Virginia Federalist: The business and political career of Leven Powell, 1737--1810

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VIRGINIA FEDERALIST
THE BUSINESS AND POLITICAL CAREER
OF LEVEN POWELL
1737-1810

A Thesis

Presented to
The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Master of Arts

by
Richard J. Brownell
1983
APPROVAL SHEET

This thesis is submitted in partial fulfillment of the requirements for the degree of

Master of Arts

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ABSTRACT

The purpose of this paper is to construct a brief biographical study of Leven Powell (1737-1810). Emphasis is placed on the business and political career of the Virginia patriot.

Through the use of Powell's papers, manuscripts of contemporaries, records, and secondary sources, the paper attempts to reconstruct the major accomplishments of Powell from the Revolution through his terms as Congressman from 1799 to 1801.

Although Leven Powell made a limited impact within the state and the governmental bodies to which he was elected, his contributions to the economic and political development of early Virginia were substantial. The Loudoun County merchant was one of the first men of northern Virginia to help stimulate the wheat trade in that region, pushing the state toward a more diversified economy. In the political realm, Powell's forceful attack on Jefferson and the Republicans, as well as his energetic campaign tactics helped to define factional differences in Virginia and contributed to the development of a two-party system in the early United States political system.
VIRGINIA FEDERALIST
THE BUSINESS AND POLITICAL CAREER
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1737-1810
INTRODUCTION

Early last fall I became interested in the varied life of Leven Powell after skimming through his papers held in Swem Library at the College of William and Mary. The busy life of the Loudoun County patriot, soldier, merchant, land speculator, and congressman fascinated me. His staunch, and at times unpopular, opposition to Jeffersonian Republicans intrigued me. In his letters Powell wrote about great men, great events, and great ideas of the Revolution, Constitutional Convention, and early republic. I took the extraordinary find to an advisor, and we were both surprised and puzzled to discover that Leven Powell was not listed in the Dictionary of American Biography. It was curious that the editors chose not to include this particular Virginian in the standard list of prominent and significant Americans. The mystery gave birth to this paper.

This paper attempts to reconstruct major events in Leven Powell's life, producing a biographical study of his political and business careers. Powell's papers at Swem Library supply most of the information regarding his accomplishments, opinions, and dreams. The collection, consisting of over eighty documents, includes his own correspondence as well as letters he received from friends and acquaintances. The remainder of his papers are either destroyed or unat-
tainable at this time, but a few other documents surfaced at the Virginia State Historical Society, the Library of Congress, and in other collections.

Other sources include tax lists, wills, county records, and papers of contemporaries, as well as secondary works. It is unfortunate that, even with these many sources at hand, much about Leven Powell will never be known, or at best, can only be arrived at through educated guesses. This paper is by no means a complete biography of Leven Powell, but only a skeletal structure of the life of a man living in a fascinating time.

The paper is a chronological description of Powell's life from his birth in 1737 to his death in 1810. It emphasizes his business and political careers, not only because the sources regarding those aspects of his life are more complete, but also because Powell's accomplishments in those areas are significant. Likewise, portions and aspects of his life are neglected here because of lack of sources and lack of significance.

The study of Leven Powell's life is important for two reasons:

First, background research necessary to place an historical figure in an historical setting sharpens research skills and contributes to general knowledge of history. The excitement of the Revolution, the Constitution, the new nation, and the new political system swirled around Leven Powell. In order to understand the man, the researcher must
be familiar with his historical environment. The writing of this paper has been an excellent tool with which to learn history.

Second, Leven Powell's accomplishments are significant in their own right. Although he played a secondary role to such prominent men as Thomas Jefferson, George Washington, Patrick Henry, William Grayson, and John Marshall, Powell was a leader as well as a follower and a doer as well as a watcher. He contributed to the political, economic and social development of Virginia and the new nation as a soldier, politician, merchant, land speculator, agricultural innovator, and transportation developer.

In politics, Powell was one of the first to call for Independence and the adoption of the Constitution. He played a prominent role in the development of political parties in northern Virginia and helped to lead the Federalist Party in the area. Powell's land speculations helped to open the West to settlement, and his interest in wheat trade helped to encourage other Virginians to move toward a more diversified economy that leaders had dreamed of since the days of King James I.

Looking at Leven Powell's life is a way to look at the past and understand not only one man's contribution to history, but an age as a whole.
PROLOGUE

LOUDOUN COUNTY AND LEVEN POWELL

An eighteenth-century Virginia gentleman identified with the land. His estate and his county reminded him of who he was, where he came from, and where he was going. The rolling land and numerous streams of Loudoun County were home to Leven Powell. He returned to them often throughout his life, after war with Britain, service in the state assembly, work in Kentucky, and a term in Congress. Loudoun County, its land and its people, helped to mold Leven Powell and had a tremendous influence on his politics and his fortunes.

Although Loudoun County was not given a franchise until 1757, it was settled as a part of the Northern Neck as early as 1725. By 1736 enough people had arrived to support a chapel above Goose Creek, which ran through the southern part of the county. Loudoun soon became a colonial melting pot. Irishmen arrived from Maryland, German farmers and artisans came east from the Shenandoah Valley, and Quakers traveled south from Pennsylvania to make their new homes in Loudoun County. These people settled in the northern and western parts of the county and made their living cultivating corn, wheat, and tobacco.¹

Great landed tobacco planters of the Northern Neck
still dominated Loudoun County, in spite of the great influx of small farmers. Masons, Peytons, and Harrisons lived in the county and took their places among its leaders. Loudoun County's tobacco growing days were numbered, even though the gentry was firmly rooted.

In 1774 Nicholas Creswell noticed as he traveled north through Loudoun County that "the land begins to grow better. A gravelly soil produces good wheat." Loudoun County began converting to grain production early in the eighteenth century and eventually replaced tobacco with wheat as the primary commercial crop. Grain production required fewer laborers than tobacco, which suited anti-slavery Quakers in the area. Wheat would also suit Leven Powell in his business endeavors.
CHAPTER I

BUILDING A BUSINESS, 1737-1774

Little is known about Leven Powell's early life, other than he was born in Prince William County in 1737. His father, William Powell, was thought to be a descendant of Captain William Powell, who accompanied John Smith to Virginia in 1607, but Leven's grandfather was from Somerset County, Maryland. His mother was Eleanor Peyton, who raised him and his two younger brothers, Peyton and William.1

Powell entered public service early in life when he was taken by his maternal uncle, Colonel Henry Peyton, the sheriff of Prince William County, and made to ride as deputy sheriff of the county.2 It was the beginning of a public career that would last for more than half a century.

In 1763 Powell married Sarah Harrison, daughter of the prestigious Burr Harrison of Chipawansic. Shortly afterwards he moved to Loudoun County and settled on a piece of land he purchased, not far from property his father had acquired in 1741. In Loudoun he quickly earned a good reputation and was appointed justice of the peace in 1764 and vestryman of Shelburne Parish in 1771.3 Young Leven was privileged to serve with such prominent men of the county as Francis Peyton and Josiah Chapham.
William Powell was probably a successful planter, but how much land and money he gave his eldest son before his own death in 1788 is not certain. It is clear, however, that by the time Leven was in his mid-twenties, he had accumulated enough capital to invest in land and business. In January 1763 he purchased 500 acres of land, recently inherited by Joseph Chinn, for £500. It appeared that Powell had great expectations for the land. He traveled to court shortly after the transaction and applied to have commissioners appointed to lay out a road leading from his land to Goose Creek Chapel. The approved road left the Ashby's Gap Road in the area where he later founded Middleburg, Virginia. The road ran from there to the northwest, through the lands of Powell and others, and crossed Goose Creek at what is now Francis' Mill.

Powell continued to invest throughout the 1760s and the 1770s. He built a thriving retail business in the area. He and his sons continued to operate the general merchandise store for forty years until his death.

As more settlers pushed into the Piedmont during the mid-1700s, farmers began to convert from tobacco production to grain production. The metamorphic soils and cooler climate of the Piedmont areas were better adapted to wheat production than the climate and soils of the coastal plain. New markets in the West Indies and southern Europe pushed up wheat prices, and Virginia surpluses were available to supply new customers. Wheat exports between 1737 and 1772 rose
from 36,199 bushels to 403,328 bushels. Virginia was not far behind Pennsylvania and New York in wheat exports by the end of the colonial period. Tobacco exports were still important in Virginia, but many producers converted to wheat as the price of grains rose relative to the price of tobacco.

Loudoun County became a great wheat-growing area in the 1770s. Numerous grist mills sprang up along its many streams. Some were operated by plantations, while others became "merchant mills" that manufactured wheat products. Leven Powell bought a site in 1771 and built a large stone mill. It is possible that he located the mill near the intersection of his new road and Goose Creek. He officially named the mill "Sally," after his wife. "Sally" also became his mill brand.
CHAPTER II

THE REVOLUTION, 1774-1782

Colonial rebellion against the crown in 1774 distracted Leven Powell from his growing mill business. Lord North's decision to close the port of Boston provoked angry cries of protest throughout the colonies. Loudoun County citizens gathered at the courthouse in Leesburg to draft a resolution condemning England's action and to call for a boycott of English goods. Thomson Mason (brother of George) and Francis Peyton were appointed to represent the county at the convention to be held in Williamsburg on August first. Leven Powell was chosen as a member of the county committee of safety.

From that time forward, Leven Powell was committed to the colonial cause. He and Mason were among the first in the county to urge neighbors to resist the "tyranny" of the crown. As a member of the Loudoun Committee of Safety, Powell condemned Governor Lord Dunmore's scathing attacks on Patrick Henry and commended the famous patriot leader. In 1775 after fighting broke out in Massachusetts, Powell enlisted in the Prince William Minuteman Battalion and was commissioned a major under the command of Colonel William Grayson. Battle was about to break in Virginia, and Powell

10.
hurried to meet it. He missed the first round.

Trouble surfaced first in the Tidewater peninsulas. Lord Dunmore, who had fled from the Governor's Palace in Williamsburg in June, was using an area near Portsmouth, known as Gosport, as a base from which to launch amphibious attacks. A handful of warships plundered Virginia plantations along the rivers, in the hope of forcing the colony into submission. The Virginia Committee of Safety was unable to resist the attacks effectively and finally sent Colonel Woodford of the Second Regiment against the British—first at Hampton, then at Norfolk.

These colonial forces succeeded in driving out the British, but Edmund Pendleton and the Committee of Safety received sever criticism for leaving Patrick Henry, the commander-in-chief of the Virginia forces, behind in Williamsburg with the reinforcements.

Leven Powell received news of the Norfolk confrontation from his friend George Johnson. Johnson had witnessed the battle at Great Bridge and described the British assault across a narrow causeway in a letter to Powell. "It was a battle so dreadful that it beggs description," he wrote. After the shattered redcoats retreated, Johnson saw "the causeway...covered with blood." Major Powell spent the day of the battle "cooped up in a little tent," miles to the north with his battalion.

Although disappointed, Powell did not lose spirit and expected to taste battle soon. He chastised Virginia
deserters at Norfolk, boasting, "The horrors of wars are too much for their puny stomachs." He sent a saddlebag full of books to Sally, with a note that said, "I shan't have time to read them, and they may be lost."^7

Powell's images of battle and glory would disappear in Williamsburg, however, when discouragement and dissatisfaction took their place. In the capital city, Major Powell shared the fate of Colonel Henry and sat out the battles.

Soon after arriving in Williamsburg in late December 1775, Powell realized that he would see little action. He hoped to be stationed at an outpost near Hampton, where colonial forces occasionally scrapped with Dunmore's tenders. Williamsburg, although the seat of the Committee of Safety, was devoid of any military action. Powell wrote, "At this place nothing is done except mounting guard to protect what seems to me hardly worth our notice..."^8 Eventually, the Loudoun major and his men were allowed to join the Hampton group, and Powell looked forward to his first whiff of gunpowder.^9

Early on January morning, British ships attacked an outpost thirteen miles from Hampton, and a group of reinforcements were sent to help. Powell led the detail to battle in haste, but "When we got there," he wrote, "the affair was over."^10 Things were different the next morning, when he gained "an opportunity to have a little trifling brush myself with a tender coming up the road to join some lying at anchor..." The major bravely led his men across a
stretch of open beach to a breastwork. "We had got halfway when she gave us a fire, but seeing it not minded, she tacked about and ran off." That was the extent of Leven Powell's battle action in the war against Dunmore.

On February 17, 1776, the British general Sir Henry Clinton put into Chesapeake Bay from Boston. Virginia scouts worried that he brought reinforcements for Dunmore. Much to the governor's chagrin, Clinton had not arrived to relieve him, but was on his way to rendezvous with Lord Cornwallis in the Carolinas. Without help, Dunmore would not be able to accomplish much in the Tidewater area. He decided to try negotiation as a way to bring an end to the rebellion.

Dunmore communicated his intentions to the colonists with a letter sent to former Receiver-General Richard Corbin, who in turn presented it to the Committee of Safety. Pendleton sent Corbin back to Dunmore under a flag of truce with a reply. Colonel Grayson was instructed to provide an escort for Corbin at Hampton. Leven Powell was one of the officers chosen to go.

Negotiations between Corbin, Dunmore, and Clinton aboard the H.M.S. Roebrick were not fruitful, but Major Powell didn't seem to mind. He was overawed and honored to be in the "company of such great men" and enjoyed "breakfasting on the best Hyson tea." On the return trip to shore, Powell was impressed by the hospitality of the British officers aboard another ship and sent them "20 bushels
of oysters, 30 loaves of bread, a goose, and a turkey" as a sign of his appreciation. He wrote to his wife a few days later, "It grieves me to see men of such sentiments as those, engaged in such a cause." 15

The idea that England and her American colonies were not going to reconcile their differences finally began to be accepted by rebel leaders during the winter of 1775-76. Virginia authorized the raising of six new regiments in late December and began to disband the Minuteman units. 16 Officers were uncertain whether they would be reappointed to positions in the regular forces, and Powell was no exception. He wrote to his wife that "the Convention seems very desirous of serving either themselves, their sons, cousins, or friends, which makes my appointment very doubtful." 17

Uncertainty among the officers promoted a decline in discipline among the enlisted men. On top of his troubles within the battalion, Powell received news of trouble and illness among his children at home. The distressed soldier wrote to Sally, "The desire I have of being instrumental in the relief of my country outweighs every other consideration, tho. I confess I wish...I could spend the remainder of my days in my family." 18

Duties became more important, if not more exciting, for Powell in March 1776 when Colonel Grayson resigned his command of the Prince William Battalion, and Powell filled the vacant office. Grayson left Virginia to become assistant secretary to General Washington. The newly-
promoted Lieutenant Colonel Powell faced the difficult job of recruiting and supplying new troops.

Powell made numerous trips to the Committee of Safety in Williamsburg to obtain funds to purchase supplies for his troops stationed in Dumphries. Men were sent out into the countryside to search for recruits, who were apparently in great demand. His officers informed him that the competition was fierce, and some recruiters were offering up to £50 a head for new men and had "spoilt the recruiting service." Outbreaks of small pox within the Prince William Battalion added to the troubles of Lieutenant Colonel Powell.

Throughout his military career, Leven Powell did not neglect his business interests back in Loudoun County. He corresponded frequently with friends and agents at home, receiving information and sending instructions by mail. Business acquaintances, like Craven Peyton and William Thompson, purchased and stored tobacco and flour for him in Colchester and Loudoun County.

In March 1776 Powell decided to rent his storehouse at home to a Mr. Campbell of Dumphries, who wished to move his Alexandria stores. Powell even negotiated the repair of his mill wall through the mail. Lieutenant Colonel Powell was not slow to use his military connections for a small profit. He supplied his men with "Sally" flour and hired prisoners-of-war as weavers for Loudoun County.
After Independence was declared by the Continental Congress in July 1776, the colonies stepped up military operations and Washington called for more men. Congress granted the General permission to raise sixteen additional regiments in the Continental line. Washington gave command of the Sixteenth Virginia Regiment to his assistant secretary, Colonel Grayson, and expressed his desire "that Colo. Leven Powell should be his Liett. Colo." Both men were commissioned in January 1777 and began the difficult task of recruiting and equipping a regiment. Powell faced familiar problems trying to compete with hoards of recruiters combing the countryside. Small pox once again swept through the lines of American troops, and Powell hesitated to move his troops north without inoculation.

In the fall of 1777 Powell finally joined Colonel Grayson and General Washington at White Marsh Plains, near Philadelphia. He served in the Continental line through Valley Forge and the Trenton campaigns in the winter of 1777-78, but it is not clear what his duties were. He fell ill in January 1778 and was "taken with the flux," then suffered from "the yellow jaundice." A pain in the upper part of his forehead over his left eye "swelled and broke out in little sores," causing temporary loss of sight in that eye. His health deteriorated to such an extent, that he was finally forced to resign on November 15, 1778. Powell's resignation letter to Washington suggests that he was dissatisfied with the Continental Army, which
placed "four gentlemen over me who I [had formerly] commanded." The primary reason for his resignation was, however, "last winter's illness." He was forced to leave Washington's service because of "the risk of becoming an incumbrance not only to my country, but family."\(^{33}\)

Leven Powell returned home to his family and business. The war continued without him, but he was able to serve Virginia as a delegate to the state assembly in 1779 and briefly participated in Jefferson's sweeping reforms. He also accepted a post as deputy registrar of the Land Office during his term in the assembly and traveled to Kentucky on state business.\(^ {34}\) After the war, in 1784, Lieutenant Colonel Leven Powell was rewarded for his service to Virginia and the united colonies. The Virginia House of Delegates granted him 6,000 acres of western land for three years of duty in defense of his country.\(^ {35}\)
CHAPTER III

THE NEW REPUBLIC, 1783-1788

Virginia emerged from the Revolution transformed in many ways. While leaders forged a new republic out of the old colony, the economy shifted from tobacco to more diverse commercial crops. Chronically-depressed tobacco prices had encouraged many planters to convert to wheat even before the Revolution, but the dramatic plunge of tobacco prices in 1785 rang the death toll for the domination of Tidewater tobacco in Virginia.¹

Wheat and flour prices held firmly through the period of 1783-1788, and even new tobacco-growing regions in the Piedmont converted because of low prices and high transportation costs.² Farmers found good markets for wheat in southern Europe and the West Indies and could export without having to pay the heavy duties that were attached to tobacco exports.³ The incentive to produce wheat was especially strong between 1781 and 1783 when Spain opened its American possessions to United States shipping.⁴

Even before the war, western trade routes to Tidewater Virginia grew along with those to Philadelphia and other centers. Alexandria in particular gained importance as a port for back-country commerce. As early as 1774, Nicholas
Cresswell observed that "great quantities of wheat and flour were brought down from the back country in waggons" to Alexandria. By 1786 the Potomac port was exporting 10,000 heads of tobacco, with wheat and flour exports gaining. Ten years later, Alexandria shipped ten times as much flour as tobacco.

The creation of the Potomac Company in 1784 facilitated the growth of Alexandria and trade with the Shenandoah Valley even more. The company, founded by Washington, George Mason, Edmund Randolph, and other Virginia and Maryland nationalists, was dedicated to the construction of roads and canals to the west, as well as the navigation of the Potomac River.

Both the mass exodus of settlers to the west and the busy trade routes to the east benefitted Loudoun County. Loudoun was still relatively undeveloped after the war, but the population quickly grew from 2,075 in 1782 to 3,110 in 1787. Small shareholders and merchants prospered from the rich soil and vibrant trade. Men like John Alexander Binns advanced technical innovations in agriculture, regarding soil fertility, for the county, while others like Powell led the way, taking advantage of them by stimulating trade. Powell happily resumed his entrepreneurial activities after his service in the war and his trip to Kentucky.

Powell sold his mill in Loudoun County for £1,000 in 1782 to free his money for other investments. He bought stock in the Potomac Company in 1785 and served as a director...
of the interstate organization on a number of occasions. Interest in the navigational company may have produced dividends, but more importantly, it opened trade routes to the west and benefitted his business interests which were strategically located between the Valley and Alexandria.

From Loudoun County, Powell bought, sold, stored, and shipped tobacco, wheat, and other commodities. Correspondence with George Washington regarding a shipment of buckwheat provides a picture of a busy merchant operating his facilities at maximum production. It took Powell almost a year to complete Washington's order for 150 bushels of buckwheat because of more pressing matters. He excused himself in a December 18, 1787, letter because of "having pretty full employment of our wagons... our wagons are much engaged in getting down a quantity of tobacco for a vessel that is now waiting for it." Even with business booming, Powell found time to invest in another profitable endeavor--the founding of Middleburg.

The most important trade route through Loudoun County ran from Winchester to Alexandria, via Leesburg. A 1787 Berkeley County petition refers to the causeway as "a very public road" and notes the development of towns along it. Most likely, heavy traffic also moved along the Ashby's Gap Road, located to the south, running through the southern part of Powell's original 500 acres. In 1787 Powell set aside fifty acres on the southern edge of his property and plotted the town of Middleburg. Middleburg was strategically situ-
ated midway between Winchester to the west, Alexandria to the east, Loudoun County Courthouse to the north, and Fauquier County Courthouse to the south.\textsuperscript{14}

Powell's intention was not just to sell lots. He obtained an act from the general assembly in November 1787, declaring his land a town with appointed trustees.\textsuperscript{15} Carefully zoned, half-acre plots situated between "convenient streets" were rented "in perpetuity" rather than sold. The founder of Middleburg demanded that every January "3 and 1/3 Spanish Milled Dollars" be paid to him for the use of each lot.\textsuperscript{16} In this way, he guaranteed himself an annual income in gold pistoles rather than unstable American currencies. He intended to establish a permanent community and rented lots for nominal sums to persons who could offer special services to the town. For example, lot number twenty-three was rented to Jacoby Staley, blacksmith, for £1 current money.\textsuperscript{17}

The founder of Middleburg did not restrict his land speculation to Loudoun County. Powell owned property in Kentucky as well. He had traveled to Kentucky in 1779 as an agent for the Virginia Land Office and helped to administrate land sales in those parts to raise revenues for the state. He may have been considering a move to Kentucky at the time, since he was under consideration for an assistant judgeship by Kentucky delegates in Richmond. His name was included in a list of possible candidates who were thought to be "about to remove thither."\textsuperscript{18}
While in Kentucky, Powell received a letter from Christopher Greenup of Loudoun County: "I understand that a town is to be laid off at Boonesborough, and that any person who applies shall have a lott laid off, and that you are one of the trustees." The news was accurate, and Powell became one of the few trustees to visit Boonesborough to carry out his duties.

Whether Powell acquired the 60,000 acres of land on the "western waters," mentioned by his son in a 1780 letter, through purchase or in some other way is not certain. It can be ascertained that he was interested in speculation and owned a house and lot in Lexington, Kentucky. Greenup wrote to Powell from Lexington in 1784 to suggest that "lands ceded to Congress would be a speculation worth attending to." Throughout the 1780s Powell carried on legal and business correspondence with friends and agents in Kentucky from his home.

Leven Powell prospered in Loudoun County after the war. He moved his family, including a new baby named Alfred, into a recently built house. The manor, christened "The Shades," stood near his old mill. His twenty-year-old son, Burr, helped him manage his prosperous business and he was able to send sons William and Leven Jr. to Alexandria for legal training. Leven Jr., with the help of his father, established himself in a general merchandising business after law school.
In 1787, at the age of fifty-two, Leven Powell held title to 1,836 acres of land in five parcels, valued at £464 ($545.12), in addition to his western holdings. He owned twenty-two slaves above the age of twelve, eighteen horses, twenty-four cattle, and a two-wheeled chair. The amount of stock in his trade cannot be determined, but he did own a sloop that he probably used for shipping purposes. Leven Powell was one of the wealthiest men in Loudoun County, and he enjoyed the respect of his neighbors. He was a leader in the grain trade, transportation development, and politics.
Political parties were practically non-existent in Virginia after Independence. Politicians were generally divided into three factions which were influenced by personality, not political theory. Patrick Henry guarded the interests of the small planters and farmers in the western parts and the Southside, Richard Henry Lee led the more aristocratic elements in the state, and Speaker John Tyler claimed everyone falling between the two extremes.

Debates raged over debtor relief, paper money, taxes, loyalist settlements, and judicial reforms for years following the battle at Yorktown, with no attempt to organize voting along party lines. Slowly, men came to realize that many issues were interrelated and men with similar interests existed in other factions and other states.

In 1784 a group of Virginians, including George Washington, George Mason, Edmund Randolph, and James Madison, met at Mount Vernon with a group of Marylanders to discuss improvements in the navigation of the Potomac River. These men realized the need for cooperation and confederation.
between states to advance commercial projects like the navigation of the Potomac. Out of these commercial meetings came the idea of the convention at Annapolis which led, in turn, to a constitutional convention three years later in Philadelphia.

Delegates from all over America met to create a strong federal government that would be able to deal with foreign powers effectively and regulate trade. On September 17, 1787, the Convention passed a Constitution for the United States and referred it to individual states for ratification. Supporters of the new document organized and gave birth to the "Federalist" party.

Madison became the leading Federalist in Virginia. His opponents, soon known as the "anti-Federalists," included the formidable Patrick Henry and his followers in one faction and another led by George Mason and Edmund Randolph. Henry had declined to accept an invitation to the Convention in Philadelphia, while Mason and Randolph had attended, but refused to sign the Constitution because of the absence of a bill of rights.

Henry's followers generally opposed the Constitution because they were afraid that a strong central government would force the collection of British debts incurred before the war, give away the rights to navigate the Mississippi River to Spain, and favor the commercial interests of the North over the southern and western states.

Leven Powell landed solidly in the Federalist camp.
While serving in the Continental lines as an officer, he traveled to Pennsylvania and to all parts of Virginia and was exposed to the cooperative spirit between the colonies during the war. As requisitions officer, he was aware of the need for a central government that could levy taxes to provide for defense. He was also influenced by General Washington, who actively supported the new Constitution. His commercial interests and ties with Alexandria, as well as membership in the Potomac Company, must have convinced him that it was to his own benefit—and the nation's—to have a strong government that could facilitate interstate and international trade.

Even though Powell was familiar with some of Kentucky's problems, through his travels and correspondence, he probably realized that negotiations with Spain at the risk of losing the Mississippi would be to his advantage. A renewed grain trade with Spain and her possessions would stimulate the economy not only in the west but in the area of Alexandria as well.

Names of the streets in Middleburg proclaimed Powell's sentiments to the county. Constitution, Washington, Madison, Jay, Marshall, and Federal appear on his original map of the town. Powell was dedicated to a strong Federal government and was one of the first men to promote the Federalist cause in Loudoun County.

In October 1787 the state legislature voted unanimously to hold a ratifying convention in Richmond the
following June. It was to the advantage of the Federalists that Virginia waited to see how other states voted on the issue. Nine states joined the union before Virginia, but ratification was still not guaranteed. Propaganda against ratification was substantial. Randolph, Mason, and Richard Henry Lee wrote devasting tracts against the new Constitution. Patrick Henry's political power was also not to be taken lightly. His influence was second only to Washington's.

The Virginia Convention became an important arena for constitutional debate. The outcome would have a substantial influence on conventions held in two other closely contested states--New York and North Carolina. It would be the first real debate on the Constitution in America, and the result would make or break a strong federal union.

All the prominent men in the state secured a seat at the Convention of 1788. Almost every candidate elected had declared his position before the election. The Federalists in Loudoun County, Leven Powell and Josiah Chapham, faced talented anti-Federalist orators. Powell's old friend, Stevens Thomson Mason (son of Thomson Mason) and William Ellizy eloquently opposed the Constitution and the two old soldiers who favored ratification.

The campaign was bitterly fought, and Powell's great personal popularity alone may have won the election for him. Chapham was not so fortunate, and Mason was chosen to accompany Powell to Richmond that summer. Loudoun County was destined to split its two votes at the convention.
After the Virginia elections, it became obvious that the vote at the convention was going to be close. Eighty-five delegates were elected to their seats as Federalists, sixty-six were committed anti-Federalists, three were doubtful, and sixteen westerners remained undetermined. No areas west of the Blue Ridge Mountains had been represented in Philadelphia, so no one could be sure how they would vote in Richmond. 17

Leven Powell could guess. He was all too familiar with Kentucky's sentiments toward a strong federal government. In 1786 he had received a letter from an old friend there. Cuthbert Harrison wrote, "We are wholly engrossed here by the idea of a separation [from Virginia and possibly the confederation] nothing else thought, nor any other subject attended to." 18

To tip the balance, Madison came to the convention with a well-organized team. He made certain that articles were discussed one at a time and attempted to curtail some of Henry's more irrelevant, but alarming orations. The Federalists were given a chance to test their strength early in June, when Henry moved that the amendments and declaration of rights, favored by Mason and others, be referred to other states before ratification. The motion was defeated by a mere eight votes, eighty-eight to ninety. 19

The Federalists received another boost when Edmund Randolph crossed over to the Madison camp on the same day that news arrived of South Carolina's ratification. 20
Henry and Mason eventually struck back by carrying the debate out-of-doors. After adjournment, they spread rumors to other delegates, implying that under the new government the Mississippi would be surrendered to Spain, debtors of British merchants would pay in full, settlers between the Blue Ridge and the Appalachians would lose their lands to the Indiana Land Company, men would be carried away from friends and witnesses to the east coast for trial, and commercial states would keep the back country in serfdom.  

Throughout the debates, Henry and Mason divided their forces and played into the hands of the tight-knit Federalists. But total victory for the Federalists was not certain—even on the last day of the convention. Henry could have walked out, taking his supporters with him and making Washington's election to the Presidency impossible. With a Northerner in office, Virginia would have been alienated still further from the Union.

On June 25, 1788, Virginia ratified the United States Constitution by a vote of eighty-nine to seventy-nine. Leven Powell, who had voted with the Federalists on every issue, was probably not surprised by the Kentucky vote. Henry had succeeded in wooing ten of the twelve delegates to his side. The deciding factor turned out to be the western votes that went to the Federalists.

The Constitution passed in Richmond and would pass in New York and North Carolina as well, but everyone was not
happy with the new government, especially in Virginia. The night after ratification, a group of "discontents" assembled to plan ways of preventing the establishment of the new government. It was only after Patrick Henry arrived and told his followers to go home that the crowd disbursed. A Virginian wrote a letter to a friend in New York the day after ratification and informed him that "the decision has been distressing and awful to great numbers; and it is generally believed will also be so received by the people." Two days later a newspaper printed an epitaph. It read:

    Just departed this life in the blood of
    Youth, our much admired and dearly beloved
    Friend CONSTITUTIONAL LIBERTY

Leven Powell had cast his vote for Federalism and would stand by his decision throughout his political career. But it would not be easy. In the years ahead, he would have to fight for the Federalist cause in a predominantly Republican Virginia. He would face the opposition of old friends like Stevens Thomson Mason, William Grayson, and Patrick Henry. Powell emerged from the Virginia Convention of 1788 a prominent state political figure. He was by no means finished, however, but would go on to play a part in national politics during the early years of the new nation.
CHAPTER V

UNITED STATES BUSINESSMAN, 1788-1791

Leven Powell made his way north from Richmond in December 1788, leaving the headaches of politics behind. He was going home. He urged his horse on through the winter winds to bring him closer to the rolling hills of Loudoun County, which he had not seen since the previous June. Powell had served his country, first as a delegate to the state constitutional ratifying convention, and then as a member of the Virginia General Assembly. His friend and former commander, George Washington, was at the helm of the new federal government, and voters would soon choose delegates for the First Congress of the United States. The strong central government Powell had dreamed about was in place, and he left the rest of the work to others as he anticipated the resumption of his business in Middleburg.

Not all Virginians showed as much confidence in the new Constitution and government as Leven Powell, however. A few months after the anti-Federalists met defeat in Richmond, Patrick Henry raised the banner once more to demand a second convention. The General Assembly, filled with opponents of the new government, generated four roll calls before the motion was defeated. Henry and his
followers were not easily discouraged and drew up a list of anti-Federalist candidates for Congress and the Electoral College before the session was over. ¹

Although the Virginia anti-Federalists generally fared badly in the 1789 Congressional elections, they succeeded in electing William Grayson and Richard Henry Lee to the United States Senate. They also benefitted from the public reaction to policies of Secretary of the Treasury Alexander Hamilton in 1790. The national assumption of war debts was especially loathsome to Virginians because Richmond had already paid back much of its debt on its own. The House of Delegates reflected popular opinion when it passed a resolution declaring the policy "repugnant to the Constitution."² The creation of a national bank reminded Virginians of past predictions that the South would fall into the hands of northern merchants under the new Constitution, and anti-Federalists maintained substantial popular support.³

A group with negative objectives can remain united and effective only as long as those objectives are not fulfilled. Prominent anti-Federalists resisted the Constitution only because it lacked a bill of rights. Once specific rights were guaranteed under the Constitution, those men moved over to support the Federalists, dealing a death blow to the anti-Federalists. Henry's faction succeeded in postponing a vote on the First Amendment for a number of years, but finally yielded to the inevitable in
1791, when the measure passed in the General Assembly.

The remnants of the anti-Federalist faction slowly withered. Patrick Henry registered his dissent and then promptly left town. The great anti-Federalist leader, William Grayson, died in 1790, and George Mason soon followed. Like James Monroe, many supported the administration. Others, such as Richard Henry Lee, disappeared from the political scene altogether. The anti-Federalists left a large legacy, however, as the younger followers drifted into a third camp that was growing to challenge the party of George Washington. Many of them became "Republicans."  

Virginia's opposition to the central government and even Loudoun County's anti-nationalistic tendencies after 1788 did not immediately concern Leven Powell. Congressman Richard Bland Lee, a friend from the General Assembly, corresponded regularly about political developments in New York, but Powell was content to keep his mind on business in Middleburg. He continued to deal in wheat and tobacco and managed his general merchandise store. He also busied himself with the growing business activities of his five sons.

His oldest son, William H., had studied law under Charles Sims in Alexandria and opened a general merchandise store of his own in 1786. Cuthbert handled some of his father's shipments from northern ports as a merchant in Alexandria, and Leven Jr., who petitioned his father for funds to pay off debts all his life, operated a modest shipping business. Burr, the second oldest, worked most
closely with his father. When Powell resumed business after 1788, twenty-year-old Burr journeyed to Kentucky to supervise his father's property and speculations.

Leven Powell owned considerable property in Loudoun County, but he also held tracts in Faquier County and Dumphries. Although they were valuable, his Northern Neck holdings were meager in comparison to the acreage he received as a Revolutionary War veteran and additional land acquired through speculation after the war and the ratifying convention. He claimed over 1,000 acres at the headwaters of Paint Creek in Ohio and was believed to own over 10,000 acres on the "western waters," mostly in Tennessee. He paid especially close attention to his Kentucky property as settlers poured in and values soared.

Powell provided his son in Kentucky with detailed instructions regarding negotiations with the Spanish on the Mississippi, land acquisitions and sales, tenant recruiting, and land surveying on the north side of the Ohio River. Leven Powell relayed vital information about governors and policies in New Orleans, relations with Spain, relevant Congressional acts, and legal decisions. Some of the information was useless to his son because events often moved faster than news. When news did arrive, because of the great distance separating them, Burr Powell probably relied on his own business acumen a good deal of the time. The young man may have chuckled over some of his father's more obvious solutions to problems. "Coolness and caution is indispen-
sably necessary," wrote Powell on one occasion, "I will give you an adage; more flies are caught with a spoonful of honey than a gallon of vinegar." 9

Other advice was invaluable, and one would hope that Burr heeded it. In 1791 Powell warned his son that Kentucky would soon be admitted to the Union and would levy its own taxes on "conveyances." "What deeds therefore you can get recorded before that event happens will be clear of tax." The separation of Kentucky from Virginia also had other implications: "You cannot bring slaves from there to this state; they would by our laws be entitled to freedom." 10

Although he considered his son a full partner, Powell was also a concerned father. He expressed anxiety regarding Indian attacks in the area and sternly reminded Burr to "be cautious of taking cold, use a good deal of moderate exercise, live very temperate (a milk diet is very proper) and avoid spirits." 11

Back home, business moved slowly. "Our sales are greatly slower than usual, many of the district customers have not been at the store..." Likewise, in the fall of 1790 little wheat came in, and "as yet not one hogshead of tobacco." 12 Due to a slow economy and ill health, Powell's 1791 collections were not much better. Planters again carried small amounts of tobacco to market, and farmers held their wheat in hope of forcing prices up. The efforts were fruitless, and prices remained low. Powell wrote that "collections in that has not exceeded 1,000 bushels." 13
Possibly due to slow business, Leven Powell threw his hat into the political ring once again in 1791 and secured a seat in the General Assembly. He started off for Richmond that fall with Albert Russell, the other representative of Loudoun County. Russell, drifting toward the Republican camp in the early 1790s, later challenged Powell for a place in the Electoral College during the 1796 Presidential campaign.
CHAPTER VI

RISE OF THE REPUBLICANS, 1791-1795

As a prominent Federalist from the Alexandria area, Leven Powell entered a den of wolves when he took his seat in the House of Delegates that October. The emerging Republican faction outnumbered the Federalists in the Assembly by more than two-to-one. Controversy over the assumption of debts in 1790 had marked the beginnings of the new opposition party in Virginia, headed by Madison, Jefferson, and John Taylor. Hamilton's other fiscal policies fanned the flames even higher. Directing party operations from Congress, Madison adopted the name "Republican" in 1790 as a rebuke to Washington and Vice-President John Adams, whose administration was suspect of monarchist tendencies. The Republican faction attracted many anti-Federalists and disgruntled Federalists, like Madison, to gain a great majority in Virginia. National Republican leaders were Virginians and played to a predominantly anti-Federalist audience full of provincial pride.

Virginia Federalists lost ground throughout the early 1790s due to resentment against the strong, centralizing powers of the administration. The friends of the government retained the little popularity they had, mostly
because of the popularity and influence of President Washington. Their main strength was in the Valley and Northern Neck areas. The Federalist party attracted commercial farmers and middle class merchants who were interested in interstate and international commerce. Their leaders, like Leven Powell and Charles Sims, had mercantile interests and gained support because of developments in Potomac navigation and the relocation of the nation's capital to the area. Both activities would greatly benefit the local economy and were associated with Federalist policy.

Other leaders in the Valley, such as Horatio Gates and Daniel Morgan, struck nationalistic chords as they reminded their neighbors about the humiliating incompetence of the weak revolutionary government and the low respect the United States received from the rest of the world.

The major issue Leven Powell and his Federalist colleagues faced during the 1791-92 sessions was the banking issue. Virginians, including Richmond financiers, traditionally resented northern speculators, and Hamilton's schemes were received with some suspicion. It is not surprising that Virginia Republicans opposed a national bank, but they could not decide if they should replace it with state banks, or no bank at all. When the city of Alexandria petitioned for a branch of the national bank, Republican delegates in Richmond were forced to act quickly. In 1791 they pushed a bill through the legislature that issued a charter to the State Bank of Alexandria in the hope that it
would compete with a national bank. Many agrarian members did not want any bank, but finally accepted the measure as temporary opposition to Federalist schemes.\textsuperscript{8}

Leven Powell saw banks in general and the national bank in particular as a benefit to merchants and farmers alike. He wrote in later years that "it is an advantage to the agricultural interests that the mercantile capital should be as large as possible," a goal that could be accomplished only through the use of banks.\textsuperscript{9} Of course the Federalists were the winners in the end as Virginia Republicans eventually came around to the idea of banks. By 1793 Richmond opened a bank without a whimper from the Republicans, and the electorate soon forgot the issue.\textsuperscript{10}

The tug-of-war between the Federalists and the Republicans continued on the national stage in Congress throughout the 1790s with the Federalists always maintaining a slight edge. In Virginia, however, the Republicans dominated, and a few times before the election of 1796, the friends of government were virtually impotent. Federalists gained momentum briefly in 1793, when the legislature passed a resolution supporting President Washington's antagonistic policy toward the obnoxious French minister, Genet.\textsuperscript{11} But on the whole, developments in Europe regarding the French Revolution generally tended to generate support in Virginia, and the Republicans gained from it.

Americans, especially in the Chesapeake, identified
with the new French republic before 1793. Even after the execution of King Louis XVI and the ensuing war with England, Virginians supported France and its republican ideals. Federalists favored France's enemy because of economic ties and admiration for British government and ideals. Even though the official United States policy was one of neutrality, Americans consciously chose sides, and the issue in the overseas conflict was simplified to that of republic-versus-monarchy. The parties also chose sides, and the struggle was mirrored in America with the Republicans challenging the Federalists.

The struggle came to a head in 1795 when John Jay returned from England with an inadequate treaty that failed to calm strained relations between the United States and Great Britain. The treaty did little to protect American merchantmen from the transgressions of the British navy on the high seas and also failed to provide for slave holders who had lost property during the War for Independence. Jay's efforts did insure the evacuation of Northwest posts by the British, which pleased western Virginians, but at the same time it alarmed planters by establishing a commission to facilitate payment of colonial debts.

The Jay Treaty was very unpopular in Virginia. It wiped out Federalist support in the Piedmont and the Southside, where most debtors lived. The only political gains made by the treaty surfaced in Leven Powell's area,
where concessions in West Indian trade made by the British promised to favor wheat farmers and merchants in the Valley and the Alexandria area.\textsuperscript{14} Republicans in the General Assembly took the offensive when they passed a resolution commending Senators Tazewell and Mason for voting against ratification of the Jay Treaty. Federalists John Marshall and Charles Lee responded with condemnations of the Assembly's unwarranted comment on foreign affairs, but to little avail.\textsuperscript{15} Partly because of the unpopularity of the Jay Treaty, Virginia Republicans made considerable gains in the election of 1795. Among the Federalists who fell victim to Republican momentum was Richard Bland Lee, who lost his Congressional seat to Richard Brent of Prince William County. Prospects for Virginia Federalists in the 1796 elections were not promising.
CHAPTER VII

THE ELECTION OF 1796

Before 1796 Virginia elections were contests between local candidates who provided for themselves with little help from organized groups. Candidates relied on their own reputations and records, rather than that of their parties, to draw popular support. Due to recent organization of Republican forces in Congress and Virginia and changes in election laws and procedures, local candidates and Presidential electors were forced to modify their traditional tactics.¹

After three years as a private citizen, Leven Powell once again joined the political fray in Virginia as a candidate for the Electoral College. Powell was certainly aware that political tactics had changed considerably since his last election to the General Assembly in 1792. For the first time, electors were to be chosen by popular ballot, and in Virginia, unlike some states, electors were to be elected by districts.² This gave a definite advantage to those candidates who organized and campaigned within their political districts. In view of the organizational efforts on the part of the Republicans and the fact that candidates announced their preferred choices for President before the

42.
election, it was obvious to all Virginians that the 1796 election would be a battle between the two parties. Unlike the Presidential election of 1792, Federalists in Virginia could no longer fall back on the reputation of George Washington to gather support. Washington's successor, John Adams, was distrusted as a New Englander, a monarchist, and a politician with northern mercantile connections. Silence suddenly descended on Virginia Federalists when Washington resigned shortly before the election. Pages of the Virginia Gazette were empty of Federalist campaign essays as the friends of the government hesitated to commit themselves to either Adams or Vice-Presidential designate, Charles C. Pickney.

Virginia Federalists, including Leven Powell, may have been confused about their choices, but they definitely knew whom they were against—Thomas Jefferson. Leven Powell declared in a public address to citizens of Loudoun and Fauquier Counties that "I cannot hesitate to declare that I will not vote for him." The electoral candidate went on to accuse Jefferson of adhering to a dissatisfied party that threatened the destruction of the government. Detestation of parties and dissension in government was very real to Powell, and he continued to speak out on the subject throughout his career, even after the defeat of the Federalists in 1800.

Charles Sims, the Alexandria Federalist candidate for the Electoral College, has been given credit for opening
up the painful ordeal of Jefferson's conduct as governor of Virginia during the British invasion of 1781, but Leven Powell and others made similar accusations that were printed throughout the United States. Powell strongly criticized Jefferson for not "using those talents which all agree he possesses, in directing the necessary operations of defense." Instead, Jefferson "quitted his government by resigning his office...at a time when the affairs of America stood in doubtful suspense, and required the exertion of all." In view of his conduct as governor and his later resignation as Secretary of State in the Washington administration, Powell maintained that Jefferson would be "deficient in firmness" as President in time of war.

Jefferson's supporters responded with reprints of the proceedings of the General Assembly of 1781 and signed statements by prominent Virginia citizens defending his conduct during the British invasion. It is curious that opponent Daniel C. Brent defeated Charles Sims after defending Jefferson with such evidence, while Albert Russell, who failed to answer the charges, could not overcome Powell.

Powell also made political hay out of the meeting between Jefferson and Aaron Burr at Monticello in the fall of 1795. He maintained that Burr, one of the most violent opponents of the government, met with Jefferson and a number of other Virginians to plan "rash and violent measures" for the last session of Congress. Jefferson was accused of condoning and perpetuating such "partisan" measures, and
Powell's charges were reprinted in papers as far away as Boston.11

The Republicans answered with a deposition signed by two Albemarle neighbors who swore that no such meeting had taken place when Burr visited the area in the fall of 1795. There is little evidence that Jefferson planned Republican strategy in Congress: on the contrary, he remained aloof from party politics during the campaign. James Madison made most of the major strategical decisions for the party.12

Even though Powell opposed Jefferson on all counts, his preferred choice for President at the outset of the campaign was not clear. Like almost all other candidates from both factions, he stated his preference for George Washington and his Vice-President, should they run as a ticket again, "We have prospered under their management, and I feel no reason to make experiments." But without Washington Powell hesitated to support Adams alone. Instead, he chose to play it safe with a popular Virginia figure who was aligned with neither party and might be able to dispel the spirit of contention that "threatens the destruction of the union." Powell cautiously stated that he would back Patrick Henry, should he run.13

Encouraged by a visit from a prominent northern Federalist, Powell pursued this approach for some time. Fisher Ames arrived in Virginia late in the summer of 1796 in the hope of raising support for the Federalists in the state. In conversation, Ames agreed with other Federalists that
Henry would probably attract more votes than Jefferson in Virginia and commented on Adams' partiality to Great Britain. Powell, either consciously or inadvertently, misconstrued Ames' statements to support his own positions and in the process embarrassed Federalist leaders.

In a newspaper column Powell stated that Ames had said New Englanders considered John Adams too much attached to the British and that they would prefer Henry as the Federalist candidate. In that case, Powell would abide by Ames' judgment. The statement appeared first in the Federalist Gazette of the United States and was soon reprinted in the Independent Chronicle of Boston. Embarrassed Ames supporters immediately fired back a denial under the pseudonym of "Civis" in the Independent Chronicle.

By the time Powell's statements appeared in Boston, he was already softening his apparent dissatisfaction with Adams. Although he continued to advocate Henry, Powell defended Adams' Republican convictions and denied charges that the Vice-President was a monarchist. Powell's original attempt to distance himself from Adams and his later changes in strategy to defend the New Englander may have been an attempt to protect his own political reputation, since he himself was under attack as a monarchist.

A former friend, who had since turned Republican, was allegedly spreading rumors about Leven Powell at Loudoun County court, as he had done in years past. Stevens Thomson Mason supposedly told his Leesburg neighbors that Powell was
in favor of monarchy and wished for one in the United States.

Isaac Hite, a Northern Neck land speculator who was often in dispute with the Powell family, also accused Powell of having "expressed an opinion that monarchy was the form of government best suited to this country." In a published defense, Powell assured his voters that it was all a misunderstanding.

He explained unconvincingly that in the context of a debate over the Madison Resolutions of 1794, he had told Mason that a limited monarchy would be the next best form of government should the present one fail. In the discussion, Mason advocated an aristocracy, and Powell thought a monarchy preferable to that. The author then shrewdly turned the table on his persecutors and said, "For eight years and upwards, I have been opposed for always supporting to the utmost of my abilities the present government. I now meet with opposition under the pretense that I am unfriendly to it and want change...the opposition in both instances comes from the men who have uniformly been opposed to it themselves from the time of ratification to the present day." The effects of a monarchist label were probably lessened in Loudoun County because of general attitudes toward Republican name-calling. An Alexandria paper criticized Virginia Republicans shortly before the election for talking of Federalist "aristocrats" and "monarchists" while they tolerated an "oligarchical" regime at home. Merchants and farmers of the area understood this resentment against
the planter aristocracy and looked to the federal government to meet demands that were seldom received sympathetically in Richmond.21

In the end, Leven Powell gave his unconditional support to John Adams. In early November Patrick Henry precluded dissent among the Virginia Federalists when he declared his intentions of declining office.22 Republican opponents, such as Russell, claimed that Powell had used Patrick Henry as a device to split the Republican vote. "The certain consequence of voting for him in Virginia," wrote Russell, "would be to divide the southern interest without the chance of electing him, and would be the most effectual means of promoting the election of Mr. Adams..."23

whether Powell had such a plan is not certain. More likely he was hesitant to advocate the election of a northern Federalist in Republican Virginia and chose rather to support a popular Virginian. After he became aware of Federalist support in Loudoun County, Powell may have been confident enough to abandon all inhibitions and to support the Federalist nominee.

The Federalist from Middleburg emerged victorious in the Loudoun County contest by a comfortable margin.24 Before 1796 Loudoun County could not always be counted on to support the Federalists. Its 1788 delegation, which included Powell and Stevens Thomson Mason, split on the issue of ratification. Between 1788 and 1793 Loudoun County
representatives consistently voted anti-nationalist in the state assembly, and the delegation divided again in 1795 over the Jay Treaty. But gradual political and economical developments in the area helped to pave the way for a Federalist victory in the county by 1796.

Relocation of the capital to its site on the Potomac was generally attributed to the Federalists. Washington provided a new market for western farmers and attracted capital to the area. Due to the Potomac Company and other groups, flatboats could navigate the Potomac River thirty miles above Cumberland, Maryland, and sixty miles up the Shenandoah River. Land values soared in northern Virginia, especially in Loudoun and Berkeley Counties, as towns sprang up along trade routes to facilitate the eastward movement of tobacco and wheat and the westward shipment of manufactured goods.

Leven Powell was at the center of economic and political activity in Loudoun County. He incorporated another town on his property in 1792. He also assumed the duty of commissioner for the unsuccessful Fairfax and Loudoun Turnpike Road Company in 1796. Other prominent Loudoun men, such as Joseph Haunery, John Harper, and William Ellzey, joined Powell as stockholders for the Potomac Company, which benefitted many.

Resentment toward the planter aristocracy and the nationalist tendencies of newcomers to the region aided Federalist political aspirants in Loudoun County. Scotch-
Irish Presbyterians from Maryland and Pennsylvania Germans who settled the western parts of Loudoun County lacked deep ties to the region and were more likely than Tidewater people to think in national terms.\(^{29}\)

All these factors may have contributed to Federalist successes in the county, but even together they cannot be held solely responsible for Leven Powell's victory. Surrounding counties, including Fairfax, Fauquier, Frederick, and Berkeley, benefitted from many of the same developments as Loudoun. They also were more likely to vote pro- Constitution, nationalist, and in favor of the Jay Treaty, but their Federalist candidates for electors all lost.\(^{30}\) Charles Sims followed Powell's campaign strategy, yet he was defeated in a close Alexandria contest. Much of the credit for Powell's victory must go to the candidate himself.

A lack of party unity and organization on the part of both the Federalists and Republicans led voters to choose between the characters of John Adams and Thomas Jefferson rather than their respective party platforms.\(^{31}\) Leven Powell and Charles Sims led the Federalist charge against Jefferson's character and gathered support from the electorate because of it.\(^{32}\) Since both men used similar tactics and arguments, it might be that Powell succeeded because he carried the contest to an even more personal level than did Sims. As the richest merchant in Loudoun County, Powell was able to use his personal influence and business connections to win the electoral contest and bring Federalist organi-
Outside of Loudoun County, the Federalists did not fare very well in Virginia. Powell was the only Virginia elector to cast his vote for John Adams, one of two from the entire South (the other was from North Carolina). Although nationally the vote was essential to Adams to win the close election, it did the Federalist party in Virginia little good. The Republicans swept the state. The best the Federalists could do was to hold the few seats they controlled in the General Assembly.

John Marshall expressed disgust over Federalist disorganization in Virginia. The Federalists were only beginning to learn the organizational tricks of the Republicans. Richmond Federalists made business contacts with Northern Neck Federalists, but they were slow to develop a political relationship before the election of 1796. Burr Powell invested in a piece of Fairfax property with Charles Lee, John, James, and Charles Marshall in 1795, but any sort of political connection between them was loose, considering the lack of coordination between the two groups during the election.

The Powell-Sims confusion over Patrick Henry must have perturbed Richmond Federalists since it weakened their positions. John Marshall churned over the annoying reality that the Republican party had "laid such a hold on the public mind in this part of Virginia, that an attempt to oppose sinks at once the person who makes it."
On the national scene, the Federalists continued to control Congress after 1796, but the Republicans were stronger and more organized during the session. Powell wrote his son that the "majority is smaller, and the minority is strong... it is impossible to say, but they may yet succeed in their views, whatever they may be." 39
CHAPTER VIII

TRAVELS TO THE SOUTH, 1798

In the fall of 1798 Leven Powell decided to change places with his son Burr in their business arrangement. Burr would return to Middleburg from Kentucky to watch the store, while his father headed south to complete a business trip he had wanted to make five years earlier. After traveling for over a month through North and South Carolina and being delayed by sick horses and Christmas cheer, Powell finally neared Louisville, Georgia, to conduct business with the state legislature.

As he plodded along through Charleston, Augusta, and Louisville, Powell marveled at the delightful winter climate of the deep South that was "very much like one of our fall months." He noted that "wherever I went, I was known as the person who singly voted for John Adams."¹ Such celebrity may have been to his advantage in South Carolina, but in Georgia it did not help him with the business at hand.

Georgia was still buzzing with political excitement when Powell arrived that year. Between 1793 and 1795 land speculation in the western territories of the state had reached its peak. Three new Yazoo land companies—the
Georgia Company, the Georgia-Mississippi Company, and the Tennessee Company—aided by bribes, succeeded in pushing a bill through the assembly that sold between thirty-five million and fifty million acres of Georgia's western territories for $500,000. Many of the legislators, who happened to be Federalists, were given stock in the company.\(^2\)

Within a year of passage details of the corrupt act leaked to the public. Georgia Republicans, including United States Senator James Jackson, used the fraud to their own political advantage. Outraged by the corruption, Jackson resigned his seat to run for the state legislature to oppose it. The 1795 election saw a turnover of many seats, and the Republicans came to power with a strong majority.\(^3\)

In 1796 the Republican legislature repealed the fraudulent act and burned all records pertaining to the Yazoo deal. The state provided refunds of money that had been paid to the treasury for purchase of Yazoo lands, but many settlers already occupying the land were not willing to vacate. Finally, in 1798 Congress attempted to negotiate the cession of Georgia's western lands to form a territory, in order to settle the political dispute within the state government. The case remained in court until well into the next century.\(^4\)

Whether Leven Powell had money invested in the Yazoo land scandal cannot be determined. His business with the Georgia Assembly strongly suggests involvement. Powell
spent four weeks negotiating with Georgia representatives in an attempt to "insure the payment of the money" that he might have invested. He was also concerned with lands in Tennessee that had been encompassed by the Yazoo land deal.  

In order to accomplish his goals, Powell was forced to walk a political tightrope. As a Federalist, "it was absolutely necessary to pay particular attention to Jackson's party, and in doing this I was near giving offense to the other, and to avoid it, I was obliged candidly to inform them of my motives."  

Powell was confident that he had earned the respect of the Republicans and probably succeeded in his business. It can only be guessed what his business was, but it is not inconceivable that he had invested in Georgia's western lands back in 1795 and was trying to recover his investment. His trip and observations regarding Georgia politics probably expanded his horizons. Returning to Virginia later that year, Powell was most likely aware of common bonds between Virginia Federalists and Georgia Federalists. His experience could only help enhance his awareness of the need for national unity among Federalists and facilitate cooperation between himself and his colleagues.
CHAPTER IX

STORMS FROM EUROPE, 1796-1798

The French Revolution, beginning with the storming of the Bastille in 1789, shook all of Europe, and its shock waves spread across the Atlantic to America. Before 1793 most Americans viewed the French experiment much as a proud father would view his child. To America the French Revolution was an offspring of its own Revolution of 1776. But as Robespierre lorded over the bloody Reign of Terror, and France expanded beyond its natural boundaries, many moderate American citizens lost faith in the new republic and began to be concerned about the possibility of war.

America became caught up in the European conflict, and preference for the French Republic or the British monarchy became a major distinction between the Republicans and the Federalists. American commercial interests were entangled in the struggle between the two European nations, as both sides violated United States neutrality. Because of important commercial connections with England, Federalists, led by men like Hamilton and Ames, demanded war, making it difficult for President Adams and the moderates to maintain a fair peace.

Leven Powell's fear of the growing influence and

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power of the French in the United States during the crisis was very real. The threat might come from overzealous members of the pro-French party, or the French themselves. Newspaper accounts of Napoleon Bonaparte's victories in Italy foreboded immediate impact on American politics. Powell worried that "These successes will invigorate the party here, and if they continue in Europe, we may meet with a storm here that will overwhelm us."¹

As a western land speculator, the French threat was also very personal to Powell. In the summer of 1797 he became frantic over rumors about French intrigue in Georgia and alleged plans to send 30,000 French troops against the British in Canada by way of the Mississippi River. "That an army will be sent over by France if they can spare the men and get them there I have some reason to believe is true," wrote Powell to his son, "though not for the purpose of sending to Canada, but for that of taking possession of our western country and Kentucky, and to fix the saddle upon us here."²

Affairs seemed to wear such "a very gloomy aspect" that Powell advised his son in Kentucky to sell out and return to Virginia before it was too late. He even considered reinvesting his money in New York land, where he would be safe from southern Republicans who sympathized and intrigued with the French.³

The growing crisis culminated in 1797–98 with the XYZ Affair, after which America drifted into "quasi war"
with France. In 1797 envoys Eldridge Gerry, John Marshall, and Charles C. Pickney faced a demand by the French to present bribes to the parties involved before negotiations would be considered. After Adams submitted the XYZ correspondence to Congress in the spring of 1798, the outraged American public retracted their support for France in view of such a blatant insult to the United States.

The developments of 1798 strengthened the Federalist position in Congress considerably. The possibility of war with France permitted the hasty adoption of Federalist policies. Within a few months of the XYZ Affair, Congress organized a provisional army, established a navy department, suspended commercial intercourse with France, authorized the capture of French armed ships, and revoked the treaties with the former ally. In domestic affairs the Federalists planned a tax on land, slaves, and houses to raise money; and alien and sedition bills were written into law.

The Federalists hoped to crush their opponents in the upcoming elections. Affairs were so dismal for Republicans in Congress that many left for home discouraged or joined the Federalists. Even Republicans Samuel Cabell, John Clopton, William B. Giles, and John Nicholas headed back to Virginia in despair.

The Alien and Sedition Acts were especially offensive to the Republicans. The laws, designed to stifle opposition, were aimed directly at Republican newspapers and foreigners who were likely to join the Republican Party. The
Federalists, viewing partisan opposition as subversion, perceived a very real threat. Leven Powell often worried about "partisans" who "generally wriggle themselves into office" and "will bring some dreadful calamity on us."\(^7\)

With party newspapers under attack, Republicans retreated to state legislatures they controlled and used the bodies as platforms from which to continue their criticisms of the Federalist government. Vice-President Jefferson, who had taken over the leadership of the Republican Party after the election of 1796, and his lieutenant, James Madison, craftily used the Virginia General Assembly to protest the Alien and Sedition Acts.

Republican Virginia reacted especially violently to the repressive measures. Protests were heard all across the state, especially in the Piedmont.\(^8\) Even prominent Federalists such as John Marshall stated they would have voted against the acts had they been in Congress.\(^9\) Virginia's four Federalist Congressmen supported the administration on all the measures enacted to defend the nation against France, but only one actually voted for the Alien Laws.\(^10\)

Jefferson and Madison hoped to emphasize the issue in order to revitalize their movement, using Virginia as a base. Madison drafted what became known as the "Virginia Resolutions" and instructed John Taylor to present them to the General Assembly in Richmond. Jefferson sent copies to John
Breckenridge in Kentucky, where the same was done. The resolutions, designed as a Republican protest against unconstitutional Federalist proceedings, articulated extreme positions on states' rights.  

John Taylor presented the bill to the Virginia House on December tenth, and Leven Powell objected immediately. Unlike Marshall, Powell was not opposed to the Alien and Sedition Acts and could not understand why anyone would be. He wrote to Burr, who was sitting in the House of Delegates that session, "I trust this law [Taylor's resolution], even if it could have any effect, will not be thought necessary by a majority of your house, for surely you cannot have so many among you disposed to sedition?"  

Powell was especially upset with Taylor and his ilk, who "perplex and divide the people of this country and thereby place us in such a situation as to become easy prey to the French Government." In a fit of anger, the Loudoun Federalist described the Carolina Republican as a man "foaming at the mouth" after being bitten by a mad dog.  

Unintentionally, the resolutions approached the position of a crude party platform for the Republicans on the issue of states' rights. They also allowed the Federalists to refine their own views on central government. Some Federalists, like Morgan, saw the resolution as an attempt to perpetuate the planter gentry, who could not control the central government. Edmund Brooke of Prince William County and Archibald Magill of the Valley argued that the central
government could represent the people directly in a way that the state governments could not. If the states alone were party to the constitutional compact, the contract excluded the people from the formation of government.\textsuperscript{16} Leven Powell agreed:

I cannot for my soul find out from where the opinion is taken up that the states are a party in the compact formed with the General Government. In vain have I looked into the Constitution to find it. As far as I am able to form an opinion on the subject, the people have formed both governments, that of the states for local purposes and other for national powers, and their representatives go into each with all the powers of the people to promote their interests and secure their rights, peace and happiness... so far as respects their respective limits...\textsuperscript{17}

The immediate effects of the Virginia and Kentucky Resolutions were negligible, nor did they help the Republicans politically until after the election of 1799. Riding high on the crest of popular sentiment against France in 1798, the Federalists expected sizable gains in the Republican stronghold of Virginia, not to mention the other states of the Union.\textsuperscript{18}
CHAPTER X

THE CONGRESSIONAL ELECTION OF 1799

In the spring of 1798, Leven Powell wrote a letter to his old friend Charles Lee, who was serving as Attorney General in the Adams administration. He expressed a desire to return to politics and hoped to secure the Congressional seat that Richard Bland Lee had held until his defeat in 1795. Lee in reply expressed his pleasure that Powell would resume politics. "As to the choice of the people," wrote the Attorney General, "I do not doubt your success because they must at length see that he ought not to be a person who has invariably been in opposition to the measures of our government, but a person who can be relied upon to support the honor and essential rights in our country against all the world and especially against France."\(^1\)

Lee's letter reflects the emphasis placed on national issues in the Congressional election of 1799. Unlike earlier elections, partisan issues had finally expanded beyond Congress to transcend local issues.\(^2\) Communication between Lee and Powell also demonstrates a new sense of organization and cooperation between Federalists that was lacking in 1796.

Virginia Federalists hoped for an alliance between
the Northern Neck and the Tidewater planters. With the additional support of Valley Federalists, they strove to make sizable gains in the state Congressional delegation.\(^3\) Demonstrating new vigor, the Federalists waged the most intense campaign since the ratification of the Constitution. Federalist candidates became more active in their campaigns, acting less arrogantly and less aloof in their dealings with the electorate.\(^4\) Henry Lee and others actually canvassed their districts—a thing unheard of among Federalists before 1799.\(^5\)

Leven Powell campaigned for ten months. His opponent, Roger West, attacked Federalist support of a standing army and the Alien and Sedition Acts.\(^6\) The two issues contributed to the defeat of Federalists in 1800, but were not yet effective in 1799. Violence erupted in a number of parts of the state, and in the Alexandria area rumors spread that Federalists had appointed "fifteen strong, active men to protect the poll on the day of the election, and compel their political opponents to vote for the Federalist candidates."\(^7\)

Although the election displayed blatant partisanship on all sides, Powell refused to acknowledge the necessity of parties. He rebuked Republican legislators for enacting a "general ticket" for the Congressional election. Certain that the measure was "evidently intended to favor and encourage party," Powell thought it dangerous, "particularly at this time when it must be known to all that a base and insolent nation is watching for a moment when it may with
any prospect of success make a stroke at us."\(^8\)

Leven Powell's prestige in Loudoun County and the social make-up of the area provided him with an easy victory. A local newspaper noted Washington's personal support for Powell and the General's trip to the polls to demonstrate that support. Powell's Federalist views were supported, in western parts, by a heavy concentration of Germans and Quakers that made Loudoun County socially more akin to the Valley than to eastern Virginia. The realignment of a part of southeastern Loudoun with Fairfax County in 1798 enhanced the influence of ethnic groups even more as prominent eastern elements, native to the reverted sections, were removed from the county system. Anti-French sentiment among Loudoun Germans also served the Federalist cause.\(^9\)

Thomas Jefferson wrote to Tench Coxe in the spring of 1799 that "the Virginia congressional elections have astonished everyone."\(^10\) The Federalists won eight seats in the Congressional delegation, doubling their representation. Five seats were captured by Federalists from Republicans while they lost only one. The Federalist members of the nineteen-person delegation included Thomas Evans, Samuel Goode, Henry Lee, John Marshall, Robert Page, Josiah Parker, Edwin Gray, and Leven Powell.\(^11\)

The Virginia victories, along with other Federalist gains in the South, increased the Federalist majority in Congress from six to twenty. But the gain was deceiving. Federalists won slim victories in some parts and some
Federalists elected held extremely moderate views. They could not be counted on to follow the Federalist leadership at all times.12
CHAPTER XI

MEMBER OF THE SIXTH CONGRESS, 1799-1801

As Leven Powell made his way north to take his seat in Congress that November, he must have worried about the "pestilence" that raged in Philadelphia. All his life he had been susceptible to illness. Regardless, he was anxious to take his place in the city he had not seen since the Revolution. He arrived on the first of December and stayed with a Mr. Collins as a guest until he could find suitable lodgings.

The freshman Congressman took his seat in the House chamber and witnessed signs of a division growing within the Federalist Party. Theodore Sedgewick was chosen as Speaker of the House by the Federalist caucus, but a number of southern members dissented. "Mr. Rutledge would have been more acceptable to many of the southern members," observed Powell. They preferred the South Carolinian to the New Englander, and Sedgewick was forced to lobby for Marshall's support to break the deadlock.

On the same day, Leven Powell probably saw John Adams for the first time when the President addressed a joint session of Congress. Much to the chagrin of High Federalists like Hamilton, Adams declared his intention to send an envoy...
to France for the purpose of negotiating a peaceful settlement between the two nations. Powell, along with other Virginia Federalists, generally remained aloof of the struggle between Hamilton and Adams and supported the President's decision. 4

Under the circumstances, thought Powell, it was Adams' duty to meet pacific overtures made by France. But he took care not to trust America's enemy entirely and was determined not to sacrifice United States relations with Great Britain. He wrote, "It is thought by some that to negotiate with France will produce a rupture with Great Britain. If this is true, I am ready to acknowledge that the latter can injure this country much more than the former, and if we must be at war, it would be better for us that it was with France." 5

At the urging of merchant constituents, Powell inquired into British depredations against American trade and was satisfied that such complaints were unfounded. James McHenry, the Secretary of War, informed Powell that "only one complaint of this kind has been laid before the executive." 6 Powell was sure that the "terrible republic" was the enemy to watch, not the British.

To insure the success of the peace mission to France, the Federalists felt that the United States had to show its determination to remain strong and unified. Powell was determined to resist efforts to reduce the army. A resolution came before the House, early in the session,
requesting such a reduction. Powell opposed the motion, even though John Marshall favored it. "I am afraid that it may be unfortunate for our country that this was made, for it will soon reach France and she will again calculate on the party which she supposes she has in this country...it may induce her to send an army into our country under the idea that those whom she calls her party would join it...

The Virginia Federalist delegates voted with Powell to continue commercial restrictions against France, but hesitated to agree with him on the issue of the Alien and Sedition laws. The repressive measures were quickly becoming a source of discontent among Virginians with the federal administration. Republicans were gaining ground on that score. Only one of the other five Federalist delegates joined Powell to vote against repeal. The Republicans won, and the unpopular measures were struck from the law books in January 1800.

The excitement of debate and votes in the House chamber was interrupted on one of the first days of the session when John Marshall rose solemnly to announce that "our illustrious fellow-citizen, the Commander-in-Chief of the American Army, and the late President of the United States, is no more!" The House promptly adjourned until the next morning, and Powell retired to his lodgings.

Powell had corresponded with Washington only a few short months before the General's death. He had requested
commissions for a few local boys, including his own son Alfred, who had just turned twenty. He was surprised to receive a response from the General himself confirming the appointments. That night Powell wrote home, "His loss is the greater perhaps at this critical moment. God knows what is to become of us, but we must do the best we can." 13

While attending to his duties as Congressman in Philadelphia, Powell did not neglect his business or constituents at home. He was anxious to return to Middleburg and wrote in February 1800, "We can form no certain opinion when we shall adjourn. I feel very anxious for the time to arrive as I really want to see home again." 14 In the meantime, he had to be satisfied to keep in touch with Virginia by mail. "We learn here that our present assembly in Virginia is abundantly more violent than the last..." wrote Powell from Philadelphia, where he continued to monitor politics in Richmond.

He was not at all pleased with the Republican control of the legislature and its outspoken criticism of the Adams administration. "It seems to me plain that the object of Virginia is to arm the states against the federal government." 15 Powell provided plenty of political advice and campaign tips for his son, who was still involved in politics in Loudoun County. The aging politician also kept up on the activities of his local opponents through correspondence with men in Loudoun. 16
Business correspondence was also important to the Congressman. Powell conducted grain sales and land transactions mostly through Burr, who managed his affairs in Middleburg. During 1799 and 1800 Powell expanded his business endeavors to include beef production. Recent sales gave him "a high reputation as a grazier, all agreed I believe with truth that it was the finest beef brought into the market."  

Business connections in Philadelphia were slow to develop for the Loudoun merchant. "My attention is so taken up with public business and with different members of Congress," wrote Powell, "that I have made no acquaintance among the merchants."  

By the spring of 1800, Powell had already mellowed a bit in his views toward France. Napoleon had come to power and reversed the revolutionary process in the Republic. The Federalist from Middleburg approved of measures to restore order in the European nation and demonstrated monarchist tendencies that his opponents had noted in the past. He expressed his relief that "from present appearances everything is great in France, the outline of the new constitution has come out, in which the people will have as little to do in matters of government as they had under their kings..."  

He was willing to resume trade with France in 1801, when a favorable motion advocating such a measure came before the House and passed. But he was not ready to
relax vigilence at home and supported a last effort by the Federalists to extend the Alien and Sedition laws. Powell doubted that the motion had a chance to pass, but "was sure that my constituents were not afraid of a law which went to punish vice and present insurrections, and so I gave it my hearty concurrence."\textsuperscript{21}

Powell's voting record shows that he was not consistently moderate or "High Federalist." Generally, he held moderate views similar to Marshall and his group, but he was extreme when it came to issues involving France. The Congressman did not always agree with colleagues who held similar political, regional, or economic interests.
CHAPTER XII

THE ELECTION OF 1800 AND FEDERALIST DEFEAT

Alarm over the regrouping of the Federalists in Virginia shortly before the 1799 elections encouraged the Republicans to organize actively and utilize fully the political tools they had developed over the years. The Republicans organized state and county committees to nominate candidates and publicize them. In January 1800 the Republican-controlled Virginia legislature passed an act that provided for the election of Presidential electors on a general ticket throughout the state instead of by districts, which put a premium on party membership.¹ Thomas Evans responded with a letter to his friend Powell, strongly protesting the election of "postboys and lacquies" that would be made possible by such measures. He hoped voters would be able to see through such a "disgusting mode of election," and would show that "there are some yet who love and revere the name of Washington, and will support none but those who deserve to be called Washingtonians."²

Federalists invoked the name of Washington whenever possible and emphasized patriotism and loyalty to the government. But without Washington, the Federalists lost much of their support.³ The Alien and Sedition laws backfired on

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their creators, and Adams was for the first time criticized for his policies rather than his character.\textsuperscript{4}

Federalist members of Congress attempted to organize as the Republicans did but enjoyed much less success. Unlike the Republicans, the Federalists publicized their caucus minutes. This split the party and promoted resentment among the people, who felt left out of the political process.\textsuperscript{5} The major weapon of the Federalists was a smear campaign conducted against Jefferson. The Virginian was portrayed as an incompetent and irreligious candidate of a pro-French, anti-Constitutional party.\textsuperscript{6}

In Virginia the Republicans decisively defeated Adams at the polls. Federalist strength concentrated around Richmond. The Shenandoah was lost to the Republican camp. Only in Augusta, Hampshire, Hardy, Lee's Westmoreland, and Powell's Loudoun did Adams lead.\textsuperscript{7} Three hundred and thirty-seven voters turned out in Loudoun County to cast their votes. Adams received 205 to Jefferson's 132. It was not enough to save Adams in Virginia or in the nation.

The Republicans were so organized that their candidates, Jefferson and Burr, received an equal number of votes and tied for the Presidency. Surprisingly, Burr did not step down, and Jefferson faced a fierce battle again in the United States House of Representatives. Representative Powell took his duty seriously and struggled to determine which man deserved his vote. He decided that on the "point of
character and moral principles they are equal," but Burr had the advantage of a more fearless mind and bolder disposition, which made him all the more dangerous. Powell's conscience would not allow him to vote for either, so he determined that "I shall write to my friends and be governed by their opinions."³

Thomas Page honored his friend's request to scout the sentiments of the district in northern Virginia and concluded that most residents favored Jefferson to Burr, who was of "suspicious character." Unfortunately, Page also wrote that those same people had reservations about Jefferson. Like Powell, they worried that the navy and commercial intercourse would suffer under a Jefferson administration.⁹

William B. Harrison's "polling" was of little help to Powell. Even among "the most respectable people" of the district, he found "but few, very few, that know anything about either of the men, and those that do, have formed no opinion and wish you to vote as you think best." Harrison personally felt that the navy would suffer under either man, and Powell should therefore vote for Jefferson. Thomas Lee fervently disagreed, however, and thought a vote for Jefferson would "blast your political career forever."¹⁰

Powell acknowledged Thomas Lee's advice and decided to support Burr, even though Loudoun generally favored Jefferson. Once again the Middleburg Merchant emphasized party differences to his constituents by his action, even though he expressed disgust for partisan thinking.
The House cast thirty-five deadlocked ballots. Each time the Federalists gave a majority of votes to Burr, but Jefferson held eight states to Burr's six, with two divided.¹¹ Four members, elected as Federalists in the 1799 Virginia elections, cast their votes for Jefferson on the first ballot, but two returned to the Burr camp for the remainder of the ballots. Evans, Lee, Page, Parker, and Powell—all of the Northern Neck and the Valley—voted for Burr, while Southsiders Goode and Gray went over to Jefferson.¹²

As the deadlock continued, prominent Federalists began to worry that prolonged failure to choose a victor would create anarchy and armed revolt. Even Leven Powell thought "to rise without a choice" would be "a situation most to be dreaded in my opinion."¹³ William Davie predicted that Federalist support for Burr would be the ruin of the party, since they would be "responsible for an administration they can neither control nor influence," should Burr be elected.¹⁴

The Federalist vote finally shifted, and Jefferson was elected the third President of the United States. Leven Powell and other Burr supporters lost the battle, but the Loudoun representative was optimistic that the Jefferson group had made concessions in order to secure a victory. "Mr. Jefferson's friends have been obligated to make great promises as to the course of his administration, particularly as it respects our neutral situation and the navy, which it is believed he has authorized them to do."¹⁵
While struggling over the choice between Jefferson and Burr, Powell was also wrestling with a more personal political decision. He corresponded with opponent Joseph Lewis, Jr., to test the man's mettle and concluded that he would be a formidable opponent. Powell decided, "I shall be obliged to be a candidate again." But when he began to receive feedback from his district, Powell could not be so sure.

Thomas Sim of Leesburg assured Powell that "if every part of the district is as Federal as ours, your success does not admit of a doubt in my opinion...," but he also sent disturbing news of disaffection with Powell and Federalist policies. Powell's vote for Washington's mausoleum and his stubborn support for the Sedition law did not sit well with his constituents. Old skeletons came back to haunt when Sim informed Powell that "the old and the often refuted story of your predilection for monarchy is again revived."

German Quakers in the district also caused Powell worry. The pacifistic farmers opposed a strong central government and the standing army that accompanied it. Their Congressman noted their discontent and investigated other states' solutions to Quaker reluctance to serve in and support the United States military.

At age sixty-four, Leven Powell's heart was no longer in politics. During the second debate on the Sedition laws in 1801, Powell had written to his son, "In one of your letters you mentioned having given up politics. I think you
are right—I wish I was as clever as you—I believe the
ting is not worth the struggle—that is all that can be got
by it." After due consideration, the Middleburg merchant
decided to retire from politics and return home.

Many other old Federalists followed Powell into
retirement after the election of 1800. The Republicans, who
now controlled Congress, had out-generated and out organized
the Federalists and left their opposition in shambles. Old fashioned elitism, orders and distinctions, deference
and subordination, characteristic of the Federalists and the
eighteenth century, were all dealt a fatal blow. Younger
Federalists, like Burr Powell, returned to Congress in the
nineteenth century, but they acted differently than their
predecessors. Although they held many of the same general
values, these new Federalists were forced to become more
"Republican" in their campaign tactics and commanded much
less influence than Powell's colleagues.

In Virginia, only the prominent families of the
Tidewater remained Federalist out of conviction, and parts
of northern Virginia continued to vote the same out of habit. In Loudoun County, the Federalist machine broke down without
Powell. The retired Congressman complained that Federalist
candidates were competing against each other instead of
cooperating. He urged his followers to choose one acceptable
Federalist candidate to take over his seat in Washington
before "some anti-Federal candidate will get the start." The Federalist triumph of 1799 had been fleeting.
In January 1802 Leven Powell wrote to John Rutledge from Middleburg that he was content to be a private citizen again. He told the South Carolina politician that he was more interested in his new experimental farm than in politics. But in reality, the Virginian kept a close eye on political developments in Richmond and Washington. He wrote numerous letters to Burr, who was again serving as a delegate in the state legislature. Father and son discussed a range of issues, local and national, from county roads to the national bank.

Even as late as 1806, Powell could not reconcile himself with the idea of party factions. "It is certainly the duty of every good man to harmonize and do everything he can to soften party line," wrote Powell, "but such is the situation of things that I am afraid every good which might be expected from such attempts will be frustrated..." It is ironic that a man so opposed to factions was instrumental in promoting them in his district through his actions and words.

Past positions were not regretted, and old animosities remained strong. Powell was never able to show support for
Jefferson, even well into the President's second term. In the face of foreign aggression, Powell firmly believed that "Mr. Jefferson's administration has been attended with great injuries to this country, and the want of those virtues the very reason why we are in our present situation..." 4

Leven Powell faced one last battle in the twilight of his years, a battle that would not be settled until four years after his death. In 1805 the Powell family became involved in a bitter land dispute with the Chinn family. The Powells had fallen out with their neighbors in the past over land deals, promoting a fragile truce between the two dynasties. 5 The dispute revolved around the original 500 acres of land Powell purchased from Joseph Chinn in 1763.

A land transaction with a man named Graham touched off the conflict that raged for nine years. In order for land to exchange hands, Powell was forced to survey boundaries between his land and the Chinns. These had been plotted by John Barber for Charles Burgess, William Stamp, Thomas Thornton, and Rawleigh Chinn under the direction of the House of Burgesses in 1731. 6 The last survey made by Powell uncovered inaccuracies in the boundaries and forced the two families into court. Powell was confident that he would succeed at the superior court, "where Chinn will not be able to tamper with the jury so successfully, as he has done, and it really appears to me impossible that unprejudiced men of judgement could on the boundaries find a verdict for Chinn." 7

The solution was not so simple, and the dispute
carried on after Powell's death, as his heirs and the Chinns continued to battle over 500 acres of arable land and 500 acres of woods. Agents traveled as far as Kentucky to take statements of witnesses who might shed light on the case. The case was not settled until 1814, and to this day, citizens of Middleburg point to the disagreement as the reason why the Powells and the Chinns lived on opposite ends of Middleburg. The rapid settlement of western lands during Virginia's colonization left its legacy.

Plagued by fits of illness all his life, Powell began to experience additional discomforts of old age. He wrote to Burr in the later years of his life that "the winter continues uncommonly severe." His health had deteriorated to such a degree in 1810 that he left the comfort of his home to travel to the springs at Bedford, Pennsylvania. His attempt to recover was unsuccessful, and at the age of seventy-three, Leven Powell died, miles from his beloved Loudoun County. His accomplishments were obviously familiar to the people of Bedford as the pastor delivering his funeral address applauded his varied life. "In his character," stated the Reverend Alexander Boyd, "he united the soldier, the statesman, and the Christian."

Leven Powell left a large and lucrative estate to his family and a legacy of agricultural and political leadership to his county. Loudoun County residents could look to Middleburg, the navigable Potomac, and prosperous commercial farming as physical accomplishments of Leven Powell.
Although Powell lost the great political battle against Jefferson and the Republicans, his contributions to the development of the early political system in the United States and particularly northern Virginia were substantial. Leven Powell's political legacy was probably greater than his fellow Virginians or even he realized.
CONCLUSION

Leven Powell's contributions to his own society and history in general are not limited to his capacities as soldier, statesman, and Christian stressed by his eulogizer. Powell made significant contributions to the political and economic development of the largest and most important state of the new North American nation. Not only did the Middleburg merchant serve his county and state as an elected representative and play a prominent role in the northern Virginia grain trade as a wheat dealer, but he also promoted new economic and political systems. He may have been unaware of his own influence.

Powell represented his county first as a delegate to the Constitutional ratifying convention in 1788 and then as a member of Congress in 1799. He took his place at the very center of the nation's early political life. His direct influence on the floors of those bodies was negligible since the Middleburg Federalist remained relatively anonymous in his official capacity. His real influence was felt back home in Virginia as a campaigner and staunch friend of the Adams administration.

An outspoken leader of the Federalist minority in Virginia and aggressive candidate for the Electoral College and Congress, Powell made an impact on the development of
political parties in the Old Dominion. His writings and activities helped to define differences between the basic beliefs of the friends of the government and the Jeffersonians, and placed them in the public forum. Powell helped to make the choice between Federalist and Republican clear to the Virginia voters, bringing their state and the nation closer to the two party system already developing.

After the Revolution, Virginia's Tidewater tobacco economy lay in shambles. Tobacco was no longer the way of the future for the once mighty Commonwealth. Northern Virginia led the way to a new future by introducing a more diversified economy with cash crops of wheat and other grains. Loudoun County men like Alexander Binns provided agricultural innovations to make the transition possible, while prominent citizens like Powell encouraged commercial crops through their business endeavors. Powell's energetic efforts to move, store, and process wheat, tobacco, and other cash crops, along with his interest in navigational developments, helped to make it profitable and practical for others to pursue commercial farming. Together, these Virginians stimulated their state's economy and promoted a more sophisticated system of markets for the nation's mid-Atlantic area.

Although Leven Powell's role as land speculator, soldier, and statesman must be acknowledged, his political views are especially interesting as commentaries on late eighteenth century politics. Understanding Powell's political views helps us to understand Federalist thought in
general. For too long, Federalists—northern and southern, urban and rural—have been lumped together under one general heading. It is interesting to observe a southern Federalist, such as Powell, and even more interesting when the southern Federalist is not an agrarian, as were Rutledge and the others.

The question of why Leven Powell is not included in the *Dictionary of American Biography* is difficult to answer. His contribution to Virginia history is significant. His impact on American history in general is less direct. He was known to many of his fellow Americans through newspaper accounts and through his correspondence, but his influence outside his home state was probably small. The minutes from the Annals of Congress and the Journals of the Virginia Assembly suggest that his influence within the government was limited. When only these major sources are used, it may appear that Powell was an inactive bystander who should be delegated to footnotes and genealogies. When one looks beyond the official records, Powell's merits emerge. The Middleburg merchant missed the *Dictionary of American Biography*, but his contribution to America is real.
NOTES

PROLOGUE


2Ibid., p. 129.

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2Ibid., p. 509.


5Ibid.

6Virginia Magazine of History and Biography 38 (1922):171.

7David C. Klingaman, "Colonial Virginia's Coastwise and Grain Trade" (Ph.D. dissertation, University of Virginia, 1967), p. 34.

8Ibid., p. 101.

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10Ibid., p. 125.


12Ibid., p. 9.

85.
CHAPTER II

1. "Resolutions of Loudoun County, Virginia," 14 June 1774, Leven Powell Papers, Earl Gregg Swem Library, College of William and Mary in Virginia, Williamsburg, Virginia. (Hereafter cited as LP Papers)


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5. George Johnson to Leven Powell, 9 December 1775, LP Papers.

6. Leven Powell to Sarah Powell, 3 December 1775, LP Papers.

7. Leven Powell to Sarah Powell, 10 December 1775, LP Papers.

8. Leven Powell to Sarah Powell, 31 December 1775, LP Papers.

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14. Leven Powell to Sarah Powell, 24 February 1776, LP Papers.

15. Ibid.

16. Leven Powell to Sarah Powell, 31 December 1775, LP Papers.
18 Ibid.
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21 Peter Grant to Leven Powell, 9 April 1776, LP Papers.
22 William Thompson to Leven Powell, 8 June 1777; Craven Peyton to Leven Powell, 26 November 1777, Branch Papers, pp. 111-139.
23 Leven Powell to Sarah Powell, 5 March 1776, LP Papers.
24 Craven Peyton to Leven Powell, 26 November 1777, Branch Papers.
25 George McIntosh writes of "highland prisoners" to be sent to Powell. He says, "...you may probably get weavers, if so, you are at liberty to hire...," George McIntosh to Leven Powell, 7 July 1776; Leven Powell to Sarah Powell, 19 October 1777, LP Papers.
27 Ibid.
29 Leven Powell to William Grayson, 6 April 1777, George Washington Papers.
30 Hayden, p. 504.
31 "The County Committees of 1774-75 in Virginia," William and Mary Quarterly, 1s, 5 (October 1896):245-255.
32 Leven Powell to Sarah Powell, 21 January 1778, Branch Papers.
33 Leven Powell to George Washington, 28 November 1778, George Washington Papers.


CHAPTER III


4McDonald, p. 366.


6Risjord, p. 25.

7Ibid., p. 241.

8Ibid., p. 27.

9Williams, p. 160.


11Williams, p. 59.

12Leven Powell to George Washington, 18 December 1787, George Washington Papers.

13Hart, p. 152.

14Williams, p. 166.


16Middleburg National Bank, Story of Middleburg, p. 4.
CHAPTER IV


2 Risjord, p. 81.

3 Ibid., p. 276.

4 Ibid., p. 257.

5 Ibid., p. 296.

6 McDonald, p. 256.

7 Mays, p. 242.

8 Risjord maintains that men who voted Federalist were generally slaveholders, entrepreneurs, recent arrivals, educated, continental military officers, well traveled, and had interests in mercantilism.

9 Middleburg National Bank, Story of Middleburg, p. 3.

10 Williams, p. 179.

11 Risjord, p. 301.
CHAPTER V

1 Risjord, pp. 323-329.


3 Risjord, Chesapeake Politics, p. 367.

4 Ibid., p. 357.

5 Robert Waln to Leven Powell, 20 January 1803, LP Papers.

6 Leven Powell to Burr Powell, 9 June, 1797, LP Papers.

7 Richard Bland Lee to Leven Powell, 12 June 1789, LP Papers.
8. The Will of Leven Powell, Manuscript Collection, Virginia State Library, Richmond, Virginia.

9. Leven Powell to Burr Powell, 30 January 1791, LP Papers.

10. Ibid.

11. Ibid.

12. Leven Powell to Burr Powell, 21 November 1790, LP Papers.

13. Leven Powell to Burr Powell, 30 January 1791, LP Papers.

CHAPTER VI

1. Risjord, Chesapeake Politics, p. 367.

2. Ibid., p. 343.

3. Ibid., p. 489.

4. Ibid., p. 506.

5. Ibid., p. 393; Leven Powell to Burr Powell, 9 June 1779, LP Papers.


9. Leven Powell to Burr Powell, 22 January 1805, LP Papers.


CHAPTER VII


3Risjord, Chesapeake Politics, p. 330.

4Rose, p. 130.

5Ibid., p. 132.

6Virginia Gazette and General Advertiser, 12 October 1796.

7Malone, p. 279.

8Leven Powell, "To the Freeholders of the Counties of Fauquier and Loudoun," Virginia Gazette and General Advertiser, 12 October 1796.

9Cunningham, p. 100.

10Malone, p. 280.

11Ibid., p. 272.

12Cunningham, p. 87.


15Virginia Gazette and General Advertiser, 12 October 1796.

16Bernhard, p. 278.

17Virginia Gazette and General Advertiser, 12 October 1796.

18Ibid.

19Ibid.

20"Analyticus," Columbia Mirror and Alexandria Advertiser, 17 December 1796.
22 Malone, p. 279.
23 Albert Russell, Virginia Gazette and General Advertiser, 12 October 1796.
24 Kurtz, p. 167.
26 Risjord, Chesapeake Politics, p. 497.
28 Williams, p. 159.
29 Risjord, Chesapeake Politics, p. 498.
31 Cunningham, p. 92.
32 Malone, p. 279.
33 Risjord, Chesapeake Politics, p. 508.
34 Ibid., p. 558.
36 Rose, p. 132.
37 See Rose, p. 157. The author suggests that the business agreement between the two groups also solidified a political partnership, but evidence is sparse.
38 John Marshall to James Iredell, 15 December 1796, as quoted in Risjord, Chesapeake Politics, p. 515.
39 Leven Powell to Burr Powell, 9 June 1797, LP Papers.

CHAPTER VIII

1 Leven Powell to Burr Powell, 12 February 1798, LP Papers.
3 Ibid., p. 97.
4 Ibid.
5 Leven Powell to Burr Powell, 12 February 1798, LP Papers.
6 Ibid.

CHAPTER IX

1 Leven Powell to Burr Powell, 9 June 1797, LP Papers.
2 Ibid.
3 Ibid.
4 Cunningham, p. 126.
6 Risjord, Chesapeake Politics, pp. 529-531.
7 Leven Powell to Burr Powell, 9 June 1797, LP Papers.
8 Wehtje, p. 254.
10 Ibid.
11 Cunningham, p. 127.
12 Leven Powell to Burr Powell, 14 December 1798, LP Papers.
13 Ibid.
14 Leven Powell to Burr Powell, 20 January 1799, LP Papers.
15 Wehtje, p. 256.
17 Leven Powell to Burr Powell, 20 January 1799, LP Papers.
18 Wehtje, p. 253.
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1 Charles Lee to Leven Powell, 6 June 1798, LP Papers.
2 Wehtje, p. 253.
3 Ibid., p. 258
4 Rose, p. 219.
5 Ibid., p. 265.
6 Columbia Mirror and Alexandria Gazette, 18 April 1799.
7 Ibid., 13 April 1799.
8 Leven Powell to Burr Powell, 14 December 1798, LP Papers.
9 Risjord, Chesapeake Politics, p. 674, f.n.6.
10 Wehtje, p. 269.
11 Ibid.
12 Ibid.

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2 Leven Powell to Burr Powell, 14 December 1798, LP Papers.
5 Leven Powell to Burr Powell, 11 December 1799, LP Papers.
6 Leven Powell to Burr Powell, 8 January 1800, LP Papers.
8 Leven Powell to Burr Powell, 8 January 1800, LP Papers.
10. Ibid., p. 203.
11. Leven Powell to George Washington, 26 June 1799; 4 September 1799, George Washington Papers.
13. Leven Powell to Burr Powell, 13 December 1799, LP Papers.
14. Leven Powell to Burr Powell, 18 February 1800, LP Papers.
15. Leven Powell to Burr Powell, 13 December 1799, LP Papers.
16. Leven Powell to Burr Powell, 2 February 1801, LP Papers.
17. Leven Powell to Burr Powell, 23 December 1800, LP Papers.
18. Leven Powell to Burr Powell, 25 December 1799, LP Papers.
19. Leven Powell to Burr Powell, 18 February 1800, LP Papers.

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2. T. Evans to Leven Powell, 30 October 1800, LP Papers.
3. Cunningham, p. 115.
4. Ibid., p. 215.
5. Ibid., p. 165.
7 Risjord, Chesapeake Politics, p. 561.
8 Leven Powell to Burr Powell, 12 January 1801, LP Papers.
9 Thomas J. Page to Leven Powell, 5 February 1801, LP Papers.
10 William B. Harrison to Leven Powell, 11 February 1801, LP Papers.
11 Broussand, p. 34.
13 Leven Powell to Burr Powell, 14 February 1801, LP Papers.
14 Broussand, p. 34.
15 Leven Powell to Burr Powell, 16 February 1801, LP Papers.
16 Leven Powell to Burr Powell, 2 February 1801, LP Papers.
17 Thomas Sim to Leven Powell, 20 February 1801, LP Papers.
18 Leven Powell to Burr Powell, 13 December 1799, LP Papers.
19 Leven Powell to Burr Powell, 25 January 1801, LP Papers.
20 Risjord, Chesapeake Politics, p. 557.
22 Risjord, Chesapeake Politics, p. 507.
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1 Leven Powell to John Rutledge, Jr., 16 January 1802, as cited in Broussand, p. 385.

2 Leven Powell to Burr Powell, 22 January 1805, LP Papers.

3 Leven Powell to Burr Powell, 4 January 1806, LP Papers.

4 Ibid.

5 See Leven Powell to Burr Powell, 30 January 1791, LP Papers.

6 Williams, p. 81.

7 Leven Powell to Burr Powell, 22 January 1805, LP Papers.

8 Williams, p. 81.

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