POLITICS AND PERSONAL LIFE IN THE ERA OF REVOLUTION: THE TREATMENT AND REINTIGRATION OF ELITE LOYALISTS IN POST-REVOLUTIONARY VIRGINIA

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Politics and Personal Life in the Era of Revolution: The Treatment and Reintegration of Elite Young Loyalists in Post-Revolutionary Virginia

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts at Virginia Commonwealth University.

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Abstract

POLITICS AND PERSONAL LIFE IN THE ERA OF REVOLUTION: THE TREATMENT AND REINTIGRATION OF ELITE LOYALISTS IN POST-REVOLUTIONARY VIRGINIA

By Gregory Harkcom Stoner

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Virginia Commonwealth University, 2006.

Major Director: Dr. Sarah H. Meacham, Assistant Professor, Department of History

Historians of loyalism in Virginia during the American Revolution typically characterize supporters of the Crown as a small and unorganized group that had little bearing on the outcome of the war. However, these historians greatly underestimate the extent and nature of Virginia loyalists. Patriots throughout the state feared and loathed outright demonstrations of loyalty to the Crown, sought to identify and remove Tories in their communities, and worked to prevent the reentry of these Loyalists into postwar Virginia. Those loyalists who attempted to return to Virginia realized that continual attention was required to shape and present an image that would eliminate questions about their loyalty and protect interests and property.
This study examines how a select group of returning loyalists sought to reestablish their citizenship and membership in the postwar Virginia community. To illustrate how young elites successfully negotiated their return into a hostile environment, the specific cases of Presly Thornton, John and Ralph Wormeley, and Philip Turpin are examined in great detail. As sons of well-to-do members of the community, they embraced Virginia's tradition of deference to elites and utilized social, political, and economic connections to achieve readmission. From studying the lives of these young men in the context of the vigorous anti-loyalist sentiment in Virginia, one can better understand the distinctly Virginian attitudes toward both loyalists and members of a select social class.
Introduction

In early June 1783, residents in the vicinity of Richmond, Virginia, were surprised to learn that assemblymen were debating whether or not to amend legislation concerning the exclusion of certain classes of British subjects from residence within the commonwealth. During the preceding years, civil war between the colonies and the Crown had fractured allegiances, friendships, and business relationships. While the war itself had resulted in great hardship, sacrifice, and anxiety, Virginians expressed even greater fear about the uncertainty that lay in the future. First and foremost among their many concerns, which ranged from living among those they had recently fought to financial and political disagreements, was the general disdain that individuals who had sought to prevent independence would soon be granted equal rights and privileges of citizenship. Since the general cessation of hostilities between the colonies and Great Britain a short two years earlier, a number of individuals, both Loyalists and “refugees,” had attempted to return to Virginia. ¹ While prominent legislators such as Patrick Henry

¹ For the purposes of this essay, the author uses the term “loyalists” to designate individuals openly sympathetic to the British government at any given point either during or after the American Revolution. The grouping of these individuals under the name “loyalist” is intended to include Virginians who left the state in opposition of the war, men who actively participated in combat against the patriots, citizens who served in British military or government posts, as well as men and women who filed claims for losses with the British government. Please note that during the majority of the Revolution, “tory,” a word that elicited a variety of connotations for both the English and colonists alike, was the term typically used to designate these individuals. The term “loyalist,” as Harry M. Ward explains in his examination of the American Revolution, did not come into widespread usage until the end of the war. As the majority of historical studies of the Revolution and the loyalist community fail to differentiate between the two designations, the author will use the term “loyalist” in a broad sense. See Harry M. Ward, *The American Revolution: Nationhood Achieved, 1763-1788* (New York: St. Martin’s Press, 1995), 259.
and Richard Henry Lee favored welcoming some of these individuals to the state, lingering suspicions and concerns among many citizens in the commonwealth suggested that such action was premature. Residents of Henrico County, for example, firmly convinced that little good would result from the admission of these classes, had no hesitancy about expressing their opinions to their representatives. In addition to calling upon fellow members of their community to recognize the recent sacrifices they had made, they demanded that the legislature do everything in its power to prevent “men who have hazard nothing in the attainment of them [Blessings]” from enjoying the new rights and privileges associated with independence. “In many instances,” wrote the petitioners, “these obnoxious” individuals had “exorted their whole powers to reduce us to the most servile Subjection to British Tyranny.” Residents of Hanover and Essex counties soon submitted similar petitions and placed them before the General Assembly. Signed by dozens, sometimes hundreds, of citizens, these documents attested to the widespread concern among the general population about the potential return of loyalists to the commonwealth. Colonists who had fled when conflict was pending, who returned seeking to recover prewar debts, and who had remained and supported the British in one manner or another, were frequently viewed with disdain and suspicion as they attempted to reenter postwar Virginia society.

The group of “obnoxious” individuals who sought to return to Virginia between 1781 and 1783 ranged from foreign-born Scottish merchants to native Virginians. Among these individuals were a small group of well-to-do young men born in Virginia, many

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2 Fifty-three citizens signed the Henrico County petition, dated June 11, 1783; 289 citizens signed the Hanover County petition, dated June 6, 1783, and sixty-six citizens signed the Essex County petition, dated June 4, 1783. (Henrico County petition, 11 June 1783, Box 116, Folder 16, Hanover County petition, 6 June 1783, Box 105, Folder 22, and Essex County petition, 4 June 1783, Box 67, Folder 11, all in Legislative Petitions, Library of Virginia [hereafter LVA]).
who studied abroad prior to the war. Sons of prominent individuals known throughout Virginia, bearing names such as Wormeley, Thornton and Corbin, these men actively supported the British cause during the war. Dr. Philip Turpin, son of Virginia legislator Col. Thomas Turpin of Cumberland County and first cousin of future governor and president Thomas Jefferson, was one of these men.3

In December of 1783, when Turpin submitted his petition to the General Assembly to have his citizenship rights restored, he had already been in Virginia for close to two years. A native-born Virginian, Turpin traveled abroad in 1770 at age twenty-one to study medicine at the University of Edinburgh. By 1774, Turpin had completed his studies, received his degree, and was on his way to France to visit French hospitals. When he returned to London in 1776, he found himself destitute because all remittances from his father had been severed as a result of the conflict between England and the colonies. According to Turpin, he actively sought funds to return to his “native land” as soon as possible, a claim scrutinized both by contemporaries and historians. Unable to accomplish his objective in a timely fashion, he soon took a position as surgeon on a Royal Navy ship, the Heart of Oak, in the hope of providing for his subsistence and saving funds for possible travel to Virginia. Turpin left the ship once he had accumulated enough money for his voyage, but remained in England. He would later claim he was unable to secure passage readily. In early 1781, Turpin returned to his position on board the Heart of Oak. Bound for New York, the captain instead headed to Charleston, South

3 Turpin was related to Jefferson through his mother, Mary Jefferson Turpin, who was Jefferson’s aunt. For additional genealogical information, see Marie Dickore, ed., Two Letters from Thomas Jefferson to his Relatives who Settled in The Little Miami Valley in 1797 (Oxford, OH: Oxford University Press, 1941); Caroline Rose, “The Turpin Notebook,” The Virginia Genealogist 31 (Jan./Mar. 1987): 3-10; and Thomas Jefferson Turpin, The Ancestors and Descendants of Philip Bancroft Turpin (1850-1912): A Descendant of Michael Turpin of Henrico, Virginia (Falls Church, VA: T. J. Turpin, 1993).
Carolina, where Turpin endeavored to secure a replacement to perform his duties as ship surgeon. Unsuccessful in his efforts, Turpin traveled to New York, eventually discharging his duties and returning to Virginia on board a British store ship in July 1781. Unfortunately for Turpin, Lord Cornwallis required him to remain with British forces as a surgeon, a duty he performed until the surrender. Turpin then returned home, unaware that in a short period the Virginia government would call upon him to defend his actions during the war. His cousin, Thomas Jefferson, quickly came to his defense and assisted in the preparation of his case. Nonetheless, Turpin would be soon be subjected to legislative scrutiny, personal uncertainty, and the fear that he might be grouped among individuals who sought to prevent the freedom of the colonies.  

This essay examines the way in which Turpin and other such individuals viewed their activities and “loyalism” during the war, as well as how they attempted to reenter Virginia and to regain their citizenship rights following the American Revolution. At the same time, this essay explores the case of Philip Turpin as an example of how Virginians viewed Loyalists, “traitors,” and neutrals in their midst both during and immediately following the war. Scholars such as H. J. Eckenrode and John Selby have minimized the extent of active “anti-Loyalist” factions. This study demonstrates, however, that patriots in Virginia feared and loathed outright demonstrations of loyalty to the Crown, sought to identify and remove Tories in their communities, and worked to prevent the reentry of these Loyalists into Virginia. Furthermore, this study reveals that anti-loyalist sentiments flourished throughout a wide cross section of Virginia’s population. An examination of

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Turpin’s case, as well as others, allows an intimacy with the past and a closer look at how Virginians sought to deal with, and, possibly, to reintegrate loyalists into postwar Virginia society.

Loyalist historians such as Isaac Harrell and Adele Hast have suggested that little desire to prosecute Virginia loyalists existed following the war, particularly after the signing of the Treaty of Paris in 1783. Furthermore, these historians downplay the extent of loyalist sentiment in the state. This study indicates that anti-Loyalist sentiments remained strong throughout the war and into the immediate postwar period. Newspaper accounts, government documents, and private correspondence provide numerous examples of average Virginians confronting loyalists in their communities and attempting to intimidate them upon their return. Private correspondence, such as that of individuals like Philip Turpin, illustrates that loyalists knew they were running risks when they attempted to return. To eliminate questions about loyalty and protect interests and property, those men suspected of aiding the British strove to shape and present an image that appeared supportive or indifferent to the patriot cause. Men accused of disloyalty would call upon friends and relations not only to support them in spirit, but also to provide written testimonials to the General Assembly of their unwavering loyalty during the Revolution.

Petitions submitted to the Virginia legislature during this period suggest that Virginians believed government action an essential element in combating loyalist activity and sentiment. Unwilling to tolerate dissention after a period of general amnesty, Virginians acted on the principle that all white men in the community possessed similar responsibilities and rights. By calling for direct government action, citizens embraced the
emerging notion of “volitional allegiance,” the concept that maintaining andstrengthening the bond between government and citizen required the action and consentof both parties. Virginians swiftly ostracized and punished citizens whom they believedfailed to recognize independence immediately, defied loyalty oaths, or ignoredresolutions concerning treason.⁵

The extensive amount of legislation, considered both during and after the war,reveals that government officials regarded the issue of disloyal citizens more seriouslythan legislators in other states. In the postwar period, Virginia legislators took the uniquestance of strongly rejecting the mandates of Congress and the definitive peace treaty.Desirous of maintaining the right to govern their citizens directly, assemblymen fought to
determine the appropriate treatment of loyalists in Virginia. Evidence shows that between1775 and 1785, Virginia legislators and their constituents nearly universally rejected theactions and motives of loyalists. During this same decade, Virginians once againembraced ancient notions of community and authority that had in the preceding decadesbeen highly criticized and questioned by the leaders of popular evangelical movements.As the leaders in the call for independence, Virginia’s patriot elites sought not only toachieve independence and the right to self-govern, but also to reassert the authority andcontrol of the gentry class over Virginia society. Wary of any form of dissent, Virginiaelites acted and governed in a manner that allowed little room for individuals to change

sides in this controversial debate. However, for a select group of elite individuals, Virginia’s conservative and long-standing tradition of deference to men possessing important familial, financial, social, and political connections proved an effective means for combating hostility directed toward them, securing peaceful readmission, and attempting to regain their standing in postwar Virginia society.
On the eve of the American Revolution, Virginians of various ages and backgrounds faced a critical decision – would they embrace the efforts undertaken for the independence of the colonies, or, would they remain loyal to the Crown? While the choice to dissolve the bond between subject and ruler and to support the cause of the patriots seems to have been a simple decision for some citizens, other Virginians believed such action impossible to consider. The choices these individuals ultimately made not only reflect their political beliefs, but also their understanding of the changing nature of citizenship in their world.

The roots of American citizenship that emerged in the Revolutionary era have English antecedents dating to the sixteenth century. At that time, the notion of membership within British society was vague at best. Determining one’s status (subject vs. alien) was open to a myriad of interpretations. Following the accession of James I to the English throne in the early seventeenth century, Sir Edward Coke published Calvin’s Case, his attempt to eliminate much of the confusion that had emerged as a result of the uniting of the kingdoms of Scotland and England. Coke concluded that a personal and permanent bond, similar to that between a child and parent, bound the subject and king. With this bond serving as the general relationship for understanding the
connection between ruler and subject, distinctions between various categories of subjects could then be made.⁶

In the American colonies, traditional notions of how one could enter British society underwent extensive modification. Distanced from the seat of government and desirous of increasing population, colonists endeavored to relax established doctrinal constraints and guidelines governing naturalization. In time, this modified “practical” approach toward naturalization induced fundamental and significant changes in how the colonists came to understand the concepts of subjectship and membership in a community. During the seventeenth and eighteenth centuries, both the British government and colonial communities encouraged immigration and took steps to increase the population of working class men and women. In some regions in the colonies, particularly New England, fears about the arrival of hoards of undesirable immigrants and antiforeign sentiments lead to open manifestations of concern. On the whole, however, most colonial leaders simply wanted to regulate the character and extent of immigration. In Virginia, as in nearly all of the colonies, immigrants were not forced to retain their alien status indefinitely, but instead had the opportunity to become members of the English community.⁷ Colonists’ willingness to admit newcomers into their society as fellow subjects ran counter to traditional notions of limited rights and rigid ethnic and class distinctions. In the colonies, all subjects were considered members of community,


⁷ While the procedures by which individuals become naturalized in Virginia changed slightly throughout the colonial period, most men and women became naturalized citizen via individual acts of legislative naturalization. For additional discussion of the evolving nature of naturalization in colonial America, see Kettner, Development of American Citizenship, 11-113, 117-126.
bound by the same allegiances, given similar responsibilities, and blessed with many of the privileges of native-born Englishmen.⁸

In the aftermath of the Seven Years War, British policies exacerbated existing negative sentiments and forced Virginians and other colonists to reevaluate their personal and societal ties and obligations to Great Britain and the king. Saddled with a modicum of debts stemming from war, colonists began to articulate their growing concern about the ever-expanding, absolute authority of Parliament. For generations, colonists lacked the right of other Englishmen to have a representative in Parliament. Thus, they were treated in a manner similar to subjects in lands conquered by the British rather than British citizens. Nonetheless, as members of the same diverse community, they found themselves compelled to honor and obey the king. By the 1770s, however, discord in the colonies had grown and action soon followed.⁹

By 1774, the social and political landscape in Virginia had changed. Virginians adopted economic sanctions aimed at upsetting the balance of the important commercial trade ties between the colonies and Great Britain. Numerous cities and counties created committees of safety to coordinate and unite citizens in their community who supported the cause of American independence. In addition to organizing supporters, committee members went to great lengths to monitor the activities of men and women considered

⁸ Aliens residing in the colonies, though hindered by a number of restrictions, often held more rights and privileges than their counterparts in England. Kettner, “Development of American Citizenship in the Revolutionary Era,” 210; and Kettner, Development of American Citizenship, 106-112.

unsympathetic to their cause. It was at this time that Thomas Jefferson articulated his belief that the king had failed in his duty of reciprocal allegiance by allowing Parliament to infringe upon the rights of colonists as British subjects. However, many colonists had already personally rejected the authority of Parliament and the bond between subject and king. With each passing day, these long-standing connections weakened.10

In October 1775, the Continental Congress encouraged state and local governments to prohibit the spread of anti-independence sentiment. But, during the next several months, the relationship between Virginians and the Crown continued to deteriorate. In May 1776, the Virginia House of Burgesses passed a resolution declaring Parliamentary authority effectively “dissolved.” The Declaration of Independence, signed two months later, further affirmed the belief that the king had failed in his responsibility to protect his subjects and their interests.11

Once it became evident that the delegates to the Continental Congress planned to declare independence, citizens who remained loyal to the Crown were forced decide if they wished to remain in the colonies. Many loyalists had and would choose to leave the country, some intending never to return. The majority of loyalists who left fled to England or Nova Scotia. Loyalists who remained in the colonies stayed for a variety of reasons, but nearly all knew they would continue to be the subject of close scrutiny and increasing ostracism. Some loyalists expected the rebellion to fail quickly and royal authority to be restored, while others envisioned actively assisting the British government and military in crushing the colonial forces. Many British sympathizers considered


remaining in Virginia the best way to protect their lands and estates from seizure or
destruction.

Loyalists who remained in the colonies quickly became a source of great concern
to both politicians and the general population. Though the Declaration of Independence
theoretically spoke for the entire population, the state governments readily recognized
that many citizens within the colonies would not relinquish their allegiance to the king
and would continue to consider themselves British subjects. Some leaders assumed that
the Declaration immediately thrust such individuals into a state of compulsory
allegiance, while others believed a general amnesty in which individuals could elect to
become citizens should be permitted. Justice Spencer Roane of Virginia for example
believed individuals became citizens either by choice or conquest. Loyalists, claimed
Roane, fell under the latter category. In Virginia, laws concerning disloyalty had been
enacted prior to and immediately following the signing of the Declaration of
Independence. An act defining punishment for enemies to America within Virginia was
enacted in December 1775, while legislation passed in October 1776 elaborated on both
what constituted treason and the punishment for such acts. In December 1776, the
Virginia legislature also invoked the Statute Staple of 27 Edward III, chapter 17, an act
requiring all aliens with British citizenship to leave Virginia by late February 1777.
During this period of debate (1775-1777) throughout each of the colonies, most state
governments agreed that forcing loyalists to recognize their authority ran counter to the
principle that the consent of the governed validated a government. Following the passage
of an act of legislation in May 1777, free-born males above the age of sixteen who
supported the new state government of Virginia were required to take an oath renouncing
the British government and pledging loyalty to the new Virginia government. Men who refused to take the oath executed by the justice of the peace (or other officials so appointed by the county court) were disarmed, barred from holding public office, prohibited from serving on a jury, forbidden to sue or purchase lands, and subject to increased taxes. In May 1779, the General Assembly passed further legislation “declaring who shall be deemed citizens of the commonwealth.” This act stated that only men who publicly affirmed their intent to reside in the state and obey its laws were allowed to obtain the rights and privileges of citizenship including remaining in the commonwealth. Each of these measures of the first days of the Revolution signaled Virginians resolve to eliminate potential loyalist threats.\(^{12}\)

Despite the many historical studies that have focused on military campaigns in Virginia, as well as the roles played by Virginians in the American Revolution, few scholarly examinations have concentrated on the loyalist communities that developed between 1775 and 1781 in Virginia. For much of the eighteenth century, Virginia was the most populous, and, perhaps, due to extensive and significant social, political and kinship connections, the most potentially loyal British colony in North America. However, as a consequence of the prominent role Virginians played in the path to independence,

scholars have minimized the faction that remained loyal or indifferent. The majority of
studies of the Revolution and loyalism in Virginia state that the entity that rejected the
patriot cause and openly supported the British government was particularly small and
depicted to specific areas near Fort Pitt in the northwest; around Norfolk, Portsmouth and the Eastern Shore in the southeast; surrounding port towns such as Alexandria and Dumfries in the north; and throughout the rural southwest backcountry. As a consequence of these factors, it has been suggested that loyalists and “neutral” supporters who remained within the commonwealth had little tangible effect on Virginia’s war effort. The actual number of individuals who rejected the new government is a matter of some uncertainty. It is, however, quite evident that the loyalist supporters were in the minority.13 As a consequence of the failure to understand fully the nature and extent of loyalist communities, historians of the revolution in Virginia such as H. J. Eckenrode and John Selby have inadequately addressed the treatment of loyalists in postwar Virginia. Furthermore, such studies fail to explain sufficiently why the treatment of loyalists of various social classes and in different areas varied. By focusing their studies on the few military successes of the loyalists during the war, both loyalist scholars and historians of the revolution have minimized the fear, hatred, and concern that the

13 Statistical data concerning loyalists remains lacking. Many general studies of the Revolution or loyalism use broad estimates, such as that figure typically attributed to John Adams (one-third American population was loyal, one-third supported the Revolution, and one-third were uncommitted or indifferent). Herbert Aptheker, author of The American Revolution, 1763-1783, asserts that approximately 100,000 loyalists (about 4 percent of the total population) fled the colonies between 1775 and 1783. Paul H. Smith, in his statistical study of the loyalist community, states that obtaining accurate figures are difficult given that detailed population data for the period is scant at best. However, given the few extant sources, Smith estimates that the American loyalist population between 1775 and 1783 at approximately 500,000, or, 19.8 percent of whites in America. While the number of loyalists was indeed small in proportion to the general population, it has been estimated by John A. George and Isaac Samuel Harrell that loyalists in Virginia numbered in the thousands, a figure that seems accurate given Smith’s research. For additional discussion of this topic, see Paul H. Smith, “The American Loyalists: Notes on Their Organization and Numerical Strength.” William and Mary Quarterly (hereafter WMQ), 3d Series, 25 (1968): 259-277; Harrell, Loyalism in Virginia, 62; George, “Virginia Loyalists, 1775-1783,” 173-178.
loyalist population generated among general Virginia society preceding, during, and immediately following the British surrender at Yorktown.\textsuperscript{14}

The minimization of the role of the loyalist faction in Virginia in historical studies can be directly attributed to the difficulty of determining the nature and extent of the loyalist following. Instead of ardently supporting the Crown, many loyalists wavered in their loyalty throughout the war. Other loyalist sympathizers, wary of voluntarily involvement in the war, placed self-preservation and personal relationships above all other concerns.\textsuperscript{15} For a number of loyalists, practical issues superceded the importance of political rhetoric. In their eyes, the British presence in the colonies meant relative stability and a ready market for their goods. British military successes and failures in the colonies helped many loyalists determine their attachment or separation to the British cause. For example, in eastern Virginia, when British troops were active in the area (primarily early in the war, 1775-1776, and during the Yorktown campaign, 1781), loyalist support peaked. Men flocked to the British lines, willing to assist the army in a variety of roles. In the western Virginia backcountry, loyalist harassment, though generally weak and unorganized, remained consistent throughout the war. The backcountry remained ripe for insurrection as a consequence of its distance from the seat of government and proximity to loyalist strongholds in western North Carolina.

Virginians disenchantment with what they considered to be unjust government taxation fueled anti-patriot sentiments within the community. For the majority of the conflict,

\begin{itemize}
  \item \textsuperscript{15} In other states, such as Massachusetts, similar accounts of individuals who “laid low” in an attempt to avoid making decisions about their stance on the war are noted. For one example of a resident in Concord, Massachusetts, see Robert A. Gross, \textit{Minutemen and their World} (New York: Hill and Wang, 2001), 137.
\end{itemize}
deficient support from British political and military factions and extant patriot sentiments lead those individuals attached to the British cause throughout Virginia to mask their true feelings or remain in isolation.\textsuperscript{16}

Studies of loyalist military activity in Virginia by George, Harrell, and Hast generally concur that armed loyalist support was typically either absent or ineffective. However, these studies suggest Virginians who were willing to support the British elicited powerful feelings of trepidation among patriots and the general population. While some loyalists actively supported the British cause, many wavered in their support, particularly following British military defeats. Other sympathizers chose to remain quiet to escape persecution and harassment. Of these groups, patriots seemed most wary of men and women who sought to mask their true sympathies through lies and deception. Virtually indiscernible and potentially deadly, these “vipers in the bosom” posed a serious threat.\textsuperscript{17} Living among the patriot population, these individuals could foment rebellion and dissention among sympathetic ears. In the Shenandoah Valley and western regions, militia leaders such as Colonel William Preston noted several cases of “secret” loyalists infiltrating the ranks of the local militias. In some instances, a sufficient number of loyalist sympathizers within the ranks initiated revolts by county militias and refusals to obey orders. Due to their utilization of deception, this class of loyalists evinced more fear than any other group of suspected tories. Bound together in secrecy, these unknown

\begin{footnotes}
\footnotetext{17}{George, “Virginia Loyalists, 1775-1783,” 176.}
\end{footnotes}
individuals formed an unsuspecting foe, posed to disrupt patriot activity anywhere in the commonwealth.\textsuperscript{18}

In eastern Virginia, the majority of loyalist activity occurred early in the war. Sympathizers, ranging from Scottish merchants to slaves, traveled to join and support fleeing governor Lord Dunmore. In 1775, over three thousand individuals joined Dunmore and took an oath of allegiance denouncing the patriot cause and pledging support to the Crown.\textsuperscript{19} Following Dunmore’s withdrawal from the area, most of these loyalists, fearful of retribution by patriots and committees of safety, retreated into hiding.

Concerned with future activity and the potential for slave escapes and/or uprisings, militia in the area attempted to ferret out known British sympathizers.\textsuperscript{20} At one point, the Committee of Safety advocated removing individuals suspected of disloyalty from the area to the interior to shatter surviving loyalist organization. In 1776, Princess Anne County patriots petitioned the government for support in coping with what they considered to be persecution at the hands of a loyalist majority in the area. Despite the extensive efforts of the patriots in the Norfolk area, dozens of loyalists escaped prosecution by hiding in remote areas. Sympathetic neighbors provided protection. When Cornwallis and British troops returned to Virginia in 1781, dozens of individuals, though fewer in number than earlier in the war, sought to join with British forces. By this time,


\textsuperscript{19} For the text of one such oath, see H. Niles, \textit{Principles and Acts of the Revolution in America; or, an Attempt to Collect and Preserve Some of the Speeches, Orations, & Proceedings, With Sketches and Remarks on Men and Things, and Other Fugitive or Neglected Pieces...} (Baltimore: William Ogden Niles, 1822), 141.

\textsuperscript{20} Woody Holton, \textit{Forced Founders: Indians, Debtors, Slaves & the Making of the American Revolution in Virginia} (Chapel Hill: Published for the Omohundro Institute of Early American History and Culture by the University of North Carolina Press, 1999), 164, 214.
British military leaders noted that the zeal of some of these men had waned, likely a result of patriot efforts to identify loyalists, persecution of known sympathizers, and the absence of British military forces in the region for more than five years. As a consequence, the battlefield value of these sympathizers to the British military had greatly diminished. Nonetheless, loyalists continued to wreak havoc in their communities, roaming in armed bands in search of livestock for British troops. The presence and movement of these men within the region continued to be a source of great concern and distress for patriots throughout the early war.21

Meanwhile, in western Virginia, for patriots desirous of crushing loyalist support, the scattered population and distance from the seat of government posed problems. Loyalists roamed the Valley in armed groups of indentured servants, German, Welsh, English immigrants, and Continental Army deserters. Reports from militia leaders in Montgomery County estimated that more than half of the population in the county supported the Crown.22 These same officers also conveyed to superiors in Richmond their fear that loyalists had infiltrated the ranks of the militia with intending to disrupt the effectiveness of the unit. In the latter stages of the war (1779-1781), the threat of rebellion increased as the presence and successes of the British military in western North Carolina prompted loyalist sympathizers to emerge from hiding. General discontent with the new Virginia government increased with the initiation of military conscription, increased taxes, and the depreciation of currency. Militia leaders also reported difficulty


22 Selby, Revolution in Virginia, 219.
in organizing patriot forces as a consequence of the movement of loyalists throughout the western Virginia backcountry.\(^23\)

Despite widespread sympathy for the loyalist cause, a lack of strong organization, both in the presence and absence of British troops, hindered the efforts of Virginia loyalists seeking to pose a serious military threat to patriot forces. No discernable group of active, upper-class individuals stepped forward among the scattered loyalist groups in eastern and western Virginia to serve in a leadership role. Despite this fact, loyalists throughout Virginia successfully established and maintained a network of sympathetic friends and neighbors who offered support during periods of heightened distress. These ties allowed loyalist sentiment to spread within communities. Such local social connections greatly influenced both wartime and postwar opinions and treatment of loyalists. The spread of disaffection in the latter stages of the conflict in particular reveals that loyalist sentiment continued to thrive, despite the continued, yet greatly diminished, efforts of the state government and local committees of safety. In fact, the direct actions of the government (taxation, conscription, etc.), the inability of the military to protect residents from depredation, and overall dissatisfaction with the state of the war provoked outbursts that expressed the discouragement of the populace and growing hostility within Virginia.\(^24\)

The usual narrative states that the tide turned following the surrender of Cornwallis at Yorktown in 1781. Patriot forces had conquered a superior British army


and recognition of the new nation by the world seemed imminent. Nonetheless, evidence reveals that challenges awaited Virginians in the years to come. Loyalists remained within the commonwealth, and dozens more who had fled prior to and during the war were soon to return. Among the ardent loyalists, merchants, and soldiers were men like Philip Turpin, individuals who Virginians would undoubtedly view with suspicion and disdain. In the years that followed, Turpin and others would be the subjects of widespread controversy and activity, as Virginians actively sought to construct legal and societal obstacles to control the internal foe that posed a threat to their peace and security.
Chapter II. 1781-1785: The Loyalists and Disaffected Return, Part I

With the surrender of British forces at Yorktown in October 1781, recognition of American independence by the Crown finally seemed imminent. Throughout the war, local committees of safety and the Virginia government had tried to suppress disloyalty, uncover disaffection in Virginia communities, and, if necessary, render swift punishment to those who aided the British. Legislation adopted in 1779 clearly outlined the numerous conditions under which one could “be deemed citizens of this commonwealth.” However, with the cessation of hostilities and the return of loyalists to the commonwealth, many Virginians believed that stringent restrictions were needed to prevent unrest in their communities and to protect the fragile peace that had been established. Despite these concerns, some citizens argued for setting aside past differences. The legislative debate concerning what to do with returning loyalists and resident sympathizers took center stage in the General Assembly from 1782 to 1783.

In October 1782, the Continental Congress provided the Virginia legislature with a congressional report concerning the progress of peace negotiations with Great Britain. The Virginia House of Delegates, on December 26, 1782, endorsed a specific recommendation suggested by Congress. Their proposal called for voters to elect to the Assembly only those men whose character in the late war lacked any signs or demonstrations of loyalty to the British. As individuals who would hold significant trust and power, Congress believed legislators should be men who had consistently supported
the revolution and gave early proof of their loyalty to America. Presumably, those men who had retained some sense of loyalty to the Crown during the war posed a potential threat to the stability of the young country. Edmund Randolph, the sitting attorney general, rejoiced in the passage of the resolution by the House of Delegates that would require an elected official to have been “a spotless Whig” during the war:

Much to the honor of the assembly, they have breathed throughout their whole proceedings a firm and unremitted hatred to Great Britain. Even if this should be the only good of this session, it is a substantial one. They have recommended to the electors of the different counties to send no man to represent them, who from birth, education or mercantile connection has rendered himself suspicious. A happy declaration against a growing evil!...In the course of the present session, the spirit of [in]quiry has diffused itself widely, so far as the conduct of the members of the as[sem]bly was concerned. Besides the strenuous attack on Mr. L[ee] Colo. Arthur Campbell, of Washington, has been accused of having fomented a separation of the back countr[y.] The result of this charge I have not yet learned. A M[r.] Mccraw from Halifax has been expelled for some e[x]pressions, inimical to the U.S.\textsuperscript{25}

The delegates ordered the resolution to be read publicly by county sheriffs, posted at courthouses and polling places, and printed in the \textit{Virginia Gazette}.

At the same time, newspapers reported Governor Harrison’s proclamation calling for local militia and government leaders to seize all loyal British subjects who had entered the commonwealth. Suspecting that they would “form a seditious and malignant

\textsuperscript{25} Edmund Randolph (hereafter ER) to James Madison (hereafter JM), Richmond, 27 December 1782, \textit{The Papers of James Madison}, ed. by William T. Hutchinson and William M.E. Rachal (Chicago: The University of Chicago Press, 1967), 5:453-457; ER to JM, Philadelphia, 15 January 1783, \textit{Papers of James Madison}, 6:44. Edmund Randolph (1753-1818) was the son of John Randolph (ca. 1727-1784), the King’s Attorney for Virginia who fled the state when war was imminent. Edmund Randolph served as Attorney General for the entire decade following his father’s removal from the state (1776-1786). Arthur Lee (1740-1792), whose criticism of the American alliance with the French was noted by many, served in the General Assembly from 1781 to 1783. For additional biographical information about Lee, see Louis W. Potts, \textit{Arthur Lee, a Virtuous Revolutionary} (Baton Rouge: Louisiana State University Press, 1981) and A. R. Riggs, \textit{The Nine Lives of Arthur Lee, Virginia Patriot} (Williamsburg: Virginia Independence Bicentennial Commission, 1976). James McCraw (d.1804) was expelled from his seat in the assembly on December 23, 1782, following testimony that he had made public statements condemning George Washington and Congress. Nonetheless, constituents in Halifax County reelected McCraw in 1783 to his seat in the House. He would again serve as a delegate in the 1794 and 1795 sessions.
party in the bowels of the State,” Harrison believed these loyalists would “alienate the affections of the good citizens from the Government, and retard the execution of the best of Laws.” Clearly, both Harrison and Randolph believed the extent of disaffection within the state to be significant. By creating and empowering a body of men to ferret out and repress citizens expressing undesirable sentiments within Virginia, much like the prewar committees of safety, Harrison hoped to eliminate potential and existing threats to the community.26

The first news of a preliminary peace treaty reached Norfolk in mid-February of 1783. By the middle of the following month, the terms of the accord, noted in Norfolk and Richmond newspapers, were well–known to the general population. Two particular clauses drew the attention and ire of residents throughout the commonwealth. The fourth article of the treaty required that all individuals who had left during the war, including men who had borne arms against the United States, would be allowed to remain in the state up to twelve months to recoup debts and secure their property and estates. Furthermore, a second clause in this article prescribed that no obstructions should be erected to the collection of prewar debts.27

By May 1783, a new state legislature had been elected.28 Norman K. Risjord, in his analysis of the politics and voting patterns in the commonwealth during this period, discerns three primary factions within the 1783 Assembly. Of the three entities, Risjord

26 ER to JM, Philadelphia, 15 January 1783, Papers of James Madison, 6:44; Virginia Gazette, or, The American Advertiser (Richmond), 21 December 1782.


28 For a complete list of the members of the Virginia General Assembly sessions of 1783 see Cynthia Miller Leonard, comp., The General Assembly of Virginia, July 30, 1619-January 11, 1978: A Bicentennial Register of Members (Richmond: Published for the General Assembly of Virginia by the Virginia State Library, 1978).
clearly believes that the one headed by Patrick Henry exerted the most influence. During
the first month of the session, Henry introduced legislation calling for the repeal of acts
that prohibited the return of loyalists to the commonwealth and restricted the importation
of British goods. In Henry's eyes, however much Virginians despised both the loyalists
and British for their acts in the late war, the good of the state and country dictated that the
legislature no longer obstruct the flow of individuals and goods into America. Richard
Henry Lee, who Risjord identifies as the leader of one of the factions that typically
disagreed with Henry, backed Henry's proposal to allow loyalists to return. Furthermore,
Lee sought to modify other proposed broad sweeping legislation that would keep
individuals from returning to Virginia. Speaker John Tyler, characterized by Henry
biographer Richard Beeman as a “bitter Anglophobe,” openly rejected Henry's proposal
in the Assembly. Tyler felt that the general population’s intense angst and dislike toward
the class of individuals in question dictated that legislators prevent the immediate passage
of the act. Joseph Jones, typically viewed by his peers as a moderate, believed action on
Henry’s bill was best postponed to a later date. In his estimation, Henry desired admitting
individuals into the state “withot. distinction,” while Lee supported the legislation
because he interpreted clauses of the preliminary peace treaty as prohibiting such
actions.29

Despite the efforts of two powerful figures in the House, support for Henry’s
legislation, commonly referred to as the “Citizen Bill,” was weak. In the Virginia Gazette

29 Norman K. Risjord, Chesapeake Politics, 1781-1800 (New York: Columbia University Press,
1978), 81, 202; William Wirt Henry, Patrick Henry: Life, Correspondence and Speeches, (New York:
Charles Scribner’s Sons, 1891), 2:190-196; Richard R. Beeman, Patrick Henry: A Biography (New York:
McGraw-Hill Book Company, 1974), 121-122; Joseph Jones to JM, Richmond, 31 May 1783, Papers of
James Madison, 7:99-102; Richard Henry Lee to R. Wormeley Carter, Richmond, 3 June 1783, The Letters
Tansman Jacobs, “The Treaty and the Tories: The Ideological Reaction to the Return of the Loyalists,
1783-1787,” (Ph.D. diss., Cornell University, 1974), 93.
of May 24, 1783, an article called for Virginians to oppose the proposed extension of rights to loyalists. Early the following month, three petitions arrived in Richmond, stating the concern of residents in Essex, Hanover, and Henrico counties about the possible passage of the citizen bill. A resolution of inhabitants in Halifax County, published in the *Virginia Gazette*, called for legislators to refuse to pass legislation repealing extant citizenship laws. Among the concerns expressed in these petitions and resolutions were citizen’s fears that legislators would modify the existing act to preclude only those individuals who had broken their oath of loyalty from returning permanently. In the minds of these citizens, several classes of individuals should be prevented from reentering Virginia: native-born Americans who assisted the British, men and women who lived abroad without providing some assurance of their loyalty to America, citizens who had fled in times of danger, and British sympathizers who had returned and now, again, posed a threat to the community. After a series of delays in the assembly, the House voted 56 to 27 on June 21, 1783, to postpone action on the bill until the fall session of the Assembly.\(^{30}\)

Governor Harrison issued a proclamation in July 1783 due to the failure of the Assembly to modify existing legislation during its past session. Harrison’s declaration simultaneously reiterated the facts of the law and conveyed the widespread negative sentiment toward loyalists in Virginia. “Commanding all such persons as have, either

voluntarily left this country and adhered to the enemy since the 19th of April, 1775, or have been expelled the same by any Act of the Legislature or order of the Executive," to depart the state immediately, Harrison strove to provide some answers to the burning question. "Natives who have at any time borne arms in the service of the enemy, against this Commonwealth," proclaimed Harrison, "and have returned without being authorized by Law to do so," were banished from Virginia. Harrison’s proclamation also pertained to loyalists who had not yet attempted to return, but might.31

Governor Harrison’s proclamation brought the issue of prewar debts to the forefront of the discussion of how to deal with individuals seeking to return to Virginia. Some citizens hoped to encourage the legislature to take steps to prevent the collection of debts contracted by Virginians to British merchants prior to the war. Others, such as a group of concerned citizens in Winchester, publicly expressed their belief that citizens who opposed the entry of British subjects into the commonwealth did so only in the hope of avoiding existing obligations to repay debts to these individuals.32 Prior to the war, Americans owed British creditors a sum in excess of £5 million. Of the thirteen colonies, Virginia was by far the most debt ridden, with residents owing more than £2 million. During the war, the Virginia government passed legislation whereby individuals could discharge debts owed to British creditors by making payments to the Virginia treasury office. While gathering monies for the war effort was of great importance, the act signaled not only many legislators’ negative sentiments toward the British, but also the intense desire of prominent Virginians to discharge the debts in any manner possible.

31 For the text of Harrison’s proclamation, see the Virginia Gazette, or, the American Advertiser (Richmond), 12 July 1783.

32 Harrell, Loyalism in Virginia, 133.
With the war over and the recognition of American independence pending, most Virginians assumed that existing debts and obligations would be erased. However, by blocking merchants and creditors from coming into the state, Virginians saw a way to escape the potential of personal financial ruin.\(^{33}\)

In Essex County, news of a tentative peace treaty that afforded leniency to British supporters threatened to tear apart a community in which anti-loyalist sentiment among the general population had proved an effective means of combating loyalists throughout much of the war. Those few residents who supported the efforts of peace negotiators in Paris wrote the editors of the *Virginia Gazette* to express their belief that the majority of county residents did not support statements opposing the return of loyalists contained in the petition presented to the Assembly in early June. However, petition supporters took action in October 1783, demonstrating their resolve to prevent British sympathizers, particularly merchants and creditors, from reentering the community. Joseph Williamson, a British merchant who had resided in Tappahannock prior to the war, returned to Virginia in 1783 after seeking special permission from Governor Harrison. During the war, Williamson had actively aided British military forces in the area in their attempt to burn the town of Tappahannock. Upon his arrival in the Essex County, a group of men confronted Williamson. Likely cognizant of his wartime activities, these men declared that a state of war still existed between America and Great Britain and that Williamson must leave at once. When he refused to leave, a mob seized Williamson, tarred and feathered him, and threw him in the nearby Rappahannock River. Greatly angered by the

actions of these men, as well as desirous of protecting a fragile peace, Governor Harrison issued indictments for many of the Essex County residents known to have participated in the mob.  

In the following weeks, the debate surrounding the actions taken by the Essex mob took center stage in the pages of the *Virginia Gazette*. A letter stating the position of the “Inhabitants, Freemen of the County of Essex” claimed that “it is dangerous to the rights and liberties of the citizens of this State, to admit persons to any rights, privileges, or property therein, who are enemies to the constitution.” The Essex residents made their case for excluding all men “who refused to support and defend the rights of the citizens, at the commencement of the war.” Nonetheless, an anonymous citizen of Essex County also submitted letters to the *Gazette* that stated that the actions of the mob served only to weaken the community and threaten order and justice in the commonwealth. Anxious to prevent further acts of violence, the Assembly moved forward throughout this debate in their efforts to create legislation that would allow select individuals to return to Virginia.  

In late October, Governor Harrison brought his concerns about the issue to the attention of the General Assembly. In a letter to the Speaker of the House, Harrison asked for guidance regarding his role in enforcing extant legislation prohibiting British subjects from entering Virginia. In his eyes, the laws were murky at best. Furthermore, Harrison expressed great concern that the delay in the completion of a definitive treaty, the  

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35 *Virginia Gazette, or, the American Advertiser* (Richmond), 29 November 1783 and 3 January 1784; Slaughter, *Southerners, Americans*, 73-74.
continued presence of a large body of British troops in New York, and growing animosity among Virginians could threaten the tenuous peace that existed in the commonwealth. Several days after receiving Harrison's communication, on November 5, 1783, a committee in the House of Delegates headed by John Taylor of Caroline County was charged with drafting a bill to modify extant legislation declaring "who shall be deemed citizens of this commonwealth." On November 10 and 29, the General Assembly discussed the report of the committee that made provisions for the return of several classes of individuals. Patrick Henry, despite his role in proposing legislation during the May session that favored the unfettered return of British subjects to Virginia, expressed opposition to the suggestions of this committee in the fall session. In his mind, widespread public disapproval of his earlier proposal dictated that he reevaluate his opinions and to do as much as possible to protect the interests and concerns of his constituents. While generally desirous of allowing free immigration into Virginia, Henry, like other well-to-do Virginians, believed restrictions would not only lead to greater stability within the commonwealth, but possibly set the stage for the nullification of prewar debts. Other delegates remained equally skeptical of the merits of legislation proposed by the committee. John Page believed citizenship should be refused to any individual who freely left Virginia during the war, while John Breckenridge supported immigration but felt that loyalists should be denied political rights. Joseph Jones proposed to James Monroe that some residency requirement should be required of returning loyalists before the granting of certain rights and privileges. Jones expressed to Monroe his fear that the extant legislation "opened the door too wide as it admitted all to an immediate participation of all the rights of Citizenship."36

36 Harrell, Loyalism in Virginia, 138-140; Risjord, Chesapeake Politics, 202; Joseph Jones to
Debate concerning the citizen bill continued throughout the month. In the end, on December 1, 1783, the General Assembly reached a compromise that repealed earlier acts prohibiting the return of British subjects from entering Virginia and obtaining the rights of citizenship. The final act, carried by a vote of nearly three to one, stated that all men who had borne arms against the colonies were prohibited from residing in Virginia.

However, the legislation stipulated that several classes of individuals who had previously been excluded would be allowed to return. Among this group were men who had left of their own accord but had not actively participated in the war. While these individuals would be allowed to reside in Virginia, they were denied all political rights.37

Less than a month following the passage of the legislation, one legislator privately expressed his fear that he “may have erred in Judgment” by supporting the act. While Joseph Jones admitted that the two-year period of prohibited rights alleviated some of his concerns, he believed failing to allow anyone to reenter the state would be detrimental to the overall stability of affairs. However, much like the petitioners, as well as the individuals in Essex County, fear about the effects of not only permitting – but also encouraging – British sympathizers to reside in Virginia caused him great concern. Reluctant “to hold lures or encouragements” to individuals who sought to return to Virginia “and live among us,” Jones felt that “those whose services we had a right to expect in our defence and who instead of yielding us those services went away and left us in the hour of danger and distress and have exerted every faculty to oppress and destroy

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us” deserved to be excluded entirely. Another delegate, Beverley Randolph, expressed his opinion to Monroe that the legislation seemed “rather a compromise between Parties too equally matched, than the decisive Opinion of a majority.” In the eyes of these two legislators, many in the Assembly considered the act the most acceptable way to control the flow of British migration into Virginia and limit the rights of returning loyalists. Also, for some legislators, passage of the act may have been necessary in light of the imminent signing of the definitive treaty of peace.38

Prosecution of the participants in the Essex County mob of 1783 began following the enactment of changes to legislation concerning citizenship in Virginia. As a consequence of the government’s altered stance toward returning loyalists, wartime animosities harbored by many in the commonwealth began to diminish. Some Virginians quickly criticized the actions of the Essex mob in the pages of the Virginia Gazette as they assumed similar offenses in the future would not only violate enacted legislation and the tenets of the proposed peace treaty, but also potentially lead to further acts of violence throughout the state. Despite these fears, a number of individuals in Essex County believed the charges against the participants in the mob should be dismissed. In May 1784, one hundred and eighty five Essex County citizens provided a petition to the two delegates of Essex County (Spencer Roane, a twenty-two-year-old attorney, and William Gatewood, a mob participant) calling for the Assembly to dismiss all charges. The petitioners, while cognizant of the crime committed by the mob, explained how these “firmest friends of Liberty” acted with zeal against a figure well known to members in the community to have been “extremely obnoxious to the friends of the late revolution.”

38 Joseph Jones to James Monroe, 29 December 1783, and Beverley Randolph to James Monroe, 1 January 1784, both in Papers of James Monroe, 2:73-75.
Mob participants recognized that their acts would typically be subject to prosecution. However, as Roane argued on their behalf, the state of war that existed at the time of the attack on Williamson mitigated their actions. By undermining the legal basis of the indictment, Roane successfully chipped away at the strength of the charge. Roane also emphasized the social standing of some mob participants and provided details of Williamson’s activities during the war. In the end, Roane turned to the influential Patrick Henry to support his arguments. While Henry initially opposed Roane’s claim that the legislature should be involved in law enforcement, he eventually ended his opposition and the House of Delegates dismissed the charges against the Essex mob.39

Despite the efforts of the legislature to allow for the peaceful return of loyalists to Virginia, isolated acts of violence toward these individuals continued. Most of the negative sentiments were directed at merchants, the majority of whom hoped to collect prewar debts. In July 1784, a number of residents of Portsmouth adopted a resolution that stated their pledge to unite and drive out any individuals who could not be convinced to leave by gentle “methods.” Thomas Hepburn, who had fled his Caroline County home in 1776, returned following the passage of the citizen bill and was surprised to find members of his community united against him. The “committee” organized to investigate Hepburn informed him of a number of “resolutions” and presented him with a document containing a number of threats. Later in the year, a group of merchants in Petersburg, increasingly wary of local residents, petitioned the governor for protection should they continue to be the target of threats of violence. On July 26, 1784, Governor Harrison

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issued a proclamation calling for local authorities to offer necessary protection to returning merchants.⁴⁰

Much of the hostility directed toward returning loyalists in 1783 and 1784 stemmed from differences between provisions made by the Treaty of Paris and legislation enacted by the Virginia assembly. In early 1783, when citizens called for the legislature to protect their interests, they were in fact seeking a means by which they could evade executing the terms of the proposed peace treaty. With the ratification of the final peace treaty on January 14, 1784 by Congress, Virginians found it necessary to evaluate extant legislation concerning citizenship and the collection of prewar debts. For example, while the treaty called for the peaceful return of all individuals to the commonwealth, Virginia law precluded some individuals from returning. Governor Harrison, acting on reports of groups being formed to harass returning loyalists in violation of the peace, directed civil officers to maintain the peace, protect loyalists, and prevent the spread of anti-loyalist sentiment. When the assembly next met in May 1784, James Madison and Richard Henry Lee called for legislators to repeal all laws that contradicted the clauses of the peace accord. Patrick Henry, arguing that Great Britain had failed to comply with select parts of the treaty (namely, the failure to compensate Virginians for property, including slaves, seized during the war), strongly opposed such a vote. After extensive debate, the Assembly decided against Madison’s proposals, a decision likely guided by general concerns over the role of Congress in the governing of Virginia and its citizens. Some legislators, in a report of resolutions sent to Congress, noted their dissent from the majority. In the October session the Assembly discussed the same proposals, but again,

despite the absence of Henry in the legislature, took no action. In the year following the signing of the definitive peace, the Virginia legislature had taken no steps to comply with the dictates of Congress and the Treaty of Paris.\textsuperscript{41}

Despite the inability of the Virginia legislature to agree to specific tenets of the peace treaty, animosities toward returning loyalists in Virginia began to further diminish in 1785 and 1786. While concerns over the issue of debt flourished in the impoverished commonwealth, fears about potential threats to the stability of peace lessened. For example, in September 1786, some residents of Petersburg submitted a series of resolutions to the governor, protesting the presence of individuals in their community who they believed were in violation of the legislation passed by the assembly in late 1783. Upon receipt of these resolutions, Harrison received communications from another group of Petersburg residents, as well as citizens in Sussex County, that protested the initial claims. The assembly reevaluated citizenship legislation in the October 1786 session, possibly as a consequence of these communications, but more likely the result of pressure to deal with the debt issue. While continuing to ban individuals who had served as combatants during the war, the act allowed all others to return and obtain citizenship privileges upon taking an oath. Still wary of loyalists who sought only to collect debts, the legislature required these individuals to inform the governor of their presence in the state, their business, and place of residence. By passing this act, the legislature appeased not only those Virginians who deemed the gradual repayment of debts necessary to

preserve the honor of the young nation, but also other citizens who called for greater monitoring of the flow of merchants into the commonwealth.\textsuperscript{42}

Virginians in the postwar period engaged in a seemingly incessant battle to combat an internal foe that historians have either claimed did not exist or posed no true threat to the stability of the state. While actions taken to control the admission of individuals to citizenship may very well have been influenced by Virginians' concern with the issue of prewar debts, the primary motivation behind the immediate calls for restrictions was their anger and fear of the migration of the disaffected back into the commonwealth.\textsuperscript{43} These individuals emphasized the high regard with which they valued the privilege of their membership within their community in petitions submitted to the Virginia legislature at the height of the debate over the citizen bill. They demonstrated their evolving understanding of the new government and their citizenship in the young nation by publicly and emphatically voicing their concerns. Citizens were entitled to their own political opinions, and, in instances such as this, were compelled to voice them in order to provide stability and safety for their community. In directly electing their own representatives for the Assembly, voters had chosen the individuals they believed would represent and protect their social, political, and financial interests. Virginians fought diligently to prevent loyalists who had willingly broken their bond between themselves

\textsuperscript{42} CVSP, 4:171-172, 174-175; Hening, Statutes at Large, 12:261-265; Risjord, Chesapeake Politics, 203; Jacobs, "Treaty and the Tories," 99, 160-161.

\textsuperscript{43} Isaac Harrell's assertion in Loyalism in Virginia (1926) that Virginians primary motivation for opposing loyalist reintegration was the cancellation of debts is effectively countered in two studies by Emory G. Evans of the financial state of individuals in colonial Virginia. According to Evans, while the issue of the repayment of debts was no doubt of great importance to a number of individuals, many Virginians felt honor bound to repay debts over time. Evans, "Planter Indebtedness and the Coming of the Revolution in Virginia," 511-533; and Evans, "Private Indebtedness and the Revolution in Virginia," 349-374.
and their government from returning to the commonwealth by using the most powerful resources available to them.
Chapter III. The Loyalists and Disaffected Return Part II: Case Studies of Presly Thornton, John and Ralph Wormeley, and Philip Turpin

Understanding the true essence of the experiences of loyalists and the disaffected in postwar Virginia is a daunting task. For each of the individuals and families who suffered or were persecuted during the war, as well as for individuals who were exiled by choice or consequence, the Revolution and postwar events had varying degrees of effect and significance on their lives. The microhistories of four young Virginia elites and their families – Presly Thornton, John and Ralph Wormeley, and, in particular, Philip Turpin – illustrate how men of a select class reaped the benefits of a political system that continued to embrace colonial notions of deference and authority. Such an examination illustrates that such men typically perceived themselves as victims of circumstance rather than perpetrators of a crime.

PRESLY THORNTON (1760-1807)

Presly Thornton, the eldest son of Colonel Presly and Charlotte (Belson/Nelson) Thornton, was born in Virginia on March 2, 1760.\(^44\) Presly Thornton’s father, Colonel Thornton, a member of the House of Burgesses, the Council of Virginia, and a local

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\(^44\) Charlotte was the second wife of Colonel Thornton. Historians are uncertain if her maiden name was Nelson or Belson, but the majority of sources suggest the latter is the case. These sources also concur that she was born in England to a family of some prominence. However, she spent much of her life in the household of Colonel John Tayloe of Mount Airy in Virginia. For additional genealogical information on the Thornton family, see W. Preston Haynie, “Northumberland House and the Particulars of the Case of Presly Thornton,” *Bulletin of the Northumberland County Historical Society* 35 (1998): 41-54; and George Fitzhugh, “Old Churches, Ministers and Families of Virginia,” *DeBow’s Review, Agricultural, Commercial, Industrial Progress and Resources* 26 (1859): 128-129.
militia leader, died in December 1769, leaving his widow to care for five young children. He left the majority of his estate, both real and personal, to be divided between his two sons, Peter Presly (b. 1750), a child from a prior marriage, and Presly. At a young age Presly’s elder half-brother sent him abroad to further his education. According to documents compiled by Thornton after the war, he remained at school until the age of sixteen, when his mother, accompanied by Charlotte, Charles Wade, and John Tayloe, his three other siblings, arrived in England. As a consequence of her loyalty to the Crown, as well as her desire to avoid the imminent conflict between the colonies and Great Britain, Charlotte Thornton left Presly’s estate in Northumberland County, Virginia, to the care of Peter Presly, and made the journey across the Atlantic.

After the arrival of his family, Thornton was placed in the Temple at the Inns of Court to study law. Stranded abroad without extensive funds or the hope of remittances from Virginia, Thornton’s mother found herself in a precarious financial standing from


46 The traditional practice of sending sons to Europe for higher education is well documented. However, by the period in question, the number of young men heading abroad for schooling had decreased, due in large part to the successes of institutions of higher education in the colonies. In Virginia, the College of William and Mary had increasingly grown in significance throughout the eighteenth century. For additional discussion of this trend, see Lyon Gardiner Tyler, “Education in Colonial Virginia. Part IV: The Higher Education,” *WMQ* 6 (Jan. 1898): 171-187; Edgar Wallace Knight, ed., *A Documentary History of Education in the South before 1860*, 5 vols. (Chapel Hill: University of North Carolina Press, 1949-1953). Other factors contributing to the decrease in students traveling abroad for further study were the growing concern of parents in regard to the danger of transatlantic travel, anxiety regarding British societal influences, and the great expense needed for such an endeavor. See Louis B. Wright, *The First Gentlemen of Virginia: Intellectual Qualities of the Early Ruling Class* (Charlottesville: The University Press of Virginia, 1970), 111-113, and Daniel Smith, *Inside the Great House: Planter Life inEighteenth-century Chesapeake Society* (Ithaca, N.Y.: Cornell University Press), 105-107.

the day of her arrival. The situation worsened as time passed. Presly Thornton quit his law studies. In order to provide for living expenses, his mother, anxious to secure whatever funds for his subsistence that she could, accepted a commission in the British military on his behalf. At his request, he was promised a position in which he would not be required to fight against America. In 1778, he was appointed to serve as a lieutenant in 12th Regiment of Foot stationed in Gibraltar.48

According to Thornton, his wish to return to his native land made him quite anxious to quit his post. However, a lengthy blockade and siege at Gibraltar and British military orders prevented him from doing so. In early 1783, Thornton received word from his uncle in Virginia, Colonel Francis Thornton, of state legislation concerning “all those who had quitted their Estates during their Minority.” According to the estate law, individuals such as Presly “were entitled to quiet Possession of them, within two Years after their Arrival at Age.” With this information in hand, his mother, with great difficulty, secured permission for her son to resign his commission and travel to Virginia.49

Upon his arrival in Virginia in late 1783, Thornton found himself barred from both citizenship and his estate due to his long absence and British military service. In November of 1783, Thornton submitted a petition to the Virginia General Assembly requesting a restoration of his rights as a citizen of Virginia. In his petition, Thornton

48 According to the petition of Charlotte Thornton, two of Thornton’s younger brothers also accepted positions in the British military during the Revolution. Petition of Charlotte Thornton to Lord George Germaine, 31 May 1781, Charlotte Thornton petition file, Public Record Office, A.O. 13/32. Legislative petition of Presly Thornton, 16 November 1783, Box 185, Folder 9, LVA; Coldham, American Loyalist Claims, 1:488-489.

49 Legislative petition of Presly Thornton, 16 November 1783, Box 185, Folder 9, LVA; Coldham, American Loyalist Claims, 1:488-489; Biographical sketch of “Capt. Presley Thornton,” Samuel Bassett French collection, ca. 1890-1897, accessed online at http://lvaimage.lib.va.us/cgi-bin/GetBF.pl?dir=0070/T0150&card=26, 22 February 2006; Harrell, Loyalism in Virginia, 92-93.
expressed his hope that the legislature would take his particular situation into consideration, recognizing the many difficulties he faced while abroad. He explained his acceptance of a commission in the British army as an act precipitated by necessity, rather than choice. He had, he argued, accepted the proposal of his mother and family instead of being forced into unaccustomed poverty. Perhaps most importantly, Thornton emphasized that he had not fought in America and that he had at all times considered himself an American citizen. Bearing arms against his native land, claimed Thornton, was something he would not consider and could not condone.50

After review of his petition, the General Assembly granted Presly Thornton the rights of full citizenship. While the details behind the decision to grant Thornton were not made explicit in existing records, it seems evident that some leniency was afforded this young man because he did not take part in combat in America. Legislators likely considered his long and mostly involuntary absence from Virginia, which predated the outbreak of hostilities, an unhostile act. Additionally, the prominent and patriotic roles of Thornton’s father and half-brother (Peter Presly) in prewar Virginia society also lead legislators to grant compassion to Thornton.51

In the immediate postwar period, Presly Thornton reclaimed the family estate and married his cousin, Elizabeth Thornton. In 1785, Northumberland County resident John Thornton recommended Thornton for the post of county lieutenant in the county militia.

50 Legislative petition of Presly Thornton, 16 November 1783, Box 185, Folder 9, LVA; Coldham, American Loyalist Claims, 1:488-489; Journal of the House of Delegates of the Commonwealth of Virginia; Begun and Held in the City of Richmond. In the County of Henrico, on Monday, the Twentieth Day of October, in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three (Richmond: Thomas W. White, 1828), 21.

51 Journal of the House of Delegates... in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three, 59-60; Hening, Statutes at Large, 11:316; TJ to PT, Monticello, 29 July 1783, Papers of Thomas Jefferson, 6:332. For information on the life and family of Peter Presly Thornton (1750-1780), see Haynie, “Northumberland House and the Particulars of the Case of Presly Thornton,” 42-44.
“His military knowledge, and the affection people entertain for him,” urged Thornton, “would qualify him to execute it with a great deal of propriety.” Near the close of the eighteenth century, former president George Washington recommended Thornton for a military post in the regular army. In 1798, Congress authorized the United States army to raise twelve additional regiments. Washington, Alexander Hamilton, and Charles Cotesworth Pinckney met late in the year to compile a list of candidates for officers. After initial confusion as to whom Washington recommended (a second individual born in 1760, also named Presly Thornton, had served as an officer in the Continental army and resided in Caroline County), Thornton received the commission. Washington wrote Pinckney that Thornton was the “son of one of the most respectable Gentlemen” and was “amiable in character.” Though Thornton “was a British Officer during our Revolution,” wrote Washington, he “would not fight against his Country.” Furthermore, Washington credited Thornton with “gallant behaviour” during the war. Thornton received a commission to serve as captain of the 8th United States Infantry, a post he held until June 15, 1800. Around this time, Thornton sold his Northumberland lands and removed to Genesee, New York, where he died in 1807. 52 Despite his activities during the war, as well as those of his siblings, prominent patriotic figures such as George Washington respected Thornton. In many ways, the social standing of his family impacted his treatment in postwar Virginia. However other prominent individuals such as John and Ralph Wormeley suffered both during and after the war as a result of their loyalist ties.

JOHN WORMELEY (ca. 1761-1809) and RALPH WORMELEY, Jr. (1745-1806)

John Wormeley was the son of planter Ralph Wormeley (1715-1790) and Jane Bowles. During the Revolution and postwar period, John’s brother, Ralph Wormeley, Jr., became quite possibly the most well-known and politically prominent resident loyalist in Virginia. Ralph Wormeley was one of the select group of elite aristocrats who sided with the British and opposed rebellion during the Revolution. A member of the Governor’s Council as early as 1771, Ralph Wormeley quickly allied himself with Governors Nelson and Dunmore. When words turned to action in early 1775 and Lord Dunmore fled the capital, Wormeley retired to his ancestral home, “Rosegill,” along the Rappahannock River. Though he sought to escape involvement in the debate and impending conflict, patriot military forces intercepted a personal communication that thrust Wormeley into the spotlight. In his April 4, 1776, letter to John Grymes, Wormeley rejected patriot ideals and indicated his general willingness to assist Dunmore if so requested. Major General Charles Lee, who received the captured letter, turned the matter over to the local committee of safety. Despite the fact that he had never actively aided the British or publicly opposed the patriot cause, the committee considered Wormeley a threat and immediately ordered his confinement. When the committee reviewed the case a few days later (April 22), they found little additional evidence to confirm Wormeley’s attachment to the loyalist cause. After posting £10,000 bond, Wormeley received orders not to “correspond with the enemies of America, join, or in any manner assist them.” The committee also confined Wormeley to lands owned by his father in the Shenandoah
Valley (Frederick and Berkeley counties).53 Within two years, Wormeley received permission to return to Rosegill, where he remained until the conclusion of the conflict. However, during that time, the family remained in the center of conflict. In 1781, a British privateer raided the Wormeley family estate. A short time later, Virginia patriots accused Wormeley and his father of corresponding with the enemy and attempting to dissuade individuals from providing supplies to American forces. In September 1781, Governor Thomas Nelson ordered the imprisonment of Ralph Wormeley and Ralph Wormeley, Jr., in Richmond. However, because of lack of evidence against the two Wormeleys, Nelson ordered their release following the British surrender at Yorktown just one month later.54

During the war, James and John Wormeley, two younger brothers of Ralph Wormeley, Jr., took an active role in the conflict against the former colonies. At the age of eight, John Wormeley was sent to Scotland to learn and study the merchant trade under the care of a Mr. McHall. When hostilities began between America and Great Britain, McHall sent Wormeley, at that time sixteen years of age, to New York, where he enlisted in the British army. For much of the conflict, John Wormeley served as captain of a company of the Royal North Carolina regiment of infantry commanded by Colonel John Hamilton. While participating in the campaign in the Carolinas in 1780, Wormeley married Mary Starke (d. 1828), the daughter of a prominent Charlestonian. In late October 1782, Captain Wormeley, along with his wife and baby, John Cruger Wormeley,

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53 In addition to the prescribed punishments, the letter written by Wormeley to Grymes was published in its entirety in the Virginia Gazette (Williamsburg). Peter Force, American Archives: Fourth Series, (Washington: M. St. Clair and Peter Force, 1844), 5:1007-1008.

arrived in Hampton, Virginia, aboard the Lord Mulgrave. Seeking permission to remain in the colony and to visit his parents at Rosegill, Captain Wormeley wrote to Governor Benjamin Harrison on October 27. In his reply of November 2, Governor Harrison wrote that he held no malice toward the members of the Wormeley family so generally accused of disloyalty. Nonetheless, he forbade Captain Wormeley, an active participant in the war against the young country, from remaining in Virginia. “For tho’ I have every Confidence in your Honor,” wrote Harrison, “you must be sensible Common prudence forbids my giving liberty to a Gentleman of your Cloth to be at large in the Country when at War with a King whose livery you wear and whom you have thought fit to bind yourself to use your Endeavours to subjugate your native Land.” In the interim, Governor Harrison granted permission for Wormeley’s parents to visit Captain Wormeley and his family in Yorktown or Hampton.55

In little more than a week, Harrison received word that local officials had permitted Wormeley to leave Yorktown and travel to Gloucester. Harrison wrote Colonel Charles Dabney in Yorktown, ordering him to bring Wormeley, his wife and child back to Yorktown to await passage out of the state on the Mentor. If the Wormeleys so wished, Harrison would grant them permission to leave their young son in Virginia.56

55 Governor Benjamin Harrison to Commodore Barron, Harrison to Colonel Charles Dabney, Harrison to Captain William Armistead, Harrison to John Wormeley, all 2 November 1782, Official Letters of the Governors of the State of Virginia, Vol. III. The Letters of Thomas Nelson and Benjamin Harrison, edited by H.R. McIlwaine (Richmond: Virginia State Library, 1929), 364-366; ER to JM, Richmond, 16 November 1782, Papers of James Madison, 5:281-282, 286; Legislative petition of John Wormeley, 18 November 1783, Box 253, Folder 13, LVA; Ralph Wormeley, Jr. to William Windham, 2 January 1797, Papers of Ralph Wormeley, MSS 1939, Special Collections, University of Virginia Library (hereafter UVA).

56 Governor Benjamin Harrison to Charles Dabney, 13 November 1782, Official Letters of the Governors of the State of Virginia, 3:376. Wives and children of loyalists, such as Mrs. Wormeley and son, were invariably stigmatized in postwar Virginia as a result of the actions of their husband/father. Both women and children, though considered citizens by the government, lacked a political identity and were generally recognized only as dependents. Women who were the heads of households are one notable
Eventually, Harrison allowed Mrs. Wormeley and the child to remain in Virginia. Captain Wormeley, however, had no choice but to leave as soon as possible. With the permission of the governor, Wormeley’s received the right to alter his place of exile from New York to the West Indies.\(^57\)

In March of the following year, with news spreading of an imminent preliminary peace treaty, Captain Wormeley began a campaign to obtain permission to once again reside in Virginia. Wormeley requested on March 3, 1783 that George Washington grant him a pass to live in Virginia with his family. George Washington responded that the power to grant such a passport lay solely with the executive of the state in question.

Following Washington’s instructions, Wormeley submitted his request to the governor.\(^58\)

Before Governor Harrison could reevaluate Captain Wormeley’s request, Wormeley traveled to Virginia, arriving in Norfolk in early May 1783. While Wormeley was correct in assuming that Great Britain and the United States would adopt a final

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treaty of peace in the coming year, he erred in believing that the Virginia government would no longer condemn his actions in the late war. When the governor learned of Wormeley’s arrival in Virginia, Harrison presented the information to the Council of State for possible action. Harrison, clearly upset by the recent acts of Wormeley, wrote the captain on May 17 to inform him that he must immediately leave the commonwealth or face “immediate and close confinement.” Wormeley’s family, and in particular, his brother Ralph, expressed dismay over the possible fate of their young brother.59

During the following months Wormeley remained in Virginia. Harrison again wrote Wormeley in early July 1783 that he fell under the scope of state legislation prohibiting “British Subjects under certain descriptions, and Citizens who have proved themselves inimical to the State” from residing in Virginia. Despite his connections to a prominent Virginia family, Wormeley continued to receive the same treatment as active loyalists who sought to return to Virginia.60

Ralph Wormeley, Sr. then submitted a petition to the Virginia General Assembly requesting that his son John be granted the rights of citizenship. In the preceding months, Ralph Wormeley, Jr. expressed growing contempt and disdain for the policies of the Virginia government toward his brother. In letters to the British secretary of state, Ralph Wormeley, Jr. wrote candidly about the situation of his brother, as well as his belief that both governments abandoned Captain Wormeley after the conclusion of the conflict:

Capt9 John Wormeley, my Brother who has served in the british army many years of the war could not get one [a certificate for property lost during the war, i.e.

59 John Wormeley to Benjamin Harrison, Rosegill, 12 May 1783, CFSP, 3:483; Benjamin Harrison to John Wormeley, 17 May 1783, Executive Letterbook, LVA, 129; Ralph Wormeley to John Tuberville, 20 May 1783, Papers of Ralph Wormeley, UVA.

60 Benjamin Harrison to John Wormeley, 5 July 1783, Executive Letterbook, LVA, 169.
slaves] when he left New York[.] having mentioned him permit me to say, that nothing can be more severe than our Government is on men in his predicament and nothing more base and dishonorable than yours, during the last administration, towards these unfortunate and loyal men: he is ordered to leave Virginia (see the proclamation) and remains in it at his peril. We hope from the definitive treaty he may be permitted to remain here; if he should not he will be abandoned to all that misery and want, which many loyalists experience, unless you, in noble generosity and compassion to such a character, should from your influence procure him that assistance and relief that his merit challenges.61

Despite his brother's concerns, in November 1783, the legislature acted favorably on the petition submitted on behalf of Captain Wormeley. Upon taking the oath of allegiance to the state of Virginia, Captain Wormeley was readmitted to citizenship. As a consequence of his participation in the war as an armed combatant, a stipulation of the act barred Wormeley from holding public office for a period of four years. Wormeley spent the remainder of his life at Cool Spring, a family estate in Frederick County.62

Captain Wormeley had endured an arduous two years, frequently separated from his family and under constant scrutiny from Governor Harrison and the Virginia government. Forced to discuss candidly his actions during the Revolution, he placed himself at the mercy of the legislature. During the postwar period, the entire Wormeley family continued to be associated with the wartime activities of John and Ralph Wormeley. Ralph Wormeley, Jr., who had been suspected of loyalist leanings throughout the war, secured a position in the Virginia House of Delegates from Middlesex County between 1788 and 1790. Despite his attempts to ally himself with former patriots in the community, persons influential in political circles questioned his attachment to the

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61 Ralph Wormeley to Charles James Fox, 8 August 1783, Papers of Ralph Wormeley, UVA.

62 Legislative petition of John Wormeley, 18 November 1783, Box 253, Folder 13, LVA; ER to JM, Richmond, 16 November 1782, Papers of James Madison, 5:281-282, 286; Journal of the House of Delegates ... in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three, 21; Ralph Wormeley, Jr. to William Windham, 2 January 1797, Papers of Ralph Wormeley, UVA.
Federalist Party and his overall pessimism about the republican form of government.

Financially, the war wreaked havoc on the fortune that the Wormeley family had amassed in preceding generations. Once one of the wealthiest families in the commonwealth, the Wormeleys owned more than 15,000 acres of land and 325 slaves prior to the war. Long-standing debts, soil exhaustion, and lavish lifestyles exacerbated the diminished financial standing of the Wormeleys.63

Despite Captain Wormeley’s professed claims of loyalty to the Virginia government, just a few short years after being admitted to citizenship he attempted to obtain a pension from the British government for service in the war against the colonies. Written by Ralph Wormeley, Jr. on behalf of his brother, the letters submitted attest to the failing financial situation of both Captain Wormeley and the entire family. “My Brother is not yet admitted to the plenary rights of citizenship as punishment,” wrote Wormeley, “less than perpetual exclusion, was, for some time thought too lenient for such a criminal and atrocious offender.” Wormeley attempted to make a case for support by pleading financial distress and societal harassment, both stemming from his military service. While he was within his right to claim compensation for past services as a British officer, this act, after being granted citizenship in Virginia, suggests that he retained some loyalist leanings and remained critical of the American government. Furthermore, such an overt effort implies that he had a full understanding of his actions and their possible consequences during the war, a fact his father contradicted in his petition for citizenship for his son submitted just two years earlier.64


64 Ralph Wormeley, Jr. to William Molleson, 17 July 1785, Papers of Ralph Wormeley, UVA. See also Ralph Wormeley, Jr. to William Windham, 2 January 1797, ibid.
For Ralph Wormeley, Jr., questions about his loyalty during the war lingered into the nineteenth century. In 1802, the Richmond Recorder and Richmond Examiner republished the correspondence between Wormeley and Grymes. The editor of the newspaper questioned why Wormeley was still evaluated in such a light: “Why is it, that Mr. Wormeley should be made the scape-goat for opinions, which were possessed by many people, at the beginning of the revolution [?]” He adds: “The publication of his letter, and the sentence of banishment, which the committee passed upon him, made him a mark for public notice, and put it out of his power to repair the error, even if he had been ever so disposed.” In a lengthy letter published in the October 6, 1802 edition of the Recorder, Wormeley explained he was not, and never had been, ashamed about the letter. In his opinion, the captured correspondence said little. He was, however, extremely critical of the manner in which his thoughts or opinions could lead to premature judgments about the character of individuals such as himself.65

For more than a quarter of century, the suspected disloyalty of Ralph Wormeley, Jr. and the actions of Captain John Wormeley suffered the Wormeley family to trials not uncharacteristic of those encountered by others in Virginia. However, likely as a consequence of their social, political, and economic prestige in Virginia society, they were subject to an unusual level increased scrutiny, curiosity and persecution throughout the war and postwar periods. Investigation and harassment of the Wormeley’s, a family well-known to men of all classes throughout the state, served as an example to others to limit demonstrations of support for the Crown. In their attempt to reenter the social class to which they had grown accustomed, the Wormeleys strove to reestablish not only their

65 “Ralph Wormeley, Esq.,” Richmond Recorder, 6 October 1802.
financial standing, but also to eliminate any public questions of their loyalty and to present a respectable public identity that appeared supportive of the new nation.

PHILIP TURPIN (1749-1828)

In February 1769, Thomas Jefferson wrote to his uncle in Cumberland County, Thomas Turpin, in response to his queries about educational plans for his son Philip. Critical of the existing apprentice system for legal education, Jefferson explained to his uncle that such a plan often served as a hindrance to the lawyer and a detriment to a young scholar. Unable to help Philip himself in this instance, Jefferson recommended a course of study and reading for young Turpin. However, in little more than a year, Turpin abandoned his plans for a career in law and headed across the Atlantic Ocean to the University of Edinburgh to pursue a degree in medicine.

According to entries in Philip Turpin’s account book and notebook, he arrived in Liverpool on October 12, 1770, and departed for Edinburgh eight days later. A number of other notable young Virginians also studied at the University between 1770 and 1774, including James McClurg (Elizabeth City Co., 1770), John Ravenscroft (Prince George Co., 1770), Gustavus Brown, Archibald Campbell (Westmoreland Co., 1770), Isaac Hall (1771), William Ball (Lancaster Co., 1773), and John Griffin (Augusta Co., 1774). Turpin wrote his father in May 1771 that the courses and faculty at the university were of

66 TJ to Thomas Turpin, Shadwell, 5 February 1769, Papers of Thomas Jefferson, 1:23-25.


68 Several other sons of Virginia attended the University of Edinburgh between 1774-1781. They include (with place of residence in Virginia and date of attendance/graduation listed, if known): Lawrence Brooke (Spotsylvania Co., 1776); Robert Brooke (Spotsylvania Co., 1777); William Boush (Norfolk, 1778); Samuel Nicolls (1776); John Shore (Prince George Co., 1777). Tyler, “Education in Colonial Virginia,” 176; Knight, ed., Documentary History of Education in the South before 1860, 1:566-570; Samuel Lewis, “List of the American Graduates in Medicine in the University of Edinburgh from 1705 to 1866, with their Theses,” New-England Historical and Genealogical Register 42 (1888): 160-161.
the highest quality. “It is allowed by the English as well as Foreigners whom I have seen
that no University can boast of such able Professors not only in Physic but in every other
branch of Science,” wrote Turpin. “500 Students of Physic at this University,” traveling
“from France, Geneva England, Ireland & several Parts of America,” confirmed in young
Turpin’s mind his belief that the school was well regarded by medical practitioners
throughout Europe and America. Turpin describes his interest in a variety of courses, as
well as the opportunity to observe medical treatments and surgeries in practice, in a
number of letters to his father. 69

In early correspondence between Turpin and his family in Virginia, Turpin wrote
often of the need for increased funds for his educational and living expenses.

The Classes will cost me annually 15 or 16 Guineas, board upwards of 30, besides
cloaks, Books &c so that I do not think I can live genteely for less than you have
been pleased to allow me. You may depend on my observing the greatest
Frugality in all my expenses, & that I shall by a close application to my Studies,
& good Behaviour, indeavour to merit the continuance of that kindness &
Indulgence which you have ever shewn me, being fully sensible that by acting in
this manner I not only consult my own interest, but that it is the only poor Return
I can make for the Trouble & Expense you have been at in my Education. 70

As a young man without a profession, Turpin depended on his parents for financial
support. They transmitted Turpin’s educational and living expenses abroad via existing
commercial connections between Thomas Turpin and businessmen in England, primarily
merchants based in Liverpool. When in need of funds, Philip Turpin called on these
individuals who conducted business with his father to claim monies due his father. As

69 PT to Thomas Turpin, 24 May 1771 and 31 July 1771, Philip Turpin papers (hereafter PT
papers), Virginia Historical Society (hereafter VHS).

70 PT to Thomas Turpin, 24 May 1771, PT papers, VHS.
conflict between England and the colonies became imminent, Turpin found it difficult to collect remittances and live in the manner in which he had grown accustomed.71

From his first days abroad, Turpin received inquiries from anxious family and friends as to when he would return to Virginia. In June 1771 letter, Turpin’s mother asked when he would complete his schoolwork.72 In October of the same year, Turpin explained to his father that he hoped to conclude his studies in approximately three years, but would be happy to remain in London for the winter should he finish several months earlier.73 Dr. Simeon Harris, a family friend from Goochland County, Virginia, expressed his fear that “you [Turpin] being surrounded with Such agreeable company that I am afraid you have obliterated Virginia out of your mind.”74 Peterfield Trent encouraged Turpin to remain abroad to further his studies. According to Trent, he spoke to Turpin’s father on several occasions in an effort to secure funds for Philip to make “the Tour of France & Italy” and to “go to London & find there 12 Months, & Study Physick & Surgery.” While Thomas Turpin told Trent that his son would be of immediate assistance to his fellow Virginians without further training or study, it seems clear that he feared that his son would be stranded abroad in a time of war.75

In early 1774, Turpin completed his studies at the University of Edinburgh, culminating with a dissertation on the treatment of epilepsy. J. Johnstone, an

71 Evidence of these accounts can be found in Philip Turpin Genealogy and Commonplace book. In nearly all known correspondence between Turpin and his father, financial matters are mentioned. For examples, see PT to Thomas Turpin, 24 May 1771 and 10 October 1771, PT papers, VHS.

72 Thomas Turpin to PT, 12 June 1771, PT papers, VHS.

73 PT to Thomas Turpin, 10 October 1771, PT papers, VHS.

74 Simeon Harris to PT, 28 September 1772, PT papers, VHS.

75 Peterfield Trent to PT, 20 December 1773, PT papers, VHS.
acquaintance of Turpin’s since he arrived in England, wrote to Turpin in April 1774 inquiring about the opinions of Turpin and other American students at Edinburgh about the recent events in Boston. Unfortunately, a reply to Johnstone’s letter is not known. Despite whatever concerns Turpin or his classmates may have had about events in the colonies, Turpin chose to remain in Edinburgh until early June 1775 when he traveled to London. Before departing for France in September of the same year, Turpin wrote his father that “the American Affairs for have some Time past been the chief Topics, how these will end God knows, the ministry seems resolv[e]d to persist in enforcing their arbitrary measures, & the Americans if we may trust to Accounts, are as firmly resolved to oppose them.” Noting “there seems to be a considerable majority on this side of the water against us,” Turpin expressed his desire to learn of the activities of Congress. “The Friends of America were much rejoic[e]d to hear of the Gallant Behaviour of the American Forces near Boston & daily expect to receive Accounts of another Ingagement,” wrote Turpin. Furthermore, despite his concerns about the impending war, young Turpin remained noncommittal “about going to France & Holland” after graduation, as “the American affairs give me great uneasiness.” “I am very desirous of returning to Virginia,” concluded Turpin, “and shall certainly, if an opportunity offers, set sail next Spring.” For the first time, Turpin’s plans become clear. While anxious to continue his tour of Europe, he was willing to return to his native state. Perhaps more importantly, he stated his position on the conflict, echoing support for the patriot cause.

76 J. Johnstone to PT, 13 April 1774, PT papers, VHS.
77 PT to Thomas Turpin, 8 August 1775, PT papers, VHS.
While in France, Turpin received word from friend Thomas Tarpley in London that communication with the colonies would be hindered in the future because of prohibitions on the conveyance of letters to America. \(^{78}\) Peterfield Trent, Turpin’s friend in Chesterfield County, informed him “all letters in future are to be Inspected for it appears we have had many Enemies in this Country.” Additionally, he wrote that Americans had refused to submit to the authority of British government and the acts of Parliament. \(^{79}\)

Turpin returned to England in the spring of 1776. \(^{80}\) Hostilities between England and America had severed the remittances on which he depended for so long. To survive, Turpin turned to a network of former classmates, friends, and professional contacts. Thomas Tarpley, his friend in London, offered a unique proposal. To obtain funds for his immediate subsistence, Tarpley recommended Turpin obtain a berth on a British ship as surgeon. “I tho’t you might like something of this kind as there is less probability of your getting to Virg[ini]a now than ever,” suggested Tarpley. “If these disturbances cease, you may return in one year, if you choose.” \(^{81}\) A year later, William Clapham, another London acquaintance, also proposed Turpin seek employment in the city. In doing so, suggested Clapham, Turpin would be free to return to Virginia as soon as he could secure safe passage. \(^{82}\)

\(^{78}\) Thomas Tarpley to PT, 30 September 1775, PT papers, VHS.

\(^{79}\) Peterfield Trent to PT, 14 December 1775, PT papers, VHS.


\(^{81}\) Thomas Tarpley to PT, 15 November 1776, PT papers, VHS.

\(^{82}\) William Clapham to PT, 1 August 1777, PT papers, VHS.
In the period between his return to England in early 1776 and late 1777, Turpin relied exclusively upon the support of his friends. By August 1777, he found he could no longer depend solely on his friends. Acting on the suggestion of Tarpley, Turpin took a post on a stationed British ship. Turpin also submitted a petition to the British government for financial support in this time of crisis. In his petition letter, Turpin stated the circumstances of his case. While careful not to articulate his position on the war, Turpin compared his situation to that of loyalists who fled America for Britain and found themselves financially vulnerable.83

Turpin left the ship after six months and returned to London. However, just a short time later and again lacking funds, Turpin rejoined the crew of the Heart of Oak. From late 1777 until early 1781, Turpin continued his correspondence with friends in England. In addition to Tarpley and Johnstone, Turpin often corresponded with Fotherley Pannell, a resident of North Allerton and a former classmate at the University of Edinburgh. On one occasion Johnstone expressed his hope that Turpin would soon “have an opportunity of returning to that country which you are now longing after.”84 Pannell, though expressive of his hope that Turpin would one day be able to return to Virginia, did not agree with Turpin’s political opinions or actions during this period of conflict:

The sincere Friendship I feel for you, has made me view the resolution you have taken of returning immediately to Virginia, in the Light of a very hazardous enterprise attended with many dangers & difficulties. I can easily conceive, my dear friend, that the mode of life you have now led, for some time, can neither be agreeable to your taste, or inclination, yet I cannot help thinking, that a little longer continuance in the Navy, or, if that situation of Life shou’d be very

83 PT petition, Public Record Office, A.O. 13/32 (For the complete text of Turpin’s petition letters submitted to the British government, see Appendix B). For additional information about Turpin’s petition, see Gregory Palmer, Biographical Sketches of Loyalists of the American Revolution (Westport, CT: Meckler Publishing, 1984), 874.

84 J. Johnstone to PT, 17 August 1778, PT papers, VHS.
repugnant to your political principles, among your Friends, in Yorkshire, wou’d be more eligible, more prudent & certainly much safer, than attempting, at present to return to Virginia. And, in order therefore, that you might, if agreeable to you, embrace the latter alternative, I wrote to you, my dear Friend, when at Liverpool, about 5 Weeks ago, offering you, & indeed soliciting you to accept of your old Retreat, as long as, you would do us the pleasure to remain in it….If you can, my dear Friend, make it convenient to take a trip into Yorkshire, stay with us till America, shall again be blessed in the arms of, & reunited to, her natural Friend & Parent, we shall be made happy, notwithstanding [the] Rebelliousness of your principles, in the pleasure of your company….85

Following the cessation of hostilities, Tarpley wrote Turpin in late 1782 to express his personal satisfaction that Turpin had accomplished the objective he had so often discussed. “I congratulate you upon the happiness you wou’d have upon meeting with your friends, after your long and partly involuntary absence,” wrote Tarpley. “You were fortunate at last.”86 However, Tarpley likely knew neither of the difficulties Turpin had experienced in his trek to Virginia, nor of the challenges that he faced in his efforts to reestablish his position in Virginia society.

The ship on which Turpin embarked for America in early 1781 deviated from its original course to New York and instead headed to Charleston, South Carolina. In Charleston, Turpin sought a substitute for his post with the British navy.87 Unable to secure a physician to discharge his duties, Turpin headed northward to New York aboard the transport ship. By the summer of 1781, after having secured passage on a different

85 Emphasis in original. Fotherley Pannell to PT, 7 May 1779, PT papers, VHS.
86 Emphasis in original. Thomas Tarpley to PT, 6 November 1782, PT papers, VHS.
87 In his letter to PT, dated 29 July 1783, TJ writes that Turpin “endeavoured by advertisement in the public papers and otherwise to procure a surgeon as a substitute to perform your engagements to the port of N.Y.” (For complete text of this letter, see Papers of Thomas Jefferson, 6-324-330). However, in a letter from Charles Scott to Benjamin Harrison, dated 11 July 1783, Scott writes that Turpin was unable to locate such an individual as it was beyond his power to do so. (For complete text of this letter, see Alexander Trent, Jr. to Benjamin Harrison, n.d. [1783], filed with Legislative petition of PT, 5 December 1783, Box 275, Folder 48, LVA). An examination by the author of the Charleston paper of note during the British occupation (March 1781-December 1782), the Royal Gazette, did not locate a published advertisement by Turpin.
British transport vessel, Turpin was once again in Virginia. However, because Lord Cornwallis denied Turpin a pass to return home, Turpin took a position in the British military hospital near Yorktown, a post he held until the conclusion of the war.88

Following the British surrender, Turpin wrote Governor Harrison from Yorktown describing the details of his case:

I am induced by the Humanity of your Excellency’s Character to lay before you a short Account of my self and of the peculiar Hardship of my present Situation. I beg leave to inform your Excellency that I am a native of this Colony, which I left in the Year 1770, and went to Great Britain for my Education. Having finished my studies, and taken a Degree of Doctor of Physic I returned to this State three Months since. I immediately on my Arrival applied to Lord Cornwallis for Permission to pass the British lines, but, as the General Hospital was in great want of Surgeons, it was refusd; I was therefore under the disagreeable Necessity of returning to Great Britain to seek a lively hood, or, of entering as an Assistant Surgeon into the General Hospital; for several reasons I prefer’d the Latter Alternative, tho’ contrary both to my political Principles and private Interest. Such was my Situation when it pleased Providence to crown your Excellency’s Arms with success; As I am now at your Excellency’s Disposal, I humbly hope your Excellency will be pleasd to grant me that Permission which was before denied me.89

Apparently satisfied with Turpin’s explanation of his activities during the war, the governor did not prohibit Turpin’s return to his family in Virginia.90

Because Turpin fell under the scope of the Governor’s proclamation of July 1783 (as did Thornton and Wormeley), the legislature required him to submit a petition requesting the restoration of his citizenship rights if he wished to remain in Virginia. Thomas Jefferson, Turpin’s cousin, outlined a case for his defense. Describing Turpin’s actions during the late war in a letter of July 29, 1783, Jefferson strove to explain that

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89 PT to Benjamin Harrison, October 1781, PT papers, VHS.

Turpin retained a “firm attachment to the cause of your country [the United States],” secretly relishing in the successes of the patriot cause.91

Jefferson chronicled the facts relevant to Turpin’s case, and, in great detail, examined the specifics of the laws regarding the treatment of individuals such as his cousin by the Virginia government. Clearly, wrote Jefferson, Turpin’s voluntary enlistment and subsequent service in the British military would subject him to the severest criticism. Jefferson argued that existing statutes were for actual combatants against America – not individuals who offered medical treatment for the ill and wounded. Furthermore, according to Jefferson, Turpin’s intent when he enlisted was solely to obtain funds for his survival and eventual passage to Virginia. If he had allied himself with the British to assist in the suppression of the “rebellion,” then he would be clearly fall under the scope of legislation intended to remove such individuals from the commonwealth. However, Jefferson argued that Turpin joined British only as a last resort. Without funds to support him and dependent upon a few friends to provide for him, Turpin accepted a post that he strongly disliked.92

Jefferson compared Turpin’s acts to those of other individuals during the war. For example, many common Virginians, who had pledged allegiance to the state, submitted to enemy requests for money, arms, provisions, etc. But were these individuals guilty of treason? In Jefferson’s eyes, these individuals, living in a country at war, often complied

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91 TJ to PT, Monticello, 29 July 1783, Papers of Thomas Jefferson, 6:326.

92 Ibid.
with requests because of the few alternatives available to them. Turpin did not intend to subvert the patriot cause according to Jefferson.\textsuperscript{93}

To strengthen Turpin’s case, Jefferson identified a group that shared common characteristics. In several documented instances during the war, captured American soldiers joined British forces to secure their escape. In efforts to sneak through enemy lines, prisoners often bore arms and fought against patriot forces. In the aftermath of the war they “were received into the bosom of their country and are enjoying in tranquility the advantages of the revolution in common with their fellow citizens.” According to Jefferson, Turpin, like these men, had been detained against his will and took the only possible route to freedom. If the new country accepted these men, why should the same not be the case for Turpin?\textsuperscript{94}

Jefferson also analyzed the particular post Turpin held during the war. While the aforementioned prisoners bore arms and took part in battle against the patriots, Turpin practiced his profession of caring for the sick and wounded. Instead of taking lives, he was saving them. “The office of surgeon has been considered as on a footing with that of chaplain,” wrote Jefferson, “and the administering of medicine to be as inoffensive as giving religious instruction to those with whom we are contending.” Jefferson, privilege to information unknown to others, knew of correspondence between George Washington and Sir Guy Carlton concerning the treatment of captured chaplains and surgeons by the two armies. While he did not know the details of the final resolution of their correspondence, Jefferson suspected that Washington and Carlton would not consider

\textsuperscript{93} Ibid.

\textsuperscript{94} Ibid., 6:326-327.
neither chaplains and surgeons as offensive as cases in which men joined the British army or loyalist forces. In Turpin’s case, Jefferson believed that many legislators would question the young doctor’s motives during the war, but, in the end, interpret his actions as humanitarian rather than hostile. Consequently, acceptance of Turpin’s acts would lead to a rejection of notions that he harbored any enmity toward America.95

While it appears that Jefferson believed Turpin fell outside the intended scope of the Governor Harrison’s proclamation, he also felt compelled to explain that his defense for Turpin was based on facts, not personal ties. “I have the more confidence in my opinion because it is not recently formed but the result of enquiry and consultation on a former occasion when the parties concerned were merely indifferent,” wrote Jefferson, “and no principles of private friendship were operating to warp my judgment.” In closing his lengthy letter, Jefferson added a postscript noting that the recent treaty of peace could have a drastic effect on Turpin’s case. The sixth article of the agreement prohibited the prosecution of any individual for his actions during the war.96

While Turpin’s petition for citizenship was not presented to the General Assembly until December 1783, several prominent individuals in the capital knew of his particular circumstances and plight shortly after the governor’s proclamation. Edmund Randolph mentions Turpin and his case in a July 18 letter to James Madison:

The assembly no sooner leave us than we sink into a dull, tho’ eager people after money. Were it not for the breeze, which the late proclamation of the governor has stirred, we should have nothing to agitate us. It draws forth every hour men, who seemed to have fixed themselves in all the rights of citizenship, to supplicate


96 TJ to PT, Monticello, 29 July 1783, Papers of Thomas Jefferson, 6:329-330.
a little time, until they can arrange their domestic affairs. Among these is a Doctor Turpin, the possessor of the most valuable lots for the purposes of government within the city. He is a native, was taken at York with a medical commission, as I am told, in his pocket, and has been suffered to remain here without interruption ever since; And yet the act determining, who shall be citizens, does not, I believe, exclude him from obtaining a domicil here.

However, there may be some reason to favor both him and many other natives, which the law does not allow. He was sent abroad for his education, during his infancy. He was there surprized by the war, while the purposes of his errand were incomplete. He made several attempts to reach his country, but was so often baffled as to be obliged to enter into the british service, as a surgeon, for subsistence. A departure from hence with the single view of assuming arms against his country would be malignant indeed. But much toleration is due to those, who merely to avoid famine; to the danger of which they have been subjected by the prosecution of their studies, and to gain a fair opportunity of coming to his native country, have submitted to enter into the british service.97

Though fully cognizant of the existing laws concerning treason, as well as the ongoing debate in the Virginia legislature, Randolph expressed compassion for men, like Turpin, who suffered during the war and tried to return to their native land. In his opinion, to prosecute them upon their return would be a lasting and cruel punishment for loyalty.

However, just one month later, Edmund Randolph’s opinion of Turpin and others in similar circumstances had shifted markedly. In another letter to Madison, he questioned Turpin’s actions during the war, wondering why the young doctor was unable to find means other than joining the British navy to secure passage to his native land:

The governor’s proclamation, expelling the obnoxious adherents to british interest, continues to give great disquiet to the friends of those, who fall within that description Mr. Jefferson has taken Dr. Turpin by the hand, and in a long letter to him attempted to shew, that his case belongs not to the offensive class. The Dr: went to Scotland in his infancy for his education. He was surprised there by the American war, with his studies incomplete. He made various attempts to return to Virginia; but being disappointed in his efforts for this purpose, and unable as he says to support himself by other means, he entered as surgeon on board of a british ship of war. While in the service he was captured at York. From these facts, tenderness is due to Turpin. But I cannot admit, that the necessities of that gentlemen would protect him from the operation of the law as it now stands;

97 ER to JM, 18 July 1783, Papers of James Madison, 7:232-233.
because they do not seem to have been incapable of being supplied thro channels, which were not hostile. Mr. J. doubts whether surgeons ought to be ranked among the instruments of hostility, and refers to a proposition from Carlton to consider them as exempt from the rights of war. But I believe, that he might find more examples than one of a surgeon being executed for treason in joining the king’s enemies.  

Randolph rejected Jefferson’s argument that Turpin was incapable of finding other means by which to provide for his livelihood and eventual passage to America. Furthermore, he dismissed Jefferson’s suggestion that Turpin deserved special consideration because of his service as a physician, rather than a combatant, during the late war.

In December, the General Assembly evaluated Turpin’s petition. The petition provided a succinct account of Turpin’s activities since leaving Virginia in 1770, similar in many regards to the narrative constructed by Jefferson. However, stripped of all dates, the petition lacked specificity. More than likely, such a change was Turpin’s conscious effort aimed at eliminating questions about his activities in Europe. Questions regarding the delay in such a voyage could be more easily deflected by portraying his time in Europe as one seamless period of frustrated efforts to return to Virginia.

Turpin also included a series of testimonials regarding his character, activities, and loyalty along with his petition for citizenship. The first letter, written by Alexander Trent, concerned Turpin’s activities in England prior to Trent’s departure for Virginia in 1778. Trent mentioned that Turpin often spoke to him about his displeasure with being left with little alternative than to take the position of surgeon on board a British ship.

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98 It is unclear how Randolph obtained a copy of TJ’s letter of 29 July 1783. William T. Hutchinson, editor of Papers of James Madison, suspects that either Jefferson furnished Randolph with a copy of the document, or Turpin had shown the letter to Randolph. ER to JM, 23 August 1783, Papers of James Madison, 7:286-289.

99 Legislative petition of PT, 5 December 1783, Box 275, Folder 48, LVA; TJ to PT, Monticello, 29 July 1783, Papers of Thomas Jefferson, 6:331; Journal of the House of Delegates ... in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three, 48.
According to Trent, Turpin desired nothing more than to return to Virginia at his earliest possible occasion. Additionally, Trent wrote that Turpin’s post as a surgeon was distressing at best because the crew frequently harassed him and considered him a “Reble.”

A second letter, submitted by Charles Scott, addressed Turpin’s activities since his arrival in Charleston in 1781. Scott, a prisoner, wrote that he had frequent opportunities to converse with Turpin about the circumstances that brought him to America in a British vessel. Thoroughly convinced of the extent of Turpin’s distress and his desire to return to Virginia, he believed that Turpin was a friend to the American cause. Furthermore, he informed the governor that Turpin’s fear of losing an extensive collection of medical books he had accumulated while in Europe had played a role in his decision not to abandon the ship.

A letter from Peterfield Trent, sent to Harrison in early July 1783, concerned Trent’s correspondence with Turpin throughout his time in Europe and since he arrived in America. Trent conveyed in his letter that Turpin had expressed on numerous occasions his deep patriotic sentiments while stranded in England. Wary of having his communications intercepted and suspicion directed towards him, Turpin signed his letters “P.T.” and encouraged Trent not to discuss political matters in his correspondence. As for the delay in returning to Virginia, Trent explained that Turpin, refused to leave the country until he could resolve all his debts with British creditors. Trent concluded his letter by describing the patriotic sentiments expressed by Turpin when they were together at Yorktown prior to the siege. On several instances,

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100 Alexander Trent, Jr. to Benjamin Harrison, n.d. (1783), filed with Legislative petition of PT, 5 December 1783, Box 275, Folder 48, LVA.

101 Charles Scott to Benjamin Harrison, 11 July 1783, filed with Legislative petition of Philip Turpin, 5 December 1783, Box 275, Folder 48, LVA.
writes Trent, Turpin suffered harassment from British officers as a consequence of his professions of loyalty to Virginia and America.\textsuperscript{102}

On December 13, 1783, the General Assembly approved Turpin’s petition granting him citizenship rights in Virginia.\textsuperscript{103} The specific circumstances concerning the vote and possible debate regarding the restoration of Turpin’s rights are lacking. Some legislators may have been convinced of Turpin’s loyalty as a consequence of Jefferson’s support, while other assemblymen may have found the letters of those who had known or corresponded with Turpin over the years to be powerful evidence. Others may have believed his acts did not constitute treason as defined by law.\textsuperscript{104} Some legislators could have granted Turpin leniency as consequence of his role during the war as a non-combatant. Nonetheless, despite these facts, certain questions must have remained. Why had Turpin remained in England so long? Following his graduation in 1774, when war was imminent, why did he choose to stay? Once hostilities began, many men, such as Alexander Trent, left. Why did Turpin, who was allegedly so attached to the patriot cause, choose to stay in the country of the enemy?

Recently discovered correspondence reveals that Turpin chose of his own free will to remain in Europe for much of the period in question. Immediately following his

\textsuperscript{102} Peterfield Trent to Benjamin Harrison, 12 July 1783, filed with Legislative petition of PT, 5 December 1783, Box 275, Folder 48, LVA. Peterfield Trent was the brother of Alexander Trent, Jr.

\textsuperscript{103} Journal of the House of Delegates of the Commonwealth of Virginia... in the Year of Our Lord One Thousand Seven Hundred and Eighty-Three, 59-60; Hening, Statutes at Large, 11:316.

\textsuperscript{104} The passage of “An act for the admission of emigrants and declaring their right to citizenship,” as well as “An act prohibiting the migration of certain persons to this commonwealth, and for other persons,” during the October 1783 session of the Virginia General Assembly, expanded the scope and nature of restrictions to be imposed on individuals such as Turpin who sought to return to Virginia. Nonetheless, legislators must have believed Turpin’s circumstances did not place him within the group the legislation was intended to block. For the complete text of these acts, see Hening, Statutes at Large, 11:322-325.
graduation, Turpin sought to explore Europe and visit places he believed he would never have the opportunity to see again.\textsuperscript{105} Once his tour was complete, hostilities had escalated and travel between the colonies and England had become increasingly difficult, but not impossible. Peterfield Trent, in explaining the means by which his brother Alexander secured passage to America, provided Turpin with possibilities for securing transportation across the Atlantic:

\begin{quote}
I hope in the Practice of your Profession, that your get as much Cash, as Enables you to Appear & Support the Character of a Gent\textsuperscript{a}, the latter you must not fail to do, for I would not have you leave England in [illeg] for your fortune here. I had hopes that the Bills &c that was sent you at the Beging of the War would have Enabled y\textsuperscript{o} to have Purchased Books, Instrumts & paid your Pass\textsuperscript{a} to N York, from thence y\textsuperscript{o} could get to this State, as many Persons whom your father & Brothers are all acquainted with Resides there, & I know from the favours they did Yr Cousin Alex\textsuperscript{e} that they would do the same for you, so that if it is your Inclination to Return to Virg\textsuperscript{a}, I think with your Cleverness & a little frugallity, it may be Accomplishd....\textsuperscript{106}
\end{quote}

As time went by, Turpin’s financial situation worsened. While he likely accepted his post on board a British military vessel to provide for his subsistence, it seems doubtful that no other opportunities were available to him. Furthermore, correspondence from the postwar period, combined with a reference in his account book, suggests that Turpin fathered a child during this period. While he does not appear to have had any extensive contact with the child or mother during this period, this relationship, or perhaps another, had some bearing on Turpin’s financial situation and ultimate decision to remain in England.

\textsuperscript{105} The Philip Turpin papers (PT papers), held by the VHS, were recently in private hands and have apparently never been previously researched by historians. For information concerning Turpin’s plans and tour of Europe following his graduation from the University of Edinburgh, see Peterfield Trent to PT, 20 December 1773; Jonathan Smith Shore to James Morgan, 1 June 1775; PT to Thomas Turpin, 8 August 1775; Thomas Tarpley to PT, 30 September 1775; Peterfield Trent to PT, May 1777; all in PT papers, VHS.

\textsuperscript{106} Peterfield Trent to PT, 23 May 1780, PT papers, VHS.
without any defined plans to return to Virginia. Nonetheless, nearly everyone who corresponded with Turpin during the war mentions his dissatisfaction with his relative entrapment and employment and desire to travel back to America.

Additional factors may have influenced the legislators to side in Turpin’s favor. Turpin’s father, a prominent individual in the community, was well known to many of these men. As a consequence, many legislators may have been lenient towards the son of one whose conviction to the patriot cause was unquestioned. Also, Thomas Turpin and his son were the owners of extremely valuable and desired real estate in the city of Richmond. During the war and immediate postwar period, Thomas Turpin and his son owned the home rented by the state for the governor’s residence. In 1783, the year his petition was reviewed, Turpin gave land to the commonwealth to be used as the possible future site for a new executive residence. The timing of the act was more than happenstance. By conveying the land to the state, Turpin attempted not only to demonstrate his loyalty and attachment to the current Virginia government, but to also to stress his social and economic standing.

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107 For information concerning Turpin’s child, see Thomas Tarpley to PT, 15 August 1779, PT papers, VHS. An undated letter (post-1783), from Fotherley Pannell to Turpin, provides a great deal of information about the child. Pannell describes finding the boy wandering the streets of Edinburgh. Surprised that the “remittances you [Turpin] have made from time to time” had not been used to provide for the boy, Pannell purchases him some new clothing. Pannell also notes that “his mother is married.” He offers to do whatever is possible to assist the child with schooling, finances, etc.

108 Alexander Middleton, who requested permission to remain in Virginia in a letter to Benjamin Harrison (January 24, 1783), pleaded somewhat similar circumstances. Middleton, a medical student in Philadelphia, took passage to England following the capture of the city by the British. Following the completion of his studies, he was able to secure passage to New York. When denied permission to travel to Virginia, he was told by a British admiral that he could be of assistance as a surgeon on a prison ship. Essentially, according to Middleton, he was forced to remain on board until other captured surgeons were able to replace him (Alexander Middleton to Benjamin Harrison, 24 January 1783, accessed online at http://lvaimape.lib.va.us/GLR/04297, 13 September 2005). See also Kevin Peter Kelly, “The White Loyalists of Williamsburg.” The Colonial Williamsburg Interpreter, 17 (Summer 1996): 7.

109 During the late 1700s, Turpin sold land to prominent Richmond residents such as John Marshall. He also was engaged in a fairly drawn out battle with the state concerning the title of a small
A 1792 letter, written by Turpin’s father-in-law, provides additional questions about Turpin’s loyalty to Virginia in the postwar period. In this letter to Thomas Jefferson, Hugh Rose noted that Turpin seriously considered “carrying his Family to England” as he had “met with a most extraordinary Instance of Friendship from a Doctr. Pannel who possesses an Estate of £1000 pr. Annum.” Pannell, whom Turpin met while a student at the University of Edinburgh, remained “an old Batchelor without a Relation and promises the Doctr. to share his Fortune with him to the last Farthing if he will go to England.”

As Pannell’s attachment to Turpin pervaded their correspondence of a decade earlier, Turpin may have given such a proposal serious consideration. Though Turpin did not leave Virginia, he must have felt some powerful connection, established during his residence during the war, to consider moving to England.

From all accounts, Turpin’s questioned loyalty during the war did not cast a shadow on him or his family during the postwar period. He remained a prominent physician in Powhatan and Chesterfield counties until his death in 1828. In October 1789 he acquired Salisbury, a substantial plantation dwelling in Chesterfield County previously owned by Thomas Mann Randolph. Turpin’s wife, Caroline M. Rose, died little more...
than four years later on November 20, 1793. In December 1796, he married Martha Osborne McCallum (d. 1825), the widow of Daniel McCallum of Chesterfield County. Throughout his life, Turpin remained a keen student of science, corresponding with his cousin Thomas Jefferson about the topic on several occasions.112

While Thornton, Wormeley, and Turpin each had their citizenship rights restored by an act of the legislature, their activities and experiences during the war varied. Nonetheless, to obtain the privilege they each desired, they were compelled to examine publicly their actions during the late war, make sense of what they had done, and to construct narratives explaining away transgressions. In some instances, the accounts they provided were highly accurate; in others, marked with lies and omissions of detail. Thornton and Turpin relied upon letters written by those who knew them well to help convince the Assembly of their loyalty. When evaluating these petitions and the lives of these young men, two facts stand out. First, regardless of their actions and allegiances during the Revolution, each of these men went to lengths to begin his life anew in America and to gain acceptance into an evolving postwar Virginia society. Second, their extensive social, familial, and political ties had more than a slight influence on the ultimate treatment they would receive.

Despite the signing of the Treaty of Paris, and the granting of citizenship to men such as Thornton, Wormeley, and Turpin, many Virginians remained committed to

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continuing the monitoring of the return of individuals suspected of loyalism to the commonwealth. Still reeling from the social and economic effects of civil war, the populace, and, by consequence, the government, remained highly skeptical of granting privileges such as citizenship to those attempting to return to Virginia either to reside or collect prewar debts.
Chapter IV. Conclusion

Nearly all scholarship on the American Revolution in Virginia notes the existence of a loyalist community. However, historians have described this entity as weak and unorganized. Loyalists are portrayed as outsiders having little or no effect on wartime attitudes, social conditions, or the armed conflict that swept much of the nation. Those studies that focus on the loyalist population in Virginia and elsewhere explain that while there were loyalists in the state, the absence of a British military presence in the commonwealth during the majority of the war, combined with a united political front supportive of the patriot cause, rendered loyalists ineffectual and unimportant. Despite these claims and analyses, loyalists and their supporters elicited great concern throughout Virginia during the war and immediate postwar period.

Select regions, including the Eastern Shore, Norfolk and nearby counties, and the western backcountry, suffered extensively from the presence and activities of loyalists throughout much of the war. During those periods in which British military forces were present, or patriot forces absent, loyalist support peaked. While military actions by Virginia loyalists were largely ineffectual, their brazen acts against the patriot forces created fear and anger among the population. The specter of loyalists who masked their allegiance to the Crown elicited trepidation throughout much of the population, as citizens often did not know friend from foe. In the postwar period, these intense feelings
of anger, suspicion, and hostility pervaded nearly all discussions concerning the appropriate response to the potential return of loyalists to the commonwealth.

Witness to numerous raids, skirmishes and battles during the concluding months of the Revolution, Virginians on the whole suffered less their counterparts to the North and South. Nonetheless, immediately following the surrender of British forces at Yorktown in October 1781, a high state of tension persisted within several Virginia communities. Despite the seemingly imminent recognition of American independence that awaited, many Virginians, wary of the loyalists they had known during the war, expressed concern as many supporters of the Crown began to return to Virginia. Armed with traditional notions of citizenship and community, as well as a new sense of participation in and influence over those who sought to enter it, ordinary Virginians began to express their opinions and attempt to control the entry of certain individuals into their world.

Among these individuals who sought to return were members of the elite prewar Virginia society, sons of such individuals as Presly Thornton, Ralph Wormeley, and Thomas Turpin. Others included successful British merchants and members of the Anglican clergy. While the specific actions of these individuals during the war and motives driving their efforts to return varied, their treatment in the postwar period was largely dictated by the social standing and personal connections of each of these men. As Otto Lohrenz suggests in his study of the postwar experiences of loyalist parson Thomas Price, loyalist actions were in many instances less significant than personal and familial ties.  

young elite men such as Presly Thornton, John Wormeley, Ralph Wormeley, and Philip Turpin with leniency and allowed them back into Virginia society following a brief examination and questioning of their acts. In examining their treatment, one is struck by the powerful and continued influenced exhibited by Virginia’s conservative and traditional rank-conscious ruling class that had changed little, if any, since the prewar period.  

Overall, Virginia’s treatment toward returning loyalists was moderate in comparison to the reception of British supporters in other states. During the war, while Virginia courts zealous of crushing loyalist activity convicted a number of individuals of treason, none suffered the penalty of death. In the aftermath of the Revolution, the legislature prohibited a number of individuals whose actions and activities during the war they deemed particularly heinous from ever returning to the commonwealth. In Massachusetts, where, as David E. Maas explains anti-loyalist sentiment was particularly vehement throughout the war, hostility toward resident loyalists and those who sought to return to the state diminished shortly after the British surrender at Yorktown. As was the case in Virginia, individuals of a select social class, including physicians and Anglican ministers, were more likely than others to return to Massachusetts. Meanwhile, in South

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115 Throughout this period, hundreds of Virginians were charged with treason, a trend that mirrored the situation in most other states. In Virginia, while several individuals convicted and sentenced to death, no executions occurred. For example, in 1782, the General Court in Richmond sentenced ten men to hang for treason, but all received pardons before the scheduled executions. In some states, convicted men were often permitted to join Continental forces instead of suffering the prescribed penalty. Though desirous of exposing potential traitors, evidence suggests that citizens and government leaders believed the death penalty should be reserved for only the most vicious and obnoxious offenders of treason statutes. See Kettner, *The Development of American Citizenship*, 181-183; Harrell, *Loyalism in Virginia*, 58-59; and Ward and Greer, *Richmond During the Revolution*, 150.
Carolina, despite the end to hostilities, loyalists in that state remained subject to widespread criticism and scrutiny as a result of a continued British military presence in Charleston and anger about depredations suffered during the southern campaigns.\textsuperscript{116}

The arrival of the terms of the new peace treaty in late 1783 in America awakened resentment toward loyalists in most states. Loyalists quickly became the target of angry and suspicious residents. In South Carolina, where residents had suffered greatly in the latter stages of the war, and New York, where the loyalist population exceeded that of other states, reaction was the most direct and long lasting. Though Virginia’s residents suffered through many trials, particularly late in the war, personal hostility toward returning loyalists was generally not as severe as in these two states. In his analysis of loyalist reintegration, Robert M. Calhoon explains that in most states, political obstructions to the return of loyalists began to diminish several months after the reception of the terms of the definitive peace treaty. Nonetheless, historians such as Allan Nevins correctly note that nearly all states failed to adhere to and fully carry out the terms of the definitive treaty. Alexander Hamilton, particularly influential in the north, argued for immediate and strict adherence to the treaty. In his opinion, the future stability of the new nation depended upon elevating national law over the authority of the various states.\textsuperscript{117}

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Virginia, the great importance of the issue of the retention of rights by the state government superceded any motivation to eliminate migration restrictions and allow the unfettered return of loyalists. While desirous of playing an important role in the new union, Virginians of the day were unwilling to permit Congress and the federal government to dictate the terms and conditions of who could reside within the commonwealth. Their resolution to prevent widespread loyalist migration, though slightly diminished over time, did not parallel that of other states where loyalists were all but forgotten by 1785-1786. By 1787, despite disapproval of individuals such as Patrick Henry and widespread opposition among the general population, the Virginia legislature reluctantly agreed in principle to adhere to the resolutions of Congress.\(^{118}\) By this time, the debate over the loyalists in Virginia had morphed into an aspect of the internal debate concerning the future of the confederation government and the role of the states in government.\(^{119}\) Arguments surrounding the shaping of the Constitution would once again echo Virginians' long-standing dislike of expansive federal government and emphasize the right of the state to govern its citizens as they saw fit.

Throughout the postwar period, Virginians struggled to resolve the issue of how to deal with loyalists who sought to return to the commonwealth. Gaining readmission to the commonwealth, regardless of class, was an ordeal. The average merchant or farmer


\(^{118}\) Despite agreement in principle, Virginia believed Great Britain to be in violation of the Treaty of Paris, as British military forces continued to hold military posts in the Ohio territory. E. Lee Shepard, *Reluctant Ratifiers: Virginia Considers the Federal Constitution* (Richmond: VHS, 1988), 27.

accused of disloyalty or suspected of aiding the Crown had little leverage in a political system dominated by patriot leaders and members of Virginia’s colonial elite. However, legislators often overlooked transgressions of those individuals with important personal connections. While the Revolution brought about great change throughout the former colonies, one factor remained constant – Virginia’s gentry, for the short term, would continue to control and perpetuate a colonial social system in which elites remained dominant and subject to a different set of political and social standards.
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Vita