and send their petitions directly to the king. The petitions attempted to educate the king as to the schemes of his ministers.³⁰ The king opposed the petitions, thus driving the colonists further towards revolution.

Maier argued that the surprise elections of 1774 forced the English opposition into a minority and convinced colonial representative Richard Henry Lee that only direct popular action could arrest the monarchy's powers and that firmness of the colonists would turn the tide.³¹ By 1775, colonists expected the English people to stand up and act on their convictions with an insurrection.³² When the English failed to rise up, the colonists became disillusioned with them. This made it necessary for the colonists to "dissolve the political bands" which bound them to England.³³ Maier saw colonial resistance as "orderly" in the North and Middle colonies. Like Wayne Lee, Maier found that resistance in the Carolinas occurred to punish outlaws, secure land titles or prevent abuses by public officials.³⁴ This made the rebels in South Carolina more likely to resort to violence to achieve their goals.

²⁹ Maier, *From Resistance to Revolution*, 105-6.

³⁰ Maier, *From Resistance to Revolution*, 201.

³¹ Maier, *From Resistance to Revolution*, 249-250.

³² Maier, *From Resistance to Revolution*, 249

³³ Maier, *From Resistance to Revolution*, 268.

³⁴ Maier, *From Resistance to Revolution*, 4.

The militia system used in North America differed by colony but shared the common purpose of providing protection, social order, and political power in every colony. John Shy has written extensive studies on violence and the colonial militia prior to and during the American Revolution. He viewed the Revolution as a war fought by the weak, forcing the Whig government to use the militia to their best advantage by conducting a Partisan war.³⁵ Because South Carolina was more sparsely populated than the New England colonies, Shy argued that the cluster of manpower and cohesion of the town communities gave New England militia greater military strength and discipline. The militia structures therefore developed differently. South Carolina militia units, which initially were meant to protect the frontier, increasingly became an agency for controlling slave revolt and less effectively as a means of defense. The South Carolina militia resembled Ranger units; almost always mounted, quickly deployable and capable of independent operations, but unfamiliar with formal tactics or drill. New England militia, as opposed to South Carolina, had previous experience during the French War using more traditional methods of warfare. Shy also noted that once militia units were established they became the infrastructure for the Revolutionary government.³⁶ Since these militia units predated the split between colonial Whigs and Tories, it is no surprise that Shy found that the two armed forces differed little in terms of organization, tactics, or the use of terror.³⁷ He concluded that with great strength but weak defenses, the

³⁵ John Shy, *A People Numerous and Armed: Reflections on the Military Struggle for American Independence*, Revised Edition (Ann Arbor: University of Michigan Press, 1990), 23.

³⁶ Shy, *A People Numerous and Armed*, 177.

³⁷ Shy, *A People Numerous and Armed*, 232-233.

colonies experienced warfare less in terms of protection than in terms of retaliation and retribution against violence already committed.³⁸

Wayne Lee found that the militias fought differently than regular army units. They were seen as a tool for the government to enforce laws, maintain order, and protect the frontier. The militia was also felt to be more “trustworthy” than a standing army. Citizens would be less likely to attempt a coup d’état since they had a stake in the government. Lee looked at the employment of the colonial militia for an understanding of the methods employed during the Southern Campaign. He found that the method frequently used was retaliation, which in turn demoralized the enemy.³⁹ The American way of war was learned in the frontier, first against the Native Americans, then the French Catholics, and finally between Whigs (Patriots) and Tories (Loyalists). In all cases the downside of using the militia was that it was hard to control or restrain. This was partly due to poor training and the heat of battle, and partly due to retribution for previous “atrocities” such as the Battles of Waxhaws and King’s Mountain.⁴⁰ Additionally, Lee determined that, as the war progressed, the South Carolina patriot government continued to use the militia as a tool for political enforcement; to make arrests, administer loyalty oaths, confiscate arms and property from loyalists. This resulted in a shift in the focus of warfare from conflict between armies to a war against individuals. Lee felt this played a part in the loss of restraint when dealing with civilians.⁴¹

³⁸ Shy, *A People Numerous and Armed*, 276.

³⁹ Lee, *Crowds and Soldiers*, 179-199.

⁴⁰ Lee, *Crowds and Soldiers*, 207-209. Both battles will be covered in later chapters.

⁴¹ Wayne Lee, “Restraint and Retaliation” in *War & Society in the American Revolution: Mobilization and Home Fronts*. John Resch and Walter Sargent, eds. (DeKalb, Illinois: Northern Illinois University Press, 2007), 181.

Don Higginbotham, in his study of the American militia, found that the militia was a significant tool and contributor to the success of the War of Independence. He stated that George Washington saw the Continentals and militias as having separate, although mutually supportive, roles to play in the Revolution. Washington saw the militia as “more than competent to all purposes” of internal security. His intent was to warn the colonial leaders in the South that they would have to fend for themselves against Loyalists, slave insurrections, and Indians on their frontier.⁴² The militia’s use of muscle guaranteed that the Patriots would maintain control of the political and law-enforcement machinery in every colony.⁴³ However, as the war dragged on and animosities increased, the ruthlessness of the patriot militia – and their careless lack of discrimination between friend and foe- alarmed both the state and congressional authorities. Higginbotham stressed that the War for Independence became a war of attrition by both sides. In fact, he stated that the Americans had no sensible alternative to a war of attrition, due to the lack of a strong central government, their open hostility to a standing army, and their logistic and economic difficulties.⁴⁴

Washington’s strategy for the use of militia can best be seen by studying his employment of militia directly under his influence or control. Mark Kwansy studied the interplay between General Washington and the militia, specifically in the middle colonies of New York, New Jersey, and Connecticut. Kwansy argued that Washington had a pragmatic approach to using the militia. Washington consistently argued against relying on the militia to secure independence, pushing instead for a standing army of regular

⁴² Don Higginbotham, “American Militia” in *Reconsiderations on the Revolutionary War: Selected Essays*, Don Higginbotham, ed. (Westport, Connecticut: Greenwood Press, 1978), 91.

⁴³ Higginbotham, “American Militia,” 95.

⁴⁴ Higginbotham, “American Militia,” 161.

soldiers to fight the British. However, he made use of militia during his campaigns in two ways; to temporarily replace losses in the regular line and additionally to harass and raid the British.⁴⁵

Kwansy argued that by 1778, Washington had clarified the proper place for the militia in the war for independence. They were effective in fighting a hit and run war against small parties of British troops and they were effective against Tories. They could be used as partisans on their own or in conjunction with regular forces. Because of their immediacy, militia could respond quickly to an emergency in any location. However, the militia did not fight well in large numbers and in set-piece battles against British regulars. Washington recognized that the militia were partisans and could serve him best in that capacity.⁴⁶

A significant portion of the militia fighting in South Carolina was carried out in the backcountry by local groups. The dynamics of the backcountry had a significant impact on the subsequent conflict and these dynamics reveal characteristics which are applicable today. Walter Edgar studied the development of the backcountry in South Carolina from the early 1740's. He noted that there were few whites in the South Carolina backcountry in 1740, but by the revolution, 80% of its white population lived there.⁴⁷ He analyzed the social background of this influx of immigrants and found that the more generous land grants in South Carolina were a significant draw to the region, which meant that a majority of the settlers were poor or at least economically

⁴⁵ Mark V. Kwasny, *Washington's Partisan War, 1775-1783* (Kent, Ohio: Kent State University Press, 1996), 337.

⁴⁶ Kwansy, 186. Washington's tutelage of Nathaneal Greene during this period more than likely helped form Greene's later strategy for using militia in South Carolina.

⁴⁷ Walter Edgar, *Partisans and Redcoats: The Southern Conflict that Turned the Tide of the American Revolution*, (New York: HarperCollins Publishers Inc., 2001), 2.

disadvantaged. He also noted that religion was taken very seriously and the different religious denominations were antagonistic towards each other and the Anglican Church.⁴⁸

Edgar noted that the backcountry was not very community minded in the 1750s, with a great deal of individualism and a general instability caused by the lack of respect for social and civil institutions.⁴⁹ The Cherokee War of the mid 1760s resulted in a complete breakdown of law and order in the region. Edgar saw the subsequent Regulator movement as necessary to return stability to the region. However, the Regulators became a law unto themselves and therefore represented a danger to the South Carolina government. Edgar studied the breakdown of ethnic groups and their loyalties and found, as many other historians had, that there was no specific reason for what side was chosen by any group.⁵⁰ He noted that the Cherokee uprising in 1776 brought militia response and a resulting defeat of the Cherokee. Among the prisoners were Tories dressed as Indians. This provided the patriots with valuable propaganda.⁵¹

Edgar found that, among the many frustrations the British experienced during their occupation of South Carolina, the lack of leadership among the loyalists was keenly felt.⁵² The South Carolina General Assembly had previously passed a law requiring former royal officials and others “of dubious loyalty” to swear on oath of allegiance to the State of South Carolina.⁵³ Anyone who refused was banished from the state. This would have a significant impact on the stultification of the formation of Loyalist militia. The English would have a particularly hard time recruiting officers for the loyalists,

⁴⁸ Edgar, *Partisans and Redcoats*, 10.

⁴⁹ Edgar, *Partisans and Redcoats* 11.

⁵⁰ Edgar, *Partisans and Redcoats*, 30.

⁵¹ Edgar, *Partisans and Redcoats*, 36.

⁵² Edgar, *Partisans and Redcoats*, 127.

⁵³ Edgar, *Partisans and Redcoats*, 41.

because the best individuals were either exiled, in hiding, or patriots.⁵⁴

Partisan wars by their very nature have a tendency to degenerate into bloody affairs of retaliation and retribution in which civilian populations generally suffer the most. Jac Weller studied the Irregular War in the Carolinas from the perspective of guerrilla warfare. He proposed that the Southern Revolution was both an international and an internal political war. The war was won both on the battlefields and in the minds of the Southern people.⁵⁵ The Whigs were probably the best organized and took the initiative early in the Revolution. Committees of Safety, first organized during the Stamp Act crisis, were predominantly Whig in political affiliation. The Committees seem to have agreed from their first organization that coercion by force, where necessary, was imperative to their success.⁵⁶ Weller argued that the Patriot cause in the Southern Theater triumphed with a minimum of aid from the Northern Colonies (north of Maryland). He found that the rebel military force available in the Southern Colonies was mainly the local militia. If the Whig controlled militia was under good discipline, their power was military and usually properly applied. However, force was sometimes applied by mobs, which frequently got out of hand.

Weller noted that the British suffered from indecision, which played into the hands of the Whigs. British leaders could not decide on a course of action in the conquered portions of the South. They alternated between harsh cruelty and gentler efforts at reconciliation. Unfortunately, they did not follow either course far enough to

⁵⁴ Edgar, *Partisans and Redcoats*, 60.

⁵⁵ Jac Weller, "The Irregular War in the South," *Military Affairs* 24, no. 3, Irregular Warfare Issue (Autumn, 1960): 124.

⁵⁶ Weller, "Irregular War," 127.

make them effective, or subsequently gave the Whigs effective propaganda.⁵⁷ From the start the Tories were the passive party, whereas the Whigs took action. The Whigs were quick to apply force when necessary.⁵⁸

Walter Edgar believed General Clinton's proclamation requiring an oath of allegiance and the loss of Loyalist Militia at King's Mountain in 1780 to be the turning points in the Southern Campaign. He stated that many of the patriot leaders and leading men in the back country had taken the British offer of parole. Parole allowed the militia to return to their farms and live in peace, without imprisonment. People such as Thomas Sumter, Andrew Pickens, and Richard Richardson had become disheartened by the American cause and had returned to their civilian lives.⁵⁹ The Proclamation, compounded with the British army's heavy handed occupation, drove many to fight in the only way they could, through partisan warfare. Col. Ferguson's defeat at King's Mountain and the subsequent Loyalist slaughter greatly impeded the response to the English call for Militia in any subsequent operations.

Edgar found that the violence unleashed by the British did not improve their position with local South Carolinians. Accounts of British atrocities, real or fabricated, were effectively used as propaganda by the Patriots. Each British atrocity led to swift retaliation as life in the back country became "a reign of terror" for both sides. Instead of being cowed, the people of South Carolina lashed out at their persecutors, whoever they may have been.⁶⁰

⁵⁷ Weller, "Irregular War," 134.

⁵⁸ Weller, "Irregular War," 136.

⁵⁹ Edgar, *Partisans and Redcoats*, 139-140.

⁶⁰ Edgar, *Partisans and Redcoats*, 62, 75.

Wayne Lee noted that, with the Clinton proclamation requiring all men to swear loyalty to the King and be available to join the Loyalist militia, the Whig government and their militia not only continued to struggle with controlling the violence, but also began rewriting the rules of warfare in order to legitimize a greater use of violence. Lee saw three factors as pertinent to this argument:

1. The new state lacked political cohesion to regularly supply its troops or make consistent rulings on prisoners (decentralized war making);
2. The cultural legitimacy of retaliation as an accepted form of warfare;
3. The inability of the militia to control the plague-like spread of the desire for revenge (really rooted in the militia structure itself).⁶¹

The majority of historians of the period agree that the partisan forces were the most difficult to control. These forces had no experience with military discipline and in fact were by necessity resourceful and independent soldiers. This sometimes led to indecision, disobedience of orders, and on numerous occasions, looting and pillaging. Both sides lamented the excesses to which the militia would go in order to support their cause. Some eventually took steps to punish the more severe cases of atrocities. Yet neither side precluded the use of partisans, and some actually encouraged their activities.

Few historians have studied the effects of violent coercion as a strategy which was at least tacitly implemented by the patriots in order to achieve success. The inability to correctly use coercive violence to win the hearts and minds of the South Carolinians proved to be the failure of the British Strategy. While the British lost only two significant battles (The Cowpens and King's Mountain), the Continental Army was eventually victorious because of the myriad of small engagements that undermined the

⁶¹ Lee, "Restraint and Retaliation," 172.

Loyalist support which was essential to English victory.⁶² The British won the battles, but lost the war.

⁶² Morrill, 174.

CHAPTER III

THE BATTLEGROUND: SOUTH CAROLINA

The militia system of South Carolina was a product of its environment. While the militia system was initially common throughout the colonies, each colony built its militia separately to meet the specific needs of the region. The militia tactics, techniques, and procedures were developed and modified over time to meet the regional threats with socially and politically acceptable means, which also evolved to meet specific crises. Unit makeup effected performance. More importantly, by the Revolution the South Carolina militia that drilled was not necessarily the militia that fought. The nature of militia drills changed from military practice to more social gathering. Planters, who enjoyed the social status of militia membership, were less likely to leave their plantations in times of danger. Frontiersmen, immigrants, and laborers were more readily available for actual military expeditions and therefore increasingly represented the average militiaman. Understanding these people, their biases, and histories will provide context for which to analyze the capabilities and limitations of the militia.

Initially the militia provided safety for the colonies. However, politics supplanted safety as the controlling factor for the militia in most of the colonies by the end of the Seven Years' War in 1763. Politics in South Carolina was based on a power sharing relationship between the royal governor, the governor's council, and the Commons House. When there were disputes as to the perceived overstepping of bounds, the Commons House used both its control over money bills and the colonial agent in London

as leverage to have their voices heard and their problems addressed.¹ By the beginning of the Revolution, challenging external authority had become the defining characteristic of South Carolina's political culture. The Commons House had, through a series of confrontations over money and the operation of government, used brinksmanship to leverage the Council out of any real power and had further limited the Governor's ability to function.²

For most of Britain's empire on the periphery, metropolitan authorities were unwilling to pay for military and civilian establishments across the Atlantic. Therefore the provincial governments enjoyed a significant degree of autonomy due to what many have called "Salutary Neglect." The colonial assemblies were able to sink intractable roots. When imperial reform efforts threatened "traditional" rights and more recently won liberties after 1763, provincial assemblies made use of public opinion to protest what was considered an attack on their rights by encouraging petitions, memorials, pamphlets, broadsides, patriotic meetings, and associations such as the Sons of Liberty.³

Violence followed politics, particularly in cases where lawful petition proved unsuccessful. In fact, violence (in the form of riots) and politics were traditions inherited from England, brought to the colonies along with the English militia system. Rioting as a means of political protest was a cultural practice that adhered to certain patterns. Riots were not so much caused by grievances as they were a reaction to authority's failure to act on or even acknowledge the grievance. Rioters in early modern Europe molded their behavior to fit their own preconceived notions of what was a "socially acceptable" riot.

¹ Mercantini, 257.

² Mercantini, 244-248. Dr. Mercantini's work provides a detailed account of the politics of Charleston Commons House and its struggle to become the defacto ruler of South Carolina.

³ Don Higginbotham, *Revolution in America: Considerations and Comparisons* (Charlottesville: University of Virginia Press, 2005), 82-83.

Early British rioting surprisingly sought order. The riot usually took the form of a shaming parade (sharivari), where the target of the riot would be persuaded to correct his ways, usually by being seated backward on a board or rail (representing a horse) and paraded through the streets. There was the expectation by the rioters that someone in authority would “hear” their grievances and act to alleviate them. They expected the authority to act in a paternalistic manner so long as they observed the accepted norms. Above all, rioters strove to maintain legitimacy- as defined by social norms. If behavior got out of bounds, if either side exceeded the boundaries of “legitimate” riot, they could potentially launch a cycle of retaliation/retribution.⁴ The British government also recognized the use of violence in the form of rioting as an essential part of governing in order to have a free country.⁵ However, before any violence could be legitimately invoked, all other peaceful avenues of redress had to be attempted.⁶ The traditions were redefined by the colonists and reapplied to fit the requirements present in North America. The redefinition brought with it misperception as to the lawfulness of the protests and resulted in a growing escalation of reprisals and retribution on both sides.

South Carolina had inherited not only the English system of laws and the rights of man; it also inherited the English distrust of a standing army.⁷ The militia system used in South Carolina was essentially the same one developed in England in Elizabethan times; however it was modified to meet the specific needs of the colonies.⁸ As in most colonies, militias were initially established primarily as a means of defense. The vulnerability of

⁴ Lee, *Crowds and Soldiers*, 2-18.

⁵ Maier, *From Resistance to Revolution*, 24.

⁶ Maier, *From Resistance to Revolution*, 48.

⁷ Higgenbotham, “The Early American Way of War: Reconnaissance and Appraisal,” *The William and Mary Quarterly*, 3rd Ser., 44, no. 2 (Apr., 1987): 245. Higgenbotham believes that new appraisals view the colonists as more pragmatic about standing armies than initially thought.

⁸ Gordon, 11-12.

the early colonies to threats from both Native Americans and competing European powers made the establishment of a militia of all able-bodied men a necessity. Initially, all the early colonies had a military force. John Smith in Virginia and Miles Standish in New England are the most notable examples. However, the colonies found they could not afford a standing army, needing every citizen to work in order to survive. Militias provided for both a military and a completely productive populace. Initially, the South Carolina militia provided protection from external threats. Subsequently, as the threat to the lowcountry receded, the militia shifted priority from external threats to internal threats and focused more on the enforcement of laws and maintaining order.

The same power struggle that pitted the Commons House against the Royal Governor for control of the civil government in South Carolina also led the Commons House to exert civilian control over the militia forces in the colony. By controlling the purse strings of government, the Commons House controlled what the militia could do through its power to approve or not approve funds for military purposes. This aspect of the political struggle was a key element in the changing character of the militia from a purely military role to one of maintaining an orderly society and suppressing political dissent as well as protecting the frontier.⁹

The organization of the militia in South Carolina evolved throughout the colonial period. In the early 18th century, militia officers were to train any male available, regardless of their condition (servitude) or place of birth. During the Yamasee War (discussed later in the chapter), four hundred Negroes helped six hundred whites defeat the Indians. But because the slave population quickly grew larger than the white, and

⁹ Clyde Ferguson, "Patriot and Loyalist Militias," in *The Southern Experience in the American Revolution*, Jeffrey J. Crow and Larry E. Tise, eds. (Chapel Hill:University of North Carolina Press, 1978), 184.

especially after the Stono Rebellion in 1739, the South Carolinians dared not continue to arm Negroes.¹⁰ In fact, the militia became more of an agency to control slaves and less an effective means of defense.¹¹

The quality of men recruited for the militia also changed with the changing circumstances of the colony. By the mid 18th century, militias had become a social organization, with the infrequent musters resembling more of a social outing than military training. Membership in the militia was restricted to exclude friendly and domesticated Indians, free Negroes and mulattoes, white servants and apprentices, and free white men without property.¹² These were precisely the people who would be in the best position because of their situation to join in a real emergency.

The inherent problem with the militia structure was that people who were socially acceptable were unlikely to leave their farms or plantations during times of crises. As a means of ameliorating this tendency, men eligible for militia call-up were allowed to substitute themselves with either another man or by paying money to support the recruitment of other members. The colonies during the Seven Years' War filled their required musters by dipping into the "undesirable" manpower pool. For example, in order to meet its troop needs for an expedition to Fort Duquesne in 1755, Virginia drafted "such able bodied men, as do not follow or exercise any lawful calling or employment, or have not some other lawful and sufficient maintenance."¹³ Many historians have noted this "bifurcation" of the militia, between the "universal" social institution and the

¹⁰ This uprising became known as the Stono Rebellion, which will be discussed further in the Chapter.

¹¹ Shy, *A People Numerous*, 36-37.

¹² Shy, *A People Numerous*, 37.

¹³ Shy, *A People Numerous*, 38; Michael A. McDonnell, "'Fit for Common Service?' Class, Race, and Recruitment in Revolutionary Virginia," in *War and Society*, 105-106.

“volunteer” expeditionary militia filled with the dregs of society.¹⁴ These were the quality of militiamen observed by many British officers during the Seven Years War and had a significant impact on the resulting low opinion of American militia troops held by many British Officers during the Revolution.

Because it was primarily used to combat Indian incursions and Slave rebellions, the South Carolina militia did not practice the European methods of warfare when in actual combat. The militia had developed tactics similar to the Indian style of warfare. There were consequences to this type of warfare; ambushes and night actions were difficult to control and, in many cases, quarter was frequently refused. The militia’s experience with Indian warfare weakened the restraints on the use of force.¹⁵

The loyalties of militia forces in South Carolina were partly influenced by social and ethnic background, partly by economics, and partly by political affiliation. Where people came from, what they did to survive and prosper, the people with whom they associated, and where they lived all played a part in determining their perspectives, which in turn affected the tactics and employment of their respective militia units. Two of the most significant factors in militia development in South Carolina were the experiences with Native American attacks and Slave populations.

The Cherokee and Creek conflict in the late 17th century exposed the first settlers of South Carolina to the tribal relationships in the region. The settlers learned the Indian methods of fighting, including savagery to “civilian” populations, while fighting as allies

¹⁴ Lee, *Crowds and Soldiers*, 133.

¹⁵ Lee, “Restraint and Retaliation: The North Carolina Militias and the Backcountry War of 1780-1782,” *War and Society*, 182; Gordon, 13.

of one tribe against another.¹⁶ The different Native American groups met the European threat to their culture in different ways, but all revealed alternating patterns of accommodation and resistance. The Catawbas, having joined the Europeans against the other indigenous tribes in the previous decades, became clients to the government in Charleston and backed the rebels during the Revolution. They were able to maintain much of their tribal culture and part of their land. The Yamasees initially accommodated the settlers and in 1711 even supported a military expedition to North Carolina to assist in the Tuscarora Indian War. During this expedition, the Yamasees learned from the Tuscaroras that Native Americans could force whites into a negotiated peace and, more importantly, that the Yamasees were as good or better soldiers than the white militia.¹⁷ These lessons taught the Yamasees that Indians were capable of using violence in the form of armed resistance to relieve their plight. When they later felt mistreated or cheated, they attacked. The abuses of the Indian trade provided the catalyst.¹⁸

In addition to the trade abuse, the Yamasees were angered by the government's encouragement of colonists to settle in their lands by establishing the town of Beaufort and the parish of St. Helena. By the spring of 1715, the Yamasees had reached the limit

¹⁶ Tom Hatley, *The Dividing Paths: Cherokees and South Carolinians through the Revolutionary Era* (Oxford: Oxford University Press, 1995), 26-28

¹⁷ Robert M. Weir, *Colonial South Carolina: A History*, First Paperback Edition (Columbia: University of South Carolina Press, 1997), 29.

¹⁸ Walter Edgar, *South Carolina: A History* (Columbia: University of South Carolina Press, 1998), 98. The Indian trade by 1715 was a lucrative business. There was considerable debate in the South Carolina Commons House on how the trade should be regulated to prevent abuse and allow for equitable control which resulted in the first comprehensive Indian Trade act in 1707. The act outlawed the sale of alcohol to Indians and the enslavement of free Indians; it required all traders to be licensed; and it paid the governor an annual fee in lieu of his deerskin gift from the Indians. Unfortunately, the very first Indian Commission Agent, Thomas Nairne, prosecuted the governor's son-in-law for violating the Act. The Governor had Nairne imprisoned for treason. Although Nairne was eventually released, the arrest marked the end to any meaningful attempt at trade regulation. Indians were cheated, physically abused, and enslaved. As their debt mounted, so did the pressure from the creditors to collect, which led to further abuses. By 1715, the native debt ran close to £100,000 sterling. The Indian trade was out of control and the government officials were ineffective at correcting the situation.

of their tolerance. On April 15, 1715, the Yamasees attacked remote settlements near Port Royal, killing nearly 100 settlers. In response, settlers in the outlying region abandoned their homesteads for the protection of the fortified towns around Charleston. Finally, in battles at Port Royal and Salkehatchie, the Yamasee were defeated and driven south of the Savannah River.¹⁹ This reaction to hostile Indian raids in the backcountry became a key factor in the lawlessness subsequent to the Cherokee Wars, discussed below.

The Cherokees had initially supported the South Carolinians in the Yamasee War, but were angered at English promises left unfulfilled.²⁰ Although the English did keep their promise of building forts in Cherokee territory to protect the Cherokees from the Creeks, some Cherokees viewed the forts as more of a threat to their sovereignty than as protection against the Creeks.²¹ When several Cherokee braves were shot by Virginia Militia for deserting General Braddock's expedition to Fort Duquesne, the Cherokees began to talk of war. Governor William Lyttleton sent presents to the Cherokees in order to appease them, but without success. He then marched an expedition into Cherokee territory and forced the Cherokees to agree to a treaty in December 1759.

Not all the Cherokee chiefs agreed to sign the treaty, and talk of war continued in earnest.²² As with the Yamasees, rumors of war caused the outlying settlers to abandon their farms and seek the safety of the coastal towns. In February 1760, the Cherokee War opened with an attack on a white refugee train stuck in the swamps near Long Cane Creek. Brutality and treachery occurred on both sides. The war brought chaos to the

¹⁹ Edgar, *South Carolina: A History*, 100. The section on the Yamasee war is taken from Edgar's paragraphs on the subject.

²⁰ Hatley, 26-28; Weir, *Colonial South Carolina*, 84-5.

²¹ Edgar, *South Carolina: A History*, 205.

²² Edgar, *South Carolina: A History*, 206.

backcountry. White Settlers crowded into the few forts in the region, where disease and dishonesty plagued them. Outside the forts, the militiamen and anyone else brave enough to chance the Indian war parties helped themselves to any property that was left abandoned, thereby setting a pattern of violence that would continue for a decade and result in the formation of the Regulators.

Two British expeditions eventually defeated the Cherokees and restored a semblance of order to the colony, primarily by focusing on destruction of the mountain villages. In particular, the second expedition under Lieutenant Colonel James Grant was extremely successful at burning Cherokee villages and destroying crops.²³ Faced with starvation, the Cherokees came to Charleston to discuss peace. The Treaty signed in 1761, agreed to turn over some Cherokee land in return for British guarantees of no further expansion.²⁴ The expansion of violence in war to include the “civilian” population proved essential to the defeat of the Native Americans and would be applied during the Revolution by militia forces on both sides. The Cherokees would later determine that the British guarantees would best further the Cherokees’ desire for an end to territorial expansion and would side with the loyalists.

The development of militia tactics was also influenced by South Carolina’s “peculiar” institution of slavery, brought by the first English settlers from the West Indies. The fear of slave revolts affected the militia structure in that it altered the method of employment and makeup of the militia units. More emphasis was placed on the policing duties of the militia and less on providing a defense against external threats to

²³ Weir, *Colonial South Carolina*, 272.

²⁴ Weir, *Colonial South Carolina*, 275.

the settlements.²⁵ By 1660, Barbados was overcrowded and every inch of property had been planted with sugar. The Barbadians saw Carolina as the ideal place in which to expand their commercial endeavors.²⁶ Barbados merchants represented a significant number of the first South Carolina settlers.²⁷ These merchant planters also brought with them their system of farming using African Slave labor and their use of violence in order to control the slave population.

Slave attrition and fear of slave revolts were a common topic in the Caribbean, but did not initially apply to the Carolina colony. Africans initially came to South Carolina in small numbers as slaves belonging to white settlers. Conditions for the majority of slaves in South Carolina began to change in the 1690s as cash crops were discovered and cultivated.²⁸ In 1696, South Carolina established its first slave code. Rice and Naval stores became the source of commerce for the South Carolina planters, but were labor intensive. This peak in demand increased the importation of African Slave to Carolina to a point that, by 1708 half the population (excluding Indians) was black. By 1720 this had increased to two thirds black with some lowland parishes having as many as eight or nine to one.

The fear of a slave rebellion in the minds of the South Carolina planters is hard to overstate. South Carolina provided no safe haven for runaway slaves. There was almost 250 miles from the plantations in the lowlands to the Appalachian Mountains and this area was occupied by Cherokee Indians, who were paid for any slaves they returned.²⁹

²⁵ The policing duties took on a much more violent flavor subsequent to the Stono rebellion in 1739.

²⁶ Edgar, *South Carolina: A History*, 51.

²⁷ Edgar, *South Carolina: A History*, 60. The place of origin of only about one third of the arrivals in the first decade is known. About half of them were from Barbados.

²⁸ Edgar, *South Carolina: A History*, 174.

²⁹ Weir, *Colonial South Carolina*, 192.

There was, however, an area in Spanish Florida near St. Augustine where slaves were welcome. By 1728, the situation between the runaways and South Carolinians became so acute that an official appeal was sent to London for assistance against the Spanish.

Between 1720 and 1739, an increasing number of insurrection scares were reported in South Carolina. This became even more dangerous in 1739, when the Spanish published a royal edict which granted liberty to any slave who fled English settlements and also established a fortified camp for them just outside St. Augustine. This provided the incentive for South Carolina's most notorious slave incident – the Stono Rebellion.

On September 9, 1739, a group of about 20 blacks (possibly Angolan) marched on a store near the Stono River Bridge, allegedly chanting "Liberty" in union. They broke into the store, killed two storekeepers, and seized powder and arms. Their goal was to escape to Spanish Florida and freedom. Enroute, the group rallied more followers and attacked plantations along the road. They inadvertently ran into the South Carolina Lieutenant Governor, William Bull, and his party who were proceeding to Charleston on horseback. Because Bull and his party were mounted, they escaped and sounded the alarm. By this time, the Stono group had grown to between 60 and 100 slaves. The next day, armed militiamen caught up with the group and after a short battle subdued them. Many of the slaves were summarily executed. More than thirty slaves escaped and it took an additional week before the remnants were eliminated. The draconian punishment inflicted on the Stono prisoners was intended to be a warning for any other slaves wishing to escape. The most lasting effects of the Stono Rebellion were an exorbitant

duty on the importation of new slaves (which lasted through the 1740s) and the slave code of 1740 (which lasted until 1865).³⁰

The slave codes were remarkable in that their intent was to address both sides of potential rebellion; to protect whites from future rebellions and also to prevent slave abuses so as to reduce the provocation of rebellion. In support of these restrictions, the militia structure was changed. Groups of militia, called “beat companies” normally consisting of five people, were chosen from the planters and overseers. Their purpose was to patrol the surrounding plantations after hours to ensure that order was being maintained. Violators normally were punished on the spot, usually with the lash.³¹ The beat companies could be considered the precursors to the Regulators of the 1760s, in that they supplied law and order with immediate punishment. The beat companies also established the precedence of subsequent militia units being horse-borne and also their proclivity for using coercive violence in the execution of their law enforcement responsibilities.

While the placement of militia loyalties defied simple classifications, several factors influenced the loyalties of South Carolina and affected the makeup of the local militias.³² Economics factored into the development of militia in two ways; it required an increase in the slave population and it acted as a point of contention between the back country and the low country. Initially established to provide foodstuffs, the country was found to be quite exceptional for livestock. Cattle ranching became the first of many

³⁰ Weir, *Colonial South Carolina*, 193-194.

³¹ Joseph Plumb Martin, *A Narrative of a Revolutionary Soldier: Some of the Adventures, Dangers, and Suffering of Joseph Plumb Martin*, Signet Classics edition (London: Penguin Group, 2001), 195.

³² Morrill, 36; Don Higgenbotham, “The Early American Way of War: Reconnaissance and Appraisal,” *The William and Mary Quarterly*, 3rd ser. 44, no.2, (Apr., 1987): 265.

agricultural enterprises in South Carolina. It required little capital or labor other than the initial investment in stock and laborers, generally slaves. Raising hogs also provided for a lucrative business on limited resources. By 1700, black labor replaced white in the herding of livestock. By 1708, of the eighteen hundred male slaves in South Carolina, nearly one thousand were “Cattle-hunters.”³³ Naval stores were also a profitable commodity, at least in the early life of the colony. A change in policy in 1724 caused the profit from naval stores to decrease, which shifted many to another profitable enterprise: rice.³⁴

Rice emerged as South Carolina’s leading export in the eighteenth century. Rice thrived in the swampy soil of the coastal lowlands and therefore was felt to be a good cash crop for the region. It also represented an increase in the demand for labor. Once sufficient labor base was established, rice became South Carolina’s mainstay crop, just as sugar for the Indies and tobacco for Virginia. Indigo had been earlier identified as a crop that would flourish in South Carolina but the quality and cost of labor and capital made it not a very good commercial venture. However, the slump in rice prices and a shortage of indigo supply from the Indies due to war made indigo more profitable as a crop.³⁵

Prosperity was initially shared between the low country planters and the back country farmers. While the back country did not plant rice in significant quantity, indigo and hemp could earn a farmer a decent living, even a comfortable one.³⁶ Because they lived on the frontier, the backcountry colonists had the more intimate associations with

³³ Edgar, *South Carolina: A History*, 133.

³⁴ Edgar, *South Carolina: A History*, 138.

³⁵ Edgar, *South Carolina: A History*, 146. During the Seven Years War, indigo was not only planted in the low country but also in the Backcountry. Once the war ended, indigo became the colony’s second staple crop, after rice.

³⁶ Edgar, *South Carolina: A History*, 151.

the various Indian tribes and gained the larger share of the deerskin trade. This economic tie caused friction on occasion with the native population, as well as with the low country population, which saw the Backcountry as ill-bred and of a lower class. Animosity between the two regions would provide impetus to the Regulation movement. Due to the ongoing friction between the two regions, many backcountry settlers during the Revolution believed that the rebel cause of the lowcountry did not support the interests of the back country. The backcountry settlers therefore were more inclined to be either openly loyalist or, at best, neutral. In addition, militia units on the frontier in times of danger were generally made up of settlers from the backcountry.

Safety and stability were essential for a colony to be productive and successful. The Yamasee War in the early 18th century had a significant effect on the future development and structure of the Carolina backcountry. Fear of slave insurrection, either separately or in combination with Indian uprisings, prompted the South Carolina government to open the backcountry for settlements and make land acquisition simple and cheap for the newly arriving immigrants in the hope of establishing a buffer between the Indians of the Appalachian Mountains and the slaves of the lowlands.³⁷

Before 1740, there were very few colonists in the South Carolina Backcountry. By the Revolution, nearly one half of the colony's population and 80% of its white population lived there.³⁸ The makeup of this backcountry was much more varied than the primarily English population in the lowlands, and played a significant role in the future

³⁷Edgar, *South Carolina: A History*, 205-6. By 1720, the South Carolina government was looking for a method to stop the Spanish sponsored Indian incursions from the south and decided on establishing four garrisons along the Congaree and Savannah rivers. To entice settlers to the region, the government exempted residents from taxes, forbade the seizure of their cattle for debts, and protected them from writs for small sum cases.

³⁸ Edgar, *Partisans and Redcoats*, 2.

development and loyalties of South Carolina militia. Security of the lowland plantations was a driving force in the opening of the backcountry.³⁹ The two-pronged threat of slave insurrection and Indian uprising laid heavily on the minds of the Commons House in Charleston, hence the relative ease with which land could be acquired. While some wealthy Carolinians acquired additional holdings in the backcountry, the population increase there represented an influx of immigrants either directly from Europe or by way of Pennsylvania and Virginia. These immigrants came from three major ethnic groups: Scots, Scots-Irish, and German. They were generally poor and in many cases illiterate. They were also in large part distrustful of the Anglican Church and the elite establishment it represented. Unlike the northern colonies, where the merchants were generally loyalist and the farmer was the “minuteman”, the South Carolina patriots were the merchants and plantation owners and the loyalist was the frontier farmer.

Perhaps the largest factor in the militia’s involvement in violence both before and during the Revolution was its uncontrollability. All colonial militia officers had difficulty controlling their troops, whether at muster or on expedition. Governor Dinwiddie of Virginia spoke for many when he noted: “military Law cannot be put in force on our People but [when] conjoin’d with Regulars.”⁴⁰ The method by which militias were officered by popular election seldom resulted in the appointment of the ablest men to leadership positions. Those high ranking militia officers who were not elected were generally a political appointment, which likewise does not facilitate

³⁹ Edgar, *South Carolina: A History*, 55.

⁴⁰ Governor Dinwiddie to Governor Dobbs, October 10, 1755 quoted in Lee, *Crowds and Soldiers*, 131.

promotion of competent officers.⁴¹ Attempts at military discipline by militia officers could result in common soldiers petitioning the governor to have the officer removed.

By the coming of the Revolution, South Carolina had a viable militia force and a tradition of service in it, a core of trained officers and men, and stockpiles of weapons and ammunition. With the outbreak of the Revolution in 1775, both loyalists and rebels understood that it was very important to ensure officers appointed to the militia were of the right political persuasion. It was the rebel side which at the start gained control of the militia thereby controlling much of the coastal region and interior of South Carolina.⁴²

The control of the militia had been an issue before the Revolution. Friction between the low country elite and the frontiersmen of the back country had previously demonstrated the inability to control regions where local support was not present. The most glaring example was the Regulator movement in the years just before the Revolution. The South Carolina back country suffered from symptoms typical of rapid growth without consideration to the infrastructure needed to support the growth. There were no formal organs of local government. Counties and county courts did not exist. There were no towns and what hamlets existed had no governing bodies. The entire backcountry was included in one parish, St. Mark's, which was totally unmanageable.⁴³ The disorder present in the backcountry was considered the "surface manifestation of a fundamental social disunity."⁴⁴

The backbone of the backcountry was the respectable small planter. The backcountry had no premier crop comparable to the indigo and rice that the lowcountry

⁴¹ Higginbotham, "The American Militia," *Reconsiderations*, 88-89; Shy, *A People Numerous*, 129; Gordon, 12.

⁴² Gordon, 13.

⁴³ Brown, 22.

⁴⁴ Brown, 24.

raised. The small planters grew mainly wheat, corn, tobacco, oats, barley, rye, flax, and Hemp.⁴⁵ Living with the small planters who made up society in the backcountry were what many lowland elitists the “lower sort.” These low people were “crackers” (ruffians who lived on the fringes of society), unsuccessful small planters, hunters and squatters, unsavory refugees from the northern colonies, deserters, and mixed blood mulattoes.⁴⁶ Not acceptable to the planter society, these outlaw groups formed their own communities. In 1766 in the wake of the Cherokee war, these outlaws launched a campaign of arson, torture and robbery against the small planters. The outlaws were so numerous and their attacks so vicious that neither the Justices of the Peace nor the militia sent against them had any effect. Those who were arrested were granted clemency by the new governor Charles Montagu. Only one of the criminals was punished, he was whipped.⁴⁷ The peaceful avenues of redress had been unproductive. Vigilante retribution was now considered legitimate.

According to Charles Woodmason, an itinerant Anglican minister who tried to bring religion to new settlers, the whole back country “rose in a Body and drove the Villains.”⁴⁸ Bands of outraged settlers roamed the backcountry, attacking outlaw communities and those who harbored them. The outlaws were rounded up, tied to trees and mercilessly flogged.⁴⁹ The outlaws responded in kind and the lawlessness threatened to spread. The vigilantes realized that they needed to consider organizing in the assault on the outlaws. In October 1767 this group of one thousand backcountry men, calling

⁴⁵ Brown, 25.

⁴⁶ Charles Woodmason, *The Carolina Backcountry on the Eve of the Revolution: The Journal and Other Writings of Charles Woodmason, Anglican Itinerant*, Richard Hooker, ed. (Chapel Hill: University of North Carolina Press, 1953), 10.

⁴⁷ Woodmason, 234.

⁴⁸ Woodmason, 234-5.

⁴⁹ Rachel N. Klein, “Ordering the Backcountry: The South Carolina Regulation,” *William and Mary Quarterly* 38, no. 4. (October, 1981): 661-663; Brown, 39.

themselves “Regulators”, set about trying to establish law and order in the area.⁵⁰ They were ambitious Back Country property holders determined to end lawlessness, to discipline the lower people, and to establish an orderly society.⁵¹ They alleviated the lawlessness in the backcountry of the Carolinas through violence. They arrested and flogged criminals, they burned the houses of those said to be aiding the criminals, and eventually started singling out and beating the idle and lazy.⁵²

Because the nearest legal courts were in Charleston, the Regulators demanded that district and circuit courts be established.⁵³ While their demands eventually led to the Circuit Court act of 1769 and an increase in the court system in South Carolina, the Committee House in Charleston saw their actions as a threat to the colonial government. Their excesses generated a counter group called the “Moderators”, established by the Governor and formed to assist the government in attempting to put an end to the Regulators. The Moderators were led by Joseph Coffell and John Musgrove, who rode roughshod in the back country, employing the same tactics used by the Regulators themselves.⁵⁴ The government eventually shunned the methods used by the Moderators and disavowed their actions. On March 25, 1769 a truce was made between the two forces which effectively marked the end of the Regulator movement in South Carolina.⁵⁵ However, the battle lines had been drawn and the alliances from the Regulator period

⁵⁰ Brown, 40.

⁵¹ Brown, 135.

⁵² Brown, 83.

⁵³ Jerome J. Nadelhaft, *The Disorders of War: The Revolution in South Carolina* (Orono, Maine: University of Maine at Orono Press, 1981), 16-18. For the content of the petition, see Woodmason, 230-232.

⁵⁴ Brown, 92-3.

⁵⁵ Klein, 678. The Regulator movement in North Carolina had similar starting conditions but a much different conclusion. While the South Carolina Regulation left the Regulators in a position of relative power, the North Carolina Regulators became defeated rebels and outside the community. After the Battle of Alamance, North Carolina’s Governor, William Tryon, became more authoritarian in dealing with the Regulators, which carried over into the Revolution. Lee, *Crowds and Soldiers*, 71-89.

would hold true during the Revolution.⁵⁶ Some of the Regulators would become loyalists, but most would support the rebel cause. The Moderators would for the most part side with the loyalists. War was coming.

There were many factors which came into play when determining who became a rebel and who remained loyal to the King and Parliament in South Carolina. Religion, ethnic background, financial status, local affiliations, and prior associations all played a part. John Adams estimated that approximately one third of the population in the colonies was patriot, one third was loyalist, and one third had no specific affiliation.⁵⁷ Others have estimated that loyalists made up only 20% of the colonial population.⁵⁸ Historians have shown that the demographics of the loyalists in the Southern and Northern colonies were different. In the North, the loyalists were normally the more financially successful, such as merchants, who stood to lose their livelihood in any conflict with the mother country. It was the farmer that epitomized the minuteman in the area north of Virginia. However, in South Carolina, the patriot was the plantation owner or merchant in the fertile lowlands near the coast, and the loyalist was usually the farmer eking out a living on the frontier.⁵⁹

Some of this has been explained by reviewing the post-Seven year war period (1756-1763) immigration trends. A significant portion of the settlers who moved to the backcountry were German or Scots-Irish, either by way of Pennsylvania or directly from

⁵⁶ Morrill, 4; Leyburn, 307.

⁵⁷ John Adams letter to Thomas McKean, Quincy 31 August 1813, in Charles F Adams, *The Works of John Adams, Second President of the United States: with a Life of the Author* (Boston: Little, Brown and Company, 1856), 87. Adams actually felt that the Southern colonies were evenly split at the outset of the Revolution.

⁵⁸ Paul H. Smith, "The American Loyalists: Notes on Their Organization and Numerical Strength," *The William and Mary Quarterly* 25, no. 2 (April, 1968): 269.

⁵⁹ Weller, "The Irregular War," 126.

Europe.⁶⁰ As immigrants with land grants from the British government, the backcountry colonists were more likely to support the King, for fear of losing their stake and the protection they needed from the Indians should the Whigs win.⁶¹ Additionally, the British were extremely successful at pacifying former enemies, as witnessed by the Highlanders of North Carolina and the French Canadians.⁶² Most importantly for militia organization, loyalties in South Carolina congregated by locality. Individual communities, regardless of size, became either completely Patriot (Whig) or completely Loyalist (Tory). These regional loyalties were not static but shifted throughout the war. Ravages of war, pillage, rape and murder committed on both sides had a direct and immediate effect on local loyalties.⁶³ Loyalties aside, fear of slave insurrection and participation in the Indian wars gave both groups the tactics of militia warfare.

⁶⁰ James G. Leyburn, *The Scotch-Irish: A Social History*, (Chapel Hill: University of North Carolina Press, 1962), 193.

⁶¹ Leyburn, 306. Scotch-Irish support of independence and of the war was ardent and unanimous in Pennsylvania, Virginia, and in one section of the Carolinas. In contrast to this, there was considerable loyalism among the Scotch-Irish in the Carolina Piedmont.

⁶² Duane Meyer, *The Highland Scots of North Carolina, 1732-1776* (Chapel Hill: University of North Carolina Press, 1961), 147.

⁶³ Joseph Tiedemann, "Patriots by Default: Queens County, New York, and the British Army, 1776-1783," *The William and Mary Quarterly*, Third Series, 43, no.1 (Jan., 1986): 35-63. Mr. Tiedemann presents an insightful case study on the abuses of both the British army and the New York loyalists in dealing with the local population of Queens County and their subsequent change of allegiance from the King to the Continental Congress.

CHAPTER IV

REVOLUTION, THE SOUTHERN CAMPAIGN, AND THE MILITIA WARS

South Carolina's experience during the early Revolution was different than that of the Northern and Middle colonies. South Carolina joined the other colonies in rebellion after the attacks at Lexington and Concord. However, there was initially little open conflict in the newly formed state. This lack of battle allowed the patriot state government time to consolidate its position and prepare for war. The initial successful defense of Charleston in 1775 lulled South Carolina into a period of internal conflict, where the patriot government was allowed to consolidate its control of the state by identifying and isolating loyalist leaders in the state. This would prove difficult in some areas of the backcountry which had previously shown little interest in the politics of the coastal planters and were more concerned with their own issues on the frontier. Militias became the means of enforcing political will. South Carolina's initial prosecution of the war would set the stage for the subsequent violence wrought by her militias.

The rebel government in South Carolina realized it needed decisive action to prevent a loyalist take-over of the colony. It is probable that the rebels in South Carolina were better financed and better organized, using the Organization already established throughout the Colonies in the Committees of Safety. These committees agreed from the outset that "coercion by force, where necessary, was *imperative* for their success.¹ The South Carolina Committee of Safety began directing militia units to confiscate gunpowder and arms throughout the region, including a shipment from England allegedly going to the Cherokee and Creek Indians. In 1775, the merchantman *Phillipa* was

¹ See Weller, 127; Gordon, 18-19. (Emphasis added).

intercepted by militia units from both South Carolina and Georgia in one of the first combined actions of the War.² However, unlike the actions in New England, the war in South Carolina only gradually turned from arms and ammunition seizure to open combat. The war, in the beginning, resembled two fighters in the ring, circling each other maneuvering for position. The loyalists and rebels took the names of the English political parties to which they felt most affinity; the loyalists became Tories after the party in power, and the rebels became Whigs after the opposition party.³

The South Carolina patriots in Charleston had a significant problem in developing their strategy; they were not guaranteed the support of the backcountry. Communications between the two regions was difficult, and the ethnic makeup of the two regions was different. The backcountry was in fact seriously divided over what course of action to take in 1775.⁴ Ethnicity and religious affiliation did not appear to define loyalties. A number of Scots-Irish newcomers chose to remain loyal in order to maintain their land grants which they feared would be revoked. However, the Scots-Irish of the Waxhaws were “universally disaffected.” The English and Scots-Irish in the region between the Broad and Saluda rivers were evenly split and the Germans in the Saxe Gotha district were almost all Tories. The Quakers in the Bush River Valley were pacifists while those in the Camden area supported the King. There was no love lost between the backcountry colonist and the merchant and planters of Charleston. It was therefore uncertain that they would consider anything other than remaining loyal British subjects.⁵ Having recently experienced destabilization by the Cherokee War, the outlaw raids, and the subsequent

² Gordon, 20.

³ Gordon, 24.

⁴ Edgar, *Partisans and Redcoats*, 30.

⁵ Gordon, 19.

Regulator movement, the backcountry was most concerned with keeping the frontier quiet, keeping the Indians in check, and maintaining law and order. By in large most backcountry people when forced to make a choice did, but would have preferred to be left alone.⁶

While the South Carolina patriots were struggling to execute their plans, the British government was busy putting theirs into action. The first act in the British colonial War plan was an expedition to the Southern Colonies. Planning started in mid-1775 with a detachment of General William Howe's army in Boston being tasked to go to North Carolina to support the royal Governor Josiah Martin to organize the defense of the legal government. By October 1775, Lord North and the King were seriously interested in conducting a winter campaign in the South with the bulk of General Howe's forces.⁷ The strategy was to use these forces in the North during the summer months and then move them south in the winter to continue campaigning, thereby making the most use of the forces available and Britain's advantage in sea power.⁸ However, due to a great deal of misinformation and incorrect assumptions, the first sortie against Charleston in 1776 proved embarrassing. Underestimating the sand bars in the region, the British found that they could not successfully employ their transports to attack Sullivan's Island, the key to Charleston. The attack stalled when the fort of palmetto logs (later named Fort Moultrie) on the west end of the island repeatedly repelled British assaults from both land and sea. The British left South Carolina to return to New York and the colonials rejoiced in their

⁶ Edgar, *Partisans and Redcoats*, 30; Pancake, 20-21.

⁷ Paul H. Smith, *Loyalists and Redcoats: A Study in British Revolutionary Policy* (Chapel Hill: University of North Carolina Press, 1964), 21.

⁸ John Shy, "British Strategy for Pacifying the Southern Colonies," in *The Southern Experience in the American Revolution, 1778-1781*, eds. Jeffrey J. Crow and Larry E. Tise (Chapel Hill: University of North Carolina Press, 1978), 156.

victory, albeit fleeting. The significance of this loss was that the loyalists in the area were subdued and disheartened, which made the consolidation of the Whig position more manageable.⁹

The South Carolina General Assembly had by this time passed an Act “To prevent Sedition, and punish Insurgents and Disturbers of the Publick Peace.” In it, any act of support to the British Government, their troops, ships, or any meeting of loyalists with the purpose of re-establishing Royal Government would be punishable by “Death without Benefit of Clergy.”¹⁰ In addition, anyone found guilty of a felony under this act would have their private possessions auctioned off and the money placed in the State Treasury.¹¹ The Assembly subsequently passed an act which required former royal officials and others of “dubious” loyalties to swear an oath to the independence of South Carolina or face banishment. Anyone leaving the state to avoid the oath would be considered a traitor and subject to execution upon return to South Carolina.¹² By these means, many of the prominent loyalists who might have been able to provide leadership to a Loyalist militia were neutralized.

In the October 1775, the English attempted to secure military assistance from the Cherokees in the backcountry region. General Gage instructed John Stuart, the Royal Indian Agent, to parley with the Cherokees. In April 1776, John Stuart sent his brother,

⁹ Gordon, 40-44; Pancake, 24-25.

¹⁰ South Carolina General Assembly, *An Act to prevent Sedition, and punish Insurgents and Disturbers of the Publick Peace*, [Microform] Passed April 11, 1776, Early American Imprints (New York: Readex Microprint, 1985), no. 43164.

¹¹ South Carolina General Assembly, *Journals of the General Assembly and House of Representatives; 1776-1780*, William Edwin Hemphill, Wylma Anne Wates and R. Nicholas Olsberg, eds. (Columbia: University of South Carolina Press, 1970), 98. Journal entry for Thursday September 26, 1776. “Recommend that this House take proper steps to secure such estates [held by people who are known to hold principles inimical to the liberties of America] ... to serve as a fund hereafter ... to make compensation, in equal degree, to all people who have or shall sustain losses by the British forces.”

¹² Edgar, *Partisans and Loyalists*, 41-42.

Henry Stuart, to plead with the Overhill Cherokees to rally under the royal banner. The patriots also tried to gain an alliance with the Cherokees, going so far as to send a shipment of gunpowder and bullets to gain the Cherokees' good graces.¹³ The result was that the shipment was intercepted by a party of loyalist led by Patrick Cunningham.¹⁴

By the spring of 1776, the Cherokees had opted for the loyalist cause because they trusted the British to prevent further expansion into Cherokee territory. They began raiding settlements all along the frontier from Virginia to Georgia. Many in South Carolina saw the Indian attacks in juxtaposition with the aborted British invasion of Sullivan Island, and condemned the British. Henry Laurens told his brother that ...

The Activity was the last of the Enemy's Fleet on the Coast- she went with a Tendor to Bull's Island landed 40 whites and 20 black men, kill'd by platoon firing a few head of Cattle, augmented their black Guards by stealing Six Negroes; and went off- After the Attack on Sullivan's Island seconded by the Ravages and Murders in our West Frontier by the Cherokee Indians.¹⁵

The Cherokee attacks, combined with the protection of independence, united the South Carolina rebels into removing the Cherokees once and for all. The Continental commanders were instructed to "cut down every Indian corn field, and burn every Indian town- and that every Indian taken shall be the slave and property of the taker: that the nation be extirpated."¹⁶ The call for Cherokees' destruction was answered by other states. Both Virginia and North Carolina joined their South Carolina brethren in a coordinated campaign. The subsequent campaign was marked by its cruelty and by its mismanagement. The Cherokees, as they had done in the previous Cherokee war, gave

¹³ William Henry Drayton, "A Talk from the Honorable William Henry Drayton To the beloved men, Headmen & Warriors of the Cherokee Nation at the Congarees Sept. 25th 1775," in *Documents Connected with the History of South Carolina*, Plowden C. J. Weston, ed., London, 1856, 18.

¹⁴ Gordon, 28-30; Morrill, 29-31; Edgar, *Partisans and Loyalists*, 31-32; Hatley, 188.

¹⁵ Henry Laurens to John Laurens, August 14, 1776, quoted in Hatley, *The Dividing Path*, 192.

¹⁶ William H. Drayton to Francis Salvador, July 24, 1776, in Robert Wilson Gibbes, *Documentary History of the American Revolution, Vol 2*, Reprinted Edition (New York: Arno Press Inc., 1971), 28-9.

only targeted resistance and abandoned their villages for the mountains. Unable to force a decisive engagement with the Cherokees, in an extension of the tactics used in the 1759-61 Cherokee War the separate state columns took their vengeance on the villages and crops, destroying everything in their wandering paths.¹⁷ The starved and exhausted Cherokees were forced to petition for peace. Once more, the burning of homesteads provided the tool for victory. This lesson would be put to use in 1778.

WAR MOVES SOUTH

After the failed attempt at invasion, the British concentrated their primary effort in the Northeast against General George Washington's fledgling Continental Army. This left South Carolina in a state of false peace, in which business resumed as normal and the Whigs consolidated their control of the local government and populous. South Carolina was unfettered in its development of a unified populous by consolidating the goals and purpose of the lowcountry elite with those of the men of the backcountry.¹⁸ Loyalties were now determined by who could offer protection to the various settlements.

In 1778 General Burgoyne was defeated at Saratoga and the news arrived in England of a French-American Treaty. Prime Minister Lord Germain and his government looked to the South again, in hopes of rallying loyalists who were claimed to be in great number and waiting to support the King's troops.¹⁹ The first attempt was to reinforce General Augustine Prevost in upper Florida with a detachment of troops from New York under Colonel Archibald Campbell, the intent being to invade Georgia. The

¹⁷ Hatley, 194-5; Gordon, 51-54.

¹⁸ Gordon, 55. The Whig government additionally took steps to remove or banish anyone who might pose a threat to Independence. The loyalty oaths to South Carolina were enacted in this time, and many prominent Loyalists were forced to publically support the new Independence or leave the state.

¹⁹ Pancake, 25-30.

resulting campaign led to the capture of Savannah and the initial capture of Augusta. However, Campbell made a tactical decision with significant strategic impact when he opted to abandon Augusta upon reports of a large relief column under the command of General Benjamin Lincoln.²⁰ The fate of the loyalists in the region was as to be expected after having shown support to the King. The Georgia and South Carolina loyalists learned that those who dared to voice their support of the King risked retribution from their patriot neighbors, because the ability of the British army to protect them was at best ephemeral. Here also the first indications of the nature of the War to come appeared, as bands of partisans began carrying out reprisals using lessons learned during the frontier wars.²¹

The defeat of General Lincoln's Combined Continental and French Army in front of Savannah factored greatly in convincing the British that their strategy was correct and would eventually be successful. In the winter of 1779, General Clinton sailed out of New York with a force of approximately 7600 men to capture Charleston.²² Unlike the 1775 attempt, Clinton succeeded in his siege to Charleston, partly due to Governor John Rutledge's insistence on sending all available troops and militia to Charleston for its defense.²³ The subsequent siege of Charleston resulted in the capture of the city as well as the surrender of General Lincoln and his entire force. The fate of Charleston was sealed on April 13, 1780 when the English Lieutenant Colonel Banastre Tarleton and his Tory

²⁰ Morrill, 50.

²¹ George F. Scheer and Hugh F. Rankin, *Rebels and Redcoats: The American Revolution Through the Eyes of Those Who Fought and Lived It* (Cleveland: World Publishing Co., 1957; reprint New York: Da Capo Press Paperback Edition, 1987), 390-395.

²² Scheer & Rankin, 395; Morrill, 67; Pancake, 57-59. Morrill lists Clinton's forces as numbering 8500 men. Pancake lists the regiments but no numbers.

²³ Morrill, 71; J. Rutledge to B.G., Feb 12 1780 in Gibbes, *Documentary History of the American Revolution*, Vol 2, 128; J. Rutledge to Col. Garden, March 2, 1780 in Gibbes, *History Vol.2*, 129; J. Rutledge to Col. Goodwyn, April 24, 1780 in Gibbes, *History Vol.2*, 132; John Rutledge, *A Proclamation*, March 2, 1780, [Microform], Early American Imprints (New York: Readex Microprint, 1985), no. 43896.

Legion staged a predawn attack on the patriot forces at Monck's Corner that were holding Lincoln's last escape route. The attack's remarkable success with minimal British casualties made Tarleton the hero of the Tory press.²⁴ It also heralded the type of brutality to be received from Tarleton's British Legion (primarily Pennsylvania Loyalists). A French officer attached to the American troops asked for quarter, but was instead mangled with sabers.²⁵

Colonel Tarleton followed his victory at Monck's Corner with an even more spectacular, and violent, victory at the Waxhaws near the North Carolina border on May 30, 1780. He had learned that 350-400 Virginia Continentals under the command of Colonel Abraham Buford were encamped in the region, having been sent as reinforcements for General Lincoln. Colonel Buford had received word of the surrender of the forces in Charleston and was in the process of returning to Virginia. Tarleton and his legion rode 150 miles in 54 hours and engaged the Virginians with 270 men. The subsequent battle ended with the rout of the Virginians and accusations of slaughter. Tarleton claimed that his troops had frenzied when they saw their commander fall (he had in fact been de-horsed but uninjured) and that in the heat of battle, all was confusion. What is evident is that Virginians who tried to surrender were bayoneted and/or hacked with sabers.²⁶ Tarleton would subsequently be given the nom de guerre "Bloody Ban" and the tactic of attacking after enemy forces surrendered would be called "Tarleton's Quarter." Partisans on both sides would use this incident and its repercussions to justify the escalation of violence which followed.

²⁴ Scheer & Rankin, 397-398; Morrill, 71-72; Gordon, 82-83.

²⁵ Edgar, *Partisans and Redcoats*, 51.

²⁶ Morrill, 77-79; Gordon, 86-88; Pancake, 70-71; Banastre Tarleton, *A History of the Campaigns of 1780 and 1781 in the Southern Provinces of North America* (London: T. Cadell, 1787; reprint New York: Arno Press, Inc., 1968), 28-31.

The loss of Charleston represented a severe setback to the fledgling United States. There were no effective regular forces left in South Carolina to prevent the British from conquering the entire state. Initially, Clinton honored the paroles given to the militia captured in Charleston. Many of the prominent leaders returned to their farms and plantations convinced that the Revolution was lost.²⁷ However, in order to appease the loyalists who had suffered at the hands of the Whig government for the previous four years, he revoked the paroles as “unnecessary” and issued a proclamation requiring the people of South Carolina to “return their Allegiance to His Majesty’s Government,” and thereby become eligible for call up into the loyalist militia.²⁸ Rather than choosing to fight for the British, however, many of these same planters chose the patriots.²⁹

Clinton’s Allegiance Proclamation and the subsequent harassment of paroled patriots by loyalists and British troops had the added effect of bringing back to the fight three of the most able partisan leaders in South Carolina. Thomas Sumter, an Indian fighter and plantation owner originally from Virginia, had been the commander of the South Carolina Continental Regiment. He had resigned his commission due to a disagreement with his superiors and illnesses from campaigns in Georgia, and was living on his plantation. He witnessed the retreat of the patriot forces from Charleston but remained aloof. When news of the Proclamation and the imminent approach of Tarleton’s Legion reached him, he moved his family out of harm’s way and established a training camp to prepare forces for hit and run partisan warfare against the British.³⁰

²⁷ Morrill, 82-83; Robert Leckie, *George Washington’s War: The Saga of the American Revolution* (New York: HarperCollins Publishers Inc., 1992; New York: HarperPerennial Paperback Edition, 1993), 518; Edgar, *Partisans and Redcoats*, 139.

²⁸ Sir Henry Clinton, *Proclamation Charles-Town*, June 3, 1780 in Tarleton, 73.

²⁹ Morrill, 80; Edgar, *Partisans and Redcoats*, 54-55.

³⁰ Robert D. Bass, *Gamecock: The Life and Campaigns of General Thomas Sumter* (New York: Holt, Rinehart and Winston, 1961), 50-52; Morrill, 82-83.

Another partisan leader brought back into the war was Andrew Pickens. Pickens was a Presbyterian Indian trader and militia leader who had been involved in the abortive sortie into Georgia. He had returned to his home after the fall of Charleston but rejoined the ranks after loyalists burned down his House.³¹ Colonel Francis Marion, who would become the third patriot partisan leader in South Carolina, held a regular commission in the Continental Army and had escaped from Charleston before its capture. He gathered what forces remained of the militia and harassed British and loyalist troops in the lowcountry. These men represented the leadership of the primary patriot partisan groups in South Carolina and would be the only patriot fighting force in South Carolina for almost a year.

General Washington had done what he could to support South Carolina in 1780. He had sent what Continentals were available to the Carolinas under General Gates to challenge the British in the South. Hearing of a new American army enroute, many Whig partisans came to join the Continentals as militia, including Col. Francis Marion. The forces set out to engage Cornwallis who had taken over command of British forces upon Clinton's return to New York. The armies met in the vicinity of Camden, South Carolina. The battle went badly for the Americans for a number of reasons, primarily poor leadership. The militia were integrated into the Patriot line and expected to hold against British regulars attacking with bayonets. The militia panicked and fled, causing the Continental regulars to do likewise. The subsequent route of regular Continental troops left South Carolina again with no American troops in the State, except for the partisans.

³¹ Alice Noble Waring, *The Fighting Elder: Andrew Pickens (1739-1817)* (Columbia: University of South Carolina Press, 1962), 38-40; Morrill, 48-49, 125.

After the American defeat at Camden, Gates was relieved of command and replaced by General Nathanael Greene. What Greene found in the Southern District alarmed him. “[T]he Whigs and Tories pursue each other with little less than savage fury.”³² He began using the partisan units as his eyes and ears, maintaining reconnaissance on British forces while additionally helping gather supplies for the Continental Army.³³ At this time, the partisan leaders were not operating in unison but following their own methods. Sumter had met his recruiting needs by employing “Sumter’s Law” that is, raising a state militia for ten months of the year and paying it off in goods, slaves, and other plunder taken from the loyalists.³⁴ General Marion refused to participate in the process because it was self defeating. “If the object of the People is to Plunder altogether, Government can receive but little benefit from them.”³⁵

The British and Loyalists were also busy recruiting their own militias. Since the 1760s, the frontier had been a place of violence. Torture, murder and arson were considered acceptable means of dealing with an enemy. Alliances which had developed during the Indian Wars and the Regulator conflict remained the alliances held by most during the Revolution.³⁶ Many loyalists had been paroled or pardoned before the 1780 British invasion and had avoided conflict with the Whig government. Some had returned to their farms and observed unattached neutrality. However, as in the case of the British

³² Nathanael Greene to Joseph Reed of Pennsylvania, January 9, 1781, in Henry Steele Commager and Richard B. Morris, eds., *The Spirit of ‘Seventy-Six: The Story of the American Revolution As Told By Participants* (New York: HarperCollins Publishers, Inc., 1958; reprint Edison, New Jersey: Castle Books, 2002), 1152.

³³ Nathanael Greene to General Marion, January 22, 1781, in Gibbes, *History*, Vol. III, 16; Hugh F. Rankin, *Francis Marion: The Swamp Fox* (New York: Thomas Y. Crowell Co., 1973), 199; Pancake, 129-130.

³⁴ Rankin, 181. Gary B. Nash, *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America* (New York: Viking Press, 2005), 333. Gary Nash covers the African American experience very well in his chapter on Radicalism at Floodtide.

³⁵ Marion to Greene, 1781, quoted in Rankin, 199.

³⁶ Edgar, *Partisans and Redcoats*, 122-123.

under General Clinton, South Carolina Governor John Rutledge's Proclamation of 1780 forced the neutrals to choose sides. Most reverted to their previous alliances.³⁷

When British rule returned to Charleston, the local loyalists sought to repay the patriots for perceived ill-treatment. However, British rule did not extend into the backcountry. General Clinton specifically warned General Cornwallis not to get British troops entangled in the interior. The backcountry once again had no legitimate government save the retribution of the separate partisan groups.³⁸

Some loyalist Militia leaders had personal animosities with the patriots. Thomas "Burnfoot" Brown refused to take the oath of state allegiance. He was accosted by a mob of 100 backcountry men, tied to a tree, beaten unconscious, and had his feet scorched with hot irons so badly that he subsequently lost two toes. He was to become a vehement opponent to the Whigs.³⁹ Others such as William "Bloody Bill" Cunningham were marauders and "self-styled avenging angels." Cunningham had originally been a member of the patriot militia but had resigned in 1776, having changed his allegiances. He was subsequently hunted and harassed. After his crippled brother was killed by a patriot militiaman named Richie, Cunningham killed Richie and raised a partisan unit which began a reign of terror in the backcountry. His nickname came from an infamous encounter at Cloud Creek, where his band surprised thirty patriot militiamen. After they had surrendered, Cunningham and his men hacked 28 of them to death. He killed eight

³⁷ David Fanning, *The Narrative of Col. David Fanning*, Lindley S. Butler, ed. (Charleston: Tradd Street Press, 1981), 23, 30-31; Rutledge, *A Proclamation*, March 2, 1780. Col. Fanning claimed that he was offered a conditional pardon from Governor Rutledge and at one time was offered a commission in the Continental Army.

³⁸ Russell Wegley, *The Partisan War: The South Carolina Campaign of 1780-1782* (Columbia: University of South Carolina Press, 1972), 12-13.

³⁹ Morrill, 36.

more across the Saluda River at Hayes's Station.⁴⁰ David Fanning was an example of the most typical loyalist leader. An Indian trader from the Carolina backcountry, he was a member of the loyalist militia in 1775, paroled and assisted the patriot militia, rejoined the loyalists after the fall of Charleston, was active both in North and South Carolina, and fought against Francis Marion in the South Carolina Piedmont.⁴¹

The loyalist partisans and the British were not alone with regards to committing atrocities. The patriots were also capable of their share of violence, especially in the backcountry. Retribution, retaliation, and the lack of civil government resulted in the complete breakdown of society, causing one of General Green's aides to note of the patriot militia, "the people, by copying the manners of the British, have become perfect savages."⁴² Colonel Fanning's narrative is filled with accounts of violations attributed to the Patriots. Brigadier General Charles O'Hara, second in command to General Cornwallis, noted "the violence and passions of these people are beyond every curb of religion and Humanity, they are unbounded & every hour exhibits dreadful wanton mischiefs, murders, & violences of every kind unheard of before."⁴³

Possibly the most well known patriot "atrocities" occurred during the King's Mountain Battle and the subject of the included case study. Major Patrick Ferguson of the British Army was an exceptional leader who had the ability to build confidence in his men. He was deemed such a capable leader that he was made Inspector of the King's Militia, responsible for their recruitment and training. Operating in the backcountry hills

⁴⁰ Robert M. Weir, "'The Violent Spirit,' the Reestablishment of Order, and the Continuity of Leadership in Post-Revolutionary South Carolina," in *An Uncivil War: The Southern Backcountry during the American Revolution*, Ronald Hoffman, Thad W. Tate and Peter J. Albert, eds. (Charlottesville: University Press of Virginia, 1985), 72.

⁴¹ Fanning, 22-48; Rankin, *The Swamp Fox*, 280-283.

⁴² Edgar, *Partisans and Redcoats*, 124; Lee, "Restraint and Retaliation," 180-182.

⁴³ O'Hara quoted in Edgar, *Partisans and Redcoats*, 135

near what is now Tennessee during 1780, Ferguson's command was attempting to pacify the region by controlling the movements of a group of partisans called the "Over-Mountain" boys through the Carolina backcountry. On September 30, 1780, Ferguson learned from two deserters that the Over-Mountain men were stalking him. He and his forces retreated to King's Mountain and decided to make a stand there.⁴⁴

The subsequent battle was a resounding defeat for the British, but more importantly, it was a battle fought solely between Americans. Ferguson was the only British soldier present. The destruction of Ferguson and his command was considered by many to be the turning point in the American Revolution in the South. It also sounded the death knell for the loyalist militia system in the Carolinas.⁴⁵ Once Cornwallis left South Carolina in pursuit of General Greene's army, the Revolution in South Carolina became a fight between partisan groups for control of the line of communications of the British Army.

Partisan forces were soon to be integrated into the rebel battle plan. Instead of ignoring the partisans as General Gates had previously done, General Greene made them an important part of his strategy. He made the country "a hornet's nest" for Cornwallis and eventually returned to retake all the remaining British outposts with partisan assistance.⁴⁶ The departure of Cornwallis's forces from the Carolinas gave the

⁴⁴ Gordon, 113-116, Morrill, 108-109. The King's Mountain battle is analyzed more thoroughly in the case study.

⁴⁵ Earl Cornwallis to Sir Henry Clinton, Camp a Wynnesborough, December 3, 1780, in Sir Henry Clinton, *Observations on Some Parts of the Answer of Earl Cornwallis to Sir Henry Clinton's Narrative* (London: J. Debrett, 1783, reprint New York: Research Reprints Inc., 1970), 46; Morrill, 111; Clyde R. Ferguson, "Carolina and Georgia Patriot and Loyalist Militia in Action," in *The Southern Experience in the American Revolution*, Jeffrey J. Crow and Larry E. Tise, eds. (Chapel Hill: University of North Carolina Press, 1978), 186.

⁴⁶ Russell F. Weigley, "American Strategy: A Call for a Critical Strategic History," in *Reconsiderations on the Revolutionary War: Selected Essays*, Don Higginbotham, ed. (Westport, Connecticut: Greenwood Press, 1978), 39.

Americans the initiative in South Carolina. The remaining regular British forces in South Carolina, now under Colonel Francis Lord Rawdon, were severely under strength and could give no serious offensive battle. The resulting campaign to retake South Carolina became one of reducing Tory strongholds one by one, until only Charleston remained.⁴⁷ This fighting saw the partisan units under Marion, Pickens, and Sumter revive their earlier roles as South Carolina militia in support of General Greene's Regular Army. They would never again assume the roles of partisans.

By the end of 1781, the war had taken its toll on the state. One minister who fled the region noted on his return late in 1781 that

All was desolation... Every field, every plantation, showed marks of ruin and devastation. Not a person was to be met with in the roads. All was Gloomy. ... Every person keeps close to his own plantation. Robberies and murders are often committed on the public roads. The people that remain have been peeled, pillaged, and plundered. Poverty, want, and hardship appear in almost every countenance. A dark melancholy gloom appears everywhere, and the morals (sic) of the people are almost entirely extirpated.⁴⁸

In order to relieve the suffering, Governor John Rutledge and General Greene were anxious to reestablish civil government in South Carolina. To that end, general elections were held and the General Assembly reconvened on January 17, 1782 in Jacksonboro, just 30 miles from Charleston.⁴⁹ Their first actions were to pass a series of acts to confiscate the estates and property of the most conspicuous loyalists and to offer pardons to most other Loyalists. These were intended to influence the remaining South Carolina loyalists to abandon the British cause, to raise money from confiscated property to continue the war, and to provide an outlet for Whig bitterness so as to avoid continued

⁴⁷ Christopher Hibbert, *Redcoats and Rebels: The American Revolution Through British Eyes* (New York: W. W. Norton & Company, 2002), 298-313; Morrill, 159-169; Pancake, 204-221.

⁴⁸ Unknown minister quoted in Weir, *Colonial South Carolina*, 336.

⁴⁹ Pancake, 238.

private vendettas.⁵⁰ Additionally, Governor Rutledge had as early as September, 1781 decreed that any person found “ who shall take, destroy, or waste any provisions, and such men who may be found spoiling the property of any persons, must be taken up and prosecuted as felons.”⁵¹ It would not be until the British evacuated Charleston in 1782 that peace would finally be restored in South Carolina.

The intent of British strategy for regaining the South was to first occupy South Carolina and re-establish Royal governance. Once pacified, the maintenance of order would be left to the Loyalist Americans, while the British troops would move to re-occupy North Carolina. Once that was accomplished, Virginia would be brought back into the fold. Basically, Cornwallis and Clinton planned to Americanize the war by using the Tories to maintain order after colonies were “returned” to their proper allegiance.

There were several problems inherent in this plan. First, the degree of pacification accomplished was hard to determine and Cornwallis was consistently wrong in his estimation of the level of effort required. Second, he became convinced that the key to pacification was the elimination of the sanctuaries across the border, first in North Carolina and then in Virginia. His trek through the southern states resulted in tactical victories in all cases (except the Cowpens) but in overall strategic defeat in the South and ultimately in the defeat of the British cause at Yorktown.⁵² And lastly, the British strategy was confusing concerning how British forces were supposed to operate on the public

⁵⁰ Weir, *Colonial South Carolina*, 336-7.

⁵¹ Governor John Rutledge letter to Gen. Marion, Ackermans, September 2, 1781. quoted in Gibbes, *Documents of the American Revolution*, Vol. 3, 131.

⁵² Mackesy, 404-406.

attitude; whether to spread fear and demoralization or to spread a sense of safety and self-reliance. This resulted in a vacillation between the two.⁵³

⁵³ Shy, *A People Numerous*, 201.

CHAPTER V

KING'S MOUNTAIN: CASE STUDY IN MILITIA WARFARE.

There were numerous instances of excessive violence alleged on both sides during the Southern Campaign. The nature of partisan warfare, the frustration of regular British officers in being unable to decisively defeat the enemy, and the lack of control over troops in combat (particularly militia) were all factors in the violation of accepted rules of war. This was especially true when Americans fought Americans, such as the battle of King's Mountain. This battle offers a view of the level of savagery associated with militia combat, the dissimilar tactics used, and some mitigating factors to the character of fighting during the militia wars in the Southern colonies during America's War for Independence.

On the 7th of October 1780 at about 4:15 pm, Capt. Abraham DePeyster of the Loyal American Volunteers (and the senior Loyalist officer still alive on the battlefield) surrendered his forces to Colonel William Campbell, commander of the patriot militia at King's Mountain.¹ In so doing, Campbell had won the first victory for the patriots in the Southern Campaign of 1780-82. The battle was fought on the fringe of the colonies, in the back country on the border of the Carolinas. It was distinctive from other battles of the Revolution in that all the participants save one were American. Both sides in the confrontation were mainly militia. The battle at King's Mountain therefore provides a comparison of the organization and employment of militia forces on both sides.

¹ J. David Dameron, *King's Mountain: The Defeat of the Loyalists, October 7, 1780* (Cambridge, MA: Da Capo Press, 2003), 73-74.

The road to King's Mountain began at General Cornwallis's Headquarters at Camden, South Carolina in 1780. The presence of 4,000 British troops reassured the South Carolina Loyalists of British strength and swelled the ranks of the Loyalist militia.² Here, Major Patrick Ferguson of the British Seventy-first of Foot began his career as Inspector of Militia by assuring the local communities that the British had come "not to make war on women and children, but to relieve their distresses."³ By 1780, Major Patrick Ferguson had already established himself as a capable military professional.

Entering service at fifteen as a coronet, Ferguson served in the Royal North British Dragoons during the Seven Years' War. Already at the age of sixteen, he was recognized for "prodigies of valor."⁴ After the Seven Years War, Ferguson spent six years stationed in England, where he became a champion for the organization and inclusion of local militias into the professional army. He was then stationed in the West Indies and briefly in Nova Scotia before returning to England in 1773 to study ordnance. He developed a new breech loaded rifle while in England, but the weapon (called the Ferguson Rifle) was too advanced and complicated to be accepted by the British Army. His involvement with rifles and rifle tactics landed him a promotion as head of a special 100 man rifle unit, equipped with Ferguson rifles. His unit was deployed under the command of General Howe and took part in the Battle of Brandywine. His unit was recognized for "gallant and spirited behavior," but Ferguson had his right arm shattered

² Lyman C. Draper, LL. D., *King's Mountain and Its Heroes: History of the Battle of King's Mountain, October 7, 1780* (Cincinnati: Peter G. Thompson, Publisher, 1881), 72.

³ Draper, 72; Dameron, 12-13. Major Patrick Ferguson was appointed Inspector of Militia by General Clinton on 22 May 1780.

⁴ Dameron, 14.

by rebel fire and would permanently lose its use. He subsequently trained himself to shoot and handle a sword with his left arm.⁵

This was the man who would lead the Tory militia as part of General Cornwallis's invasion of North Carolina. The plan had General Cornwallis proceeding with his main forces through the South Carolina Piedmont from Camden northeast across the North Carolina border with Charlotte as their goal. Major Ferguson would take the provincials and militia forces and act as Cornwallis's left wing, securing the mountain passes in the west and protecting the main force.⁶ His secondary mission was to move into Tryon County, North Carolina, where his militia would act as a catalyst to rally the Tories to the King's service. By 7 September, Ferguson and his troops had crossed the border into North Carolina and had reached Gilbert Town, where Ferguson established his base.⁷

While Ferguson's force was on the march to Gilbert Town, several rebel groups were in Gilbert Town, planning their courses of action. These groups included men from the western side of the Blue Ridge Mountains, the "Overmountain" men under the leadership of Isaac Shelby and John Sevier, as well as rebel militia from North Carolina and Virginia.⁸ They agreed that it was more prudent to disperse in order to take care of families and to build their strength so as to return to battle Ferguson's units. Ferguson entered Gilbert Town unopposed. He was greeted by local Loyalists who flocked to the Royal colors. The increase in his militia brought with it an overconfidence which caused

⁵ Dameron, 15-16.

⁶ Dameron, 22. John Buchanan, *The Road to Guilford Courthouse: The American Revolution in the Carolinas* (New York: John Wiley & Sons, 1997), 204.

⁷ Buchanan, 204.

⁸ Both Isaac Shelby and John Sevier were militia officers who had learned tactics fighting Indians on the frontier. Buchanan, 208-210.

Ferguson to commit one of many blunders during the campaign. He decided to issue a warning to the Overmountain people that if they “did not desist from their opposition to the British arms, he would march over the mountains, hang their leaders, and lay their country to waste with fire and sword.”⁹ This warning was given to Samuel Phillips, a rebel prisoner and Overmountain man (and also a cousin of Isaac Shelby) to present to the rebels on the other side of the Blue Ridge Mountains. Shelby received the letter and mustered all the rebel forces available in order to stop Ferguson. These groups joined forces and proceeded on 26 September 1780 to engage their enemy. Being primarily Presbyterian, with the leaders of the expedition being Presbyterian Elders, they held services where a Reverend Samuel Doak sent them on their way with the rousing cry of “The Sword of the Lord and of Guideon.”¹⁰

Major Ferguson meanwhile had received word that rebel forces were on the move west of the mountains. He also received word that Elizah Clarke, a rebel leader from Georgia of some renown, was headed towards the area. Determined to catch Clarke, Ferguson departed Gilbert Town on 27 September, heading south.¹¹ By 30 September, word from two rebel deserters from Sevier’s force reached Ferguson of the approach of the Over Mountain Men and their intent. Ferguson sent word to Cornwallis about the situation and asked for any reinforcements that may be available. On Sunday, 1 October Ferguson’s force started marching east towards Cornwallis. Here, on the Broad River at Denard’s Ford, Ferguson issued a call to all loyal men of the region:

Gentlemen,
Unless you wish to be eat up by an inundation of Barbarians, who have begun
by murdering the unarmed son before the ages father, and afterwards lopp’d

⁹ Buchanan, 208; Draper, 169.

¹⁰ Buchanan, 213.

¹¹ Buchanan, 218.

off his arms, and who by their mocking cruelty and irregularities, give the best proof of their cowardice; and want of discipline; I say, if you wish to be pinioned, robbed and murdered, and to see your wives and daughters, in four days, abused by the dregs of mankind --- in short, if you wish or desire to live, and bear the name of men, grasp your arms in a moment, and run to camp; the Backwater men have crossed the mountain; McDowel, Hampton, Shelby, and Cleveland, are at their heads; so that you know what you have to depend upon. If you choose to be p----d upon for ever and for ever, by a set of Mongrels, say so at once, and let your women turn their backs upon you, and look for real men to protect them.

(Signed)

Pat. Ferguson, Major 71st regt.¹²

His appeal was less successful than he had hoped. The tone does not appear to instill a sense of hope and confidence as much as it instilled fear. Ferguson's turn to the east temporarily confused the rebels on his trail, who continued south. This gave Ferguson sufficient time to close Cornwallis's position at Charlotte Town.

Inexplicably, Ferguson decided on the evening of 5 October to make a stand at King's Mountain instead of continuing to Charlotte Town and safety. His message to Cornwallis of that day implied that he would continue to "march towards you (Cornwallis) by a road leading from Cherokee Ford, north of King's Mountain."¹³ It is uncertain whether Ferguson decided to make a stand in what he considered a defensible position, whether he was assuming some support from Cornwallis and needed to forestall the rebels until help arrived, or whether he assumed that more militia under William Cunningham were on their way from the south.¹⁴ What was known was that Ferguson believed King's Mountain gave him a height advantage and could accommodate all his forces.¹⁵

¹² *The Norwich Packet and the Weekly Advertiser*, Tuesday, December 12, 1780.

¹³ Patrick Ferguson to General Lord Cornwallis, 6 October 1780, quoted in Buchanan, 224.

¹⁴ Dameron, 41.

¹⁵ Buchanan, 229.

The rebel forces had by this time closed on King's Mountain, having received intelligence from the local population.¹⁶ They held a war council to determine seniority and also devise a plan of attack. It was decided that Colonel William Campbell from Virginia would be in overall command since his was the largest contingency. The rebels determined to surround the loyalists and compress the circle with rifle fire until the force was destroyed. Figure 1 illustrates their approach plan.

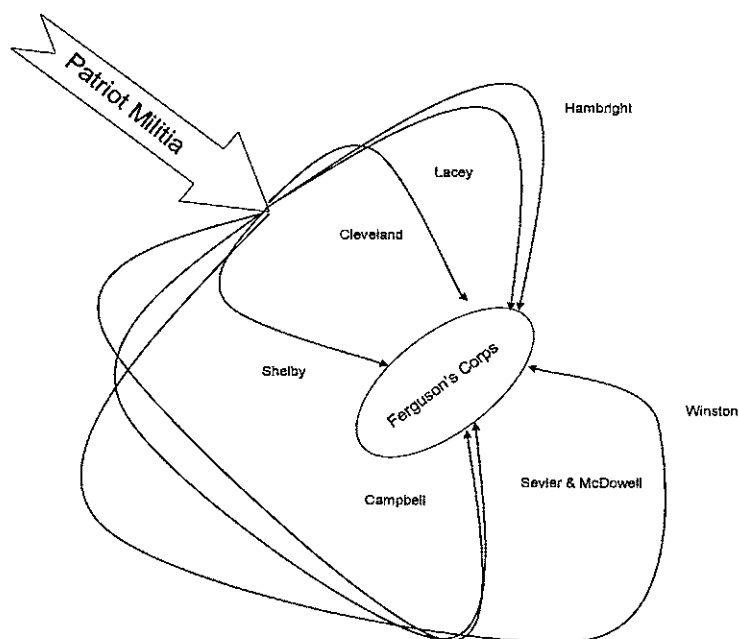


Figure 1. Rebel Approaches

¹⁶ Dameron, 43-44. In fact, a 14 year old boy, John Ponder, had been acting as Major Ferguson's messenger when he was captured. He gave a description of what Ferguson was wearing, which prompted the militia commander to note to his men to "mark him with your rifles."

An analysis of forces shows that Ferguson's troops were about evenly divided between Carolina militiamen and Loyal American Volunteers, which were considered regulars. The Rebel forces were also evenly divided between Overmountain men and Southern Militia units. The analysis also shows that the forces were closely matched in numbers and were all Americans, save Major Ferguson. However, the patriot and loyalist militias had been trained and armed differently. The patriot militia had assembled with their personal weapons and without much formal training except that received on the frontier, hunting and fighting Cherokees. They were primarily armed with rifles, tomahawks and skinning knives.¹⁷

The patriot tactics resembled the Indian fighting with which they were accustomed. They operated in small pockets of men, using cover and movement with fire support, much like modern small unit tactics.¹⁸ The loyalist units had been trained using the British method of volley fire and the bayonet charge, tactics more suited for open field fighting, as opposed to the forest fight of King's Mountain.¹⁹ The loyalists were primarily equipped with the standard smooth bore musket, the Brown Bess, which was able to mount a socket bayonet but was not very accurate. Those with rifles were told to trim their knife handles in order to fit them into the end of the rifle in place of a bayonet. It is ironic that Major Ferguson, a proponent of the use of rifles in combat, would form his tactical plan around the musket and the bayonet. It would prove his undoing.

¹⁷ Dameron, 39, 47-48, 51.

¹⁸ Dameron, 60-61.

¹⁹ Dameron, 52-53.

THE BATTLE

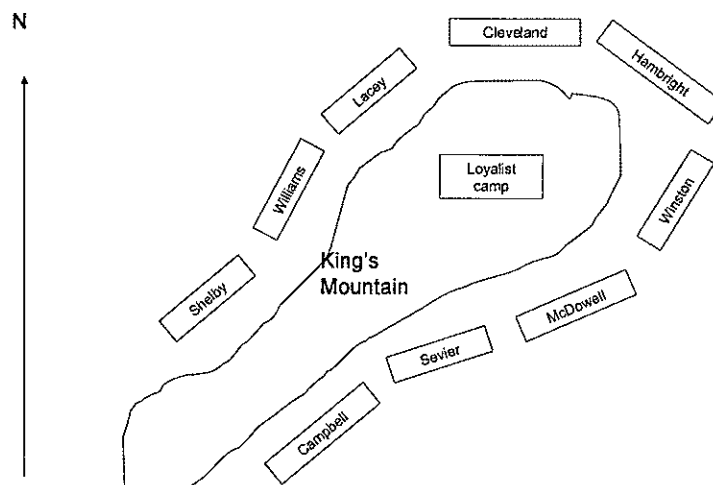


Figure 2. Diagram of the King's Mountain Battlefield²⁰

At about 2:00 p.m. on 7 October, 1780²¹, the rebel forces under Col. William Campbell attacked Major Ferguson's position on King's Mountain. The rebel militia forces had reached their starting points. Figure 2 shows the troop positions at the start of the battle. There are numerous personal accounts of the battle written from both sides. In broad overview, the rebel forces pressed the loyalists, pushing them into a gradually smaller circle. Using rifle fire effectively from behind cover, the rebel forces worked

²⁰ Data from Illustration by the National Park Services (1940); available from http://www.nps.gov/history/history/online_books/regional_review/vol3-6g3.jpg; Internet; accessed at <http://www.irshelby.com/sc-links> 24 November 2008.

²¹ There is some discrepancy as to the actual time, in that Dameron lists the time firing commenced at 2:55 pm. William Campbell's account has the time as 2pm. Anthony Allaire, *Diary of Anthony Allaire, Eyewitness Accounts of the American Revolution* (New York: Arno Press, 1968), 31; Dameron, 55. Col. William Campbell letter October 20, 1780 in Gibbes, 140-141.

their way up to the summit. On three separate occasions, Major Ferguson called his units to charge the rebel lines with bayonets. Moving downhill, the loyalist forces were able to dislodge the rebels on each occasion and force them to retreat.

However, unlike previous engagements with militia units, the rebel forces were not routed but remained on the battlefield and returned to their positions when the loyalists returned to their own lines. The rebel forces continued to advance in small groups, operating with the sole purpose of reaching the summit.²² Once this was achieved, the rebel rifles had a clear field of fire of the loyalist position. It was only a matter of time before the loyalist militia panicked. Several loyalist militia units began raising white flags, asking for quarter. Major Ferguson rode up to these units and knocked the flags down with his sword. Seeing that the loyalist militiamen were in danger of breaking, Ferguson mustered some mounted officers and charged the rebel units, possibly in an attempt to either restore loyalist morale or to break out of the encirclement and retreat.²³ Major Ferguson had already been identified by the Overmountain men and his approach to the rebel line was met with a fusillade of gun fire. He was hit with at least seven rounds and fell from his horse. Unfortunately, his boot remained lodged in the stirrup and the horse dragged him across the battlefield until some loyalist soldiers reigned in the horse and disentangled his body.²⁴ With Ferguson dead, the loyalist militia soon began to disintegrate. Captain Abraham DePeyster, the most senior loyalist officer not incapacitated, saw that the loyalist militia was almost out of ammunition and that further resistance would only lead to unnecessary casualties and

²² Dameron, 54-70. David Dameron gives an excellent, detailed account of the battle, supplemented with diagrams of the progress of the battle.

²³ Buchanan, 232.

²⁴ Dameron, 69-70.

raised the white flag in surrender. It was at this point that the militia propensity for retribution and retaliation became evident.

Accounts vary on the resulting actions. Col. William Campbell's account said that "as soon as the troops could be noticed of it (the surrender flag) the firing ceased, and the survivors surrendered themselves."²⁵ Col. Isaac Shelby noted that since some of the rebel troops were scattered throughout the battlefield, they continued to fire not knowing of the surrender. He also noted that some who had heard of Buford's defeat at Waxhaws and the British refusal to grant quarter were inclined to follow that example.²⁶ It required Col. Campbell's direct intervention to end the slaughter. Captain DePeyster, upon surrendering to Col. Campbell, chastised him for the lack of discipline.²⁷

The toll had been high. The loyalists had suffered 245 dead and 163 wounded, while the rebel forces had just 29 dead and 58 wounded.²⁸ The loyalists wounded and dead were left on the battlefield overnight. Even some of the rebel forces found the plight of these unfortunate soldiers. A young rebel private, James Collins, felt that the "situation of the poor Tories appeared to be really pitiable."²⁹ The families of those loyalists killed in the battle came the next day. "Their husbands, fathers, and brothers, lay dead in heaps." The rebels buried those killed, but "it was badly done." The bodies were stacked in piles and then covered with logs, rocks, and bark. Many wild animals in the area were able to access the bodies, making it dangerous to roam the area at night.³⁰

²⁵ Col. William Campbell, Wilkes County, Camp on Briar Creek, to unknown, 20 October, 1780, in Gibbs, 140-141.

²⁶ Col. Isaac Shelby quoted in Scheer & Rankin, 419.

²⁷ Dameron, 74.

²⁸ Dameron, 76.

²⁹ James Collins Account in Robert M. Dunkerly, *The Battle of King's Mountain: Eyewitness Accounts* (Charleston: The History Press, 2007), 34.

³⁰ Dunkerly, 34-35. All quotes in the paragraph are from Collins, who was obviously disturbed at the handling of the dead.

Hearing a rumor that Col. Banatre Tarleton was enroute to the battlefield with the British Legion, Col Campbell had the rebel forces move out towards Virginia, where he hoped to turn over the prisoners. Along the march, the prisoners were harassed and slashed by rebel guards. Some thirty six were court-martialed and nine were hanged.³¹ The treatment of the prisoners became so bad that Col Campbell had to issue a General order on 11 October requesting that “the officers of all ranks in the army ... endeavor to restrain the disorderly manner of slaughtering and disturbing the prisoners.”³² The loyalist all had similar tales of woe. A loyalist officer wrote that he was too sad to relate all that happened to him and his fellow prisoners. He noted that his captors’ behavior was so bad “you would hardly believe it possible that any of the human species could be possessed of so much barbarity.”³³ Of the seven hundred loyalists captured, almost six hundred eventually escaped to fight again, remembering what they had experienced.³⁴

Possibly the saddest aspect of the battle and the cycle of retribution and retaliation was the effect on the families involved. There are numerous accounts and recollections of brother killing brother on the battlefield. These divisions in families were sources of bitterness and animosity. There were at least seventy four sets of brothers and twenty nine sets of fathers and sons committed to the battle. The Logan family from Lincoln County, North Carolina is an excellent example. There were four brothers: William and Joseph on the rebel side, John and Thomas on the loyalist side. Thomas had his thigh broken and John was taken prisoner. William and Joseph survived the battle.³⁵ The

³¹ Extract of a letter from an officer, Charleston, January 30th, 1781 in *Royal Gazette* (New York), February 24, 1781.

³² Buchanan, 237.

³³ Extract of a letter from an officer taken prisoner at King’s Mountain, Charleston, March 4th, 1781 in *Royal Gazette* (New York), March 21, 1781.

³⁴ Dunkerly, 133.

³⁵ Draper, 314-315.

Goforth family is another example. Five brothers fought at the battle. One patriot brother survived. Three loyalist and one patriot brother died. Four members of the Brandon family were patriots. Two kinsmen were loyalists, one of which died at King's Mountain.³⁶ A final example of the emotions involved in the "family" battle is patriot Thomas Young's account. "I had two cousins in this battle on the Tory side. ... Matthew, saw me, ran & threw his arms around me. I told him to get a gun and fight; he said he could not. I told him to let me go that I might fight."³⁷ This familial conflict typifies the nature of the militia partisan war and its resultant violence in South Carolina.

The Battle and subsequent brutality to the defeated at King's Mountain was a culmination of militia tactical development. Beyond the personal nature of this "southern style" of warfare, it reflects the lessons learned by the militia throughout its existence. Early Indian fighting, the quelling of slave rebellions, internal political conflicts unresolved from the Regulator period, and retaliation for previous treacheries and threats led to the harsh and unforgiving outcome.

Comparing King's Mountain with another action in the middle colonies brings to light the difference in controlling militia violence. Stony Point was a key position on the Hudson, overlooking King's Ferry, a critical communications link for the Hudson Valley. The British had taken the position on 1 June 1779 and Washington wanted it back. He ordered General Anthony Wayne to take the position in a night assault with the Light Infantry Brigade. The assault would be with bayonets and swords, which in past wars had resulted in indiscriminant killing. However, on this occasion the Americans took the

³⁶ Dameron, 76-77.

³⁷ Major Thomas Young's Narrative in Dunkerly, 95.

position killing only 63 and wounding 70 others while capturing 543 British soldiers.³⁸

British General James Pattison noted “it must in justice be allow’d to [General Wayne’s] credit, as well as to all acting under his orders, that no instance of Inhumanity was shown to the unhappy captives.”³⁹ The remarkable restraint was shown even though General Wayne was wounded in the assault and may not have been in a position to supervise the surrender of the British troops.

³⁸ Armstrong Starkey, “Paoli to Stony Point: Military Ethics and Weaponry during the American Revolution,” *The Journal of Military History* 58, no.1 (Jan., 1994): 20-22. Of note, this action took place after similar assaults by the British in 1777 and 1778 where Americans were given no quarter.

³⁹ Starkey, 23.

CHAPTER VI

CONCLUSIONS

The use of militia as partisans in South Carolina by both sides during the Revolution was based on previous colonial experiences, particularly within the militia. Militias were in place in order to maintain internal security. They were also political tools used by the Commons House, and occasionally the Royal Governor, to further political ends. These activities formed patterns of loyalty and, more importantly, patterns of the acceptable use of coercive violence throughout the colony which would carry on into the Revolution.

A primary factor to the use of militia as partisans by both sides was that militia organizations had, by the Revolution, become political tools. In the period leading up to the revolution, political action groups such as the Sons of Liberty and the Regulators were comprised of men subject to militia call-up and therefore familiar with the organization and discipline associated thereto.¹ These movements helped establish a pool of trained officers and men who were available for use in political undertakings. The calling up of men to fight with the partisan forces was an easy transition from the normal call for militia muster. While a great many Sons of Liberty eventually became Patriots, some remained loyal to the King, which established a pool of resources for the Loyalist militia.

The re-ignition of the war in the South in 1780 brought with it a continued struggle to maintain traditional restraints on violence, but also brought a process of

¹ The militia involvement in the Regulator conflict and the militia's employment maintaining the security of the frontier has been discussed in previous chapters.

rewriting the rules of warfare to effectively legitimize a greater degree of violence.² The surrender of Charleston and the defeat of the Patriot Regulars at Camden meant that the only patriot forces remaining in South Carolina in 1780 were militias. General Clinton's initial proclamation of parole and restraint against the patriots caused many to return to a neutral civilian life. However, subsequent calls for "justice" (i.e. retribution) by the South Carolina loyalists caused Clinton to revoke his original proclamation, leading to the mobilization of many Patriot leaders such as Thomas Sumter and Andrew Pickens as partisan leaders.

What distinguished the Southern Campaign from the rest of the Revolutionary War was the unrestricted use of militia as partisan forces. South Carolina Governor John Rutledge's instruction to the militia as he evacuated Charleston for North Carolina was to conduct a partisan campaign against the British forces and their supporters in South Carolina.³ His instructions effectively removed the restraints on the use of violence against civilians by legalizing militia actions. The resulting guerrilla war brought with it the cycle of retaliation and retribution which would engulf the Carolinas.

The lack of regular Continental troops further exacerbated the lack of restraint in the partisan militias. Within a military organization there are two sets of outside factors which effect personal behavior; the formal threat of punishment by a military hierarchy and the informal threat of communal disapproval by peers. South Carolina had little control over its patriot militia and regular troops acted as restraints only when they were nearby or acting in concert with the militia. Plunder was expected by many soldiers,

² Lee, "Restraint and Retaliation," 172.

³ Edgar, *Partisans and Redcoats*, 67. Gordon, 104-107. Governor Rutledge sanctioned the partisan leaders by giving each one a militia commission.

especially volunteers, as a substitute for pay or in retaliation for having their possessions plundered.⁴

In individual cases, some British officers attempted to restrain their forces from atrocities, but these were by in large ineffectual.⁵ General Cornwallis did little to curb his men's violence but occasionally discipline Loyalists. Lt Col Tarleton exemplifies the extreme British position, noting that "nothing will serve these people but fire and sword."⁶ Continental officers, on the other hand, not only sought to hold down militia atrocities in daily military actions, they would also have a strong hand in persuading the patriot inhabitants to forego retribution and accept the loyalists back into the American fold as the war ended.⁷ General Francis Marion, who held a commission in the Continental Army, took great pains to ensure humane treatment for captured enemies and for restraint in plunder and looting. General Sumter, who had previously resigned his Continental Commission, in contrast used plundered loyalist property (in the form of slaves) to pay his militiamen.

The Battle of King's Mountain epitomizes the vicious nature of the Militia War and the difficulty in controlling militia violence. Men who believed themselves to be in a righteous cause showed little compassion for their opponents, even though these same opponents were family, friends, and neighbors. The desire for "justice" witnessed by the courts-martial of prisoners of war and their subsequent hangings demonstrated the proclivity for retribution and retaliation found with the militiamen of both sides. Having

⁴ Lee, "Restraint and Retaliation," 175, 178.

⁵ There is an account of a Tory Officer, John Adamson, who rescued a Patriot wife named Martha Bratton from being killed by his men. Edgar, *Partisans and Redcoats*, 84-85.

⁶ Edgar, *Partisans and Redcoats*, 135.

⁷ Higginbotham, "American Militia," 101.

militia officers who were also appointed judges of their respective states further clouded the separation between military and civilian law enforcement.

To be successful in partisan warfare, the combatants needed the support of the countryside. At the outset of trouble in South Carolina, the loyalist and patriot militias fought less with each other in pitched battles than for the support and the control of the civilian population.⁸ Throughout the Revolution in the South, the patriots appeared to be much better organized and armed than their loyalist counterparts. From the beginning, the patriots were more successful in winning the hearts and minds because they were the active party and the loyalists the passive one. The patriots did not hesitate to employ force for political purposes and, with the majority of the local elite and members of the Commons House being patriots, were able to control the colonial government from the outset.⁹ This enabled the patriots to neutralize known Loyalist militia leaders early in the Revolution by enacting a loyalty oath law which forced those specifically identified Loyalist leaders to swear loyalty to the state of South Carolina or be exiled. This resulted in a lack of qualified leadership in the Loyalist militia which would plague the British and the Loyalists throughout the Revolution.¹⁰

Additional acts of violence against those refusing to take the oath planted the seed of retribution in the minds of the victims, which came into play in 1780. The rebel leaders employed two major means of coercion. They continued physical punishment and added imprisonment. Committees of Safety appear to have agreed from the beginning that coercion by force, where necessary, was imperative for their success. The application of force by the Rebels against their enemies was effective. Throughout the

⁸ Shy, *A People Numerous*, 219.

⁹ Weller, 136.

¹⁰ Edgar, *Partisans and Redcoats*, 60, 127.

war, loyalist forces which had just barely assembled were attacked, bloodily defeated and dispersed.¹¹

Both sides had an agreed upon strategy for militia use; that of maintaining order once an area was “secured.” On the patriot side, General Washington saw militia as “more than competent” for the purpose of internal security. In his view, the regulars and militia had separate but supportive roles to play.¹² General George Washington understood from the beginning of the Revolution that America would defeat the British Empire if he could keep his army in tact. His strategy was to harass the enemy at every opportunity but not to engage the British unless he had an advantage. When the army suffered defeat, Washington disengaged and retreated in order to fight another day. He also understood the value of keeping his army concentrated and not dispersing his regular troops to every state that asked for assistance.

Washington believed that the primary responsibility of the militia was the defense of the states from internal and external dangers.¹³ He did not think that the militia was capable of standing up to the British Army. They were only useful as light troops “to be scattered in the woods and plague rather than do serious injury to the Enemy.”¹⁴ While forced on several occasions to make use of the militia in support of his army, he preferred not to have them as full time replacements for the army, deploring their lack of discipline

¹¹ Weller, 131.

¹² Higginbotham, “American Militia,” 91.

¹³ Kwasny, 15.

¹⁴ George Washington, HQ New Bridge NJ, to Samuel Huntington, 15 September 1780, in *This Glorious Struggle: George Washington's Revolutionary War Letters*, ed. Edward G Lengel (New York: HarperCollins Publishers, 2007), 208.

and lack of social distinction between officers and men.¹⁵ This attitude had not changed appreciably throughout the war.

The differences between the two fronts (the Northern and the Southern colonies) with respect to the use of militia were minimal. Both used militia in support of regular troops and as scouts to watch and occasionally harass British and Loyalist units on the march. The main difference was that the southern patriot army was defeated and captured at Charleston and a regenerated army was again defeated at Camden in 1780. This left the militia as the only fighting force in South Carolina for almost a year. The presence of regular troops generally had a stabilizing effect on the militia in the middle states. With no troops in South Carolina save militia, reprisal and retaliation took the place of restraint. The other difference was the method of employing physical punishment and imprisonment. While the northern colonies had their share of arrests for suspected loyalists, General Washington was reluctant to use the authority for courts martial given him by the Continental Congress.¹⁶ The southern patriot leaders, on the other hand, evolved from tarring and beating to mutilation and execution. With the possible exception of Francis Marion, every patriot leader occasionally ordered or allowed cruel and vicious treatment of the enemy.¹⁷ The reasons were as numerous and varied as the population.

¹⁵ George Washington letter to President of Congress, Colonel Morris's, on the Heights of Harlem, September 24, 1776, in John C. Fitzpatrick, ed., *The Writings of George Washington from the Original Manuscript Sources*, 37 vols. (Washington: United States Government Printing Office, 1932), 6:111; Paul David Nelson, "Citizen Soldiers or Regulars: The Views of American Generals on the Military Establishment, 1775-1781," *Military Affairs* 43, no.3 (Oct., 1979): 127.

¹⁶ John Hancock to George Washington, Yorktown, 9 October 1777, in *Correspondence of the American Revolution; Being Letters of Eminent Men to George Washington, from the Time of His Taking Command of the Army to the end of His Presidency*, vol. 2, Jared Sparks ed., (Boston: Little, Brown and Company, 1853), 2. The letter allows Washington to execute anyone caught trying to trade with or give support to the British in the middle three colonies.

¹⁷ Weller, 130.

Probably the most compelling reason for the level of violence in South Carolina was that the militia officers, like the generals in the middle colonies, found the militia uncontrollable, especially when operating without the regular troops.¹⁸ For example, General Sumter found the British commander, Major James Wemyss, wounded on the field after the battle at Fishdam Ford, South Carolina in November 1780. In the pocket of the British officer, he found a list with the names of all the men Wemyss had hanged. Sumter burned the list and never mentioned it for fear that his men would hang Major Wemyss.¹⁹ The officer in command at King's Mountain, Colonel Campbell, had to directly intervene to end the slaughter of surrendered troops and then presided over a trial, subsequently hanging nine loyalists.

On the British side, General Clinton envisioned that the loyalist militia would maintain order once an area had been pacified. With the militia handling domestic security and maintaining the peace, British regulars would be free to pursue operations in the field against the rebel armies.²⁰ British General Cornwallis determined that he needed to remove the rebel bases in North Carolina in order to pacify South Carolina, then to attack the rebels in Virginia in order to pacify North Carolina. He underestimated the ability of the loyalist militia to control areas and overestimated the success he had in each colony before advancing to the next. General Greene, on the other hand, made the patriot partisans an important part of his strategy. He used regular forces as nuclei for rallying the militia, and successfully made the country a "hornet's nest" for the British.²¹ The

¹⁸ Nelson, 131.

¹⁹ Pancake, 126.

²⁰ Jim Piecuch, "Incompatible Allies: Loyalists, Slaves, and Indians in Revolutionary South Carolina," in *War and Society*, 200.

²¹ Russell F. Weigley, "American Strategy: A Call for a Critical Strategic History," in *Reconsiderations*, 39.

result was a long and unsecured line of communications with his supply base, and eventual isolation and surrender at Yorktown.

The most significant lesson learned from the Campaign in South Carolina deals with controlling the use of partisan violence. The rules of war acted as a restraint against excessive abuse of civilians in time of war. Making civilians, or at least their support, an objective of war opened the rules to reinterpretation. The removal of those restraints led to excesses on both sides and opened the conflict to the cycle of retribution and retaliation. Even George Washington, the most respected field commander, felt that militia violence, once invoked, was difficult to control.²² It required focused effort, sometimes using draconian methods, to put the Genie back in the bottle and reinstate the rules of war.

²² George Washington letter to Earl Cornwallis, Morristown, January 8, 1777 in Fitzpatrick, Vol.6, 480.

BIBLIOGRAPHY

PRIMARY SOURCES

Adams, Charles Francis. *The Works of John Adams, Second President of the United States: with a Life of the Author*. Boston: Little, Brown and Company, 1856.

Allaire, Anthony. *Diary of Anthony Allaire*. Eyewitness Accounts of the American Revolution Series. New York: Arno Press, 1968.

Clinton, Sir Henry. *Observations on Some Parts of the Answer of Earl Cornwallis to Sir Henry Clinton's Narrative*. London: J. Debrett, 1783, reprint New York: Research Reprints Inc., 1970.

Commager, Henry Steele and Richard B. Morris, eds. *The Spirit of 'Seventy Six: The Story of the American Revolution as told by Participants*. Bicentennial Ed. New York: Harper & Row, 1975.

Dunkerly, Robert M. *The Battle of King's Mountain: Eyewitness Accounts*. Charleston: The History Press, 2007.

Fanning, David. *The Narrative of Col. David Fanning*. Lindley S. Butler, ed. Charleston: Tradd Street Press, 1981.

Fitzpatrick, John C, ed. *The Writings of George Washington from the Original Manuscript Sources; 1745-1799*. 37 volumes. Washington: United States Government Printing Office, 1932.

Gibbes, Robert Wilson. *Documentary History of the American Revolution, Vol 2*. Reprinted Edition. New York: Arno Press Inc., 1971.

Hemphill, William Edwin, Wylma Anne Wates and R. Nicholas Olsberg, eds. *Journals of the General Assembly and House of Representatives; 1776-1780*. Columbia: University of South Carolina Press, 1970.

Lengel, Edward G. ed. *This Glorious Struggle: George Washington's Revolutionary War Letters*. New York: HarperCollins Publishers, 2007.

Martin, Joseph Plumb. *A Narrative of a Revolutionary Soldier: Some of the Adventures, Dangers, and Suffering of Joseph Plumb Martin*. Signet Classics edition. London: Penguin Group, 2001.

Royal Gazette (New York), February 24, 1781.

Royal Gazette (New York), March 21, 1781.

Rutledge, John. *A Proclamation*, March 2, 1780. [Microform] Early American Imprints. New York: Readex Microprint, 1985; no. 43896.

Scheer, George F. & Hugh F. Rankin, eds., *Rebels and Redcoats. The American Revolution Through the Eyes of Those Who Fought and Lived It*. Cleveland: World Publications, 1957.

South Carolina General Assembly. *An Act to prevent Sedition, and punish Insurgents and Disturbers of the Publick Peace*. [Microform] Passed April 11, 1776. Early American Imprints. New York: Readex Microprint, 1985; no. 43164.

Tarleton, LtCol. Banastre. *A history of the campaigns of 1780 and 1781 in the southern provinces of North America*. Reprint of 1787 ed. New York: New York Times, 1968.

The Norwich Packet and the Weekly Advertiser, Tuesday, December 12, 1780

The Pennsylvania Packet or General Advertiser, October 16, 1779.

Upton, Leslie F.S., ed. *Revolutionary Versus Loyalist: The First American Civil War: 1774-1784*. Toronto: Blaisdell Publishing Company, 1968.

Weston, Plowden C. J. ed. *Documents Connected with the History of South Carolina*, London, 1856. [Microfiche]. Library of American Civilization. Chicago: Library Resources, 1970; LAC 16056.

Woodmason, Charles. *The Carolina Backcountry on the Eve of Revolution: The Journal and Other Writings of Charles Woodmason, Anglican Itinerant*. Richard J. Hooker, ed. Chapel Hill: University of North Carolina Press.

SECONDARY SOURCES

Bass, Robert D. *Gamecock : The Life and Campaigns of General Thomas Sumter*. New York: Holt, Rinehart and Winston, 1961.

Brown, Alan S. "James Simpson's Report on the Carolina Loyalists, 1779-1780." *The Journal of Southern History* 21, no. 4 (November, 1955): 513-519.

Brown, Richard Maxwell. *The South Carolina Regulators*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1963.

Buchanan, John. *The Road to Guilford Courthouse: The American Revolution in the Carolinas*. New York: John Wiley & Sons, 1997.

- Conway, Stephen. "The Great Mischief Complain'd of: Reflections on the Misconduct of British Soldiers in the Revolutionary War." *William and Mary Quarterly* 47, no. 3 (July, 1990): 370-390.
- Crow, Jeffrey J. and Larry E Tise, eds. *The Southern Experience in the American Revolution*. Chapel Hill: University of North Carolina Press, 1978.
- Dameron, J. David. *King's Mountain: The Defeat of the Loyalists, October 7, 1780*. Cambridge, MA: Da Capo Press, 2003.
- Dederer, John Morgan. "Making Bricks without Straw: Nathanael Greene's Southern Campaign and Mao Tse-Tung's Mobile War." *Military Affairs* 47, no. 3 (Oct., 1983): 115-121.
- Draper, Lyman C. LL. D. *King's Mountain and Its Heroes: History of the Battle of King's Mountain, October 7, 1780*. Cincinnati: Peter G. Thompson, Publisher, 1881.
- Edgar, Walter. *Partisans and Redcoats: The Southern Conflict that Turned the Tide of the American Revolution*. New York: HarperCollins Publishers, 2001.
- _____. *South Carolina: A History*. Columbia: University of South Carolina Press, 1998.
- Gordon, John W. *South Carolina and the American Revolution: A Battlefield History*. Columbia: University of South Carolina Press, 2003.
- Gould, Eliga H. *The Persistence of Empire: British Political Culture in the Age of the American Revolution*. Chapel Hill: University of North Carolina Press, 2000.
- Hatley, Tom. *The Dividing Path: Cherokees and South Carolinians through the Revolutionary Era*. Oxford: Oxford University Press, 1995.
- Hibbert, Christopher. *Redcoats and Rebels: The American Revolution Through British Eyes*. New York: W. W. Norton & Company, 2002.
- Higgenbotham, Don. *Revolution in America: Considerations & Comparisons*. Charlottesville: University of Virginia Press, 2005.
- _____, ed. *Reconsiderations on the Revolutionary War: Selected Essays*. Westport, Connecticut: Greenwood Press, 1978.
- _____. "The Early American Way of War: Reconnaissance and Appraisal." *The William and Mary Quarterly*, 3rd Ser., 44, no. 2 (Apr., 1987): 230-273.

- Hoffman, Ronald, Thad W. Tate and Peter J. Albert. *An Uncivil War: The Southern Backcountry during the American Revolution*. Charlottesville: University Press of Virginia, 1985.
- Klein, Rachel N. "Ordering the Backcountry: The South Carolina Regulation." *William and Mary Quarterly*, 3rd Ser., 38, no. 4 (October, 1981): 661-680.
- Kwasny, Mark V. *Washington's Partisan War, 1775-1783*. Kent, Ohio: Kent State University Press, 1996.
- Leckie, Robert. *George Washington's War: The Saga of the American Revolution*. New York: HarperCollins Publishers Inc., 1992; New York: HarperPerennial Paperback Edition, 1993.
- Lee, Wayne E. *Crowds and Soldiers in Revolutionary North Carolina: The Culture of Violence in Riot and War*. Gainesville: University Press of Florida, 2001.
- _____. "Early American Ways of War: A New Reconnaissance, 1600-1815." *The Historical Journal* 44, no. 1 (2001): 269-289.
- Leyburn, James G. *The Scotch-Irish: A Social History*. Chapel Hill: University of North Carolina Press, 1962.
- Mackesy, Piers. *The War for America: 1775-1783*. Lincoln, Nebraska: University of Nebraska Press, 1993.
- Maier, Pauline. *From Resistance to Revolution: Colonial Radicals and the Development of American Opposition to Britain, 1765-1776*. Paperback Edition. New York: W. W. Norton & Company, 1991.
- Mercantini, Jonathan. *Who Shall Rule at Home? The Evolution of South Carolina Political Culture, 1748-1776*. Columbia, South Carolina: University of South Carolina Press, 2007.
- Meyer, Duane. *The Highland Scots of North Carolina, 1732-1776*. Chapel Hill: University of North Carolina Press, 1961.
- Morrill, Dan L. *Southern Campaigns of the American Revolution*. Baltimore: The Nautical & Aviation Publishing Company, 1993.
- Nadelhaft, Jerome J. *The Disorder of War: The Revolution in South Carolina*. Orono, Maine: University of Maine at Orono Press, 1981.
- Nash, Gary B. *The Unknown American Revolution: The Unruly Birth of Democracy and the Struggle to Create America*. New York: Viking Press, 2005.

- Nelson, Paul David. "Citizen Soldiers or Regulars: The Views of American Generals on the Military Establishment, 1775-1781." *Military Affairs* 43, no.3 (Oct., 1979): 126-132.
- Pancake, John S. *This Destructive War: The British Campaign in the Carolinas, 1780-1782*. Alabama: University of Alabama Press, 1985.
- Rankin, Hugh F. *Francis Marion: The Swamp Fox*. New York: Thomas Y. Crowell Company, 1973.
- Resch, John and Walter Sargent, eds. *War & Society in the American Revolution: Mobilization and Home Fronts*. DeKalb, Illinois: Northern Illinois University Press, 2007.
- Shy, John. *A People Numerous and Armed: Reflections on the Military Struggle for American Independence*. Revised Edition. Ann Arbor: University of Michigan Press, 1990.
- Smith, Paul H. *Loyalists and Redcoats: A Study in British Revolutionary Policy*. Chapel Hill: University of North Carolina Press, 1964.
- _____. "American Loyalists: Notes on their organization and Numerical Strength." *William and Mary Quarterly*, 3rd Ser., 25, no. 2 (Apr., 1968): 259-277.
- Starkey, Armstrong. "Paoli to Stony Point: Military Ethics and Weaponry during the American Revolution." *The Journal of Military History* 58, no.1 (Jan., 1994): 7-27.
- Tiedemann, Joseph. "Patriots by Default: Queens County, New York, and the British Army, 1776-1783." *The William and Mary Quarterly*, Third Series, 43, no.1 (Jan., 1986): 35-63.
- Walsh, Richard. *Charleston's Sons of Liberty: A Study of the Artisans, 1763-1789*. Columbia, South Carolina: University of South Carolina Press, 1959.
- Waring, Alice Noble. *The Fighting Elder: Andrew Pickens (1739-1817)*. Columbia: University of South Carolina Press, 1962.
- Weigley, Russell F. *The Partisan War: The South Carolina Campaign of 1780-1782*. Columbia, South Carolina: University of South Carolina Press, 1970.
- Weir, Robert M. *Colonial South Carolina; A History*. First Paperback Edition. Columbia: University of South Carolina Press, 1983, 1997.

Weller, Jac. "The Irregular War in the South." *Military Affairs*, 24, no. 3, Irregular Warfare Issue (Autumn, 1960): 124-136.

Wilson, Kathleen. *A New Imperial History: Culture, Identity and Modernity in Britain and the Empire, 1660-1840*. Cambridge: Cambridge University Press, 2004.

VITA

Paul K Reimann
History Department
BAL 800
Old Dominion University
Norfolk, VA 23529

Commander Paul Reimann (USN Retired) is a native of Chicago, Illinois. He graduated from the University of Illinois at Chicago with a Bachelor of Science in Chemical Engineering in 1975 and worked as a Power Plant Engineer for Commonwealth Edison Power Company. He enlisted in the Navy and received his commission from Officer Candidate School, Newport Rhode Island in September 1978.

During his twenty four years in the Navy, CDR Reimann has earned qualifications as Engineering Officer, Surface Warfare Officer, and Naval Flight Officer. He has deployed to the Western Pacific, the Mediterranean Sea, the North Atlantic, Arabian Gulf, North Arabian Sea, and Red Sea; and has been stationed in Germany. He has participated in operations against Iraq, Libya, and the Former Republic of Yugoslavia.

CDR Reimann is a 1993 graduate of the Naval War College, a member of Phi Alpha Theta, and a Gold Key Honor Society member. He currently works for the Department of Defense as a Military Analyst and Senior Test Engineer.