

THE RHETORIC OF REVENGE: ATROCITY AND IDENTITY IN THE REVOLUTIONARY CAROLINAS

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ABSTRACT

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"The Rhetoric of Revenge" addresses the way that individual acts of brutality during the War for Independence in North and South Carolina were perceived and interpreted by both Whig and Tory participants. This thesis looks at the processes of identity formation and contextualization, whereby individuals took the facts as they knew them and tried to make sense of both their own and their opponents' place in the unfolding drama. It also examines the ways these events were incorporated into the rhetoric of each side and were used as tools in creating narratives of heroism on one side and brutality on the other. Through analysis of opposing accounts of the same event, this work is able to break through the facts of these events to understand the way individuals understood them. It is more interested in perception than reality, and in the choices that were made regarding the inclusion, exclusion, interpretation and exaggeration of individual factual elements. This work also use the journals of two young men, Thomas Young, a Whig, and Anthony Allaire, a Tory, throughout, as a common thread to tie together the many disparate and chaotic events that became a part of conflicting identities and ultimately created two opposing narratives of the events of the American Revolution, based on atrocity.

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Introduction: Biggerstaff's Plantation and the Concept of Atrocity Rhetoric

Thomas Young remembered exactly where he was on Saturday, October 14, 1780. Years later, he would mark it down in his memoirs as the day he finally saw a band of infamous criminals brought to justice. "A few days after the battle [of King's Mountain]," he began, "a court martial was held to try some of the Tories who were known to be of the most outrageous and blood-thirsty character. About twenty were found guilty, but ten received a pardon or respite."¹

As it happened, on that same day, the 14, of October, Anthony Allaire witnessed a mass murder. He calmly noted it in his diary:

"Saturday, 14th. Twelve field officers were chosen to try the militia prisoners-particularly those who had the most influence in the country. They condemned thirty-in the evening they began to execute Lieut.-Col Mills, Capt. Wilson, Capt. Chitwood, and six others, who unfortunately fell a sacrifice to their infamous mock jury. Mills, Wilson and Chitwood died like Romans."²

The incidents these two men observed were one in the same. Allaire's account was hastily scribbled in the heat of the moment, probably that very day or the day after,

¹ Thomas Young. *The Memoir of Major Thomas Young (1764-1848)* Published in *Orion Magazine*, November 1843. Available online at

http://sc_tories.tripod.com/thomas_young.htm without pagination.

² Anthony Allaire. *Diary of Lieutenant Anthony Alaire of Ferguson's Corps, Memorandum of Occurrences During the Campaign of 1780*. Available online at <http://www.tngenweb.org/revwar/kingsmountain/allaire.html> without pagination.

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while Young's was a recollection penned in old age, sixty-three years after the fact. Yet not a single one of the facts in the two short narratives differ. Nine men were put on trial, convicted and put to death. But the nature of the incident and the way each of the two young witnesses internalized it into his interpretation of the drama he was living through could not have differed more.

Murders, destruction of property, vigilante justice, refusal of quarter to surrendering troops, mistreatment of prisoners and in some cases just plain bad manners and disrespect were common during the fighting of 1780 and 1781 in the Carolinas and Georgia, and they dramatically influenced the roles each side understood for itself and for its opponents. It was inevitable that such brutality would have to be integrated into a narrative for participants to understand it. That narrative almost invariably was couched at least in "us versus them" identity, and in some cases, even approached the realm of good versus evil.

In many ways, Young and Allaire themselves were quite similar. Both were young men, although Allaire, at twenty-five, was nine years Young's senior.³ Both men had been born in America, and each had volunteered to protect his country, which he believed was under assault by a band of usurpers. Just seven days prior to observing the hangings at Biggerstaff's Plantation, each man had risked his own life on the battlefield at King's Mountain for that goal.⁴ Yet their descriptions of the events of October 14, 1780 differ wildly. One saw the executions as long overdue justice against a group of bandits, while the other saw them as a tragic but noble end for a group of heroic martyrs at the hands of a criminal mob.

³Young, *Memo*; Allaire. *Diary*.

⁴ *Ibid.*

The facts of the story may be the same, but the realities that each man perceived himself to be living through were wildly different. Simple narrative history fails to get at the importance of the divergence of interpretations in this case. Although each of the two young writers observed the same series of events, each experienced and interpreted the meaning of the executions differently. Even minute details in wording are important, such as the fact that Young's account mentioned that ten of the twenty prisoners were given a reprieve, while Allaire omitted that fact entirely. In Young's interpretation, this reprieve demonstrated further the magnanimity and mercy of the captors toward the captives, all of whom deserved nothing more than death. In Young's account the men who were hanged were "found guilty" while in Allaire's they were "condemned." Such subtle differences in language, although they describe the same events, point to large gulfs in interpretation.

In effect, these two accounts examine two entirely different histories. These two histories were an integral part of the identities that men like Thomas Young and Anthony Allaire understood for themselves, their compatriots and, perhaps most importantly, each other, although there is no evidence that either man knew of the existence of the other as an individual. Both Allaire and Young decided to go to war, at least in part because of these issues of divergent narrative and contextual meaning. In fact, Young entered the militia service, at the age of sixteen, after his older brother was killed at the Battle of Brandon's Defeat, on June 8, 1780. Young described his brother's death as "murder" and personally vowed revenge against his murderers.⁵

⁵ This episode will be addressed in greater detail in Chapter Three.

Young's and Allaire's writings are typical of the thinking of men on both sides. Moreover, this thesis will argue that motivations based on moral righteousness and personal revenge were the dominant factor in causing men to take up arms and go to war, at least in the backcountry of the Carolinas and Georgia. These concerns were more important than either ideological issues relating to the philosophy of the American Revolution or material issues of personal gain. What remains, by examining the two accounts, and others like them, are two very different histories of the American Revolution. Yet at heart they have more in common than in opposition. The two stories, examined broadly, are essentially the same narrative but with different heroes and villains.

The two accounts do have one further thing in common. Neither man saw the executions at Biggerstaff's as an isolated incident. Young's interpretation of the executions as just derived from his understanding that the "outrageous and blood-thirsty" criminals were guilty of committing atrocities outside the boundaries of civilized warfare and deserved to die. Allaire, on the other hand, believed that it was the executed who had suffered a grievous miscarriage of justice and that their executioners were guilty of violating the rules of war. In both cases, the incident fits into a larger understanding of the conflict as a whole in which the other side had been guilty of waging war in an inhumane way.

Nor was the incident that happened only seven days prior an isolated one. Colonel Isaac Shelby, an American commander at the battle of King's Mountain, where Allaire and his companions had been taken, tried desperately to contain his men from participating in wholesale slaughter of their opponents as they surrendered. "It was some

time [after the Loyalists had surrendered]” he admitted, “before a complete cessation of the firing on our part could be effected...some [of his men] who had heard that at Buford’s defeat, the British had refused quarters [sic]...were willing to follow that bad example.”⁶

The battle to which Shelby was referring, Buford’s Defeat, which occurred on May 29, 1780, was an episode of alleged brutality on the part of the British and will be examined in more detail later in this work. At the time, Shelby believed his men’s actions were motivated principally by revenge. It is clear from Shelby’s account that he acknowledged the crimes committed by his men in continuing to shoot at a surrendering enemy. Yet he also placed the issue in a wider context, attributing the bad behavior of his men to frustration over similar atrocities committed by the British upon surrendering Americans.

There is a twist to Shelby’s account, however. Neither his men, nor the enemies they continued to fire upon, had been present at Buford’s Defeat. If it was retribution, it certainly was so only in the abstract, part of a larger system of rhetoric in which the specific victims and perpetrators of atrocities were interchangeable. Although it is often the case that men on each side abused enemies based on personal animosities between the two individuals, it was also just as common for atrocities to be the result of a process of abstraction, in which a certain group of enemy combatants became symbolic stand-ins for others who were perceived to have committed atrocities at another time and place. This

⁶ Isaac Shelby. In George F. Scheer and Hugh F. Rankin. *Rebels and Redcoats: The American Revolution Through the Eyes of Those that Fought and Lived It*. (Cambridge, MA: Da Capo Press, 1987). 419.

transferability of culpability allowed the stakes to be continually raised as each side justified its actions by the previous crimes of the other.

So the question lingers: How did men like Young and Allaire, or the men under Shelby's command come to such an understanding of the story they were participating in, and how did that affect their behavior? A corollary to that question is: In what ways did the atrocities committed or alleged by one side lead to atrocities committed by the other? In some cases, the causal element is stated plainly and is fairly straightforward. In the case of the executions that Young and Allaire observed, the causal links differ between the accounts, as Allaire viewed the executions as the first and thus unprovoked atrocity, while Young saw them as causally linked to earlier incidents. In this case the existence or absence of a causal link is a matter of perspective, and thus is itself part of each of the constructed narratives. It can be inferred from Young's account that the Whigs who carried out the executions, like him, believed that the Tories were guilty of atrocities, and therefore accepted the causal link that Young suggested. However, for Allaire, they would equally be a part of the narrative, linked to later rather than earlier events.

This thesis will discuss the ways in which men like Young and Allaire, who fought for the Whig or Tory cause during the American Revolution, were able to create meaning and construct narratives from a particular type of event: atrocity. These atrocities created a framework for participants to understand their role in the dramatic story that unfolded. The reasons why men go to war are many and varied. The Revolutionary era was no different. Yet for many, the rhetoric of revenge was the most powerful factor of all. It not only caused them to go to war, it also influenced the way they fought, causing brutality to lead to further brutality in a cycle of increasing violence.

The purpose of this study is to discover, through the accounts left by men of both sides, not just how Whigs and Tories understood the events happening around them and the meaning they took from them, but how feelings and actions on both sides fed off of one another in a war of escalation to create, in effect, two simultaneous histories of the American Revolution in the southern colonies.

Chapter one examines the literal dialogue over atrocity between the two sides. It details a series of exchanges between officers on both sides as each accused the other of inhumanity. This chapter will introduce the concept of, and illustrate the differences between, divergent narratives of the same events. It also argues that the reason the authors of these particular letters kept talking past each other and could not come to agreement about the nature of the events in question is that the narratives and roles that each side had constructed for themselves and their opponents colored their understanding of every fact and inhibited the ability of either side to comprehend or relate to the other's narrative.

The second chapter deals primarily with two events, the battle of the Waxhaws, or Buford's Defeat, and the battle of Haw River, or Pyle's Defeat. In each case one side accused the other of murdering soldiers who were attempting to surrender, and in each case the two sides understood not only the battle itself, but its place in the narrative of the war, drastically differently than the other. These two fights will be used to try to show the way that narrative was constructed out of the reality of confusing and chaotic events to form a clear and useable understanding not only of what became the understood facts of the engagement, but also its significance in the broader context of the war.

Chapter three examines atrocity as personal motivation. This thesis will show that not only were atrocities part of the common language of group narrative and motivation, but that they also represented a concrete causal element that pushed individual men, and in some cases women, to act differently than they would have otherwise. In some cases these events caused otherwise neutral people to pick up guns and fight, while in other cases they changed the ways in which those individuals fought and the behavior they considered to be acceptable from themselves and their compatriots.

The thesis concludes with a detailed look at the battle of King's Mountain, the best of many examples of an event where each of the processes described in the early chapters came together. In this single microcosm, the reader will be able to observe atrocity rhetoric as a motivating factor on both the group and individual level. Through the eyes of the two earlier mentioned young chroniclers, Anthony Allaire and Thomas Young, this chapter will also paint a full picture of two vastly divergent narratives of the battle, its lead-up, its aftermath and perhaps most importantly, its significance.

It is important to recognize that accounts of atrocities need not be taken at face value in order to be useful tools for understanding rhetorical constructions. The many atrocities of the American Revolution in the South fall basically into three different categories: The real, the exaggerated and the imagined. Of the three, the vast majority fall into the second category. However, it is not the aim of this work to divide and categorize each event according to its veracity. Nor is it the purpose of this work to establish whether individual stories of atrocity were factual or not. Rather this work seeks to understand how certain interpretations of events formed and came to be accepted and why accepted versions of the same event differed so markedly on opposing sides. It will

also ask, in what ways did the rhetoric of atrocity contribute to an escalation of actual atrocity in a cycle of revenge between the two sides?

For the purpose of this paper, atrocity will be defined as any event, real or perceived which one side could use to paint the other as inhumane. Such events were notoriously common in the civil war that was the American Revolution, especially the war in the southern colonies. Because fighting in the South was largely irregular, often carried on by civilian partisan bands from one side against partisan bands on the other with no professional soldiers present, behavior in this conflict was especially prone to being determined by emotional responses outside the realm of traditional military behavior. Such partisan conflicts have, throughout history, tended to be messier than more traditional fights governed by the rules of war. Atrocity rhetoric and its effect on identity formation is not unique to the American Revolutionary conflict or its Southern Theater. This type of dialogue can be found in nearly any conflict in any place at any time in history, and the observations and insights of this work should be applicable in many other eras and locations. What makes this particular war unique, however, is the degree to which the strategic and tactical decisions, as well as the choice to fight in the first place were made outside of traditional military or even political structures. Both sides relied heavily on militia forces, which were raised, for the most part, without any oversight by any body larger than the civilian leaders of the town where the regiment was raised. It was these small-scale, local civilian leaders who made the majority of decisions, not only to fight, but when and how. As a consequence, their decisions were more often based on individual and community causes, rather than large-scale political or strategic considerations.

In addition, the American Revolution in the Carolinas and Georgia was truly a civil war, arguably more so even than the American Civil War and certainly more so than its northern counterpart. Unlike that later conflict, Whigs and Tories were not divided by a geographical line between North and South. Rather, Whig and Tory communities existed side by side, and often communities themselves were split. For this reason, tensions were high and old grudges tended to come out on the battlefield. Often the enemy was not an abstract concept but a person with a name and a face, who was hated for a very specific reason that frequently had little to do with the ideological arguments for or against independence from Britain.

Although the idea of retribution as a motivating factor is hardly a new concept in the study of the American Revolution in the Southern colonies, it has never been systematically analyzed as a common thread throughout the period of most intense escalation in 1780-81, as this work proposes must be done. Treatments of atrocity rhetoric in the existing historiography generally fall into one of two categories: First, authors dealing with specific events for which atrocity rhetoric becomes an important element, but only as it relates to the specific incident being examined; secondly, the authors of general histories of the war in the South, in which atrocity becomes one of many important elements, but which never isolate the phenomenon in order to examine it systematically and on its own terms.

In the former group are the two commendable accounts of the Battle of Huck's Defeat, Walter Edgar's *Partisans and Redcoats*,⁷ and Michael Scoggins' *The Day it*

⁷ Walter Edgar. *Partisans and Redcoats: The Southern Conflict that Turned the Tide of the American Revolution*. (New York: Harper Perennial, 2003).

Rained Militia.⁸ Both works deal largely with the events leading up to, and the after-effects of, this single engagement in the summer of 1780. Both works offer a respectable analysis of how revenge and atrocity rhetoric changed the course of history in this particular instance, but an overall analysis of how and why this process played out is beyond the scope of these two narrowly focused works. Jim Piecuch's revisionist article (soon to be published as a book-length treatment) on the battle of the Waxhaws,⁹ and Anthony Scotti's look at Banastre Tarleton's behavior, *Brutal Virtue*,¹⁰ both contribute significantly to the field of study concerning the myth-making process which is an important element of this work.

In the second category are works such as John Buchanan's *The Road to Guilford Courthouse*,¹¹ arguably the best general history of the war in the South, which spends ample time discussing atrocity rhetoric, although it never attempts to do so systematically. Finally, *Three Peoples, One King*,¹² also by Jim Piecuch looks extensively at identity formation among Loyalists in response to Whig atrocities (though not the reverse), and has done much to shape the interpretation of identity formation that will appear in the pages of this paper.

⁸ Michael C. Scoggins. *The Day It Rained Militia: Huck's Defeat and the Revolution in the South Carolina Backcountry, May-July, 1780*. (Charleston: The History Press, 2005).

⁹ Jim Piecuch. "Massacre or Myth? Banastre Tarleton at the Waxhaws, May 29, 1780." *Southern Campaigns of the American Revolution*. (October 2004).

¹⁰ Anthony J. Scotti. *Brutal Virtue: The Myth and Reality of Banastre Tarleton*. (Westminster, MD: Heritage Books, 2002).

¹¹ John Buchanan. *The Road to Guilford Courthouse: The American Revolution in the Revolutionary Carolinas*. (New York: John Wiley and Sons, 1999).

¹² Jim Piecuch. *Three Peoples, One King: Loyalists, Indians and Slaves in the Revolutionary South, 1775-1782*. (Columbia: University of South Carolina Press, 2008).

In addition, two biographies of characters at the center of these controversies, *Gamecock*,¹³ and *Green Dragoon*,¹⁴ both by Robert Bass and dealing with Thomas Sumter and Banastre Tarleton, respectively, deal tangentially but significantly with atrocity and identity. This work relies heavily on the contributions of all of the aforementioned authors, and will bring together contributions from all of them in ways that illuminate the subject of atrocity rhetoric in a more systematic and deliberate way than has been done in the past.

Ultimately, this paper will illustrate the ways in which enemy combatants of both sides were able to use their subjective narratives of the events in which they were involved to create a useable rhetoric of good vs. evil, how that rhetoric affected their behavior, and how that behavior in turn affected the rhetoric of the other side. In other words, it is my goal to understand the way that perceptions of atrocity motivated the men involved to become embroiled in a conflict that they otherwise might not have, and to understand the importance of atrocity rhetoric in constructing an “us vs. them” identity for both Whigs and Tories.

¹³ Robert Bass. *Gamecock: The Life and Campaigns of General Thomas Sumter*. (New York: Holt, Rinehart and Winston, 1961).

¹⁴ Robert Bass. *The Green Dragoon: The Lives of Banastre Tarleton and Mary Robinson*. (Orangeburg, SC: Sandlapper Publishing, 2003).

Chapter One: “Contrary to the Laws of Nations,” The Debate Over Humanity in Wartime.

In order to understand the question of how subjective interpretations of atrocity were created, it is first necessary to understand what was considered acceptable in the prosecution of warfare. Although there existed no system of international law that enumerated such things, certain conventions were accepted and certain actions universally frowned upon by men of both sides. The atrocities considered in this thesis generally fall into the latter category. Things like the massacre of surrendering troops, theft, wanton destruction of personal property, sexual assault, and mistreatment of women were almost universally condemned. The treatment of prisoners, parolees and messengers under the white flag, the primary focus of this chapter, were issues that were less clear. Still, even in this area, there were certain unwritten rules of conduct which, when they were violated or believed to have been violated, led to moral outrage, and present a complex case of divergent narratives.

Propagandistic stories of atrocity frequently followed breaches of these unwritten understandings, but rarely were debates over the veracity of these accounts carried on between or among opponents. A notable exception to this general paucity of dialogue occurred among the officers of the two sides, however, when one felt the other was behaving in an ungentlemanly or inhumane way. Several such exchanges exist as notable examples of this dialogue, and they provide an insight not only into the actions and events that were perceived as atrocities but also the ways in which opposing sides interpreted these events differently. The first of these exchanges occurred between Whig

General Francis Marion and two British officers, Lieutenant-Colonel John Watson and Lieutenant-Colonel Nisbet Balfour.

Perhaps Watson's most interesting contribution to the dialogue was an enumeration of what he believed to be the proper and customary way of carrying out warfare, or as all three men called it, the "laws of nations." The description was a response to Marion's earlier plea that Watson and Balfour conduct themselves more in keeping with these rules with regard to the treatment of prisoners, to which the British officers responded that it was Marion and not they who had acted inhumanely. In the letter, signed March 16, 1781, Watson suggested that both sides could agree that those civilians who had not borne arms should remain unmolested, while the taking of property from enemy combatants, including the burning of houses, was legitimate practice. Still, all care must be taken, even in such cases, not to overly burden or endanger women and children who might depend on such persons for sustenance.¹⁵ This enumeration provides a baseline of common assumptions from which to understand the conversation which follows. While both Marion and his opponents seemed to agree on these basic tenets as well as simple rules regarding the treatment of prisoners, their application in practice became considerably more vague.

The exchange began two weeks prior to Watson's attempt to establish common ground. On March 2, 1781, Lieutenant-Colonel Nisbet Balfour, British Commandant at Charleston, wrote to Francis Marion regarding the treatment of certain prisoners whom the latter had captured. In the letter, Balfour informed Marion that stories of the latter's

¹⁵ Lt. Colonel John Watson to Brig. Gen. Francis Marion. March 16, 1781. In the Peter Force Collection. Library of Congress. Washington, D.C. Special thanks to David Neilan for bringing these to my attention.

mistreatment of prisoners had reached him, although he did not specify the particulars of the offense. There is little about the circumstances surrounding this letter that is out of the ordinary. Officers on opposing sides regularly corresponded with each other in this manner, inquiring about the condition of prisoners in each other's care, and routing the message through a neutral person or a messenger carrying a flag of truce.

Yet, there is something rather more significant about this particular letter and the correspondence that followed it. Within the short entreaty for the safety and decent treatment of his men, Balfour addressed a thinly veiled threat. "I am compelled" he informed Marion, "by the call which those people have on my protection & the justice due to such who attach themselves to his Majesties [sic] service, not only to declare to you my intentions, but actually to put in force a retaliation of all severities imposed by any of your people on such prisoners of war."¹⁶

Balfour was actually threatening mistreatment of the Whig prisoners in his own possession, in retaliation for any offenses committed against the King's soldiers. Essentially, despite his objections to the way Marion had treated British prisoners in his control, Balfour was fully prepared to use his own captives as hostages to guarantee compliance with the rules of humanity. There is no hint of irony or hypocrisy in Balfour's letter, and it is very clear that he felt himself justified in whatever had to be done. The narrative in which he believed he was participating was one in which Marion's behavior had been the root cause of injustice, and this very fact absolved Balfour of any guilt.

Perhaps the most interesting element of this particular letter is the deliberateness of Balfour's actions. "I have directed," he informed Marion "the militia to be separated

¹⁶ Lt. Col. Nisbet Balfour to Brig. Gen. Francis Marion. March 2nd, 1781. In the Peter Force Collection.

from the Continental prisoners, that they may experience the hardships and ill usages in their full degree, which too many of ours labour under.”¹⁷ In other words, Balfour was not exacting vengeance on all American soldiers in captivity, but only on those he held to be most directly connected to Marion. This deliberate selection of targets suggests the transferability of responsibility. If Marion himself, or others who could be held responsible for the mistreatment of Balfour’s men, were not available, vengeance would be exacted against the closest material substitute, in this case, those prisoners that had actually served in Marion’s Brigade. In some ways, this deliberateness shows a hesitation on Balfour’s part to exact hasty vengeance. Yet at the same time, it carries an element of willingness to hold responsible those that were at hand, despite the impossibility of their having been directly involved in the atrocity in question. This transferability of responsibility is a recurring theme among the events examined in this paper, and especially the events surrounding King’s Mountain.

Yet, Balfour’s language carried an overtone of helplessness, and a tinge of resigned reluctance, even sadness, at having to carry out such questionable retaliations. He had been “compelled,” to act in this manner “which is my duty.” Moreover, Balfour finished the letter “Be assured Sir I shall with more pleasure mitigate the suffering of their [Marion’s men’s] captivity whenever I have a sanction from your conduct to do so.”¹⁸ This was not a man who relished inflicting pain and humiliation on men in his control. He was a man who was willing to resort to such base actions only because he felt it was necessary. Whether Balfour actually believed that he was justified in carrying out

¹⁷ Lt. Col. Nisbet Balfour to Brig. Gen. Francis Marion. March 2nd, 1781. In the Peter Force Collection.

¹⁸ Ibid

these threats cannot be judged with certainty. Yet, his actions were certainly not atypical of those of men on both sides who conveyed similar convictions.

Less than a week later, on March 7th, Marion wrote to Balfour complaining of the treatment of one of his own men, a Captain Postell, who had gone to Balfour's subordinate, Captain John Saunders, under a flag of truce to arrange an exchange of prisoners. Not only had Captain Saunders allegedly refused the exchange, which he had earlier agreed to in writing, but he had also taken Postell prisoner and held him in a confined space without room to stand or lay down, and without half-rations, which Marion thought him entitled to as an officer, conditions that the American General saw as "Contrary to the Laws of Nations."¹⁹ Marion pleaded with Balfour to release Postell and to reprimand Saunders, protesting that, "I have treated your officers & men in a different manner which fall in my hands."²⁰

The development of parallel and opposing narratives is readily apparent in this dialogue. The escalation of words in this case mirrored the escalation of actual brutality in many other areas of the South. Just as in those cases, both Marion and Balfour saw only the other's infractions of the "laws of nations" as inhumane, while their own were justified in response. Each man saw himself and his men as the victims in an unfolding tragedy.

Like Balfour, Marion conveyed his reluctance to participate in the war crimes of which he saw his opponent as being guilty. Yet, also like Balfour, he was not above doing so, should such action become necessary. "Should these evils be not prevented in

¹⁹ Brig Gen Francis Marion to Lt. Col. Nisbet Balfour. March 7th, 1781. In the Peter Force Collection.

²⁰ Ibid

the future,” he cautioned Balfour, “it will not be in my power to prevent retaliation taking place.”²¹ Further elaborating on the eye-for-an-eye nature of his position, Marion pointed out that Balfour’s colleagues, Lord “Rawdney” [Rawdon] and Colonel [John] Watson, had hanged three of Marion’s men which, he stated emphatically but with little relish, “will make as many of your men in my hands suffer.”²²

The similarity of the accusations each officer leveled at the other, is an indication of the vastly different interpretations each held of the narrative of the campaign in which they were participating. However, it was British Lieutenant-Colonel John Watson whose sarcastic response to Marion’s entreaties demonstrates the widest gulf between American and British interpretations of events. In it, Watson expressed astonishment that Marion could have the gall to present a complaint against the British for behaving in an inhumane manner, when clearly Marion and his colleagues were consistently more guilty of violations of the laws of nations. “I believe sir” he wrote, “it would be as difficult for you to name an instance of a breach of it [the laws of nations] in his Majesties [sic] troops, as it would be for them to discover one where the laws of nations has been properly attended by any of your party.”²³

The remainder of the letter enumerates the alleged violations committed by Marion and his colleagues. The Captain Postell of Marion’s earlier letter, Watson pointed out, had arrived in the British camp armed, which made him, despite his flag of truce, an enemy combatant. Furthermore, he argued, Postell was a parole violator who had rejoined Marion’s force, despite previously surrendering and signing an oath that he

²¹ Brig Gen Francis Marion to Lt. Col. Nisbet Balfour. March 7th, 1781. In the Peter Force Collection.

²² Ibid.

²³ Lt. Col. John Watson to Brig. Gen. Francis Marion. March 9, 1781.

would never again raise arms against the King, in exchange for being allowed to return home. As for the three prisoners that had been hanged, they too were parole violators. Therefore, they were common criminals, not enemy soldiers entitled to benefit from the rules of war. The Continental Congress had treated British prisoners taken after Saratoga quite poorly. Marion's fellow General, Thomas Sumter, had recently ordered seven prisoners he had taken in a minor skirmish killed. American soldiers under Marion and others had been guilty, Watson argued, of murder and plunder upon defenseless civilians. Therefore, the former's cry of foul play in regards to Postell was not only illegitimate but hypocritical. "War bears itself with calamities sufficient," Watson concluded. "Take care then sir, that you do not by improper behaviour to our people...add to its natural horrors."²⁴

Some time after Watson's March 15 letter, Marion detained one of Balfour's messengers under a flag of truce, regarding which the latter wrote again on March 21, exasperated at Marion's apparently ungentlemanly conduct. Preempting what he knew would be Marion's response, Balfour again explained that Postell had been a parole violator and was being detained under those grounds alone, and that surely Marion could not possibly be detaining this British Captain Merritt in retaliation. Once again, he invoked the "laws of nations" and threatened that "if [the incident] is not immediately redressed I shall be obliged to punish in the most exemplary manner by the severest retaliation."²⁵

This series of exchanges represents a microcosm for understanding the war in the South. Because this dialogue exists as correspondence, it is a good illustration of the way

²⁴ Lt. Col. John Watson to Brig. Gen. Francis Marion. March 9, 1781.

²⁵ Balfour to Marion March 21. In the Peter Force Collection.

events developed. It is easy to see the ways in which two sides, beginning from different starting assumptions about who started the bloodletting, and willing to justify their own actions through the rhetoric of retaliation, could easily spin out of control. Although repeatedly threatened, no physical abuse of prisoners seems to have occurred on either side, in this particular case, in retaliation for the perceived atrocities of the other. Another case, later that same year would come even closer to disaster, that of a well-known South Carolina Whig: Isaac Hayne.

Before proceeding with Hayne's story, a note on the practice of parole is necessary. In both armies, it was common practice to allow prisoners to return home after pledging neutrality for the duration of the war. The fact was that prisoners were a liability and an expense that armies campaigning in North America could ill-afford. Therefore, when offered parole, a prisoner gave his binding word that he would return home and not resume hostilities against the other side for the duration of the war. If a parolee was later recaptured under arms, he would be in violation of this agreement. Although often commuted for political reasons, the prescribed penalty for parole violation in both armies was death by hanging.²⁶ Yet violation was surprisingly common in spite of the dire consequences of recapture, especially on the Whig side where such a vast proportion of the military aged men had accepted parole after being captured at Charleston. Even the pious and reluctant Presbyterian Minister Andrew Pickens eventually violated his parole.²⁷ After being captured at the battle of Fishing Creek, Colonel Thomas Taylor of Sumter's Brigade made a daring and risky nighttime escape as he was being marched

²⁶ Mark M. Boatner III. *Encyclopedia of the American Revolution*. (Mechanicsburg, PA: Stackpole Books, 1966; reprint 1994). 832.

²⁷ Boatner, 866.

back to the British base at Camden. The reason he gave was that if he were taken into custody at that place, he would surely be recognized as a parole violator and hanged.²⁸

Hayne was, like Postell, a parole violator. Having been captured at Charleston in the spring of 1780, Hayne accepted parole and returned to his farm to sit out the rest of the war, and for a little over a year he did just that. However, when the Continental Army recaptured the region of his residence, Hayne believed himself released from his parole, which had bound him to the British only so long as he lived under British rather than American protection. He took up arms once again, and after a daring raid in which he managed to capture the notorious Whig turncoat, Andrew Williamson, Hayne was himself captured.²⁹ On August 4, 1781, Hayne was hanged as a parole violator.

To the British, Isaac Hayne was a common criminal, a man who had violated his oath of parole, and had taken up arms against the British after they had graciously allowed him to return to his home, rather than being loaded on a prison ship. To the Whigs, however, Hayne was a martyr. In his *Memoirs of the War in the Southern Department of the United States*, Lieutenant-Colonel Henry Lee described Hayne in glowing terms, as “a highly respectable citizen of South Carolina,” who was primarily concerned with his “sick wife and children,” and who, after being informed of his impending execution, “disdaining further discussion with a relentless power, merely

²⁸ Lyman Draper. “Thomas Sumter Papers.” Wisconsin Historical Society, Madison, WI. 16VV 27-30.

²⁹ Henry Lee. *Memoirs of the war in the Southern Department of the United States*. (New York: University Publishing Company, 1870 edition with an introduction by Robert E. Lee). 316-19.

solicited a short respite, to enable him for the last time to see his children” and maintained a “dignified composure” even to his death.³⁰

On August 12, upon hearing the news of Hayne’s execution, American General Nathanael Greene sent a pair of cryptic letters to his subordinates, Lee and Colonel William Henderson, urging them, should they take any British officers captive, to “keep them close prisoners until you hear farther from me on the subject. I shall explain myself to you in a few days.”³¹ Despite the covert nature of his orders, Greene was already weighing his options with regard to threatening reprisal for Hayne’s execution and he did not want any potentially useful British officers to slip through his fingers by parole or exchange.

Greene was no fool, and he fully understood the dire consequences of both retaliating and not retaliating. His second letter to Colonel Henderson detailed his desire that a council of officers should be called to discuss the subject of retaliation. “If retaliation is not had,” he wrote, “the militia will be all discouraged and quit the service. But if we retaliate...its consequences may terminate finally in giving no quarter.”³² Greene recognized that he was in a difficult position. He understood that South Carolinians viewed things simply as a question of good versus evil, and that the killing of one of their own native sons by the British was an unwarranted and unprovoked injustice that must be avenged. If he, Greene, could not or would not avenge it, the shaky alliance

³⁰ Lee, 316; 317; 321

³¹ Major General Nathanael Greene to Colonel William Henderson and Major General Nathanael Greene to Lieutenant Colonel Henry Lee. August 12th, 1781. *The Papers of General Nathanael Greene*. Vol. IX. Dennis Conrad ed. (Chapel Hill: University of North Carolina Press, 1997). 169-71.

³² Nathanael Greene to William Henderson. August 16th, 1781 *NG Papers*. V. IX. 177.

he had forged between the Continental Army and the South Carolina State Troops and militia might crumble and he would lose all control over the situation.

At the same time, Greene understood that retaliation was risky. He had been in the South for some time and had seen the way affairs like this escalated. Shortly after taking command of the Southern Department in December of 1780, Greene had written to Congress in horror that “The whole country is in danger of being laid waste by the Whigs and Torrys [sic], who pursue each other with as much relentless fury as beasts of prey.”³³ Greene’s fear that the Hayne affair might end in “giving no quarter” demonstrated his ability to survey the scene dispassionately and see the cycle of retaliation he would be setting in motion. An execution on one side would be seen as unprovoked by the other, leading to another and another and another, until the whole affair degenerated into a free-for-all where the rights of prisoners were meaningless. In many ways the Southern theater already existed in that state, but Greene was loath to give it official sanction. He proceeded very cautiously.

The next day, he called a council of senior officers to discuss the situation. At the same time, his general order went out that all prisoners taken in the field should be immediately brought to the army’s main camp, escorted by an American officer.³⁴ On August 20, the officers of the Southern Army presented to Greene a petition rejecting the British claim that as a parole violator Hayne was subject to summary military justice and demanding that their own commanding officer “retaliate in the most effectual manner.” “Indulgencies and severities to prisoners of war ought to be reciprocal” they argued,

³³ Greene to Samuel Huntington, President of Congress. December 28, 1780. *The Papers of General Nathanael Greene. Vol. VII.* Dennis Conrad ed. (Chapel Hill: University of North Carolina Press, 1994). 47.

³⁴ General Orders. August 17th, 1781. *Nathanael Greene Papers, IX*, 195.

asserting that rather than “prosecute this just and necessary war on terms so unequal and dishonorable,” they were willing to “forgo temporary distinctions” in these “most desperate situations,”³⁵ essentially confirming that retribution was no longer an issue of justice but of vengeance.

Greene wrote to Balfour on August 26, that he meant to carry out “immediate retaliation unless you can offer me some thing more to justify the measure.”³⁶ He went on to condemn Hayne’s execution as abhorrent and cruel, informing the British officer, similarly to the way the latter himself had addressed Marion in separating the militia from the Continentals, that “The objects I mean to retaliate upon...are British officers and not Tory militia.”³⁷ Greene intended to choose a target as similar to Hayne himself as possible. Finally, he indefinitely suspended the exchange of prisoners with the British.³⁸

Balfour’s response was chilling. After arguing that his orders had come directly from his superiors, Lord Rawdon and Lord Cornwallis, Balfour argued that in order for Greene to be justified, he would need to find exact parity of circumstances, basically a parole violator. Balfour then made a cold observation, the purpose of which could not possibly have been lost on Greene. “Having said thus much,” Balfour began, “and holding those in public situations above the dread of menace, I shall not tell you how

³⁵ From the Officers of the Southern Army to Nathanael Greene. August 20, 1781. *Papers of General Nathanael Greene vol. IX.* 217.

³⁶ Greene to Balfour. August 26th, 1781. *Papers of General Nathanael Greene, vol. IX,* 249-51.

³⁷ Ibid.

³⁸ Ibid.

many of the American officers...are now in our power, nor remind you that Britain will loudly claim retribution for the blood of her officers, when carelessly shed.”³⁹

Greene responded by denying that a parity of circumstances was a necessity for retribution. It is interesting to note his logic in defending the practice. “Retaliation,” Greene claimed, “presupposes an act of violence having been committed, and that it is adopted to punish the past and restrain the future; and therefore, whatever will produce these consequences, is warranted by the laws of retaliation.”⁴⁰ Greene’s theory of retribution as a military tool with which to restrain excesses on the other side is typical of the way Balfour and Marion approached the problem. He clearly, as evidenced by his earlier letters, did not share the relish for vengeance that many of his men and even his officers held as justified. Greene’s understanding of retribution, while it did not necessarily meet the strict qualifications of Balfour’s standard of exact parity, was only meant to be used in situations where some good could come of it, or some ill be prevented. In other words, Greene’s understanding of retaliation did not allow it to be an end in itself.

For two months Greene agonized over what to do about Hayne’s execution. Finally on November 21, he wrote his commanding officer and close friend, General George Washington, for advice. “I wish something decisive may be done respecting Colonel Haynes [sic].” He wrote, “As retaliation necessarily involves the whole continent

³⁹ Balfour to Greene. September 3rd, 1781. *The Papers of General Nathanael Greene. vol. IX*, 283.

⁴⁰ Greene to Balfour. September 19th, 1781. *The Papers of General Nathanael Greene. vol. IX*, 372.

I wish your Excellency's order and the order of Congress thereon."⁴¹ He continued "I have been at a loss how to act with respect to the original, not having an officer of equal rank with Colonel Haynes in my possession."⁴² Whether Greene took Balfour's threat of widespread reprisal seriously, or whether Greene simply wanted justification to take to his rabid subordinates in order to validate his decision not to execute an innocent British officer, his tone clearly indicates that he hoped Washington would ask him not to retaliate.

Washington replied "Of this I am convinced, that of all laws it is the most difficult to execute, where you have not the transgressor himself in your possession. Humanity will ever interfere and plead strongly against the sacrifice of an innocent person for the guilt of another."⁴³ That was the end of it. Greene did not retaliate, although the exchange of prisoners did not resume for some time after.

It is hard to posit what could have happened had circumstances been slightly different, but a case could be made that someone else in Greene's position, such as any one of his officers clamoring for blood, would have ordered reprisals and set off an entirely different and uglier chain of events. Greene's own coolness and aversion to unnecessary bloodletting was tested in the early phases of the crisis when he ordered all exchanges stopped and potential British hostages brought in. The fighting in the backcountry of the South was largely built on these emotional decisions, and not every participant reacted as soundly as Nathanael Greene.

⁴¹ Nathanael Greene to George Washington. November 21st, 1781. *The Papers of General Nathanael Greene*. vol. IX., 605.

⁴² Ibid.

⁴³ George Washington to Nathanael Greene. *The Papers of General Nathanael Greene*. vol. IX, 606 note.

As Allaire's and Young's accounts of the treatment of prisoners after King's Mountain demonstrate, the debate over the rights of prisoners was hardly restricted to officers. Regular soldiers were part of the war of words as well, and their accounts were often the most powerful and emotional condemnations of perceived prisoner abuse. As with the officer corps, private soldiers' views of prisoner treatment often reflected on which side of the prisoner-captor divide the author sat. Allaire and Young are a perfect example of this. Their conflicting accounts of the treatment of prisoners following King's Mountain, which will be discussed in the final chapter of this work, and especially the previously mentioned incident at Biggerstaff's Plantation could not differ more.

Brigadier General William Moultrie, a Whig prisoner of war following the surrender of Charleston, was in constant contact with British Theater Commander General Charles Cornwallis and other British officers in the Charleston garrison. He complained of foul treatment of himself, and especially of those of his fellow prisoners who had been confined to prison ships in Charleston harbor. "I am exceedingly shocked" he wrote to Balfour, who was at that time commandant in Charleston, "to know of so great a mortality among our unfortunate prisoners."⁴⁴ Moultrie charged that a Dr. Oliphant had been meant to treat the sick among the prisoners and that the British commander restrained him. "I am so affected at the distresses of our poor soldiers," Moultrie continued "that I am at a loss how to address you on the subject; but I must begin by calling on your humanity, and request you, for God's sake, to permit Dr. Oliphant to attend the hospital."⁴⁵

⁴⁴ William Moultrie to Nisbet Balfour November 23rd, 1780. In Moultrie. *Memoirs of the American Revolution*. (New York: D. Longworth Printers, 1802). vol. II. 143.

⁴⁵ Ibid.

“I have received your letter of the 23rd instant,” Balfour responded “in which you so pathetically call upon me to grant permission to Dr. Oliphant to attend your hospital...Although I do not think that Dr. Oliphant’s absence has been materially injurious to the hospital, no objection ever lay with me to his having visited it.”⁴⁶ Furthermore, Balfour went on, “I was no sooner informed that there was a considerable sickness on board the *Concord* [the prison ship in question], than I ordered her to be inspected; and although it was reported to me that there was not any symptoms of the disease you mention I removed the prisoners on shore.”⁴⁷ Nisbet Balfour was in a tough situation. He had a hard enough time taking care of his own large garrison in an occupied and generally unfriendly city, which also had to act as the hub for a transportation network that delivered supplies from the coast to Cornwallis’ army deep in the interior. In addition, he had been left in charge of the massive numbers of prisoners taken at Charleston, who also needed supplies and medical attention. Moultrie and Marion had been a massive headache for the British Commandant, and his frustration comes through in his letters to both Whig officers.

Yet for Moultrie, Balfour’s logistical problems were not his concern. The welfare of his men came first, and he saw their welfare being neglected. If the doctor was not coming to see his sick men, it must be because Balfour had forbidden him from doing so. Such an order must mean at the very least a callous response to human suffering on the part of the Whigs and at worst an intentional denial of adequate treatment. This same perspective will show up in the chapter on King’s Mountain when Tory prisoners

⁴⁶ Nisbet Balfour to William Moultrie, November 28, 1780. In Moultrie, *Memoirs*. Volume II. 144-5.

⁴⁷ Ibid

mistook a general scarcity of resources among both captor and captive to be an intentional act of physical abuse perpetrated upon them by the Whigs. The power imbalance between prisoners and their captors was in many ways an ideal incubator for divergent narratives because it allows those without power to cast those who have it as the cause of any misfortune visited upon the prisoners.

On February 4, 1781, Moultrie complained again to Balfour that the doctor was still being denied admittance.⁴⁸ An exasperated Balfour replied “The officers of your hospital being precluded, for a short time, admittance to it [the prison ship], as it was without my directions, was immediately rectified on coming to my knowledge. “But,” he went on “I must here remark...that, in general your people seem more solicitous for the causes of complaint, than anxious, on their own parts, to remove them.”⁴⁹ In Balfour’s mind, he had done all he could, and Moultrie was simply complaining for the purpose of complaining. The latter’s accusations of neglect did not ring the least bit true in Balfour’s own narrative of what was happening. He certainly did not see himself as wantonly cruel. The failure of Moultrie and Balfour to see eye to eye, and each’s refusal to acknowledge the difficulties the other faced, point to the vast gulf that opened between the two narratives. If one author were to construct a history of the Charleston prison ships exclusively from Moultrie’s letters and memoirs, and a second author wrote exclusively from Balfour’s, the two accounts would fail to agree on even the basic facts. Yet neither can be accused of intentional deception. This is the essence of the idea of divergent narratives.

⁴⁸ Letter has not been reproduced but was mentioned in Balfour’s response. See note below.

⁴⁹ Nisbet Balfour to William Moultrie February 8th, 1781. In *Moultrie*. Volume II. 156.

These exchanges demonstrate the way that the rhetoric of revenge, and in many cases that of justice, along with divergent narratives of events, lead quickly to escalation. The fact that such escalation took place on paper blunted much of the passionate and destructive consequences of the process, while simultaneously making it easier for the reader to see the development of the various narratives. This version is the minority however. Although the process would play out many more times in the southern theater, most of the other versions would be decided with guns rather than words and they would not end as well. These divergent narratives are harder to outline with any certainty because of their lack of recorded dialogue, but using the written exchanges as models, it should be possible to chart their development and growth.

Chapter Two: “Inhumanly Butchered, While in the Act of Begging for Mercy,” Rhetoric
in Action

“My Lord,” Banastre Tarleton wrote to Lord Cornwallis on May 30, 1780. “I have the honor to inform you that yesterday at 3 O’Clock PM...the rebel force commanded by [Colonel Abraham] Buford...were brought to action.”⁵⁰ The letter goes on to detail how Tarleton offered his enemy the same terms of surrender that had been accepted at Charleston two weeks earlier, and that they were rejected. “Few of the enemy escap[ed]” Tarleton informed his superior, “except the commanding officer by a precipitate flight on horseback.”⁵¹ The letter was brief, formal and descriptive, typical of military reports at the time. The event that the commanding officer described was equally short, extremely successful and typical of the “the bravery and exertions”⁵² of the men under his command. Yet this was not the only way the battle of the Waxhaws would be seen, and the rhetoric that would emanate from the battle would prove monumentally destructive to the British cause. Tarleton himself gave no indication in his letter that he thought such an outcome possible.

According to Isaac Shelby, his own men massacred surrendering Tories on the slopes of King’s Mountain to cries of “Tarleton’s Quarter!”⁵³ Whether the reference was simply an excuse for bloodletting or was uttered in justified outrage against a hated

⁵⁰ Banastre Tarleton to Lord Charles Cornwallis. May 30, 1780. Public Record Office. “Headquarters Papers of the British Army in America.” PRO 30/55/2784.

⁵¹ Ibid

⁵² Ibid

⁵³ This episode will be discussed in greater detail in chapter 4.

enemy, the expression had very deep and significant rhetorical meaning for those who uttered it. “Tarleton’s Quarter” referred to the alleged tendency of the British Legion and its commanding officer to refuse quarter to men surrendering on the field. Although the term had a long history, its genesis was in the brief fight at the Waxhaws.

Tarleton had been pursuing Buford up the Waxhaws road following the surrender of Charleston. When he caught up with the Continental officer’s command, Tarleton called upon him to surrender and when the entreaty was refused, he attacked. The battle was short and bloody and its aftermath highly controversial.

One problem with understanding the Waxhaws incident is the paucity of primary sources other than Tarleton’s, which understandably did not mention massacre. Tarleton vaguely acknowledged that the American army was broken quickly and that perhaps some irregularities occurred in the confusion. His own horse had been shot from under him, and for a brief period the British did not have a commander to control them. “Slaughter was commenced,” he wrote, “before Lieutenant Colonel Tarleton [his memoirs were written in third-person] could remount another horse.”⁵⁴ Tarleton went on to note that the fighting ended in a few minutes and to criticize Buford’s tactics, to which Tarleton, with little nuance, attributed his enemy’s disastrous defeat.⁵⁵

A few pension accounts exist, as well as Buford’s own dispatches, but the majority of accounts of the battle that are generally touted as primary are in fact contemporary secondary sources, written by those who were alive at the time and in some cases even close to the action, but did not actually witness the fighting firsthand. The

⁵⁴ Tarleton. *A History of the Campaigns of 1780 and 1781, in the Southern Provinces of North America*. (London: T. Cadell, 1787). 31.

⁵⁵ Tarleton, 31-32

most oft-quoted of this latter set, is the account of Dr. Robert Brownfield, a Continental surgeon who, despite not physically being present for the shooting, treated many of the wounded, and put together an account based on eyewitness interviews with his patients. Brownfield left us a long list of alleged atrocities, of which the following is the most commonly cited:

“The demand for quarters, seldom refused to a vanquished foe, was at once found to be in vain; not a man was spared, and it was the concurrent testimony of all the survivors that for fifteen minutes after every man was prostrate, they went over the ground, plunging their bayonets into every one that exhibited any signs of life, and in some instances, where several had fallen one over the other, these monsters were seen to throw off on the point of the bayonet, the uppermost, to come at those beneath.”⁵⁶

Although Brownfield’s letter was written 41 years after the fact, it is demonstrative of the contemporary thinking of many Whigs in 1780. James R. Alexander, also absent from the battle but present for the cleanup, described the battle as a “massacre” in his pension application.⁵⁷ Richard Winn, a Whig Colonel who would later serve in Thomas Sumter’s Brigade, wrote succinctly in his notes “29th May ’80, Col. Buford was cut to pieces.”⁵⁸ Ledstone Noland wrote that his unit, stationed at Charlotte,

⁵⁶ Robert Brownfield to William Dobein James, in William Dobein James, *A Sketch of Brigadier General Francis Marion and a History of His Brigade* (Charleston: Gould and Milet, 1821). Appendix, 1-7.

⁵⁷ James Alexander. Pension Application. W2901.

⁵⁸ Richard Winn. *General Richard Winn’s Notes*. Transcribed by Will Graves and available online at <http://lib.jrshelby.com/winnrichard.pdf> 1.

met the survivors of Buford's column after the battle and that they were "dreadfully mangled."⁵⁹

Clearly the fighting was bloody, and the Continentals got the worst of it. The truth of the claims that Americans were refused the right to surrender is more problematic. In fact, Tarleton had offered Buford the chance to surrender before the battle even started. The terms he offered were the same as those offered to the Continental prisoners captured at the siege of Charleston. They were not especially harsh. All officers and any militia traveling with the army would be immediately paroled on their honor not to take up arms again. The Continental rank-and-file would be taken to Charleston to await exchange for British prisoners. The officers were even to be allowed to keep their side arms.⁶⁰

Tarleton's offer began with the words "Resistance being in vain, to prevent the effusion of human blood, I make offers which can never be repeated." After stating the terms, he closed with "If you are rash enough to reject them [the surrender conditions], the blood be upon your head."⁶¹ In this way, Tarleton had not only tried to avoid unnecessary killing, but according to his own narrative, had shifted the blame for any unnecessary bloodshed to his opponent, absolving himself of any responsibility in whatever would follow. Buford's response was short "Sir, I reject your proposals, and shall defend myself to the last extremity."⁶² In this case the statement seems to have been rather rhetorical, as Buford himself fled the battlefield almost before the first shot was fired.

⁵⁹ Ledstone Noland. Pension Application. S16992.

⁶⁰ Tarleton to Buford reproduced in Tarleton *A History of the Campaigns*, Notes to the first chapter, note L.

⁶¹ Ibid

⁶² Buford to Tarleton, also in *A History of the Campaigns*. Notes to the first chapter, note L.

Anthony Allaire, who was at that time serving under Major Patrick Ferguson at Nelson's Ferry, heard the news of Waxhaws on June 1st, and predictably, recorded it in a similar manner to Tarleton. "He [Tarleton] summoned them [Buford's men] to surrender..." Allaire noted "received all insolent answer, charged them."⁶³ Predictably, Allaire did not include any mention of massacre, alleged or otherwise, but left a detailed record of the number and ranks of the prisoners who *were* taken, as well as the arms and supplies that Tarleton captured.⁶⁴ This was the typical British account of the battle, integrated into the narrative under which British and Tory soldiers operated during the war. Waxhaws was a stunning victory in which Tarleton, after offering generous surrender terms to the Americans, fought a decisive and victorious, and then ended the fighting, taking a large number of prisoners.

The gulf between Brownfield's and Tarleton's accounts is massive, and, as other participants weighed in in their own memoirs, journals and other writings, their comments almost invariably lined up predictably with the accounts of their own countrymen. The early histories of the American Revolution, written by post-revolutionary Americans, nearly all paint Tarleton as a villain, and his name quickly passed into American folklore as being synonymous with brutality. The great nineteenth-century folklorist, Washington Irving wrote that Tarleton "possessed none of the finer feelings of human nature...[and] he had the effrontery to boast...that he had killed more men, and ravished more women than any man in America."⁶⁵ Most histories of the

⁶³ Allaire, June 1st

⁶⁴ Allaire, June 1st.

⁶⁵ Quoted in Lyman Draper. *King's Mountain and Its Heroes*. (Originally published in Cincinnati by Peter G. Thomson 1881; reprint Johnson City, TN: Overmountain Press, 1969). 67

American Revolution and of the Southern campaigns in particular have echoed Irving. Christopher Ward's landmark two volume history, *The War of the Revolution* described the man as "cold-hearted, vindictive, and utterly ruthless. He wrote his name in letters of blood all across the history of the war in the South."⁶⁶

To date the only book-length biography of Banastre Tarleton is Robert Bass' *The Green Dragoon*, published in 1957.⁶⁷ Bass is also the biographer of Whig partisan leaders Francis Marion and Thomas Sumter. Despite his treatment of Tarleton being thorough and well researched, it can hardly be described as sympathetic, and largely builds upon the traditional assumptions of his subject's brutality and disregard for the value of human life. Bass' account of the Waxhaws reads remarkably like Brownfield's, with the single notable exception that in the former's account, it is Tarleton himself that cut down the Whig soldier carrying the surrender flag with his own hand, an embellishment which exists nowhere else, and which seems unlikely, given the fact that Tarleton's horse went down early in the fighting.⁶⁸

Modern historians are divided on the actual events of May 29, 1780, as well as the legitimacy of monikers such as "Tarleton's Quarter," "Bloody Tarleton" and "Buford's Massacre." It was not until 2002 that Anthony Scotti's groundbreaking revisionist work *Brutal Virtue: The Myth and Reality of Banastre Tarleton*,⁶⁹ began a modern reworking of the long accepted perception of Tarleton as a monster. The so-called "Waxhaws Massacre" was particularly troubling to Scotti. Returning to the original sources penned

⁶⁶ Christopher Ward. *The War of the Revolution*. Vol. II. (London: MacMillan Press, 1952). 701.

⁶⁷ See full citation in introduction.

⁶⁸ Bass, *Green Dragoon*, 81.

⁶⁹ See introduction for full citation.

by Brownfield and others, he calls into question the motives for the creation and perpetuation of such a view. Scotti not only questions the veracity of Brownfield's assertions, but also draws attention to the propaganda value that such stories held for Americans both during and after the war. Tarleton, according to Scotti, became a victim of circumstance. His Legion, as a successful small-operations task force, was especially troublesome to the local militia companies that frequently faced it. The Waxhaws mythology served to inspire the local units to take up arms against the British, and Scotti lists numerous occasions in which American officers and recruiters used fear and hatred of the British Legion to their advantage. In addition, Scotti demonstrates that stories of British cruelty traveled fast and fed off of one another.

John Hayes takes a different tack in vindicating Tarleton. He compares him to his American counterpart Henry "Lighthouse Harry" Lee. Lee was an American officer who commanded an independent mixed force much like Tarleton's. Hayes' contention revolves around the fact that cavalry soldiers are necessarily difficult to control in the confusion of combat, and that if the same critical eye were turned to battles in which Lee's soldiers were involved, the observer would find similar results. In fact, Hayes does exactly that, paying special attention to the battle known by Whigs as "Pyle's Defeat" and by Loyalists as "Pyle's Hacking Match," which will be addressed later in this chapter.⁷⁰ Hayes does not put blame on Lee, however. Rather, he stresses the nature of battles involving cavalry, in which soldiers are difficult to restrain and where communication and commander control are limited. The author makes no distinction between Tarleton and Lee, but he believes American authors have, for obvious reasons

⁷⁰ See introduction for full citation

given the American officer a pass that Tarleton has not been afforded. Like Scotti, Hayes demonstrates that the Tarleton stories served a useful purpose as propaganda both during and after the war.

A third revisionist, Jim Piecuch, offers yet another defense. He is primarily concerned with the specifics surrounding the battle of the Waxhaws, the first time accusations were made against the British Legion. In an article entitled “Massacre or Myth: Banastre Tarleton at the Waxhaws,”⁷¹ Piecuch concedes that Tarleton’s soldiers committed atrocities after the battle, but points out that Tarleton himself had had his horse shot out from under him early in the fight, and so the chaos that ensued was beyond his control. With the command structure broken down, there was no one to give the order to call off the attack. In fact, Piecuch posits, the sight of their leader, who was extremely popular, going down in battle, may have enraged the troopers and caused them to take out their anger on surrendering enemy soldiers.⁷²

In this case revisionism has taken at least three forms. Scotti denies that the irregularities happened at all. Piecuch argues that they happened but were due to circumstances beyond Tarleton’s control. Finally, Hayes argues that these issues were inherent cavalry fighting and that Tarleton has been unfairly singled out over his American counterparts. Each of these new revisionist works offers an alternative narrative to the traditional one of unqualified Tory brutality, yet each of these three accounts is every bit as selectively constructed as the Whig narrative it seeks to revise. And all of these narratives are as interpretive as those constructed by both Whigs and Tories contemporary to the fighting.

⁷¹ See introduction for full citation

⁷² Ibid.

It is not the purpose of this work to vindicate Tarleton from accusations of barbarity, any more than it is to defend those earlier impressions. The preceding historiographical survey is meant rather to convey a sense of just how persistent and thoroughly ingrained the idea of Tarleton as the Butcher of the Waxhaws has remained in interpretations of the Southern campaigns. Deserved or not, it was no less widespread in 1780. When Shelby's men refused to cease firing on surrendering men at King's Mountain, they were actively participating in a dialogue that harkened back to Waxhaws. Although their actions were uncannily similar to the equal barbarity they were familiar with in the earlier battle, they seem not to have had any sense of irony at the fact. In their minds they were justified.

Nor was Tarleton's brutal reputation simply tied to the Waxhaws affair. After the battle of Fishing Creek, on August 18, 1780, James Collins, a Whig militiaman, wrote "It was a perfect rout and an indiscriminate slaughter. No quarter was given."⁷³ William Richardson Davie, who was not actually present at that particular battle, concurred with Collins' assessment, noting that:

"In this action Lt. Col. Tarleton had the merit of audacity and good fortune but the glory of the enterprise was stained by the unfeeling barbarity of the legion who continued to hack and maim the militia long after they had surrendered, scarce a man was wounded until he considered himself a prisoner."

⁷³ James Potter Collins, *Autobiography of a Revolutionary Soldier*, John M. Roberts ed., (Clinton, LA: Feliciana Democrat, 1959). Reprinted in Susan Francis Miller. *Sixty Years in the Neuces Valley: 1870-1930*. (San Antonio: Naylor Printing Company, 1930).

The interpretation of Fishing Creek as a massacre is equally as problematic as Waxhaws. Although casualties were high for the Whigs of Sumter's command,⁷⁴ the British took an even larger number of prisoners,⁷⁵ so many, in fact, that the small British and Tory force could not effectively guard them and dozens simply disappeared by the side of the road during the march back to Camden. Colonel Thomas Taylor, who as a field officer and parole violator was a high value prisoner, simply escaped during the night by cutting his bonds with a pocket-knife he had hidden and escaping into the woods.⁷⁶ In some respects, the accounts of Fishing Creek as a slaughter may be the result of untested militiamen like Collins seeing firsthand the bloody and confused nature of battle, especially against cavalry, and mistaking it for slaughter. However, it is also possible that they saw what they expected to see. The green-jacketed dragoons of the British Legion were already notorious after Waxhaws, and such brutality was simply expected. This expectation could color the way events were viewed in the moment and the way they were remembered afterward.

Perception became reality to Whigs in the Carolina Backcountry, and modern scholarship is much less divided on the matter of what contemporary Whigs in the South Carolina backcountry believed to have occurred. Joseph Gaston was hosting a friend, John McClure, when he heard news of the events in the Waxhaws. McClure had surrendered at Charleston and accepted British parole. He was staying with Gaston on his way home, presumably to sit out the rest of the war. Upon hearing of the "massacre of

⁷⁴ 150 by Tarleton's own estimation. Headquarters Papers of the British Army in America PRO 30/55/2969. Courtesy of Todd Braisted and the Loyalist Institute at www.royalprovincial.com

⁷⁵ 252 According to the official report. Ibid.

⁷⁶ Draper Manuscripts 16VV 27-30.

Colonel Bradford [Buford]’s men by Tarleton two days previous;”⁷⁷ McClure, fellow traveler John Steel, and three of Gaston’s sons, immediately renounced their neutrality, vowing that “they would never submit nor surrender to the enemies of their country; that liberty or death, from that time forth, should be their motto!”⁷⁸ William McGarity remembered volunteering for the militia “a few days after Buford’s Defeat at Waxhaws.”⁷⁹ John Gardner recalled that “immediately after Col. Bluford’s [Buford’s] defeat in Waxhaw[s] by the British under Tarleton, he again volunteered.”⁸⁰

This reversal was as dramatic as it was unexpected, but it was by no means unique. All across the Carolinas, especially in the Backcountry, Whig leaning civilians who had maintained neutrality began picking up arms. In the weeks after Waxhaws, Thomas Sumter was able to draw together a large volunteer militia brigade that would serve with him throughout the war. Not only had many of these men previously chosen to retire from the remainder of the war, a good number had officially accepted British parole or protection at the surrender of Charleston or in the weeks that followed. The stories of Waxhaws and the reputation of Banastre Tarleton served as a dramatic catalyst that spurred Whig recruiting.

John Buchanan, who, it should be noted, is a staunch anti-revisionist on the subject of the Waxhaws atrocities, noted of the battle that “it would be an exaggeration to state that the fight in the Waxhaws began the savagery that marked the war in the South, for it had started as early as 1775...But Tarleton and his Legion stoked embers that

⁷⁷ Joseph Gaston. “Mr. Gaston’s Narrative.” 1836. Printed in *Historical Magazine*. August 1873.

⁷⁸ Ibid

⁷⁹ McGarity, William. *Pension Application*. R6713.

⁸⁰ Gardner, John. *Pension Application*. S6877.

became a fire nearly raging out of control, for it roused a people whose heritage was border fighting in all of its barbaric excesses.”⁸¹ He concludes by noting that “They [the Whig militamen] were hard...mercy to an enemy never uppermost in their thoughts.”⁸² Buchanan is right to caution against overstating the importance of Waxhaws, which certainly was not the beginning. He is also right, however, when pointing out the rhetorical importance of the fight in motivating Whigs to take the field and in justifying later acts of atrocity. This aspect of the Waxhaws can hardly be overstated.

Thomas Sumter’s biographer, Robert Bass, writes that “As he [Sumter] rode along the Wateree-Catawba toward Charlotte, he had no plans to rouse the Up Country⁸³...Then came reports of Tarleton’s butchery in the Waxhaws. The Up Country began ringing with the cry of ‘Tarleton’s Quarter.’ Sumter now began to formulate a plan...Encouraged by what he had heard and seen Colonel Sumter rode on to American headquarters in Salisbury.”⁸⁴ As Bass points out, the stories of Waxhaws permeated the Backcountry quickly and formed the basis of a rhetorical system that partisan leaders like Sumter and his colleague William Richardson Davie used to great effect in recruiting their militia bands.⁸⁵

Daniel Morgan also found the Tarleton reputation useful, when he himself faced the Green Dragoon on the field of battle in January of 1781. Morgan’s command was made up in large part by Carolina militiamen, who had proved, despite their adeptness at partisan and guerilla warfare, to be somewhat unreliable in pitched battle. Morgan’s plan

⁸¹ Buchanan, 85.

⁸² Ibid 89.

⁸³ The circumstances of Sumter’s return to the field will be discussed in the next chapter of this paper.

⁸⁴ Bass, *Gamecock*. 53.

⁸⁵ Ibid.

of battle depended on the militiamen standing up to British regulars for at least a brief time before retiring in good order. He did have one important tool at his disposal, however. Every man in Brigadier-General Andrew Pickens' militia brigade was familiar with Banastre Tarleton's reputation.

That night Morgan went through the camp from fire to fire talking with the militiamen. Thomas Young later remembered the effect that Morgan's commiseration had on him and his comrades:

“Long after I laid down, he was going about among the soldiers encouraging them, and telling them that the Old Wagoner [Morgan's nickname] would crack his whip over Ben [Tarleton] in the morning, as sure as they lived... I don't think he slept a wink that night.”⁸⁶

Morgan's behavior may have been unconventional, but in the context of the rhetoric of revenge, it made perfect sense. Though Thomas Young was clearly inspired by the General's commiseration, it went deeper than that. Morgan's men were clearly familiar with the idea of Banastre Tarleton, and Morgan's stated goal to “crack his whip” over him was great theater. It played directly into the adversarial rhetoric that the enemy was not an abstract ideological concept or even an army of soldiers from an oppressive empire. The enemy was a man with a name and a reputation who had done damage to Morgan's men, to their families, and to their neighbors. Morgan understood that if these men went into battle against Banastre Tarleton, rather than going to battle against Britain, they would fight. True or not, “Bloody Ban” was great propaganda. Yet this type of rhetoric was hardly limited to the American side.

⁸⁶ Young

Lieutenant-Colonel Henry “Light Horse Harry” Lee was Tarleton’s counterpart in the American service. Like Tarleton, Lee commanded a legionary corps, half infantry and half cavalry, and was known for his daring raids and aggressive tactics.⁸⁷ Lee wrote of the Waxhaws battle in his own memoirs that “The barbarous scene...ensued to the disgrace of the victor...The unrelenting conqueror shut his ears to the voice of supplication, as he had steeled his heart against the claims of mercy.”⁸⁸

Lee was certainly nowhere near Waxhaws, as he would not come south until months later. This is not to say that Lee’s account should be viewed with a suspicion of intentional deception. The “Bloody Tarleton” stories were accepted fact in the Continental Army by the time of his arrival. The fact that he was repeating them secondhand does not suggest disingenuousness. However, when viewed in conjunction with another incident, it does suggest the kind of one-sided selective reality so typical of men on both sides. That other event was a fight that came to be known as “Pyle’s Hacking Match,” a name every bit as subjective and loaded as “Buford’s Massacre.”

On the night of February 23-24, 1781, Lee and his men came upon a party of Tory militia commanded by John Pyle, on their way to join Cornwallis’ army. In the dark of night Pyle’s men mistook Lee’s for Tarleton’s. In an interesting coincidence, both Lee’s and Tarleton’s men wore short green jackets and similar helmets. Pyle approached to within a very short distance, crying out “God save the King!” According to Joseph

⁸⁷ He also happens to have been the father of famed Confederate General Robert E. Lee.

⁸⁸ Lee, 164-5

Graham's account, Lee played along and was even in the act of shaking Pyle's hand when the fighting started.⁸⁹

In his memoirs Lee denied that bloodshed was his intention, and even argued that he intended to keep up the deception only long enough to surround the Tory column and then to present them with "a solemn assurance of his and his associates perfect exemption from injury, and with the choice of returning to their homes, or of taking a more generous part, by uniting with the defenders of their common country against the common foe."⁹⁰ In any event, it never got that far. Buchanan suggests that it was one of Lee's senior officers, Captain Joseph Eggleston, who shattered the ruse, by striking one of the Tories over the head with his sword.⁹¹ Lee remembers that it was the Tories who discovered the ruse and fired on Eggleston first.⁹² It will never be known for certain how the killing started, but the fact is that it did start while Lee was in the process of shaking Pyle's hand.

Charles Stedman wrote that "When at last it [the mistaken identity] became manifest, they [the Loyalists] called out for quarter; but no quarter was granted; and between two and three hundred of them were inhumanly butchered, while in the act of begging for mercy. Humanity shudders at the recital of so foul a massacre."⁹³ Stedman clearly exaggerated the number of casualties, as the general consensus puts the number of

⁸⁹ Joseph Graham. In Major William Graham ed. *General Joseph Graham and his Papers on North Carolina Revolutionary History*. (Raleigh: Edwards and Broughton Publishers, 1904). 318-22.

⁹⁰ Lee 257.

⁹¹ Buchanan 364

⁹² Lee 258

⁹³ Charles Stedman. *The History of the Origin, Progress and Termination of the American War*. (London: J. Murray, 1794). 334.

Tory killed and wounded at closer to Lee's own account of ninety.⁹⁴ Also, like so many authors who lobbed accusations at Tarleton after Waxhaws, Stedman was not present on the field of battle. Yet, his account is typical of the British interpretation of Pyle's Defeat.

Lee wrote dismissively, "During this sudden encounter, in some parts of the line the cry of mercy was heard...but no expostulation could be admitted in a conjecture so critical. Humanity even forbade it, as its first injunction is to take care of your own safety, and our safety was not compatible with that of the supplicants, until disabled to defend."⁹⁵ In other words, if a few men were killed after raising the white flag, it was only because the Tories could not be trusted, and Whig safety was Lee's first priority. An anecdote told by Whig militiaman Moses Hall tells a different story. After the battle "we went to where six [Tory prisoners] were standing together. Some discussion taking place, I heard some of our men cry out 'Remember Buford' and the prisoners were immediately hewed to death with broadswords."⁹⁶ Certainly, bound prisoners under guard had been sufficiently "disabled to offend." Regardless of whether Hall's gruesome tale is true, regardless of whether stories of the Waxhaws and/or of Pyle's Defeat as massacres are accurate or exaggerated, Hall demonstrates that the two events were intimately linked in the minds of those who lived through them, both to each other and to the escalating spiral of retribution. Samuel Eakin, a Whig pensioner recalled in his pension application that "a total rout and slaughter of the enemy took place...on *orders being given* [emphasis added] to give them Blueford's [Buford's] play."⁹⁷ This goes even farther than Hall's

⁹⁴ Buchanan, 364.

⁹⁵ Lee 158.

⁹⁶ Moses Hall in John C. Dann ed. *The Revolution Remembered: Eyewitness Accounts of the War for Independence*. (Chicago: University of Chicago Press, 1999), 202.

⁹⁷ Eakin, Samuel. *Pension Application*. S3317.

claim that Whig soldiers knowingly participated in revenge, to suggest that vengeance was Lee's official policy or that of several junior officers under his command.

Much like the fight at the Waxhaws, casualties were high and extremely one-sided. Also like the Waxhaws, claims of barbarity were highly subjective and controversial. It is often hard for the modern historian to separate fact from fiction in these accounts with any certainty, but it definitely appears that both Tarleton and Lee were in the proverbial position of throwing stones at each other's glass houses. Tarleton, as absent from the field of Pyle's defeat as Lee had been from Buford's, wrote in his memoirs that "many of them experienced inhuman barbarity; when discovering their mistake, they supplicated for mercy."⁹⁸ The similarities between his accusations against Lee and Lee's against him are uncanny, even using the exact same vocabulary including the words barbarity and supplication.

Cornwallis also denounced Lee's apparently inhumane behavior in a letter to Lord George Germain, British Secretary of State for the American Colonies, in which he wrote, "a number of them [Pyle's men] were most inhumanely butchered, when begging for quarter without making the least resistance."⁹⁹ Cornwallis, deaf to the accusations against his trusted subordinate the year before, was quick to accuse his enemy of atrocity. This behavior is not the exception but the rule for observers on both sides.

On both sides, horror over atrocities committed against surrendering men on the battlefield proved to be important motivating factors. The stories lent an urgency and a sense of righteous anger against the aggressor. Sometimes these stories may have been

⁹⁸ Tarleton, 231.

⁹⁹ Charles Cornwallis to Lord George Germain. March 17th, 1781. In *Correspondence of Charles, First Marquis Cornwallis Vol. I*. Charles Ross ed. (London: John Murray, 1859). 505.

intentionally colored as perhaps in the cases of Sumter, Davie or Morgan, using the Tarleton stories as recruiting and motivational tools. In most cases, however, perceptions of the enemy developed organically and without any ulterior motive. In either case, they profoundly affected the identity of participants and the ways in which they saw themselves participating in the conflict. Yet, these large-scale issues were not the only ones that motivated people. Often individual personal acts of atrocity could be just as powerful if not more so. The next chapter will deal with these smaller scale atrocities and their effect on individual decision-making.

Chapter Three: “A Hundred Tories Felt the Weight of my Arm,” Vengeance on a
Personal Scale

Certainly in many cases the narratives created by alleged massacres and shaped by men like Thomas Sumter and William Richardson Davie were sufficient, as in the case of Joseph Gaston and his compatriots related above. Sometimes, however, the need for revenge was much more personal and less abstract. Often, men went to war not because of the rhetoric tied to momentous events like battles, but for very personal reasons related to private and very small-scale atrocities. Such events sometimes proved to be critical in influencing the decisions of individual actors and occasionally very small events changed the course of the war.

Once again, it is necessary to look no further than Thomas Young’s diary. In an impassioned, if certainly hyperbolic, account about the murder of his brother, Young claimed that:

“I do not believe I had ever used an oath before that day, but then I tore open my bosom, and swore that I would never rest till I had avenged his death. Subsequently a hundred Tories felt the weight of my arm for the deed, and around Steedham's [the man he held responsible for his brother’s murder] neck I fastened the rope as a reward for his cruelties. On the next day I left home in my shirt sleeves, and joined Brandon's [a local Whig leader] party.”¹⁰⁰

¹⁰⁰ Young

For Young revenge was not an abstract concept directed at an enemy who refused to behave according to the rules of war. It was rooted in the desire to take vengeance on his own brother's murderer. Although Young clearly accepted the transferability of responsibility, as he claimed to have killed or injured "a hundred Tories," he also sought specifically to exact vengeance on his brother's murderer. He likely had Whig leanings before the incident, but he had decided to remain physically neutral up to that point. After what happened to his brother, however, he became an avowed Whig partisan, fighting in many of the Southern Theater's largest and most important battles, including Cowpens, and of course, King's Mountain.

For Young, his brother's murder represented what will be termed a catalytic event throughout this chapter and the next. In most cases such events were not the only motivating factor in the decision to fight or to choose sides, but they did provide the catalyst, which directly caused men like Young to pick up a weapon and join the militia. For some, the stories of events like Buford's or Pyle's Defeat were catalyst enough, but for many others, like Young, it took events of a more personal nature. In these cases, revenge created a personal narrative alongside the larger narrative of a campaign and for these men some events carried multiple meanings and significances, at both the aggregate and personal levels.

Young's experience was not unusual. It is common to think of the American Revolution as a conflict based on high minded and lofty principals. While in some cases this was true, more often than not, men took up arms to avenge wrongs committed against themselves, their families or their friends. Although in the example of the Waxhaws battle, South Carolina men swelled the ranks of their local militias in response

to alleged brutality committed upon complete strangers serving in regular army units from another state, this response was the exception not the rule in cases of vengeance-motivated action. More often, the story mirrored Young's.

The two sides of this dichotomy were not necessarily mutually exclusive, however. For many soldiers and commanders personal and big-picture motivations were inseparable. For the soldiers discussed in this chapter, men like Thomas Young, Thomas Sumter, William Bratton, Thomas Brown, and others, they were often viewed as one in the same. Yet it is important to make a distinction, because events in individuals' personal lives help to explain specific behavior in ways that even the rhetoric of revenge based on stories like "Tarleton's Quarter" cannot.

One of the most active and aggressive of all American partisan commanders was Thomas Sumter. His decision to take the field in 1780 was a personal one, perhaps as personal as could be conceived. The British had burned his home, destroyed his property and insulted his wife. From this small piece of personal tragedy, Sumter would transform from a lukewarm Patriot into one of the most tenacious partisan leaders for the Whig cause, almost constantly in the field despite being wounded and defeated several times. Even the eminent historian of the Southern Campaigns, John Buchanan, who could not be more disdainful of Sumter's abilities as a general, lack of personal courage, and immense ego, had to admit that the "Carolina Gamecock" was "the most troublesome and obstinate"¹⁰¹ of the partisan leaders in the South and that "Thomas Sumter was a fighter

¹⁰¹ Buchanan, 115.

who kept alive the flame of resistance and acted as a beacon for like-minded men when others believed all was lost.”¹⁰²

On May 27, 1780, en route to his dramatic victory at the Waxhaws, Banastre Tarleton stopped briefly at the home of Thomas Sumter. Sumter himself had been notified of the Legion’s approach only a few hours beforehand, and had fled up the road. According to legend, Tarleton’s men found the invalid Mrs. Mary Sumter sitting on the porch, and they carried her into the yard, where she was forced to watch as the Legion’s troopers first plundered and then burned her home. She would have starved, but one kind and sympathetic Tory put a ham, which he had taken from the storehouse, under her chair and she hid it with her skirts.¹⁰³

To what extent the story is true is not certain, beyond the fact that the Legion did in fact burn Thomas Sumter’s home. What is certain is how the very real burning of his home, coupled with the alleged abuse of his wife, affected the newly minted Whig leader. Walter Edgar states plainly “When Tarleton burned his plantation, Sumter vowed revenge. In the months following the fall of Charleston, he became a symbol of resistance.”¹⁰⁴ The situation cannot be made any plainer. The burning of Sumter’s home was *the* catalytic event that launched him in his crusade to rid South Carolina of British occupation.

This is not necessarily to imply that Sumter, a staunch Whig since the beginning of the conflict, would not have returned to the field had his home not been destroyed. It is, however, to say that when and why the General chose to resume a military life and to

¹⁰² Buchanan, 115.

¹⁰³ Bass, *Gamecock*, 53

¹⁰⁴ Edgar, 142

make his own private war against the British occupiers in his home region of South Carolina was directly related to the catalytic event that took place on his farm. In this case, the burning of Sumter's home may or may not have been the causal factor that resulted in his taking up arms, where he otherwise would not have. It certainly was, however, the causal factor in determining *when* and under what circumstances he made that decision. Personal motivations are often of this nature. To acknowledge the complexity of factors inherent in any historical event should not be seen to detract from the significance of catalytic moments in shaping the nature of historical events. Rather, the circumstances and timing surrounding certain actions are often critical factors in changing the trajectory of history.

Nor should the idea of external catalyst be seen to diminish the role of individual agency on the part of historical actors. In each of these situations, acting on a catalytic event was a conscious act on the part of a historical actor, exercising agency. The decision to act was his or hers (in this case usually his) alone. The idea that a certain incident was internalized and used as a rhetorical reason for action does not lead to the conclusion that the latter action followed from or was caused by the former without the intermediate step of human agency and freewill. The catalytic event might seem a predictor of the later action but in fact is so only in this limited context.

Sumter had been Colonel of the 6th South Carolina Continental Regiment until resigning his commission on September 19, 1778.¹⁰⁵ Since that date he had been in retirement, refusing the entreaties of Governor John Rutledge to take up arms in the

¹⁰⁵ Bass, *Gamecock*, 46.

service of the Revolution.¹⁰⁶ The destruction of his home and the abuse of his invalid wife were a major turning point in his life and his career. That is not to say that he would not have taken the field at a later date. Even the formidable Andrew Pickens eventually violated his parole and picked up arms.¹⁰⁷ Still, the fact remains that one day Thomas Sumter was in retirement, and the next he was headed for South Carolina's "New Acquisition District" to recruit what would become his brigade.

In Thomas Sumter's case, as presumably in Young's, it is not that the episode made him a Whig. He was already a well-known leader for the cause of liberty, both in the military and political arenas. That is, after all, why his home was a target in the first place. Rather, the catalytic event provided a context for his return to the field that otherwise might have taken place at a different time and under different circumstances, providing a completely different contextualization for Thomas Sumter himself. The burning of his home might not have changed the reality of Thomas Sumter's reentering the war, but it certainly informed his own ideas about why he was fighting.

It also very likely influenced the way he carried out the fighting. "Sumter's Law" was a system for recruiting that the general devised later in the war. According to the system, any man who served with Sumter was entitled to a share of all plunder, especially slaves, that would be confiscated from Tory owned plantations in the course of the fighting. The General even turned this system into a regular pay scale, wherein each colonel or major was paid three slaves per year of service, captains two, lieutenants one and a half, and privates one for each ten-month enlistment period. Slaves aged younger

¹⁰⁶ Bass, *Gamecock*, 51

¹⁰⁷ Boatner 866.

than ten or older than forty counted as one half.¹⁰⁸ This alleviated many of the problems associated with paying men to fight from a nonexistent pay-budget. The semi-literate Sumter wrote little about anything that he did, but a number of historians including John Buchanan and Sumter's biographer Robert Bass have connected the motivation for the institution of such a policy among the men of Sumter's Brigade at least in part to vengeance and to the General's own house being plundered in the late spring of 1780.¹⁰⁹ Incidentally it also provided a number of Tories with catalytic situations very similar to his own, perpetuating a cycle of atrocity-narrative creation that was all too common in the southern theater.

One colonel who would eventually command a regiment in that brigade and become a trusted subordinate to Sumter was William Bratton. Bratton's story presents a different side of personal revenge as a motivating factor. In his case, he was already operating in the field, but personal reasons led him to make tactical decisions for his regiment, in this case where to launch his next attack. On July 11, 1780 a detachment of Tarleton's British Legion was traveling through the countryside and came across Bratton's plantation while the latter was away recruiting men for his regiment. The Loyalist company was commanded by Captain Christian Huck, and the story told years later by Bratton's then-young son, William Bratton Jr. is chilling. Whether or not it is true, is another matter.¹¹⁰

According to the younger Bratton's account, a trooper held a shearing hook to his mother Martha's throat and demanded to know the whereabouts of her husband. When

¹⁰⁸ Bass, 144.

¹⁰⁹ Buchanan, 391. Bass 144-5

¹¹⁰ Scoggins, 69-70.

Martha protested that she did not know his location the soldier threatened to kill her, and was only stopped at the last moment by a fellow trooper.¹¹¹ Afterwards, Huck himself interrogated the woman, throwing her young son, the narrator of the story, to the ground and breaking his nose. When she still refused to reveal the elder William's location, Huck imprisoned her and her entire family in the attic.¹¹²

Regardless what the facts, background, and extenuating circumstances of the Martha Bratton incident were, they could only have been interpreted one way by Martha's husband and his colleagues camped only a few miles away on Fishing Creek. After being imprisoned in her own attic, Martha called over the family's slave, a man named Watt, and sent him to inform William what had happened and that the British were camped a short distance away at James Williamson's Plantation.¹¹³

The very next morning, militia commanded by William Bratton, among others, surprised the detachment, killing Huck and scattering his men.¹¹⁴ Although Bratton and his men were already loyal Whigs, their choice to attack at that particular time and place, was motivated at least as much by personal feelings as by operational concerns. "When we arrived at Catawba River, the far bank was lined with women and children," militiaman John Craig wrote, "The situation of these women and children driven from their firesides, excited in every bosom a sympathy for the distressed and an indignation against the hard-hearted foe who could perpetrate such an inhuman deed...the officers called a council and soon determined to risk all consequences and attack the inhuman

¹¹¹ Scoggins, 70.

¹¹² A full recounting of this story, along with all its gory details and a discussion of its likely level of veracity, appears in Michael Scoggins excellent work *The Day it Rained Militia*. Unfortunately focus of this paper allows only a cursory recounting.

¹¹³ Edgar, 78.

¹¹⁴ See Scoggins for more.

ruffians.”¹¹⁵ The perceived abuse of women and children from their community, coupled with the fact that one of those families was that of one of their commanding officers, spurred the militia to action.

Walter Edgar, in his study of Backcountry South Carolina during the American Revolution, *Partisans and Redcoats*, alleges that Martha Bratton had been closer to being murdered than she realized. “To the revenge-minded Tory militia” he writes “or the hardened veterans of the British Legion, such an act would not have generated a second thought.”¹¹⁶ While Edgar’s bias is clearly toward the Whig cause, his observation is not necessarily inaccurate. Revenge was an important factor in motivating Tories as well as Whigs. Edgar’s account never explicates what exactly these hardened Tories would want revenge for, but Jim Piecuch does.

In many cases, Tories came into the fight with their own set of baggage and history of oppression. By 1780, the Carolinas had been under Whig control for between four and five years, and the ruling party could at times be very brutal in its maintenance of power. Piecuch’s book, *Three People’s, One King: Loyalists, Indians, and Slaves in the Revolutionary South 1775-1782*, is an excellent account of the development of Tory consciousness during the early years of the war in the Carolinas. Although Tory brutality toward Whigs in 1780 and 1781 is much better known than its counterpart in the second half of the 1770s, the latter was no less widespread. In some ways, as Piecuch points out, because Whig control was more complete than British control ever was, it was even more systemic.

¹¹⁵ John Craig. “The War in York and Chester.” Quoted in Scoggins, 109.

¹¹⁶ Edgar, 77.

Huck's Defeat, which Edgar sees as the turning point of the war in the South and as the prime example of unwarranted cruelty on the part of Tory soldiers, Piecuch acknowledges in a single paragraph. He notes simply that "Rebel partisans launched a surprise predawn attack on the detachment, inflicting about ninety casualties, mostly among the militia."¹¹⁷ The Martha Bratton incident, and other "atrocities" which pepper Edgar's book, are entirely absent from Piecuch's work. Yet he includes a fact that is missing from Edgar's work. "After the battle" states Piecuch, "The Whigs executed one of their loyalist prisoners, a militia major named Ferguson."¹¹⁸ It is interesting to note what facts various modern authors have considered worthy of note and what others have omitted. In some ways, they can be as partisan as the primary sources themselves.

One story of particular interest to the study of identity formation among Tories is that of Thomas Brown. Brown was a citizen of Augusta, Georgia, who refused to sign the Articles of Association that the Whig government forced all citizens to sign. Because of this, the Whigs tied him to a tree, covered his feet with tar and set them on fire, causing massive burns all over his legs as well as the loss of two toes, and earning him the epithet "Burnfoot."¹¹⁹ Brown later became a noted, as well as feared and hated, leader of Loyalist militias. He conducted numerous raids from British Florida even before regular forces returned to the South, and participated as a partisan commander throughout the southern campaigns.¹²⁰ It is hard to say for certain that Brown would not have become a Loyalist had it not been for the personal attack perpetrated upon him by his neighbors. After all, he did refuse to sign the Articles of Association. Yet, much like Sumter on the

¹¹⁷ Piecuch, 189-90.

¹¹⁸ Ibid

¹¹⁹ Piecuch, 46.

¹²⁰ For more on Brown's story, see Piecuch.

other side, Brown had been content in civilian life until personal atrocity turned him against his fellow Georgians, causing him to leave all that he owned behind and flee to Florida, from whence he conducted raid after raid back into hostile territory. Although Tarleton was an Englishman and Huck a New Yorker, many of the men serving in the Legion were local Carolinians and had experiences similar to Brown's. This does not excuse their behavior, but for many of them, their identity and their narrative were at least as much products of victimhood as those they later victimized.

David Fanning, likewise, was a Loyalist who refused to sign the Articles of Association or to renounce his allegiance to the British Crown. Fanning was arrested and jailed on numerous occasions, before finally fleeing his home into the woods where he lived in hiding.¹²¹ Once the British regained nominal control over South Carolina, Fanning, like Brown, became a noted leader of Tory partisans, and quickly gained a reputation for infamy among Whigs. Both Brown and Fanning, who came to be known for atrocities they themselves allegedly committed had their fair share of atrocity rhetoric in their own identities. This cycle where perceived atrocity drove men to fight and later to commit perceived atrocities, which drove men on the other side to fight, was far too common.

“Oh Britannia,” lamented Janet Schaw, a self-proclaimed “lady of quality,” and a staunch Loyalist from Wilmington, North Carolina, “what are you doing, while your true obedient sons are thus insulted by their unlawful brethren?”¹²² She was referring to the unceremonious takeover of Wilmington and the purging of all Tories in leadership

¹²¹ Piecuch, 95

¹²² Janet Schaw. *Journal of a Lady of Quality; Being the Narrative of a Journey from Scotland to the West Indies, North Carolina, and Portugal in the Years 1774 to 1776*. Evangeline McLean Andrews, ed. (New Haven: Yale University Press, 1921). 192.

positions. Although Schaw witnessed no violence per se, she feared it, and, as much as anything else, she was outraged at the lack of respect Whigs showed towards the upper classes and the fairer sex, of which she was a member of both.¹²³ One element that remained critical in many cases of personal motivation, including Sumter's and Bratton's, was the idea of the masculine role of protector of women and family. Chivalry was intimately tied up in the concept of atrocity rhetoric, and with it a good deal of gendered identity as well. For eighteenth-century men, the role of protector of the family, and sometimes by extension the community, was essential to identity.

The wealth of accounts regarding the treatment of women in wartime is striking. What is even more striking is the frequency with which such events led directly to retaliatory military action. Atrocities committed against women, often on a very small scale, frequently led to dramatic and course changing military ramifications. Sumter and Bratton provide two such examples. Equally significantly, they found their way into postwar interpretations of the war, and dramatically shaped understandings of the revolutionary narrative.

Anthony Allaire noted an interesting event in his diary on April 14, 1780. Following the dramatically successful British night raid on an American encampment at Biggin Bridge, near Monck's Corner, South Carolina, three local women came into the British camp, seeking protection. "Lady" Jane Colleton,¹²⁴ Betsy Giles and Jean Russell, it seemed, had been attacked by a "plundering villain."¹²⁵ In this case, the villain Allaire

¹²³ Schaw, 189-92.

¹²⁴ Who, according to Buchanan was the wife of Sir John Colleton, a "prominent Tory." Buchanan, 63. Bobby Moss, the editor of Uzal Johnson's memoir agrees, in a footnote, that Lady Colleton was John Colleton's wife. Page 23.

¹²⁵ Allaire, 4/14/80

referred to was one of his own compatriots. Lady Colleton had been badly cut by a cavalry saber, as had a Mrs. Fayssoux, who had suffered similar treatment.

Allaire related that a Dr. Johnson, the surgeon with the British expedition first treated Colleton's hand and then went to Mrs. Fayssoux's plantation a mile from their camp, with twelve men, to treat the latter's wounds.¹²⁶ Charles Stedman, a contemporary writer, but one who was not physically present for the incident, also stated that the Loyalist soldier responsible for the attacks had attempted to rape at least one of the women.¹²⁷ While this is not corroborated by the accounts of those actually present, it is certainly possible.

The following day, Allaire continued, Fayssoux came to camp and testified against the "villain" who was arrested and sent to headquarters for trial. This seemingly trivial event in the grand scope of the war is remarkable in the fact that two of the southern campaigns' foremost chroniclers both wrote witnessed it firsthand. It happened that Allaire's "friend, Dr. Johnson,"¹²⁸ was Uzal Johnson, a Loyalist doctor, who also kept an extensive diary of his adventures in South Carolina.

Johnson, like Allaire, did not mention sexual assault, but recounted rather vaguely that the women had been "most shockingly abused by a plundering villain,"¹²⁹ the same damning language Allaire had used, word for word. It is true that the two served in the same unit and, according to Allaire were "friends." Perhaps they even wrote their diaries side by side, sitting around the campfire. Yet, even so, the wording is extremely

¹²⁶ Allaire, 4/14/80

¹²⁷ Stedman, 183

¹²⁸ Allaire, 4/15/80

¹²⁹ Uzal Johnson. *Uzal Johnson, Loyalist Surgeon, A Revolutionary Diary*. Bobby Moss, ed. (Blacksburg, SC: Scotia-Hibernia Press, 2000). 27.

significant. Remember these two were describing one of their own, who had trespassed on a plantation and assaulted a woman. In this age and place, where an army's very survival required "requisitioning" supplies from the local population, and where such foraging expeditions were commonplace, this particular man was a "plundering villain" because he had harmed a woman. And not just any woman, "Lady"¹³⁰ Colleton was a woman of quality.

An interesting story developed in the early secondary literature for which there is no corroborating primary evidence, but which demonstrates the importance of the phenomenon of chivalric notions influencing interpretations of the war. Lyman Draper repeated none other than the great American folklorist and early writer of Americana, Washington Irving in describing a feud between Banastre Tarleton and Patrick Ferguson over how the culprit should be punished. According to Irving, Ferguson wanted to have the guilty soldier hanged on the spot, but Tarleton overruled him and had the man's charges dismissed. Ferguson, furious, refused to ever serve with Tarleton again.¹³¹ The story is more than likely a complete fabrication, not only because it exists nowhere in the primary literature but also because the note that was passed along to Colonel James Webster, both officers' superior, recommending death was signed by both Ferguson and Tarleton.¹³² In addition, Allaire noted in his journal that both men were in agreement about recommending capital punishment for the offender.¹³³ Finally there is no record of any feud between Ferguson and Tarleton in the primary literature. While it is true that the

¹³⁰ Again, both Allaire and Johnson use this title.

¹³¹ Washington Irving. Quoted in Draper. *King's Mountain and its Heroes*. 67.

¹³² Carl Borick. *A Gallant Defense: The Siege of Charleston, 1780*. (Columbia: University of South Carolina Press, 2003). 152-53.

¹³³ Allaire 4/14/1780

two never served together again after Monck's Corner, this was more a function of the fact that both proved to be valuable and trusted independent commanders in Cornwallis' army and were frequently operating independently in the field.¹³⁴

Irving, as part of the generation of Americans immediately after the Revolution participating in the construction of a national narrative of the war, which cast Tarleton unequivocally as one of the war's great villains, used the episode to draw stark contrasts between the two officers, in terms firmly rooted in the language of chivalry and honor. "We honor the rough soldier Ferguson," he wrote, "for the fiat of instant death with which he would have requited the most infamous and dastardly outrage that brutalizes warfare. Tarleton, possessing none of the finer feelings of human nature, failed to second Ferguson's efforts to bring the culprit to punishment."¹³⁵

Although the Tarleton tale is, like many Tarleton stories, almost entirely fictional, the assault on Miss Colleton and Miss Faysoux is most likely not. Stories like this one, however were far too common, and many cases proved to be as exaggerated as other atrocities. Patrick O'Kelley notes in an endnote that "Though there were numerous propaganda stories about soldiers from one side or the other raping women, this is the only case I have been able to document in the entire eight years of the war."¹³⁶ In this respect perhaps it is unique. In terms of the importance women and family served in creating identity and motivating action, however, it is certainly not.

¹³⁴ Moreover, in his hour of greatest need, before King's Mountain, Ferguson *would* indeed call on Tarleton for support, although the latter would not arrive in time to save him.

¹³⁵ Irving. In Draper. *King's Mountain and its Heroes*. 67.

¹³⁶ Patrick O'Kelley. *Nothing But Blood and Slaughter: The Revolutionary War in the Carolinas*. Volume 2, (Blue Horse Tavern Press, 204). Endnote 233.

Although records such as those relating to the Colleton incident exist, even occasionally in the primary sources, detailing offenses against women as extreme as sexual assault, imprisonment or even murder, frequently the offenses that were listed were as trivial as bad manners. In 18th century society, men expected other men to treat women with respect, and when they did not, the offense could be considered very serious and become an important part of the milieu of atrocity rhetoric. For instance, Elizabeth Ellet, a nineteenth century author of a history of women in the American Revolution described Sarah McCalla, a Whig woman and her impression of the opponents her husband and his compatriots faced:

“Regarding the enemy she [Sarah McCalla] always expressed herself with candor. The British soldiers, she described as uniformly polite and respectful to women, and frank and manly in their deportment; the loyalists of American birth she invariably condemned as coarse, vulgar, rude and disgusting in their manners. The New York Volunteers, she said, were “pilfering, thievish, contemptible scoundrels.” She generally spoke well of the British officers, some of whom she thought an honor to the service...¹³⁷”

Many other women responded similarly to ungentlemanly behavior from the other side. “Surely” wrote Eliza Wilkinson of the oaths and profanity British soldiers used in her home, “such horrid language denotes nothing less than death.”¹³⁸ For women like McCalla and Wilkinson, the brutality of the other side was not restricted to the battlefield. Rudeness and inconsideration contributed to their impression of the other side as

¹³⁷ Elizabeth Ellet. *Women of the American Revolution* vol. 3. (New York: Scribner, 1856); 268

¹³⁸ Eliza Wilkinson. Letters. 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: Da Capo Press, 1995). 1121-2.

monsters and played into their rhetorical, and very much *ad hominem*, preference for the Whig cause.

The idea that military conflict would not bleed over into civilian life, was an unrealistic one in the context of the eighteenth century Carolinas. However, as in so many other cases, there were certain things that were considered off-limits. Although women were the most dramatic source of offense, they were not the only one. Destruction of civilian property was often cause to take up arms. “The Tories under...Captain Murray called at my father’s house” Richard Ballew recalled in his pension application “and wantonly killed several of his cattle and sheep, and even cut open the feather beds, emptied the feathers in the yard, cut the bedcords all to pieces and took away by Father’s rifle. Thence Murray marched to join his brethren under Ferguson.”¹³⁹ Shortly thereafter, Ballew himself joined the Whig militia and was with the force that tracked down Ferguson, and with him Murray, at King’s Mountain.¹⁴⁰

Accounts like Ballew’s and McCalla’s provide windows into the idea of Tory inconsideration against a helpless and occupied Whig populous in 1780. Stories like Brown’s, Fanning’s and Schaw’s serve to further reinforce the brutality of Whig control before that time and the degree to which Tories perceived it as oppressive. It should come as no surprise that political enemies of the party in power would feel oppressed. Piecuch’s book and Edgar’s provide different mirrors with which to view the same phenomenon, and it is important to recognize that while both interpretations are valid, each is only half of the story.

¹³⁹ Richard Ballew. Pension Application. S15305

¹⁴⁰ Ricahrd Ballew. Pension application. S15305

The reality of the situation is truly remarkable because for so many men on both sides, the choice to go to war, to return to the field after retiring, or even to attack at a certain place at a certain time, was often motivated more by resentment than by principle. Brown, Sumter, Bratton and, as we shall see, the Overmountain Men who fought at King's Mountain were motivated by a sense of the enemy as a monstrous other, guilty not only of reprehensible atrocities, but in many cases simple bad manners. In short, the cruelty of the southern war was not seen as inherent in the nature of protracted guerilla war, but rather as something deliberately visited upon one side by the overwhelmingly cruel nature of the other. The effect was a dehumanization of the foe. No decent human being could be responsible for atrocities such as those that occurred to Sumter, Brown or Bratton, or their families. It was also easy to forget events perpetrated by one's own side upon the opponent, in favor of incidents that demonstrated the opposite.

It was this kind of rhetoric that American Brigadier General Daniel Morgan used to inspire his men, including Thomas Young, immediately before the battle of Cowpens. Tarleton was well known as the butcher of the Waxhaws and his tendency against taking prisoners was accepted as common knowledge. Ironically, however, Tarleton's men were thinking the same thing. After being soundly defeated in the early morning battle, Captain Duncanson of the 71st Highland Regiment refused to surrender to his American captors. When questioned by Lieutenant Colonel John Eager Howard, the commander of the Maryland Continental Regiment that had surrounded the 71st, Duncanson replied that they "had orders to give no quarter, and they did not expect any."¹⁴¹ That Tarleton had ordered his men to take no prisoners if they got the upper hand should not be terribly

¹⁴¹ John Eager Howard. "Account of the Battle of Cowpens." In Robert E. Lee. *The American Revolution in the South*. (New York: Published by the Author, 1869.) 98.

surprising to anyone who was familiar with, and subscribed to, the idea of the Butcher of Waxhaws. However, the fact that Duncanson expected the same treatment at the hands of the Americans shows that the issue was considerably more complex. Cowpens followed not only Waxhaws but also King's Mountain, which will be discussed in a later chapter, as well as a host of other small, brutal engagements between Whig and Tory militia. The cycle of brutality that had resulted from escalation and revenge in dozens of battles, skirmishes and small scale atrocities had created a milieu in which both sides expected inhuman cruelty from the other,

Still, both the 71st Regiment and Howard's Continentals were regular soldiers, not militia. They were also, being from Scotland and Maryland respectively, not native Carolinians like the Overmountain men or dispossessed Loyalists like the men of Tarleton's Legion. It seemed as though they were fighting a separate war from the brutal struggle happening around them that was so marred by the rhetoric of revenge. Howard seemed surprised that his enemy would expect to be treated with such brutality.¹⁴² Yet perhaps there is more to the British assumption than meets the eye. Lawrence Babits, author of the definitive book on the battle of Cowpens, *A Devil of a Whipping: The Battle of Cowpens*, notes that cries of "Tarleton's Quarter" similar to those that rang off the slopes of King's Mountain were already being heard on the field at Cowpens before Duncanson's refusal to surrender, and that it was Howard himself "exclaiming give them quarters" that averted a massacre.¹⁴³

¹⁴² Howard in Lee, 98.

¹⁴³ Lawrence E. Babits. *A Devil of a Whipping: The Battle of Cowpens*. (Chapel Hill: University of North Carolina Press, 2000). 122-3.

It is easy to see how things could get out of hand in a situation where two sides faced each other, and neither expected the other to offer quarter. Duncanson said that his men had “orders to give no quarter, and did not expect any.” It is important to remember, however, that such a statement implies no causal order to its two clauses. How different it would have appeared had the words been uttered in the opposite order “We expect no quarter, and have orders to give none.” This rephrasing implies a completely different causal order. In essence, this was the assumption that at least some of Morgan’s men were operating under. Tarleton would give no quarter, therefore they should not either. When they began shouting “Tarleton’s Quarter” at the surrendering British soldiers, just as they did at King’s Mountain and at other engagements before and after, they were making this very statement implicitly.

This is the very essence of the cycle of vengeance that gripped the Southern colonies in 1780 and 1781. Each side viewed the others as monsters capable of committing violent atrocities, which justified a certain level of brutality in response. This in turn, allowed the same rhetoric to be used in reverse by the other side. This process, when coupled with the misinformation and exaggeration that necessarily magnified the atrocity at each level, quickly escalated the phenomenon into the realm of the unmanageable.

Chapter Four: “The Sword of the Lord and of Gideon,” The Battle of King’s Mountain as
a Microcosm of the War in the South.

Sometime in September of 1780, while British Major Patrick Ferguson was camped at Gilbert Town, North Carolina, he paroled a prisoner on the condition that the latter deliver a message to the staunchly Whig inhabitants of the Watauga settlements on the far western frontier of North Carolina, in what is now Eastern Tennessee. According to Isaac Shelby’s reminiscences, the message was that if Whig settlers did not “desist from their opposition to the British arms, and take protection under his [Ferguson’s] standard, he would march his army over the mountains, hang their leaders, and lay their country waste with fire and sword.”¹⁴⁴

It is important to remember that this specific wording is Shelby’s, not necessarily Ferguson’s. That is not to say that Shelby’s account is a fabrication, only that it is an interpretation; and there is no reason to question the sentiment of Ferguson’s proclamation. In some ways, the interpretation is more instructive than Ferguson’s actual wording would be, were it known. Shelby’s remembrances convey a strong sense of crisis and impending doom, brought on by the feeling that his own family and community were directly threatened.¹⁴⁵

In a way that was more than merely academic, they were. In a more detailed account from his own memoir, Isaac Shelby mentioned himself as the chief target of

¹⁴⁴ Isaac Shelby. From a pamphlet entitled *King’s Mountain: To the Public*. Published in Draper, *King’s Mountain and its Heroes*. 560-73.

¹⁴⁵ Isaac Shelby. From a pamphlet entitled *King’s Mountain: To the Public*. Published in Draper, *King’s Mountain and its Heroes*. 560-73.

Ferguson's expedition. "If Shelby did not surrender" he wrote of himself in the third person, "Ferguson would come over the mountains and *put him to death* [emphasis added]." ¹⁴⁶ Nor was the author shy about what caused him to seek Ferguson out instead. "It required no further taunt," he wrote without ambiguity "to rouse the Patriotic indignation of Colonel Shelby."¹⁴⁷ It cannot be argued, as with Thomas Sumter, that Isaac Shelby took the field because of a personal insult. Shelby had been operating in the field as a Whig partisan leader for some time before Ferguson's ultimatum. Yet, he made plain in his own writings that his choice to conduct his next major campaign against the enemy who had personally promised him destruction was motivated by that very threat.

Like so many others, Shelby conflated his anger over this "taunt" with his "Patriotic duty." In other words the personal and the political could not be entirely separated. There can be no doubt that both motivations were at work, but it was primarily Ferguson's threats, directed at himself and his community that set in motion Shelby's next actions. In this case, those actions resulted not only in the complete annihilation of Ferguson's army as a fighting force but also in the latter's death.

Shelby followed this description of the catalytic event with a simple statement that "after some consultation, we determined to march, with all the men we could raise, and attempt to surprise Ferguson."¹⁴⁸ Although Shelby himself had been in the field for several years, for many of the militiamen of the Watauga settlements and others areas who participated in the campaign against Ferguson, the latter's ultimatum represented the catalytic event that caused them to pick up arms for the first time and move against

¹⁴⁶ Shelby in Draper. 562.

¹⁴⁷ Ibid.

¹⁴⁸ Isaac Shelby. From a pamphlet entitled *King's Mountain: To the Public*. Published in Draper, *King's Mountain and its Heroes*. 560-73

Ferguson. Much like Young, Sumter, or Bratton, Ferguson's ultimatum may not have been the only factor on Shelby's mind when he decided to move preemptively against the former, but it was the event that provided the catalyst without which King's Mountain almost certainly would not have happened. Shelby was not alone among those who fought at King's Mountain in wanting to take revenge specifically on this man he considered a personal enemy.

Adam Crum volunteered "for three months *to take Ferguson* [emphasis added]." ¹⁴⁹ No more direct causal statement could be made. Crum is hardly alone in ascribing his decision to take the field with the specific purpose of bringing Ferguson down. Charles Gilbert, likewise noted that he remained in the militia service "for the purpose of marching against the British Partisan Colonel [actually Major] Ferguson who had invaded the Weston [Western] district of North Carolina." ¹⁵⁰ Peter Hughes "again volunteered under Captain Craig of Colonel Campbell's command, to go against Ferguson who with his army, it was understood, contemplated crossing the mountains." ¹⁵¹ John Horton "again volunteered to go against Ferguson who was on his march to the up country." ¹⁵² That so many pension applications would single out Ferguson by name as the reason for their authors' taking up arms is significant. Although most were certainly Whigs already, they joined this particular expedition in order to exact vengeance upon Patrick Ferguson specifically. Ferguson's perceived threat against their families and communities became an integral part of the narratives of Crum, Gilbert,

¹⁴⁹ Adam Crum. Pension Application. S8260

¹⁵⁰ Charles Gilbert. Pension Application. S31057.

¹⁵¹ Peter Hughes. Pension Application. W7823.

¹⁵² John Horton. Pension Application. W367.

Hughes, Horton and dozens of others who volunteered for the expedition. Another important piece of their group identity was religious rhetoric.

On September 26, the column made camp and listened to a sermon by their reverend Samuel Doak. He asked for divine protection for the mission, and concluded with the story of Gideon from the book of judges. In it, Gideon, as the servant of God gathers a small army of only three-hundred men and with God's help defeats the Midianites who were much more numerous. The passage that precedes the attack itself reads "And the three companies blew the trumpets, and broke the pitchers, and held the lamps in their left hands, and the trumpets in their right hands to blow withal; and they cried 'The sword of the Lord and of Gideon.'"¹⁵³ With the conclusion of the sermon, the inspired Whig militiamen began chanting "The sword of the Lord and of our Gideons."¹⁵⁴

The choice of sermons is revealing. Religious rhetoric was an important part of what motivated the Backcountry Presbyterians. In this case, their narrative construction was extremely deliberate. In creating parallels between their own situation and that of the biblical hero, they were making implicit statements about themselves and their enemies. They were also making a statement about God. The Sword of the Lord became a symbol of the righteous fight. In invoking the story of Gideon, Whig soldiers were presenting themselves as warriors in a battle between good and evil, or at least between the people of God and God's foes.

Such allegorical rhetoric was common among the Backcountry Presbyterians who often made up militia regiments on both sides. Religious rhetoric became a tool alongside revenge in constructing narratives and creating meaning. On October 29th, Anthony

¹⁵³ The Holy Bible. King James Version. Judges 7:20.

¹⁵⁴ Draper, 176

Allaire, by then a captive following King's Mountain wrote "Here we heard a Presbyterian sermon, truly adapted to their principles of the times; or, rather, stuffed as full of Republicanism as their camp is of horse thieves."¹⁵⁵ Unfortunately, the specific nature of this particular sermon has been lost to history, but it is clear that like the "Sword of the Lord and of Gideon" speech, this one also drew significant parallels between its biblical or ethical subject and the philosophical ideas of revolution. Although Allaire did not share his captors' interpretation of the Bible passages being presented, he clearly understood the implications and parallels being constructed. It was with the mindset of righteousness and holy wrath that the Whig militia went into battle at King's Mountain.

A recounting of the battle of King's Mountain is not necessary.¹⁵⁶ What is relevant is what brought the militia to North Carolina, and what motivated their actions after the British surrendered. The affair was bloody, and ultimately the Whigs prevailed. Late in the battle, Ferguson himself was killed. Beyond this brief outline of the battle, however, a number events and writings, including those by Young and Allaire, allude to the vastly divergent narratives that arose from this seemingly straightforward event.

First, the intense level of personal animosity and vengeance directed at Ferguson personally is worthy of note. The Whigs had captured a Tory messenger at the base of the hill before the attack, and had learned from him that Ferguson wore a checkered shirt over his uniform coat. Whig officer Frederick Hambright announced this fact to the assembled militiamen and Ferguson's distinctive clothing immediately became a target

¹⁵⁵ Allaire, 10/29/1780.

¹⁵⁶ For the interested reader, Draper's *King's Mountain and its Heroes* is the most thorough, though somewhat biased, account of the battle. The best contemporary source is the account found in John Buchanan's *The Road to Guilford Courthouse*.

for the revenge hungry young militiamen.¹⁵⁷ When Ferguson, in the checkered shirt as promised, appeared at the top of the hill, so many Whigs fired at him that the British commander fell from his horse and was dead before he hit the ground.¹⁵⁸

James Collins, a young Whig militiaman noted in his journal that “On examining the body of their great chief, it appeared that almost fifty rifle balls had passed through his body, both of his arms were broken , and his hat and clothing were literally shot to pieces.”¹⁵⁹ That soldiers should specifically target an enemy commander in battle is not uncommon, especially in the type of irregular warfare practiced by both sides in the Backcountry and at King’s Mountain. That many of those shots should find their mark is no more astonishing, given the high number of marksmen in the Whig army. Yet the sheer amount of lead that passed through Ferguson’s body is remarkable. He must have been quite a coveted target. Collins himself claimed to have fired one of those rifle balls. So did Robert Young [no known relation to Thomas], and a Private Kusick, among others.¹⁶⁰

Even Collins’ account cannot illustrate the full level of enmity that Whig militiamen held for Patrick Ferguson or the vitriol with which they expressed that hatred. In fact, of the “almost fifty rifle balls” that Collins observed to have hit Ferguson, a good number were probably fired after he was already down. When Ferguson was hit, he fell from his horse but his foot caught in the stirrup and he was dragged for some distance. As

¹⁵⁷ Draper, *King’s Mountain* 232.

¹⁵⁸ Buchanan 232.

¹⁵⁹ Collins

¹⁶⁰ Draper 275.

this was occurring several Whig militiamen continued to fire into the body out of spite and naked vengeance.¹⁶¹

While clearly much of this vitriol stemmed from Ferguson's threats, Shelby's reminiscences, as well as other evidence which will be presented later in this chapter, point to at least part of the resentment stemming from hatred of Loyalists in general and of Tarleton in particular that because of the transferability of responsibility inherent in atrocity rhetoric, many Whigs felt comfortable with. That Ferguson should take the brunt of the punishment for Tarleton's reputation is doubly ironic given later interpretations, even in American sources such as Washington Irving's, of him as a gentleman and his character being painted in direct opposition to Tarleton's. At the Colleton Plantation incident, Ferguson was cast, quite deliberately and probably ahistorically, as a foil to Tarleton's cruelty. Yet in the narrative of King's Mountain he was used almost as a rhetorical stand in for the "Butcher of the Waxhaws" and perhaps even suffered the fate he did on account of his association with that other officer.

Allaire, a longtime member of Ferguson's American Volunteers, understandably felt differently about the death of his commander, writing on the day of the battle that "We lost in this action, Maj. Ferguson, of the Seventy-first regiment, a man much attached to his King and country, well informed in the art of war; he was brave and humane, and an agreeable companion; in short, he was universally esteemed in the army, and I have every reason to regret his unhappy fate."

¹⁶¹ O'Kelley, 335.

Young was more straightforward. “The enemy lost above three hundred...among them Major Ferguson.”¹⁶² Yet his description of the death of Whig Colonel James Williams is eerily parallel and instructive.

“The moment I heard the cry that Col. Williams was shot, I ran to his assistance, for I loved him as a father, he had ever been so kind to me, and almost always carried carrying cake in his pocket for me and his little son Joseph. They carried him into a tent, and sprinkled some water in his face. He revived, and his first words were, "For God's sake boys, don't give up the hill!" I remember it as well as if it had occurred yesterday. I left him in the arms of his son Daniel, and returned to the field to *avenge his fall* [emphasis added]. Col. Williams died next day, and was buried not far from the field of his glory.”¹⁶³

In each case, Young and Allaire maintained a level almost of hero worship for their commanding officers. Although Allaire probably knew nothing of Colonel Williams, his reverence for Ferguson appears to be similar to Young’s for Williams. This coupled with the intense disdain that so many Whig militia felt for Ferguson, is illustrative of the divergent narratives being played out on the field of battle. In many ways Ferguson and Williams both represent the heroic martyr figure in one side’s account of the battle. Moreover, Young’s stated desire to avenge Williams’ death may well have contributed to his later shot at Ferguson and his participation as one of many in the symbolic act of killing the latter. Thus, the two tales of heroism are linked by a chain of vengeance.

With Ferguson down, his second in command, Captain Abraham DePeyster, immediately surrendered. Allaire recalled that it was impossible by this point “to form six

¹⁶² Young.

¹⁶³ Ibid

men together” and that DePeyster wisely threw up the white flag in order to “save the lives of the brave men who were left.”¹⁶⁴ It was at this point that the most controversial event of the battle occurred. There are almost as many different versions of what happened as there are individual accounts of it. One thing is certain, however, after DePeyster raised the white flag, some number of Whigs continued to fire. John Buchanan writes that “what occurred after DePeyster’s action [the raising of the white flag following Ferguson’s death] has been argued ever since but it is clear that unnecessary killing took place.”¹⁶⁵ The question that historians have been arguing over is primarily one of intent. The extent of continued firing is also a point of contention. However, the most intriguing question is whether continued killing happened in the context of confusion or of vengeance.

Lyman Draper’s book on the battle, *King’s Mountain and its Heroes*, written in 1881 from interviews with direct descendents of veterans, suggests a number of different interpretations of what happened to the Tory attempt to surrender. Initially, Draper ascribed the botching of the surrender to Ferguson himself. “Several officers tried to raise a white flag before Ferguson’s death, Draper contends, and in each case, Ferguson, in his pride, rode by and cut it down, declaring that he would never surrender to such a “damned banditti.”¹⁶⁶ As soon as Ferguson fell, however, and DePeyster succeeded to the command, the latter ordered a general surrender. Although some sporadic firing continued, when DePeyster complained to Whig Colonel William Campbell that the fighting had ended and that it was “damned unfair” to continue firing, Campbell took

¹⁶⁴ Allaire 10/7/1780

¹⁶⁵ Buchanan 233.

¹⁶⁶ Quoted in Draper 274

control of the situation and quickly orchestrated an orderly surrender, even knocking the rifle out of one of his own soldiers' hands declaring "It is murder to kill them now, for they have raised a flag."¹⁶⁷

Draper also offered a second account, however, that is darker and more in line with Shelby's admissions, discussed at the beginning of this work. A Whig Captain named Charles Bowen of Colonel Campbell's regiment was said to have participated in his own dramatic personal enactment of the ritual of vengeance that was to have major consequences for the larger battle. According to Draper, Bowen went into a frenzy after hearing that his brother had just been killed in another part of the engagement. It was Bowen, according to his own boasting, who killed "the first man among them [the Tories] who hoisted a flag."¹⁶⁸ Here vengeance enacted on the small scale could have had a rippling effect and caused the killing to continue. If as Bowen and Young both allude, enough men on the Whig side had personal motivations for revenge, no aggregate vengeance narrative would be necessary, as the continued firing could cause a state of confusion that enabled even those without revenge on their minds to believe they were still firing in self-defense.

Although Draper attributed Bowen's action to his "half-bewildered state of mind,"¹⁶⁹ the author also provided another piece of information that sheds light on the extent to which the killing of prisoners might have been more deliberate on the part of Whig soldiers and their leaders than a random impassioned act by a crazed and grieving brother or a young soldier acting out an individual ritual following the death of a beloved

¹⁶⁷ Draper 283

¹⁶⁸ Draper 262

¹⁶⁹ Draper 262

hero. The story is as follows. The lack of uniform worn by the militia of both sides led to much confusion. Young mentioned that the only mark of distinction between the two sides was that the Whigs wore a piece of white paper in their hats while the Tories used a sprig of pine.¹⁷⁰ In the confusion of battle, these small emblems seem not to have been sufficient in all cases to tell friend from foe, so a sign and countersign had developed among the Whigs. One case of mistaken identity occurred when the very same Captain Bowman of the previous anecdote was almost killed by one of his own compatriots. Fortunately for Bowman, the other soldier hesitated before firing and called out the first codeword. That initial sign is lost to history, but the countersign, which Bowman recalled just in time to save his own life, was recorded in Draper's book: "Buford!"¹⁷¹

If the story is true, and that is a big if since the reference appears only in the occasionally hyperbolic Draper account, no more convincing evidence is needed that the rhetorical link between the massacre of Whigs at Waxhaws and the massacre of Tories at King's Mountain was intentional. The sign, coupled with Shelby's remembrance of his own men shouting "Give them Buford's play," points compellingly to the use of vengeance rhetoric during the battle. In the latter case, the author seemed surprised and even a little disappointed that his men would participate in wanton killing. On the other hand, if Bowman's account is to be believed, Buford's name was used as a password. To use the name of an officer from another state, who had not even been in the southern theater for the past six months, as a sign was a clear statement. Even if not a direct appeal to his soldiers to show no mercy, Campbell clearly chose the day's sign with an intention to evoke a memory of an event and all the interpretation that currently went with it. He

¹⁷⁰ Young

¹⁷¹ Draper 262

consciously and deliberately placed the idea of “Buford’s Massacre” in the heads of men he knew would be going into battle against enemies they associated with that very tragedy.

Shelby’s even-handed account walked the middle line between blaming the brutality on confusion and admitting wanton cruelty. His final assessment was that the causes were both “the ignorance of some, and the disposition of others to retaliate.”¹⁷² Confusion was rampant, and it is true that a previous white flag had been raised and then taken down. Not every act of violence after the surrender can be attributed to vengeance, but as Shelby freely admits, many Whigs were not willing to give their enemies the benefit of the doubt.

James Ramsey excused the continued firing by suggesting that perhaps the Whigs, who were not professional soldiers, did not understand the meaning of the white flag. “Others who did,” he argued “knew that others [earlier flags of surrender] had been raised before and quickly taken down.”¹⁷³ Alexander Chesney, a Tory participant was also willing to give his opponents the benefit of the doubt in light of the confusion of battle. “As the Americans resumed their fire,” he wrote “ours was also resumed under the supposition that they would give no quarter; and a dreadful havoc took place until the flag was sent out a second time, then the work of destruction ceased.”¹⁷⁴

That Chesney was willing to allow for mistake rather than malice as the motivating factor for continued Whig aggression seems to buck the trend of Whigs

¹⁷² Shelby. In Scheer and Rankin 419.

¹⁷³ David Ramsay. *Annals of Tennessee to the end of the Eighteenth Century*. (Charleston: James Russell, 1853). 239.

¹⁷⁴ Alexander Chesney, *The Journal of Captain Alexander Chesney, Adjutant to Major Patrick Ferguson*. Bobby Moss ed. (Blacksburg, SC: Scotia-Hibernia Press, 2002). 18.

excusing the behavior and Tories condemning it. What may be more interesting, however, is Chesney's assertion that even before the killing really started the Tories resumed firing because they assumed the Whigs would give no quarter. These were hardened veterans of the backcountry fighting and by the time of King's Mountain, their understanding of their enemy was that the latter would not extend quarter to surrendering soldiers. In effect Campbell's and Shelby's men represented the same type of inhumane killers that Tarleton, and even Ferguson, represented to the Whigs. Ironically, in Chesney's interpretation, this perception turned out to be a self-fulfilling prophecy, as it was the fear of massacre which caused the Tories to continue fighting despite the hopeless circumstances, and that in turn led to actual massacre. This assumption of inhumanity in one's opponent was certainly not limited to the events of October 7th, 1780. It closely mirrors Captain Duncanson's belief that his men would not be shown mercy at Cowpens. By the fall of 1780, such rhetoric had become so internalized that it was almost understood as fact on both sides.

The divergent narratives of the battle and its meaning did not end with the last shot. Allaire's journal chronicles the days following the battle, during which he and his fellow prisoners were marched away from the battlefield and toward safety behind the Whig lines. On October 12th, Allaire wrote, "Those villains divided our baggage, although they had promised on their word we should have it all."¹⁷⁵ Even in captivity, prisoners had some rights and by plundering their baggage, especially after promising they would not, Allaire believed that his captors had violated the unspoken rules of war which men like Marion and Balfour also labored over.

¹⁷⁵ Young.

On Wednesday, November 1st, Allaire wrote “My friend, Dr. Johnson, insulted and beaten by Col. Cleveland for attempting to dress a man whom they had cut on the march.”¹⁷⁶ In a letter he penned to the *Royal Gazette*, a Loyalist newspaper in New York after his escape, he pointed to the incident as typical of Whig atrocities, writing succinctly “This is a specimen of Rebel lenity-you may report it without the least equivocation, for upon the word and honor of a gentleman, this description is not equal to their barbarity.”¹⁷⁷

Allaire’s journal, as well as the *Royal Gazette* article, contain more about the horrors of the march to captivity after the battle than they do about the battle itself. For Allaire, the incidents just described and others tied into a larger scheme of intentional Whig barbarity worded eerily similarly to the accusations that Marion and Balfour each hurled at the other. To be sure, there were instances of individual cruelty on the march. “This night Dr. Johnson and I were disturbed by a Capt. Campbell,” Allaire recounted on October 24, “who came into our room, and ordered us up in a most peremptory manner. He wanted our bed. I was obliged to go to Col. Campbell [not to be confused with, and presumably no relation to, the Captain Campbell mentioned above], and wake him to get the ruffian turned out of the room; otherwise he would have murdered us, having his sword drawn, and strutting about with it in a truly cowardly manner.”

Yet in many instances, hardship was simply hardship whether for captive or captor. Young wrote that “after the battle we marched...with our prisoners, where we all came very near starving to death. The country was very thinly settled, and provisions

¹⁷⁶ Allaire

¹⁷⁷ Anthony Allaire. Letter to the editor. *The Royal Gazette*, (New York), February 24, 1781.

could not be had for love or money. I thought green pumpkins, sliced and fried, about the sweetest eating I ever had in my life.”¹⁷⁸ It is instructive to note how a general lack of provisions in the army as a whole could easily be interpreted as intentional and wanton cruelty and deprivation directed at the prisoners. “All the men were worn out with fatigue and fasting,” Allaire wrote on October 15th, “*the prisoners* [emphasis added] having no bread or meat for two days before.”¹⁷⁹ Two days earlier, Allaire wrote sarcastically that they “Moved six miles to Bickerstaff’s [Biggerstaff’s] plantation. In the evening their liberality extended so far as to send five old shirts to nine of us, as a change of linen—other things in like proportion.”¹⁸⁰ That such stinginess on the part of the rebels would be treated with such derisive sarcasm in Allaire’s journal should not be a surprise. While the British army was never lavishly well supplied, especially in the Backcountry regions of the state, Allaire was certainly used to a more comfortable existence before being made prisoner than after. Moultrie’s account of mistreatment at the hands of the British is eerily similar in its language to Allaire’s description of his abuse by his Whig captors. It is easy to understand how each of these two men suffering through captivity could have interpreted the enemy’s actions as wanton cruelty, while their opponents themselves saw their role entirely differently. Yet Biggerstaff’s Plantation would haunt Allaire in ways that went far beyond perceived neglect.

Further illustrating the links between the hangings at Biggerstaff’s and the cycle of revenge, Isaac Shelby wrote again in despair of the event that one of the reasons Colonel William Campbell had convened the Court that condemned the nine Tories was

¹⁷⁸ Young

¹⁷⁹ Allaire

¹⁸⁰ Allaire

the claim by one of the Whig officers that “he had seen eleven patriots hung at Ninety Six a few days before, for being rebels. Similar cruel and unjustifiable acts had been committed before,” Shelby explained. “In the opinion of the patriots, it required retaliatory measures to put a stop to these atrocities.”¹⁸¹ Vengeance, and again transferability, marked the principal reasons for the executions in this particular interpretation. Shelby clearly did not share the opinion of his peers that such vengeance was necessary, but he also was clearly in the minority. Captain Patrick Orr remarked gruesomely upon seeing the gallows oak with nine Tories dangling from its limbs “Would to God every tree in the wilderness bore such fruit as that.”¹⁸²

Biggerstaff’s was hardly the only enactment of vigilante justice on the march from King’s Mountain. On the 30th, Allaire wrote in his journal that “A number of the inhabitants assembled at Bethabara to see a poor Tory prisoner executed.”¹⁸³ It is not clear whether the “poor Tory” was one of the prisoners or one of the inhabitants. What is clear is the crime for which he was being executed: impudence. “A Rebel soldier was passing” Allaire explained “and like a brute addressed himself to those unhappy people in this style: ‘Ah, d--n you, you’ll all be hanged.’ This man, [the unfortunate Tory] with the spirit of a British subject, answered, ‘Never mind that, it will be your turn next.’”¹⁸⁴ This was evidently enough to provoke the mob that the Whig army had become. Once again, as evidenced by the reference to the man’s “spirit of a British subject,” Allaire viewed the victim not as an insolent loudmouth but as a stoic martyr. Luckily, this event did not end as tragically as Biggerstaff’s. As Allaire explained “Col. Cleveland's goodness extended so

¹⁸¹ Draper. *King’s Mountain*. 544.

¹⁸² Draper. *King’s Mountain*. 341.

¹⁸³ Allaire. October 30.

¹⁸⁴ Allaire. October 30.

far as to reprove [sic] him [the poor Tory].”¹⁸⁵ It is not certain whether the author was being sarcastic or not. Young, for his part, had very much more to say about the battle, and only a few short remarks about the march after, which also says something about the way he internalized the action and conflict of the past few weeks. Omission can be as important a piece of historical evidence as inclusion and the vastly different emphases the two young writers placed on events is telling.

King’s Mountain came to symbolize two very different things in the Whig and Tory narratives. For many Whig participants, as for the majority of American writers in the early Republican era, King’s Mountain represented more than just an important victory over British arms. For one thing, it represented the first large-scale upset in a campaign that the British had effectively dominated since the siege of Charleston. More importantly however, King’s Mountain was a story about frontier farmers who became reluctant warriors when their own homes and families were threatened by a bloodthirsty British officer who did not respect the rules of civilized war. No statement better sums up the Whig narrative of the battle than the letter of thanks that the Virginia Legislature unanimously voted to those of its own citizens who participated in the battle. It declared that:

“The officers and men of the militia... spontaneously equipt themselves, and went forth to the aid of a sister state, suffering distress under the invasion and ravages of the common enemy, and who...judiciously concerted, and bravely executed, an attack upon a party of the enemy commanded by Major Ferguson.”¹⁸⁶

¹⁸⁵ Ibid.

¹⁸⁶ Vote of thanks of the Virginia Legislature to Colonel Campbell. November 10th, 1780. In Draper. *King’s Mountain and its Heroes*. 532-3.

For Tories, the legacy of King's Mountain can hardly be separated from the incident that occurred at Biggerstaff's Plantation a few weeks later. For people like Allaire, the brutality perpetrated on surrendering Tories, coupled with the murder of Colonel Mills and the others were the lasting memories of the King's Mountain campaign. Cornwallis wrote to Continental Major General William Smallwood "I must observe that the cruelty exercised on the prisoners taken under Major Ferguson is shocking to humanity; and that the hanging of poor old Colonel Mills, who was always a fair and open enemy to your cause, was an act of most savage barbarity."¹⁸⁷ In another letter to his superior, General Sir Henry Clinton, Cornwallis wrote "I will not hurt your Excellency's feelings by attempting to describe the shocking tortures and inhuman murder which are every day committed by the enemy."¹⁸⁸

The indignities that were perpetrated on Ferguson's body also became part of the mythology of Whig cruelty during the battle. In addition to the well-documented case of men firing rifle balls into the dead man, Banastre Tarleton wrote in his memoirs that Whig militiamen urinated on the body.¹⁸⁹ Given the lack of corroborating sources among those actually present and Tarleton's propensity for exaggeration, this is probably not true, but the fact that it was included in such a widely read piece of British post-war history is indicative of the way the defeated understood the battle. While the details of Tarleton's account may be embellished, the account does capture the essence of Whig rage directed at Ferguson personally.

¹⁸⁷ Charles Cornwallis to William Smallwood. November 10, 1780. In *Correspondence of...Cornwallis*. 67.

¹⁸⁸ Charles Cornwallis to Sir Henry Clinton. December 4, 1780. *Correspondence of...Cornwallis*. 78.

¹⁸⁹ Tarleton 165.

No historical event happens in a vacuum. It is important to understand the context in which both sides understood the event. For Whigs King's Mountain was irrevocably tied to the events that happened before, and for Tories it was just as irrevocably tied up in its own aftermath. The tragedy of Ferguson's death, coupled with the inhumanity of Whigs who continued to fire on men who had already surrendered and the perceived injustice of the executions that followed provided the most significant contextual basis for the way ordinary Tories like Anthony Allaire understood it. Allaire did not see himself or his companions as perpetrators of any injustice against his opponents and for them to initiate such brutality confirmed his understanding that he was on the right side. For him, the men murdered at Biggerstaff's plantation died martyrs' death. As he wrote in his letter to the *Royal Gazette*, Mills, Chitwood, Wilson, and the others "all, with their last breath and blood, held the rebels and their cause as infamous and base, and as they were turning off, extolled their King and the British Government."¹⁹⁰

On the other hand, Whigs understood their role as that of righteous avengers of evil. The calling of "Tarleton's Quarter" demonstrates an association of the drama they were currently playing out with that early event. The abuse of Ferguson's body and the desire to seek vengeance on him personally point to an interpretation that the enemy, and especially his commander, were in the wrong and had begun the brutality. Finally the executions of Mills, Chitwood and Wilson were an act of justice carried out against criminals, not an unprovoked act of cruelty.

Perhaps the biggest difference between Whig and Tory contextualizations of the battle and its aftermath is that while Tories viewed King's Mountain as the beginning in a

¹⁹⁰ Allaire. Letter to the *Royal Gazette*.

cycle of revenge, Whigs viewed it as the end. While Thomas Young saw King's Mountain as a worthy act of vengeance on a brutal enemy, Anthony Allaire saw it as a brutal act needing vengeance. This is the real tragedy of the cycle of vengeance. Because of divergent narratives and the inability of either side to understand the other side's contextualization, events like King's Mountain fed off of one another, caused by previous catalytic events on one side, but becoming catalytic events for future brutality on the other.

This is not to say that compassion between the two sides was completely foreign. James Collins sympathized with his opponents' plight, writing "The situation of the poor Tories appeared to be really pitiable...I could not help turning away from the scene before me with horror and, though exulting in victory, could not refrain from shedding tears...Numbers of the survivors were doomed to abide the sentence of a court martial and several were actually hanged."¹⁹¹ While Collins never went so far as to say that the sentences were not justified, he did show a remarkable amount of empathy for his enemies, of which others in the Whig camp, including Thomas Young, proved incapable.

King's Mountain represents a microcosm of all of the aforementioned elements, which pervaded the Southern campaigns generally on a larger scale. In this way, it should be viewed as an ideal illustrative example of the phenomena discussed rather than a unique event. To the extent it is special, it is so only by degree. The battle contains elements of each of the phenomena outlined above: catalytic events, atrocity rhetoric at both the aggregate and personal level, vengeance, the transferability of responsibility, notions of chivalry and decency, the atrocity cycle, and most of all, divergent narratives

¹⁹¹ Collins, 260.

and contextualizations. In this way, it is perhaps the most complete case study of the issues and factors affecting atrocity rhetoric available in one single event.

Conclusion: The Rhetorical Legacy of Atrocity

The rhetoric of revenge in its various forms pervaded nearly every aspect of identity and motivation among the Whigs and Tories who made up the population of the three southernmost colonies. They created not only narrative but identity from their interpretations of each other's atrocities. In many cases, the experiences of the American Revolution were formative both for individuals and for the societies they created in the new American republic as well as among former Tory expatriates living in exile.

As the victors, Whigs' interpretations have generally found favor among scholars of the conflict from immediately after the American Revolution until almost the present day. The new revisionist literature is now just beginning to examine this narrative critically and to try to get past early American mythology and intentionally or subconsciously nationalistic interpretations. In some cases the pendulum has swung too far in the other direction, recasting the formerly heroic Whigs as villains and their Tory counterparts as tragic heroes. As this field of historical research broadens, hopefully it will find a balance, in which the men and women of this period on both sides will be viewed not as heroes or villains but as people, as trapped in their own understanding of the conflict as we are in the legacy which has been constructed in the years since.

This work is the first step in what will one day be a more comprehensive examination of identity and narrative formation in the face of the American Revolutionary crisis. Atrocity is an important piece of that larger picture, and will represent a focal point of that work, although it will not be as exclusively focused on that one particular piece of the rhetorical puzzle as this work has been. Most of all, it will

continue the work that this work begins, placing primary importance on individual understandings rather than attempting to arrive at a historical consensus. It will seek to take eighteenth century actors on their own terms. The first step is an understanding of the process of narrative construction, which recognizes that each side's interpretation of events, as well as the synthetic approaches of later historians, are necessarily interpretations, which can only hint at the complexity of real situations. This work is no exception.

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