"Distresses of Mind, Body, and Estate": The Connection between Status and Property in Colonial Virginia as Exhibited by Loyalist Claims

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“Distresses of Mind, Body, and Estate”: The Connection between Status and Property in Colonial Virginia as Exhibited by Loyalist Claims

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Newport News, Virginia

Bachelor of Arts, University of Virginia, 2014

A Thesis presented to the Graduate Faculty of the College of William and Mary in Candidacy for the Degree of Master of Arts

Lyon G. Tyler Department of History

The College of William and Mary
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This Thesis is submitted in partial fulfillment of the requirements for the degree of Master of Arts

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ABSTRACT

The term “loyalist” has been attributed to individuals that did not support the separation of the thirteen colonies from Great Britain during the American Revolution. Due to the political trajectory of the Revolution, and the eventual independence achieved by the colonies, loyalists were separated from their communities politically, socially, or physically—often all three. These communities were the places where inhabitants built, exhibited, and maintained their social status, resulting in the grouping of people into particular social stations. By analyzing the damage claims made by loyalists to the Loyalist Claims Commission during and after the Revolution, the attempt by Virginian loyalists to maintain the status they forged in the colony before their physical, political, or social displacement can be understood. In doing so, this study will explore the connection between the material goods of loyalists and the maintenance of status during and after the American Revolution. A correlation exists between the kinds of goods an individual made claims for and their social station before the Revolution as defined by themselves and the community around them. Ultimately, status in colonial Virginia was the result of a process that was continuously asserted, reinforced, and maintained—a process that cannot be understood without considering the role and importance of property.
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Introduction

Following the signing of the Treaty of Paris on September 3, 1783, the British Government established the American Claims Commission to “examine and adjudicate upon the claims of those who sought compensation for losses suffered as the result of their loyalty to the Crown during the [American] Revolution.” The government subsequently set a deadline for such claims to be made: March 25, 1784. Due to the geographic dispersal of loyalists across the now independent thirteen colonies, the West Indies, Nova Scotia, New Brunswick, Upper and Lower Canada, and Great Britain itself, the Commission accepted claims at hearings in Halifax through 1786, and in some cases beyond, to accommodate those who became aware of the ability to submit claims after the 1784 deadline. Reverend John Agnew was one such case. ¹

Dated November 1787 in neat and legible handwriting, Reverend Agnew’s claim detailed both his life before the Revolution and what he ultimately lost as a result of the conflict. He served as the Rector of Suffolk from 1751 until 1775 when he was imprisoned by patriots in the winter before the signing of the Declaration of Independence. He was then transported aboard a French ship under strict guard—a condition personally ordered by General George Washington to secure who he believed was a threat to the Revolutionary cause. After a number of stops from Norfolk to New York, Agnew was eventually transported to St. Domingo where he secured passage to England. Of his experiences he remarked:

While you gentlemen are snug in Britain you little know that it appears that too many little think of the distresses of mind, body, and estate which faithful subjects suffer abroad in your cause. ..but it is a truth which the honest historian will paint in mournful colours when we are no more, that if Britain falls, she falls by wounds given to her vitals by the unnatural hands of her own sons...²

The estate which Agnew lost appears vast according to the property he asked compensation for in his claim. Ranging from land, including a glebes and four plantations, to slaves, Agnew was as established in property as he was in reputation before the War for Independence commenced. He, like thousands of other loyalists, filed claims with the Commission in the hopes of regaining the material wealth that reinforced the status they achieved in colonial Virginia—the same status that many wished to reconstruct in their new lives abroad. The thousands of documents that resulted from the Commission’s efforts still exist today, bearing witness to the struggles of loyalists to reclaim the property and ultimately ways of life that were lost as a result of their loyalty to the Crown during the American Revolution.³

Regardless of whether or not these loyalists moved far from their original homes following the outbreak of revolution, each became in some way displaced. Politically, socially, and physically, these individuals were separated from the communities which they called home—the very places where they owned land, conducted business, married into other local families, and maintained their

³ Ibid.
reputations. As T. H. Breen argued in *Tobacco Culture*, colonial “men and women sorted themselves out as best they could, forging identities that made sense within the context of small local communities.” Yet, with their displacement came the ultimate deconstruction of these identities—the local ties one forged with those around them were threatened by an otherness created by one’s unwillingness to join in the cause of Revolution. This otherness, especially in the colony of Virginia where reputation was tethered to physical wealth, could have material as well as social consequences for an ostracized loyalist. As Peter Wilson Coldham, a British genealogist, explained, “prosecutions were begun on a wide scale in 1775 against those who refused the oath of allegiance to a new Government, and all the American States eventually passed laws to banish them, and to confiscate and sell their property.” American communities did not just take the local reputations from loyalists, they dispossessed them of the material goods that allowed for such reputations to exist.4

Until now, no modern historian has attempted to link the material goods claimed as damages by Virginian loyalists to their attempts to maintain the identities and social statuses they lost as a result of the American Revolution. What an individual possessed said a great deal about the kind of person the owner was, or hoped to be, especially in the colony of Virginia. In Virginia, property represented a physical manifestation of one’s social status, or the result of a continuously reinforcing process that situated individuals, in the minds and

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actions of their neighbors, into particular stations within society. These stations, often referred to as different sorts by colonists (i.e. elite, upper, middling, lower, etc.), were hierarchical and carried with them particular qualitative and material expectations.

For example, in *The Internal Enemy*, Alan Taylor writes of Governor Barbour’s appointment of Captain Christopher Tompkins as leader of the Matthews County militia in the wake of Colonel Leaven Gayle’s failures. He chose Tompkins over Langley B. Eddins, a senior captain both next in line for the position and supported by the county magistrates. Taylor explained, “Eddins owned a substantial farm of 165 acres worked by five mature slaves, but that property compared poorly to Tompkins’s 330 acres and sixteen slaves.” Ultimately, the governor’s decision came down to an examination of what the property of each candidate revealed about their reputation—and thus qualifications—for the position: “at a time when a carriage was an expensive status symbol, Tompkins owned one but Eddins did not.” A colonist would not expect a small yeoman farmer to own a carriage and if he did, perhaps he should not be characterized as a lower to middling sort.5

5 Alan Taylor, *The Internal Enemy: Slavery and War in Virginia, 1772-1832*, (New York: W.W. Norton and Co., 2013), pg. 167; In a recent article of the *Williamsburg Yorktown Daily*, one of George Washington’s watch seals was announced to be on display at the DeWitt Wallace Decorative Arts Museum in Williamsburg, VA. According to the article, the seal is “a small item typically worn attached to a watch chain and used to commemorate status.” The article continued to explain that Washington “provided his own gold alloy socket...in which to set the seal. Though seals were commonly used to close correspondence, watch seals were more expensive and served as a piece of jewelry to demonstrate the wearer’s status.” Quotes from George Connolly, “Colonial Williamsburg Receives Two George Washington Artifacts,” *Williamsburg Yorktown Daily*, Jan. 22, 2015, accessed Jan. 29, 2015, http://wydaily.com/?p=83846.
By analyzing the damage claims made by Virginian loyalists during and after the Revolution, this study seeks to determine the connection between status construction and property in colonial Virginia as loyalists attempted to maintain the status they forged following their physical, political, or social displacement. It is important to point out that these claims were the product of a particular time and were written for a particular audience: British bureaucrats following the American Revolution. Loyalists submitted performances of status to the commission with the goal of receiving monetary compensation from the British Crown. As a result, property is overemphasized and the general focus of the claims is on the Revolutionary experience. However, these limitations do not render the claims unusable to historians. There is a uniformity to the claims and a peculiar presentation of property that cannot be explained merely by bureaucratic rules which sets the Virginian claims apart from those submitted by other colonists.

Ultimately, there is a correlation between the kinds of goods an individual made claims for and their social station before the War for Independence. These claims, composed of memorials dictated by claimants, lists of property to be compensated for, and documents attached as evidence for the validity of all statements, appear to reflect the process of status construction that displaced loyalists learned in their colonial hometowns and communities—though this reflection should not be read as a perfect imitation of status construction in Colonial Virginia. The claims are not a transparent window into the past—status was a complex process that derived its full meaning from performances in
Colonial Virginia. Yet, the performances by the claimants were inspired by the
process they learned through day-to-day interactions in Virginia—an inspiration
that can be gleaned from the organization of the claims. In addition, the language
and kinds of information written in the memorials and evidentiary documents
demonstrates explicit claims to status made by loyalists within the content of the
claims themselves. Though claims were made by men of all social stations,
women, and slaves, the correlations found between the kinds of property one
possessed and one’s status in Virginia as discussed in this study will focus on five
groups—planters, merchants, soldiers, tradesmen, and freedmen—which best
illustrate not only the correlations between property and status but the ordinary
lives of loyalists in relation to their patriotic peers. There is much to be gained by
the fields of identity construction, loyalist studies, and material culture from an
analysis of the possessions and lives of displaced Virginian loyalists.
There have been a number of books published which analyze the nature of identity construction in the American colonies. In relation to Virginia, historians have agreed generally about the existence of wealth inequality and different levels of social status. However, subtle differences over the use of particular terms to describe elements of status or the vantage point from which status was bestowed characterize the debate which exists over what exactly economic and social status meant for colonists in Virginia. One of the earliest monographs pioneering a cultural approach to understanding identity and status construction in Virginia was T. H. Breen’s book *Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of the Revolution*. First published in 1985, Breen argued “that the great planters of Virginia negotiated social identity in part through the crop that occupied so many of their waking hours.” He qualified this assertion by explaining that “the production of tobacco was certainly not their only source of identity.” Yet, the “good leaves inspired pride; the work calendar defined a way of life, a set of shared rituals” which allowed for the “situating [of] oneself within a complex world of other great planters, poorer white farmers, servants, slaves, and merchants.” For Breen, when Virginians wrote about tobacco, their discussions revealed their views about “the desirability of securing personal independence, about the fear of falling into dependence, and about the values that the leaders of this society projected onto distant strangers.” Ultimately, “tobacco
became the lens through which [Virginia planters] reassessed their status as provincials within the British Empire.⁶

In order to make such claims, Breen had to provide an analysis of identity and status formation in Colonial Virginia. His cultural history, which emerged during a decade when such studies were innovative and new, provides a look at historians’ early understanding of identity construction in Colonial America—an understanding that has, to a large degree, endured and contributed to new fields, such as “new imperial history” and material culture studies. He believed that “identity resists reduction to a single cause”—identity was complex as were the attributes which formed it. Take for example his definition of virtue. Breen explained that Virginian citizens were expected to lead an ethical life as well, to exemplify simplicity, rectitude, and incorruptibility. These were the essential attributes of eighteenth-century virtue; they defined the character of the true patriot. The spread of luxury and idleness—indeed, private vices of all sorts—indicated that the people were no longer worthy of liberty.⁷

Thus, virtue, a key component of identity in Virginia, was multifaceted and contingent upon the acknowledgement of others—an important conclusion that would set Breen apart from other historians, such as J. R. Pole, during the 1980s. Breen also acknowledged the importance of material wealth to planters in Colonial Virginia. He argued, “The men who aspired to be crop masters spent a good deal of time worrying about the tenuous relation between public appearance

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⁶ Breen, *Tobacco Culture*, pg. xiii-xv.
⁷ Ibid., pg. xiv, 11.
and private reality." As a result, "a man's visible estate became an index to his virtue, to his moral standing in the community of planters." For Breen, "big houses, fast horses, sumptuous finery, and the like" symbolized more than just a large pocketbook, which, frankly, many planters did not always possess as debt consumed estates when unmanaged. Property was a sign of independence and virtue which set the planters apart from their neighbors as a distinct class.8

In his 1986 publication *Equality, Status, and Power in Thomas Jefferson's Virginia*, J. R. Pole made arguments similar to Breen's but with slight differences of interpretation. In his work, Pole meshed an intellectual analysis of political ideology in founding documents, such as the Declaration of Independence, with a cultural analysis of the social inequalities that existed in Virginia. He argued that though Thomas Jefferson penned "all men are created equal" in the preamble of the Declaration of Independence,

anyone who looked around the plantations of Jefferson's Virginia or the other colonies would have known at once that even if all men were 'created' equal, they certainly were not equals in the lives that they lived or the opportunities that were open to them.9

This was a fact, Pole believed, that Virginians were comfortable with. He subsequently asserted, "The asset in their lives that they valued was not so much the possession or even the hope of great wealth. It was a certain measure of independence." These conclusions, though similar in fact to Breen, carry very different historical interpretations. Whereas Breen emphasized the external nature

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8 Ibid., pg. 90-91, 105.
of the bestowment of virtue, Pole focused on the individual’s internal drive to seek independence; the individual’s belief that particular objects symbolized independence came before society’s recognition. Breen also focused on material wealth as a status symbol exclusive to the planter class. Pole, in contrast, believed that all “classes” could achieve this sense of independence through degrees of personal success—such was the reason why all patriots were in favor of the tenants espoused in the Declaration of Independence. The ability of all to feel independent was how all men were created equal: “the idea of equality rested on the individual conscience, equality was very much the same idea as liberty.”

Both Breen and Pole used words such as “moral standing,” “character,” or “reputation” interchangeably and ambiguously, without providing definitions. In the book Affairs of Honor: National Politics in the New Republic, Joanne Freeman sharpened these distinctions. Freeman wrote Affairs of Honor to examine “how the [American] nation’s leaders struggled to find their public voice” in the 1790s and early 1800s. She argued that “honor, democracy, and republicanism joined to form a distinctive political culture, governed by a grammar of political combat,” or “a shared understanding of the weapons at one’s disposal [in the political arena]—their power, use, and impact.” The chapters in her book examine the different forms this grammar could take, including gossip, anonymous pamphlets, and dueling. Though the book is focused on the lives of political elites in the late eighteenth century, Freeman presents the concept of

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10 Ibid., pg. 1, 3, 37.
honor to her readers as a social force that remained constant in the face of political change. As she exclaimed,

A collection of beliefs and rituals with long-lived roots in civilizations past, the culture of honor also reminds us that the American republic did not spring to life from the brow of Washington, fully formed. There were cultural and political rites, traditions, and assumptions that Britain’s North American colonists inherited and adapted on a distant stage.11

The definition and explanation of the term “honor” is the aspect of her monograph that makes a significant contribution to the historiography of identity and status construction in Colonial America.

Freeman defined honor as “reputation with a moral dimension and an elite cast.” In other words, the reputation of an individual had to encompass “qualities like bravery, self-command, and integrity—the core requirements for leadership.” Yet, Freeman did not leave her readers to come up with their own definitions of “reputation,” she provided the eighteenth-century understanding of the term: “taken together, rank, credit, fame, and character formed a name or reputation—an identity as determined by others.” She further unpacked the term by defining rank, credit, fame, and character one after the other. Though some readers may view Freeman’s style as too simple, characteristic of studies in political science which hinge on outlined definitions of terms, she succeeded at demonstrating the complexity of eighteenth-century identity construction which Breen stated but did not explain. She also reinforced Breen’s emphasis on the role of outside

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observers, which Pole lacked—it was in their hands that the reputation of an individual was constructed.\textsuperscript{12}

Though Freeman improved on the scholarship which came before her by adding clarity, all of these scholars' definitions and explanations of identity and status construction in Colonial Virginia lack the ability to be applied to a particular group of individuals: loyalists. Both Breen and Pole explicitly tied identity construction to a quality possessed by patriots: a spirit of independence which set them apart from their British counterparts, allowing for the adoption of documents such as the Declaration of Independence. Freeman defined honor as the possession of "core requirements for leadership"—meaning political leadership in the early republic alone. Even books which attempt to demonstrate the similarities between the elite classes of Virginia and the British aristocracy, such as \textit{Ladies and Gentlemen on Display} by Charlene M. Boyer Lewis, are focused on time periods after the American Revolution when loyalists have long been forgotten by American historiographies. This omittance coincides with a trend in the early historiography of loyalist studies: the treatment of loyalists as if they were quite different from, and at times inferior to, their colonial peers.\textsuperscript{13}

The historical analysis of loyalists has consisted of an oscillation between an emphasis on their existence as backwards individuals on the wrong side of history and enlightened members of their community who saw the patriots for what they were: unruly rebels. The latter characterization, which reached its

\textsuperscript{12} Ibid., pg. xx.

height in literature from the 1950s, warranted an opposing response in contemporary works, once again recasting loyalists as misguided colonists in the 1970s. The most dramatic of these characterizations is exemplified by an introduction to John Randolph’s *Plan of Accommodations* written in 1971 by Mary Beth Norton. Norton criticized Randolph by stating “like all other loyalist exiles, he did not fully comprehend the depth of the American’s commitment to independence.” She attributed this fault to a process by which “Randolph’s perceptions of America were distorted by the very fact of his fidelity to the crown.” “That failing,” she continued, “was the great tragedy of all the loyalists.”

In her article “The Loyalists’ Image of England: Ideal and Reality,” Norton built upon this characterization of loyalists as universally blind to the social and political conditions around them. She argued “loyalists, after all, had abandoned their colonial homes because they decided that they were more British than American...they thought they were Britons: it was as simple as that.” This self-perception was the manifestation of a deeper difference between who would become patriots and loyalists: loyalists lived according to a conservative worldview that, as Glenn T. Miller argued in “Fear God and Honor the King: The Failure of Loyalist Civil Theology in the Revolutionary Crisis,” lacked “a real tradition to conserve or, in other words...[a tradition that] wished to return to a

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half-forgotten ordering of the political world.” This “half-forgotten ordering,” or the belief that the colonies were prosperous under British rule and that colonists were truly Britons, was, as Norton and Miller argued, enough to make loyalists uncomfortable in their hometowns. Their political views were not merely words espoused on paper, but reflections of a way of life that differed so much from their colonial neighbors that they were compelled to “abandon” their homes.15

Both Miller and Norton, as can be gleaned simply from reading the titles of their pieces, saw this worldview as a social failure in the wake of the beliefs of their patriotic neighbors. Regardless of the fact that most loyalists abandoned their homes because they were often set ablaze and destroyed by revolutionaries, or the tendency of Patriots to identify as the true Britons fighting for English liberties, Norton believed that Loyalists found themselves politically and socially incompatible with their “American” neighbors and left the colonies in search of surroundings that welcomed their flawed worldview. This poignant representation of the reactionary thesis of the 1970s derived much of its logic from some of the first massive quantitative and qualitative studies of loyalists in the 1960s, such as William A. Nelson’s *The American Tory.*

In this work, Nelson also focused on “the totality of [loyalists’] defeat” as he sought to write a work that demonstrated “the Loyalists in the American Revolution suffered a most abjected kind of political failure, losing not only their

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argument, their war, and their place in American society, but even their proper
place in history.” In this work, he, like Norton, translated political failures into
social ones. For example, he argued “the Tories were, in fact afraid of public
opinion, afraid of men gathered together in groups, even symbolically, in large
numbers…They had beliefs, values, interests which they were afraid to submit to
an American public for approval or rejection.” This conclusion is surprising
considering Nelson’s focus on some of the most vocal personalities of the war:
Joseph Galloway, Thomas Hutchinson, and Samuel Seabury, to name a few. The
men he wrote about were not afraid to voice their opinions through pamphlets,
public letters, and political resolutions—they had espoused understandings of
their supposedly more conservative worldviews for decades before the war,
leading to professional success as politicians, judges, clergymen, and other
vocations. Yet, Nelson and the historians who would build upon his work
continued this narrative of political and social failure to translate loyalty into a
personal flaw.16

The works of Norton and Miller do not represent the only form that the
1970s thesis could take. The more moderate adaptation of this thesis began to
accept the heterogeneity of loyalist thought, but still condemned the act of loyalty
itself to be a flaw. An example of this logic is provided in Bernard Bailyn’s work
_The Ordeal of Thomas Hutchinson_. In the first chapter of the book, Bailyn argued
that Hutchinson was

sensitively attuned to a world of status and degree, bland, constrained, realistic, unromantic, ambitious, and acquisitive, he was, for all his hatred of religious zeal, the Puritan manqué. For he retained the self-discipline and seriousness of the colony's stern founders and something of their asceticism; but he lacked their passion, their transcendent vision, and above all their inner certainty.17

Bailyn accentuated these differences to separate Hutchinson from both his Puritan ancestors and his contemporaries. Hutchinson ultimately "lacked" these provincial qualities because of his loyalty to Britain. Bailyn insinuated, as Norton expressed, his "transcendent vision" was clouded by his reverence for king and country—a problem that patriots did not suffer from.

Recent scholarship has moved away from the simplification of loyalists as flawed individuals, unlike their patriotic neighbors. Authors such as Maya Jasanoff and Ruma Chopra now strive to portray a more complex characterization of loyalists during and after the Revolution. In Liberty's Exiles, Jasanoff's thesis hinged upon the destruction of common stereotypes including the homogeneous thesis of the 1970s. In the introduction of her work, she argued that in spite of a shared allegiance to the British Empire, loyalists' "precise beliefs otherwise ranged widely." In this assertion, Jasanoff directly challenged the simplification of loyalist thought and motivation tied to the "common flaw" of loyalty. In Unnatural Rebellion, Ruma Chopra also highlighted this fact by providing multiple anecdotes of loyalists with very different, and warranted, motivations for

remaining loyal to England just as their patriotic neighbors had very different, and warranted, motivations for supporting independence.18

Loyalist scholarship has also begun to focus on individuals outside the elite classes of colonies. Essay collections such as The Other Loyalists edited by Joseph Tiedmann, Eugene Fingerhut, and Robert Venables concentrate specifically on individuals beneath the colonial ruling classes. Middling and lower stationed farmers and merchants, who made up a large portion of the anecdotal evidence of Chopra and Jasanoff's monographs, have now become the focus of scholars wishing to provide a more complete picture of the loyalist experience to their readers. The 1999 essay collection Moving On: Black Loyalists in the Afro-Atlantic World introduced readers to a more complex analysis of loyalists of African descent which would be expanded in the newly published work Black Loyalists: Southern Settlers of Nova Scotia’s First Free Black Communities by Ruth Holmes Whitehead. Gone are the days of focusing on misguided, elite white loyalists. Loyalists of all social stations, race, and sex had complex and comprehensible reasons for remaining loyal to England—a quality that made them comparable to their patriotic neighbors.19


This study seeks to continue advancing the current trend of loyalist
historiography with the inclusion of a methodological perspective that has been
absent from scholarship to date: material culture. By analyzing the material
possessions of loyalists, they will be included within the scholarly discussion of
identity and status construction in Virginia from which they have previously been
left out. Loyalists such as Jacob Ellegood, a prominent planter in Princess Anne
County, should not be excluded from a historian’s discussion of honor because he
does not possess the political persuasion of a patriot. Loyalists such as William
Hunter, a printer and bookseller from Williamsburg, should not be ignored by a
definition of identity construction which is not designed to encompass non-elites.
Loyalists of any social station should not be discussed without mention of the
goods they fought to reclaim in damage suits and court appearances throughout
the conclusion of the eighteenth century. The efforts of these people to get
compensation for the things that made them who they were in Colonial Virginia
cannot remain unexamined any longer—all claims of the Commission must be
considered in the hopes of reclaiming Virginian loyalists’ identities from the
revolution that blotted them out.
Status in Colonial Virginia

In order to consider loyalists in the social context of Colonial Virginia, status must be defined as the result of a process in which all individuals within a community can participate. The process itself can be broken up into three stages: self-identification, confirmation, and maintenance. Self-identification occurs when an individual associates him- or herself with a particular station in life (planter, lawyer, soldier, wife, lady, gentleman, etc.) through their actions. This is an act of choice and an exertion of effort on the part of the individual. One is not a planter if they do not work to own land, nor is one a soldier if they never actually serve. This stage is inherently internal and similar to Pole's emphasis on the desires of a person affecting their status in society. The difference, however, is key: individuals do not have to internally conclude that they desire independence to acquire status, a quality possessed exclusively, as Pole argues, by patriots. In the case of ascribed, or inherited, status, an individual must still embrace and reassert the identity left to them if they hoped to keep it. A wealthy planter's son could not be a wealthy planter himself unless he consciously adopted that identity through his words and actions.

Once an individual has exerted effort to identify themselves, the community around them must confirm that the choice is appropriate. Due to confirmation, the second stage, no one can claim to be someone they are not unless society accepts the falsehood—a situation that did occur in 18th century Virginia as wealthy planters hid their ever-growing private debts from their neighbors. This is the step where many of the terms historians regularly use to
discuss status are established: honor, reputation, credit, and rank—terms which are not interchangeable. All of these social functions are constructed at this stage from outside observers in response to the actions of the individual being observed. The second stage produces what is known as status: the situation of individuals, in the minds and actions of their neighbors, into particular hierarchical positions within society. This is the stage where expectations of specific kinds of property to be owned by individuals in specific social stations become necessary to establish status in colonial Virginia.

Once a status is accepted, a community expects the circumstances that they observed in the second stage to be consistently maintained. Maintenance, the third stage, is where the preservation of particular amounts and kinds of property over time becomes crucial. If property is a visible mark of status that outside observers can measure and judge—as Breen rightly argued in *Tobacco Culture*—then property can be an indication to others whether or not the status of a person is being maintained or threatened. If the same planter who hid his debt in the second stage becomes crippled by it and loses his home to creditors, the community will question whether the planter deserves his position at the top of the social hierarchy. His status, like his honor, reputation, and credit, would be damaged by any sudden or dramatic loss of the property that aided his attempt to achieve his social position in the first place. In such an event, the expectations of the neighbors of said planter, if unable to recover from his unfortunate set of circumstances, would drop along with his status. The label of this stage is not meant to imply that colonists never sought to surpass the status they achieved. It
merely describes a minimum state of existence necessary to keep the status one obtained from their neighbors. If an individual finds themselves in circumstances that indicate a higher status than the one they have been ascribed, their neighbors will reevaluate the individual’s place in the social imaginary and re-subject them to the stage of confirmation.

The example of the planter whose status plummeted as a result of the public exposure of his crippling debt is not a hypothetical one. It was a common problem of the latter half of the eighteenth century in Virginia—a problem which demonstrates the process of status construction in action. From the 1720s to the 1750s, the prices of tobacco, the most lucrative crop in Virginia, steadily increased. With the rise in prices, planters saw an opportunity to grow their wealth, and subsequently purchased extravagant goods in an attempt to exhibit a higher status to the public. As Ronald L. Heinemann and his co-authors explained in *Old Dominion, New Commonwealth*, planters “used their tobacco credits to increase the quality of their lives; the most fashionable manufactured goods from England could now be found in homes like William Byrd’s Westover and Robert Carter III’s Nomini Hall.” The planters’ neighbors looked on in awe of the symbols of status exhibited, wishing not only to improve their own stations in life so as to emulate the lives of the elite but to do business with, and invest political support in, the most powerful inhabitants of the colony. Yet, this increased spending, and ultimate accumulation of debt, had a dire consequence when prices regularly fluctuated, drastically falling and rising without prediction until the 1770’s. “By 1775,” as Heinemann asserted, “…Virginians held 46
percent of all British debt in the thirteen mainland colonies”—a fact that planters sought to hide from the community around them for fear of tainting the status they had spent so much to achieve.\textsuperscript{20}

The façade of stable wealth that many of the great planters had established throughout the mid-1700s came crashing down on them with an ominous development during the onset of the Revolution: British creditors began to call in their debts. Once the creditors asked for payment, which the indebted planters could not afford, many debtors were forced to enter local courts to resolve the overdue balances. This thrust the private finances of colonists into the public records, exposing a truth contrary to the reality that planters had worked to achieve and their neighbors had accepted. As a result, many colonists called for the closing of such courts to prevent further exposure of local elites.\textsuperscript{21}

The process of self-identification is apparent in the actions that planters took to insert themselves into higher social stations by purchasing European goods and other extravagancies. These goods were noticed and accepted by their neighbors, confirming the status that planters had sought for themselves. Yet, a critical flaw existed in the identity that planters had put forth to be judged by those around them: the identity was not true. Once their indebtedness was exposed, and their property in some cases confiscated to pay for outstanding debts, the affected planters could no longer maintain the status they had worked to


\textsuperscript{21} For an in-depth discussion of the closing of Virginian courts and the importance of public and private spheres in planter culture, see Breen, \textit{Tobacco Culture}, pg. 31.
achieve. Their neighbors denied them the status they had once bestowed, resulting in the social demotion of those planters ruined by their own unstable finances. Thus, status in colonial Virginia can be understood as the result of a process that is continuously asserted, reinforced, and maintained. Status construction is a never-ending cycle—a cycle that both loyalists and patriots could engage in before the War for Independence.
Loyalist Claims as Representative of Status Construction: An Analysis of Organization

The process of status construction can not only be gleaned from an analysis of the lives of colonial Virginians, but in the claims made by loyalists to the American Loyalist Claims Commission following the Treaty of Paris. Each full claim consisted of three main sections. First, the claimant would dictate or provide a memorial which detailed their lives before the war, the circumstances that led to their displacement, and often their struggles to remain loyal to the Crown in the face of Revolution. These sections were biographical and offer snapshots of the lives of loyalists in their own words. The second section is referred to as the claim. Claims included lists of property, lost pay, and other damages that claimants wished to receive compensation for from the British government. The third section, labeled as evidences, included documents such as deeds, signed statements from neighbors, and receipts put forth by the claimant as a means of outside confirmation of the identity, character, and property damages they supplied in the first two sections.

When considered together, these three sections demonstrate that Virginian loyalists who filed claims were engaging in a process of status construction in an attempt to reconstruct the lives they had lost. Before proceeding, it is important to note that not all historians have accepted loyalists' claims as sources that can speak to status construction in the colonies. One such historian, Eugene Fingerhut, has discounted the claims of loyalists as unreliable for examining the status of colonists before and after the Revolution.
In his article “Uses and Abuses of the American Loyalists’ Claims: A Critique of Quantitative Analysis,” Fingerhut used his own research of the claims of South Carolinian loyalists to conclude that the organization of and information supplied in claims is inconsistent, rendering purely quantitative analyses of the claims insufficient evidence for macro histories. Yet, there are a number of restrictions and inconsistencies in Fingerhut’s arguments. First, Fingerhut bases his critique of the sources on a study of claims from South Carolinians alone. It may be the case that these claims are so inconsistent that little can be gleaned from them in terms of status. However, the quality of those claims should not be used to characterize the claims of all loyalists regardless of place of origin. Indeed, their stark difference from the consistently organized claims of Virginians and the typical information that is provided in them may indicate a difference between Virginians and South Carolinians that could be explored further, not discounted from an exclusive analysis of the latter. Second, Fingerhut’s critique targets purely quantitative analyses of the claims. He does state that care should be taken when attempting to obtain larger historical understandings from the claims—care that is achievable and sought after in the methods and diverse forms of analysis present in this study. Finally, Fingerhut also admits that the “appeals for compensation for lost property...appear to be precise.” If the claims for property accurately reflect loyalists’ conditions before the war, and property remains intimately tied to status construction in Virginia, then these claims should
be examined in an attempt to ascertain what knowledge we can about status in colonial Virginia.\textsuperscript{22}

With the limitations of this critique in mind, the differences between the inconsistent claims of the South Carolinians and the claims consistent in organization and content of the Virginians warrants an examination of these consistencies. Thus, the following section provides an explanation for the organization that dominates the claims of Virginian loyalists. The process of status construction represented through the organization of the claims was inherently Virginian. Loyalists utilized the cultural standards and norms which governed status and identity construction that they had learned by living in colonial Virginia to construct the performances they submitted to the commission in their claims. Yet, this process should not be considered \textit{identical} to that which transpired in the colony itself, but inspired by loyalists’ experiences in their homes before the Revolution. In order to illustrate the process of status construction revealed in loyalist claims, let us consider the claim of Anthony Warwick, an inhabitant of Nansemond Co., Virginia.

Warwick’s claim, dictated by himself, recorded by his lawyer, and submitted to the committee for final review in March of 1784, began with a memorial explaining how he served sixteen years as a “merchant” in Virginia. His claim explained that he “acquired a very considerable property” that “could

he have converted them [his property] into Money...would have enabled him to have lived in a manner equal to the height of his wishing.” The claim continued:

But the wanton and unprovoked Rebellion, which suddenly threw everything into confusion, prevented him from collecting even so much of his debts as was sufficient to discharge those he owed in Britain, and at last forced him to abandon the Country without being able to bring with him any part of his property for present subsistence.23

The words that followed detailed how Warwick was “tied to a whipping post” before being tarred and feathered in front of a crowd and subsequently imprisoned—his account books then seized and destroyed. Warwick eventually sought refuge with the fleet of Lord Dunmore, the last royally appointed governor of Virginia who spent a majority of the war anchored off the coast of the colonies in the Chesapeake Bay. The fleet provided him passage to England where his fortunes would not improve until 1784, the time his claim was submitted to the Commission. This section, like other memorials, is representative of the stage of identity construction that colonial Virginians engaged in before the American Revolution ensued. Warwick identified himself to the Commission as a merchant who possessed substantial wealth in the colony. He asserted himself as an elite—the next step was to prove it.24

Warwick’s claim requested compensation for a number of material goods he had left in the colonies. He explained that he had lost land, houses, slaves, and goods kept in three stores in North Carolina. In addition, Warwick requested

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24 Ibid.
compensation for debts owed to him by colonists in Virginia and North Carolina—a request that, due to its frequency and cost, the commission explicitly refused to fulfill regardless of the evidence provided by a claimant. Due to the loss of his account books, Warwick supplied a number of signed statements in his evidence section which followed the claim. These included letters from Lord Dunmore, a fellow Virginian Thomas McCulloch, and himself. These two sections—the claim and the evidences—represent the second stage of status construction: confirmation. Warwick requested the kinds of property that a Virginian would expect a merchant of the stature that he asserted to possess—property that needed to be acknowledged by his neighbors to the committee before compensation would be granted. The commission would not allow Warwick to claim to be someone he could not prove, just as Virginians refused to grant status to an individual without appropriate displays of property and conduct.25

The entirety of the claim itself represents the final stage of the process: maintenance. By submitting a claim to the commission, loyalists were attempting to maintain the conditions that allowed for their status to be achieved in Virginia. The claim was an attempt to reclaim not only the possessions they lost but the status that accompanied them. In this way, loyalist claims are representative of the process of status construction in colonial Virginia even if they cannot provide a complete replication of the process as performed in the colony itself.

25 Ibid.
Loyalist Claims as Representative of Status Construction: An Analysis of Language and Content

Whereas the organization of the claims can speak to the process of status construction, the language and content found amongst their pages reveal explicit claims to the status loyalists achieved as a result of the process. In other words, the language that loyalists used in the claims demonstrates an awareness, and assertion, of the status that one possessed before the war. A majority of the claims submitted are not short tidbits that reveal simple facts to back up one's claim—they are quite personal. The memorials and evidentiary documents are more like small autobiographies (or biographies if written by a surviving spouse or child). In them, a number of individuals who possessed higher status go through great lengths to describe themselves as such. Some point out repeatedly that they were "prominent" planters, or owned the "best" house in their city. They outlined lineages, discussed marriages to daughters or sons of established Virginia families, and identified themselves as heirs to other "prominent" Virginians.26

Those who possessed middling to lower status went through similar efforts to establish what markers of status they could to maintain what they had achieved in the colony. With this in mind, it is important to reassert that status in colonial Virginia was hierarchical in the sense that individuals were situated in the minds and actions of their neighbors into particular stations, or sorts, within society. It is true that these sorts were often referred to by colonists as upper, middling, and

26 For more specific examples of words used to describe status within the claims of particular identity groups, see the subsections on planters and merchants in “Property and Status Construction.”
lower. However, these sorts should not be confused with strict classes or casts—status in Colonial Virginia was more fluid. There is a difference between an upper sort and an upper class—the term “sorts” implies the existence of a variety of circumstances whereas a “class” is much more confined to a particular set of circumstances that must be shared by all who exist within it. This is not to say that the term “class” was never used by colonists, but that the prevalence of the term “sort” implies that status existed in gradations that were not necessarily clear cut. One did not either have status or nothing, individuals could possess more or less status that placed them somewhere in the social hierarchy within the minds of their neighbors and acquaintances. This is why an individual such as William Hunter, a wealthy printer, book seller, and stationer, could possess a great deal of status without being considered a member of the Virginia elite like the formidable planter Charles Lyon of Princess Ann County. Hunter would be considered more of an upper middling sort whereas Lyon would be amongst the highest of the upper sorts in the colony. Those who occupied middling to lower sorts within Virginia could still achieve levels of status—a fact that becomes apparent in the efforts of these individuals to demonstrate the existence of such in their claims.  

Women’s claims are the best illustrations of how what is actually being said within the documents speaks to the process of status construction in Colonial Virginia. In order to provide an analysis of the language and content introduced in this section, these claims will serve as our laboratory to observe the types of

examples listed above. Unlike their male peers, women were subjected to higher levels of scrutiny by the Commission—a condition that made the necessity to provide indicators of status that much more important.

**Women and the Claims Commission**

In her expansive encyclopedia of “issues and events relative to women in early America,” Dorothy A. Mays included a section on Loyalist women and the struggles they endured as a result of their physical, political, and social displacement during the Revolution. In it, she explained that “regardless of their personal view of war, women were usually bound by law to share the fate chosen by their husbands.” When a woman’s husband refused to declare his loyalty to the colonial cause of independence, his wife experienced many of the same repercussions including social exile and confiscation of property. She continued, “even if property had been a woman’s premarital asset, the laws of coverture gave her husband legal control over the property.” Due to this intimate link between the fate and property of husbands and wives, the status of women was equally tied to the status of the men they shared their lives with. This is not to say that women had no agency in the process of status construction. Their status before marriage could help to elevate or cripple a man’s—after marriage, their actions could do the same. However, once married, the status of their husbands carried significantly more weight in the social sphere, defining the family’s place within the hierarchical sorts of Virginia.28

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As a result, Women, a majority of whom had some of the longest claims submitted to the commission, went to great lengths to establish either themselves or, more often, their husband's place in society as a means to acquire adequate compensation from the British Government. They would recount family histories, pepper their husband's memorials with positive adjectives attesting to character and social prominence, and included very detailed records of the amounts and kinds of property that defined their lives before displacement. Those who did not seek to provide an abundance of information to the council were rejected, such as Charlotte Thornton, wife of the Honorable Prestley Thornton who served as a member of the Council of Virginia, or the unnamed wife of Rev. Thomas Fielde, an affiliate of the College of William and Mary.²⁹

The burden of proof was clearly higher for women and they met this burden with a wealth of information mostly about their deceased husband's social station in Virginia. Why were women in mass treated with the same biases by the council? In her work *Separated by their Sex*, Mary Beth Norton explained that "before approximately 1700, ordinary female Anglo-Americans were likely to be thought of—and to think of themselves—not as a single group denominated women, but rather in a series of different roles, primarily defined by a sequence of family relationships: maid, wife, mother, widow, and the like." However, by the beginning to mid-1700s, a change in perception occurred, resulting in the ascription of "similarities to all women, by using the word, female, or the sex,"

instead of one or more of the previous lengthy series of terms.” All of the 19 Virginian women who submitted full claims that were accepted by the commission were widows. Yet, their treatment by the commission and the similarities between their claims were not because of this condition but another: they were all women who in the eighteenth century were bound to the fate of their husbands as was expected legally and socially of their sex. The kinds of information they provided and the language they used offer historians attestations to status lost as a result of the War for Independence.  

Mary Bristow submitted one such claim to the commission which, in five lengthy pages, laid out her family history as a testimony of her deceased husband’s wealth and position in the Virginia social scene. She began by reciting the life and achievements of “Robert Bristow Esquire,” the “great great grandfather of the said Robert Bristow the infant”—Mary’s son. He came to Virginia in 1660 and acquired five plantations across Virginia over time, totaling 10,841 acres and “several Negroes and other Slaves.” She went on to explain that “the said Robert Bristow the great great grandfather married the Daughter of Major Curtis in Virginia” and had one son, Mary’s father-in-law, to whom the entire estate was left when Bristow died in England. Mary’s husband eventually inherited the estate of his father, but he died in 1776 “when the said plantations had their full compliment of Negroes and Slaves”—note the importance Mary

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placed on the family’s ownership of the two most valuable forms of property in
the colony, land and slaves.\footnote{The memorial of Mary Bristow, Ancestry.com,
Canada Loyalist Claims, 1776-1835 (online database), accessed Jan. 28, 2015.}

The memorial continued with Mary’s dissatisfaction with the plantation
manager “Mr. George Booth” who neglected caring for one of the plantations
which Mrs. Bristow deemed a hindrance to “much greater gross as well as annual
Value” of the estate. With this seemingly superfluous information, Mary
effectively absolved her husband—and thus her family—from any responsibility
of the financial decline the property had undergone in the years before his death
should the committee investigate the matter further. It is important to note that
the estate was left to her son, not Mary. She was thus constantly devoting
attention in her claim to the status that her son was meant to inherit along with the
acres of land and other property of his father. She was not willing to allow that
status to be tarnished by the actions of a manager.\footnote{Ibid.}

The memorial continues with a lengthy explanation of the letters sent and
received by Mary to and from Virginia inquiring about the property and land that
remained there. This included “a Letter to General Washington accompanied
with a Memorial to the Governor, Senate, and House of Assembly of Virginia
imploring their mercy and the restitution of her Son’s property.” Mary received a
reply from Washington in which he told her he “did not promise any hopes of
success” in the reacquisition of her son’s property—his pessimism was well
founded as the land was not returned to the family. After detailing the
correspondence with several individuals in Virginia, Mary went on to outline the specific property she wished to receive compensation for from the British government which included, in addition the several acres of land already discussed, over 70 slaves, sheep, horses, hogs, “Negroes Stores,” home furnishings, and debts owed to the deceased Bristow.33

Mary was holding tight to the social station her family had achieved over time in her claim. By supplying information about her family’s ancestors who were members of one of the oldest families in Virginia, were married to the daughters of reputable men in the colony, and had achieved an amount of personal wealth that matched the position they had carved out for themselves in society, Mary was establishing her—and thus her young son’s—entitlement to the status she wished to maintain. Her claim was the vehicle of her efforts, and the information she provided in it spoke almost exclusively to the status her family lost with the property that helped to reinforce it as a result of her family’s loyalty.

Whereas Mary Bristow’s claim was characterized by the kinds of information that spoke to status, Elizabeth McCaw’s was dominated by language that attested to her family’s social place within Virginia. McCaw’s social station in Virginia also differed from Bristow’s. Her husband was an accomplished doctor but not as prominent as Robert Bristow. Just as William Hunter had wealth and status, so did James McCaw, but he was not considered amongst the

33 Ibid.
elite dominated by planters. McCaw’s claim provides an example of an upper-middling sort—a social place that his wife attempted to prove in her claim.

Because James McCaw would die during the claims process, the family’s folder consisted of two claims—one penned by James and the other by Elizabeth. Whereas James’s memorial was one page, Elizabeth’s was three. Both spoke of the practice that James had established in the colony with social authority, but the language they used differed. James penned that he had “established the first practice of Norfolk,” a label that marked his professional efforts as both successful in the face of a historical absence of practices and prominent within the colony. Elizabeth took this sentiment a step further by explaining “the Memorialist had the chief practice in Physic and Surgery in Norfolk for several years, connected with the first people in that part of the Colony.” Both James and Elizabeth’s descriptions of the practice included adjectives and details that hinted at the preferred status that the family enjoyed as a result of James’s professional success. However, Elizabeth’s was more detailed and, like Mary’s claim, included a more direct explanation of her family’s historic prominence within the colony.34

Both James and his wife also wrote of their lost property. James explained that his family was deprived “of his whole property which was very considerable.” Elizabeth likewise wrote that the family had “sustained heavy loses of property from the Raveges committed by the Rebels.” Elizabeth, unlike

James, elaborated on the nature of the property lost during the Revolution. She explained that one of their houses that was seized was “a house at Hampton belonging to her as family fortune.” She also wrote that the “household property” consisted of “Furniture, Clothes, Library Medicines, and Provision Stores amounting to great Value.” In her claim, Elizabeth referenced the attachment of evidentiary documents that attested to their lost property as well as the “Character” of her husband. These documents included her husband’s officer commission from Lord Dunmore which appointed James to Captain and Surgeon-general with the sentiment “I [Lord Dunmore, am] reposing especial Truth in your Loyalty, Courage, and good Conduct.” A personal letter by a man named Galloway was also affixed to the claim which labeled McCaw as “a Man of extreme good Character.”

From the amount of attention and care that James and Elizabeth paid to the language each used in an attempt to communicate their status to the Commission, their claims were approved and Elizabeth received compensation in the name of her husband following his death. Like Mary Bristow’s claim, and those of the 17 other Virginian widows, Elizabeth McCaw peppered her memorial with language and information that explicitly referred to the status her family achieved in Virginia. Her claim also demonstrates that language specifically referring to factors that affected one’s status could be found in the evidentiary documents of loyalist’s claims. These papers were not just bare attempts to receive compensation. The documents submitted to the Claims Commission were full of

35 Ibid.
language and information that made claims to the statuses of loyalists in Colonial Virginia.
A Topic that Dominated the Claims: Property and Status Construction

Thus far, this study has revealed how the claims of loyalists are representative of the process of status construction in Virginia through their organization and language. This section will take the analytical framework of the latter section further and delve deeper into the content of the claims in search of what more they can divulge about status in Virginia. The claims submitted to the commission are not only dominated by autobiographical accounts, but by detailed lists of property lost as a result of loyalism and the displacement that accompanied it. The overemphasis of property in the claims can be explained in part by the purpose of a claim submission: to receive monetary compensation for lost property. However, even with this overemphasis, there exists an unusual amount of detail in the claims of Virginians regarding their property. Both the focus on property in the claims and the kinds of property that loyalists with different identities requested compensation for demonstrate a connection between property and status construction for two reasons. First, these sections reveal that the kinds of property one owned was linked to the status they possessed and sought to reclaim. How can historians know this? It is true that loyalists were not listing property in their claims with the expectation that the British government would provide them with the goods they lost. Any status one possessed in Virginia could not be instantaneously reinstated with the approval of a claim. If this is the case, why list the goods at all?

The reason why claimants were not submitting documents with lines such as "I was a gentleman in Virginia and I want these things back which made me a
"gentleman" is not because they did not want the property back that helped define them socially, but because that is not what the British government was offering them. The government was not giving away land, titles, cattle, or other lost goods, they were offering monetary compensation. If a loyalist had requested the British government give him x acres of land, his claim would have been refused. Instead, working within the system they were subjected to, loyalists dictated detailed summaries of who they were, identified themselves in particular ways that indicated their worthiness of more (or less) compensation, and outlined what they lost (and who was willing to vouch for what was lost) as a means of justifying the identities they submitted to the committee. Every loyalist could have submitted a short and simple document stating they requested compensation for an estate worth x pounds—as some loyalists did. Yet, an overwhelming majority sought to outline who they were and what made them who they were in their claims. This amount of detail did little for the committee—neighbors vouching for the value of a vague estate were considered just as legitimate as neighbors who acknowledged that John Doe owned fifty slaves and two hundred acres of land worth several thousand pounds. Instead, the detailed lists of property did much for the loyalists filing claims—it helped them define who they were and who they hoped to be again in their new lives abroad. Historians cannot ignore the lists of property that loyalists provided because loyalists did not wish those lists to be ignored.

Second, correlations exist between the kinds of goods an individual made claims for and their social station before the Revolution as defined by themselves.
and the community around them. In other words, those who identified themselves as planters requested compensation for particular kinds of property that were different than the kinds of property merchants requested compensation for. As a result, the raw data provided by the claims, though appearing to demonstrate in some cases what we as readers would expect, address incorrect assertions found in the historiography of loyalist studies.36

Until the past decade or so, historians have oscillated between referring to loyalists as backwards, inferior colonists who could not comprehend the world around them and enlightened, superior colonists who understood the connection between the colonies and the Crown better than their patriotic counterparts. Regardless of which position historians took, loyalists were always portrayed as extraordinary in the wake of their more ordinary patriotic peers. Their political views have been used to portray how different they were, in their actions and their character. Now, the historiographical trend has shifted, focusing instead on how they were similar to their revolutionary neighbors because before war broke out, they were simply colonists. However, these new books, composed by historians such as Chopra and Jasanoff, focus on how similar

36 After reading through the claims of loyalists from Virginia, raw data including names, dates of claims, self-identified labels such as “merchant” or “planter,” and the types and quantities of property that loyalists made claims for were recorded and organized in a database allowing for a systematic analysis of the connection between property and status construction in Virginia. Only those claims which were complete and accepted by the British government as truthful were included within the computations that determine correlations (except with the case of freed slaves, which will be explained further in the coming section titled “Freedmen”). As a result, a total of 221 claims (226 counting rejected claims of freedmen) were considered to yield the conclusions in this section. By correlation, I am describing instances such as if a group of people who identified themselves as planters requested compensation for one kind of property above all others, whereas another group of people who identified themselves as soldiers requested compensation for a different kind of property above all others, this constituted correlations that required further analysis and interpretation.
their motivations for remaining loyal were to those of patriots. This study seeks to take their conclusions a step further by demonstrating how loyalists were similar to their neighbors not only in their motivations, but how they lived. It may seem obvious that a loyalist who identified themselves as a planter would have a lot of land and slaves, but it would not appear so from some of the descriptions historians have provided in the past, making loyalists seem too inept to even take part in business as the world changed around them and the years progressed toward 1776. Socially, loyalists were ordinary Virginians before their views on independence invited differential treatment from their peers—a fact that a number of historians have missed.37

The sections that follow will illustrate a number of correlations between property and status which provide both a cross-section of the hierarchical society that was colonial Virginia and a rebuttal to academic theses that have portrayed loyalists as socially extraordinary. The goods of planters, merchants, soldiers, tradesmen, and freed slaves—labels that loyalists affixed to themselves in their memorials—will supply the case studies that illuminate these correlations and demonstrate a relationship between property and status in colonial Virginia.

37 This historiographical trend is explained in full in the "Literature Review" section of this paper, pg. 9-12. See especially Bernard Bailyn's quote that Thomas Hutchinson "retained the self-discipline and seriousness of the colony's stern founders and something of their asceticism; but he lacked their passion, their transcendent vision, and above all their inner certainty." Bailyn points out character flaws that Hutchinson possessed before the Revolution which reflect the loyalism he had yet to adopt. From Bailyn, The Ordeal of Thomas Hutchinson, pg. 26.
In *Old Dominion, New Commonwealth*, Ronald Heinemann explained that those who identified themselves as planters in Virginia were “a small group of families that by about 1700 had achieved substantial political, social, and economic power at both the local and provincial levels.” These planters were descended from “younger sons of England’s middling gentry” who were “drawn to Virginia by the expectations of wealth-producing plantations.” They acquired land, planted crops—often tobacco—to be sold to other Virginians and merchants, and grew their fortunes to expand their estates. All the while these planters exhibited their property in a way to heighten their status and subsequently their credit—a term defined by Joanne Freeman as “a more personalized quality, encompassing a person’s social and financial worth; people with good credit were trustworthy enough to merit financial risks.” Loyalists who identified as planters were no exception to this lifestyle, and consistently requested compensation for the most valuable forms of property in the colony: land and slaves.38

Of the fourteen Virginian loyalists who identified themselves as planters, thirteen requested compensation for land. The only loyalist who did not, Joseph Davenport of Southwark, requested compensation for unspecified estates in Gloucester County and King and Queen’s County. These estates, if owned by a “prominent tobbaconist”—the label which he affixed to his father whom he joined in the family “business” and whose property he inherited upon his death—likely

included acres of land that, at the time of his claim, Davenport was not prepared to affix a specific number. When taken together, these loyalists requested compensation for a staggering 62,351 acres of land. This total was surpassed by no other identity group in Virginia except public officials due to the claim of the governor himself, Lord Dunmore.  

Planters were also the identity group with the highest percentage of requests for slaves. Fifty-seven percent of planters listed slaves specifically in their damage claims. Unfortunately, an exact count of the number of slaves that each planter possessed cannot be determined. Many claimants only listed “negroes” or “slaves” in the body of their claim. They were either unsure of the number of slaves they possessed or lacked the adequate documentation to request compensation for an exact number. Only four planters provided numbers of slaves, two of which requested compensation for slaves with valuable skills.  

For example, John Markham Herbert, who was both a planter and a shipbuilder, requested compensation for only one slave: a “negro carpenter.” Herbert also requested compensation for 650 acres of land—a large amount of land for a prominent planter to own only one slave. In her book *The Hemingses of Monticello*, Annette Gordon-Reed described how the lifestyles of planters with vast amounts of land and property required a large workforce to sustain. Even in the early stages of a plantation’s development, Gordon-Reed explained “planters built homes with fine views that required a great amount of work to construct and

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40 *American Migrations, 1765-1799*, pg. 530-608.
maintain.” Though Herbert only requested compensation for who was likely his most valuable slave, he probably owned more as was characteristic of those who shared his higher status in Virginia. From the data available, the most conservative estimate of slaves listed by loyal planters is 49; the number of slaves owned before the Revolution is likely much higher.41

Ultimately, loyal planters requested compensation for property that correlated with the identities they asserted in their claims. The evidence that each supplied also confirmed the accuracy of the claims they made. No planter’s claim was rejected by the commission—a fact that can be said of few other identity groups. Planters were consistently touted by their neighbors as possessing higher status than most in the colony of Virginia. Planters who remained loyal to the Crown were no exception.

Merchants

In the book Unnatural Rebellion, Ruma Chopra focused her study of loyalism on the city of New York. She explained that “New York was a trading town, and New Yorkers flourished with the growing commercial possibilities of the empire.” For this reason, the city became a hotbed for loyalism during the Revolution—few individuals who made their livelihoods from the economic connection between Britain and her colonies wished to sever such a lucrative tie. In this way, northern ports like New York were very similar to port cities in the southern colonies. Inhabitants of Norfolk, Portsmouth, and Nansemond County,

Virginia had motivations for remaining loyal to the Crown that were similar to their like-minded counterparts in New York. Like the planters, Virginian loyalists who identified themselves as merchants and factors in their claims requested compensation for types of property that would reinforce the statuses they attempted to assert. Unlike the planters, there appear to be two types of merchants, one of higher status and one of lower, who, according to the lifestyles and identities they attempted to reclaim, challenge current historians’ understandings of status construction in colonial Virginia.42

The contemporary conception of how status originated and functioned in the southern colonies is best articulated by C. Dallett Hemphill in her article “Manners and Class in the Revolutionary Era: A Transatlantic Comparison.” In the beginning of her piece, Hemphill asserted that “there was more of a difference between the American North and South” in terms of social mobility “than between the North and England.” Due to their submission to the “landed model,” colonists in the plantation-dominated South “pursued pedigrees” as a means of bestowing higher levels of status on an individual as opposed to attributing the “status of a gentleman” to one who possessed the “merit, money, and manners” necessary for such a distinction. This is why, Hemphill argued, a “middling culture” developed in the northern colonies, such as John Adam’s Massachusetts, as opposed to the South before the American Revolution. In contrast, “it was only the success of the Revolution that caused the planter elite to finally reject the

42 Chopra, Unnatural Rebellion, pg. 14; The term “factor” refers to individuals who acted as agents or representatives of merchants and their partners who were based abroad in countries like England and Scotland.
claims of heredity and embrace the notion of an aristocracy of merit.” Hemphill is not alone in her characterization of the South. Edmund Morgan and Gordon Wood both articulate a similar thesis in their books *American Slavery, American Freedom* and *The Radicalism of the American Revolution* respectively.43

Yet, the lives of Virginian loyalists described in their claims do not reflect this stark contrast between status construction in the North and South before the Revolution. By considering the claims made by merchants and factors, evidence supporting a very different historical interpretation accumulates: Virginians began accepting merit and money as a means of social mobility years before the Revolution. Two types of merchants and factors emerge from the claims: those of a higher status who established themselves in Virginian communities and those of a middling to lower status who did not. Twenty-four of the sixty-two loyalists who identified themselves as merchants requested compensation for over 30,799 acres of land and thirty-four houses. Of the four loyalists who identified as factors, three requested compensation for a total of 11,393 acres of land and more than six houses. Not only did these claims possess signs of higher status in terms of the property they requested, but in the language they used to describe themselves.44

Humphrey Roberts, who escaped to New York with his family aboard his personal sloop, had much to say of his Virginia home. Of the multiple houses he

44 *American Migrations, 1763-1799*, pg. 530-608.
claimed to possess, Roberts argued that “he had the best house in Portsmouth” before it was all but destroyed by both British and American troops. Walter King of Goochland County asserted himself as an established merchant of twenty years who “acquired considerable property” including 17,552 acres of land and 125 slaves. Samuel Gist, a factor in Hanover, established his own business and married during his nearly twenty years in Virginia, achieving “a fortune” before leaving the colony for Britain. Each had sufficient evidence provided by themselves and their neighbors to vouch for the lifestyles they led in Virginia. According to this language, Roberts, King, Gist, and their neighbors did not view the merchants and factor as belonging to the bottom rung of society due to their absence of a prominent lineage. These men managed to achieve a status in Virginia well above what one would expect from reading Hemphill’s descriptions of the South—a status built by the accumulation of property and merit.45

Merchants of a more middling to lower status submitted claims that were characteristically different than the claims of their more established peers. These merchants requested compensation for the kinds of property that demonstrated a tenuous link to the Virginia communities they called home. Unlike the wealthier merchants and factors who lost homes and hundreds of acres of land, these merchants lost the boats and stores in which many of them lived—vessels that moved regularly where business was more profitable. In addition, these merchants requested compensation for the debts owed to them by customers or small percentages in partnerships—a stark contrast to the emphasis on land

45 American Migrations, 1765-1799, pg. 558, 574, 592.
characteristic of the claims of the elite. William Calderhead of Norfolk submitted one such claim.

Calderhead withdrew from the colony on one of the schooners he resided in and requested compensation for: the Speedwell. He also wrote that he had owned 1/8 part of the General Matthew which was lost during the war along with its cargo. Similarly, Colin Campbell, a native of Scotland, lived many years as a factor in Virginia, spending most of his time sailing from there to lands abroad to conduct business. He was a man constantly on the move, trading in “the Island of Dominica” and Penobscot. When his claim was submitted following the outbreak of hostilities, he had fled to New Brunswick where he became a settler. 46

According to their claims, these men should not be considered amongst the most destitute of Virginia by any means. Yet, they were not as established as their landed peers, and requested compensation for the kinds of property that signified the acquisition of some wealth with little social connection to their communities in Virginia. According to the performance they gave to the commission, their lives appear to be very similar to the middling to lower sorts that historians have claimed only flourished in the North with the absence of aristocratic social boundaries. With the presence of both elite and non-elite merchants in the colony, the understanding of Virginia as a purely aristocratic society before the Revolution becomes a misconception. Even the planters, upon whom historians like Hemphill tend to base their studies, were not automatically

46 Ibid., pg. 540
guaranteed high status according to their pedigrees, as the crippling effects of debt have been shown to degrade. Ultimately, Virginians could attain higher gradations of status according to the property they obtained and the merit they built. The accumulation of property and wealth highly influenced the social situation of an individual within a Virginian community as these merchants have demonstrated. The lives of the soldiers to follow will further reinforce this observation.

*Soldiers*

Many books have been written about the Continental Army and colonial militias during the War for Independence. This cannot be said for loyalist regiments or loyalists who served in British units and the Royal Navy. Yet, these soldiers had much in common with their patriotic counterparts—a fact that should not be surprising considering that before the Revolution, there was no divide between loyalists and patriots. The men who submitted claims to the Commission identifying first and foremost as soldiers were affixed the same label as their enemy before the war: Virginians. Like their fellow Virginians, loyal soldiers were often starkly divided in terms of social status. Those who possessed great wealth before the war were more likely be granted officer commissions. Their landless neighbors served under their command just as they were situated beneath them socially during peacetime. The claims made by loyalists reflect this social separation between those who possessed the most and the least status in colonial Virginia. These claims also allow historians to interact with a feeling prevalent
among both destitute loyalists and patriots: desperation in the face of propertylessness.

Of the seven loyalists who requested compensation for large amounts of landed property, six identified as officers; the seventh provided no rank of any kind. These six men claimed to have lost over 10,028 acres of land and twenty-seven houses. This compares to the zero acres of land and the one house that regular enlisted men requested compensation for. William Orange of Norfolk was one such affluent officer. He explained in his claim that he had served in Virginia as a militia officer for over thirty years—a reign that was disrupted by his opinions on the passage of the Stamp Act. Orange requested compensation for a staggering twenty-one houses—of which he likely rented a number of rooms out for extra income.47

This connection between higher status and officer commissions was not characteristic of loyalists alone. The Continental Army was constructed by such associations. In their book A Respectable Army, James Martin and Mark Lender explained that when the Continental Congress approved the creation of the Army, they proceeded to appoint “the nucleus of a Continental general officer corps.” These men “were largely established local and provincial community leaders or sons of the same”—there was no difference between their “socioeconomic composition and personal accomplishments” and those of “their fellow Revolutionaries in state legislatures and Congress.” Even their general, George

47 Ibid., pg. 586.
Washington, received his appointment because he was “a dignified and reserved Virginia planter of great landed wealth”—the appointment of loyalists by themselves and their British peers appear to be bestowed for the same reasons.48

In contrast, the men who served solely as enlisted or volunteer soldiers possessed little wealth and status before the war—a condition that, for many, did not change following the Treaty of Paris. Unranked loyalists who submitted claims requested compensation for very little property compared to their more established commanders. Some highlighted the loss of a boat that allowed for small forms of trade as a means of subsistence before the war. Others requested compensation for debts owed to them by their fellow Virginians. The more common request was for “relief” from the British government, often needed in the form of food, shelter, or passage. After enduring displacement from communities where these men had little stability to begin with, a number of propertyless Virginians found it nearly impossible to establish themselves in Britain, Nova Scotia, or New Brunswick. This desperation led many into destitution, unable to provide basic necessities for themselves and their families. A similar fate befell most enlisted men in the Continental Army following the conclusion of the war. As Martin and Lender observed, “a number of recent quantitative studies have verified that Washington’s new regulars were largely from the poor and dependent classes in Revolutionary America...” At the conclusion of conflicts, those soldiers returned to the conditions of having neither “home” nor “family.”49

49 Ibid., pg. 90.
Yet, propertyless whites were not the only ones who requested relief from the Commission, they were merely the majority to do so. Two officers, Lieutenants William Fielde and Thomas Morrison, both found themselves in less than stable circumstances following the end of the War for Independence. This was not an uncommon occurrence in the colonies as many officers “were getting into serious financial trouble” as the conflict continued. Like their patriotic peers, Virginian loyalists—officers and enlisted men—depended on a salary to sustain themselves during wartime. When a war continued for years, soldiers became more separated from the lives that occupied them before their service, often leading to the ruin of businesses, farms, and other investments that required constant care. These struggles are also reflected in the claims—not all prominent loyalists could request compensation for the property they lost well before their displacement in an effort to fight for the Crown.50

Ultimately, solders represented some of the most well off and poor members of Virginia society before the war. The kinds of property they listed in their claims speaks not only to their social status but the likelihood of whether or not one held an officer commission. There existed a stark divide between the status of officers and enlisted men; a condition that was mirrored in the Continental Army. Soldiers also had the highest number of requests amongst all other identity groups for relief from the British government. This finding was the result of high levels of pre-war poverty amongst enlisted and volunteers as well as

50 Ibid., pg. 108.
the strain that service could place on one’s personal finances as conflict continued
on for successive years.

*Tradesmen*

So far, this study has examined a number of correlations that exist
between the kinds of property that one requested compensation for and the
identities they asserted in their claims. However, these correlations are not meant
to make life in colonial Virginia appear simplistic or black and white. Instead, the
groups of people discussed thus far helped define themselves with the property
that supported their claims of status and what type of person they were before the
outbreak of war—correlations that prove loyalists to be socially similar to their
patriotic neighbors as all were Virginians in the eighteenth century.

Yet, there are self-identified groups amongst the Virginian loyalists whose
requests for property did not correlate in mass. Those who identified themselves
as different tradesmen in their claims, i.e. blacksmiths, shoemakers, distillers,
coopers, etc., did not all ask for land and slaves over shops and supplies like
planters nor were they overwhelmingly propertyless like many soldiers.
Alternatively, tradesmen listed diverse types of property in their claims—the most
wide-ranging kinds of property of all Virginian loyalists. Is this to say that the
correlations found in other social groups were happenstance? No, tradesmen were
a unique social group in Virginia who provide an exception that proves the rule.

Unlike the groups discussed thus far—planters, merchants, and soldiers—
tradesmen did not occupy a particular or a limited number of rungs in the
hierarchical latter of status in Virginia. This social flexibility can be explained in part by the differences that existed between tradesmen in England and tradesmen in the colonies. In his article “Carpentry in the Southern Colonies during the Eighteenth Century with Emphasis on Maryland and Virginia,” Peter C. Marzio laid out the conditions that defined the class of tradesmen in Europe. He explained,

In eighteenth-century Europe, carpentry was an exclusive profession bound by tradition. The carpenter was recognized by his leather apron, his heavy iron hammer, and his wooden ruler. In most cases his father had been a carpenter, and there was a good chance that his sons would follow in his footsteps. The guild system provided the aspiring artisan with an education and insured society that homes would be built by time-honored methods.51

When colonists first embarked across the Atlantic to settle in North America, they left these artisanal traditions behind. The environmental demands of the New World did not allow southern settlers to occupy only one profession, nor were colonists concerned with building houses “by time-honored methods.” The first men and women to occupy the southern colonies—a majority of which were not trained tradesmen—had to quickly become accustomed to meeting their basic needs on their own. A man could not survive and provide for his family if he only knew how to produce cooperage or craft leatherworks. As Marzio detailed,

In Maryland, Virginia, and the less populous colonies in the South, it was not enough for a carpenter to be a carpenter. If he used a hammer and ruler to build a house one day, he might use a scythe and seed-hole drill to raise his food the next.\(^{52}\)

Due to these conditions, the guilds of Europe were not replicated in Virginia and tradesmen did not form a common social station based on their occupational identities. This is not to say that by the eighteenth century no organizational logic defined common trades. In cities, apprenticeships could be obtained and individuals could sustain themselves economically by working solely as a cooper or a wheelwright. Yet, the rise of the “carpenter-farmer” or blacksmith-planter and their persistence into the eighteenth century have complicated historians’ understandings of status in the Old Dominion and her southern counterparts, making men and women who practiced trades a diverse group in terms of status—from their claims, loyalists appear to share this diversity with their patriotic peers.\(^ {53}\)

Thomas Stewart, a native of Portsmouth who filed his claim in London after fleeing the colonies, is an example of a well-off blacksmith-planter. In his claim he explained that he had owned “several plantations...Negroes, Cattle, Stock in Trade, Furniture, and Buildings” before the war began, but his property was confiscated by the “Rebel Government” after 1775. Though he identified himself as both a planter and a blacksmith, the language in his claim and the property he requested compensation for indicate a likely possession of a much

\(^{52}\) Ibid., pg. 230.
\(^{53}\) Ibid.
higher status in Virginia than the lower to middling sorts of European tradesmen. Similarly, John Hiell, a native of Frankfurt, Germany who lived in Virginia for 28 years before his displacement, emphasized his higher status in the wake of his employment as a distiller. He explained that he had come to Virginia to inherit his father’s grand estate and tended to over five hundred acres of land. His social position earned him an officer’s commission during the war—he served as a captain. Contrast these men to Francis Towse. Towse was a career blacksmith in the city of Norfolk who supported his family through his trade alone. He joined the army but applied his blacksmithing skills as a common soldier by erecting a forge and later serving on the ship that his family escaped on: the Unicorn.

Unlike the versatile and established Stewart and Hiell, Towse requested compensation for the loss of working tools and the store in which he practiced his trade. 54

Though Stewart, Hiell, and Towse occupied different social stations in Virginia, all were tradesmen. Each requested compensation for property that correlated with the identities and status they asserted in their claims, though none asked for the same kinds of property because tradesmen could not be socially grouped together according to status in the colony of Virginia as they could in Europe. Though their property did not correlate in mass as planters’, merchants’, and soldiers’ property did, they still requested compensation for the kinds of

property one would expect to accompany the status they asserted as Virginians to the claims commission.

_Freedmen_

In his book _The Black Atlantic: Modernity and Double Consciousness_, Paul Gilroy explored the difficulties of individuals “striving to be both European and black” under the rule of the British Empire. He argued that race was intimately tied to nationality and unfortunately for those who hailed from African descent, their race was not the one that a majority of British subjects associated with the label “English.” Even abolitionists, such as Edmund Burke, who helped lay the intellectual foundations for the abolition of slavery to come in 1834, struggled to associate blackness with many adjectives—other than “human”—that could be shared between blacks and whites. Those who walked as freedmen through the streets of Great Britain faced a number of social barriers—free black loyalists would join their ranks as no exception.55

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55 Paul Gilroy, _The Black Atlantic: Modernity and Double Consciousness_, (Cambridge: Harvard University Press, 1993), pg. 1; In his work _On the Sublime and Beautiful_, Edmund Burke included a section titled “Darkness Terrible in its own Nature.” In this section he explained, “PERHAPS it may appear on inquiry that blackness and darkness are in some degree painful by their natural operation, independent of any associations whatsoever. I must observe, that the ideas of darkness and blackness are much the same; and they differ only in this, that blackness is a more confined idea. Mr. Cheselden has given us a very curious story of a boy, who had been born blind, and continued so until he was thirteen or fourteen years old; he was then couched for a cataract, by which operation he received his sight. Among many remarkable particulars that attended his first perceptions and judgments on visual objects, it gave him great uneasiness; and that some time after, upon accidentally seeing a negro woman, he was struck with great horror at the sight.” Even Burke, who abhorred the institution of slavery throughout the British Empire, equated blackness and darkness—to him, equally terrifying and awe inspiring in their stark difference to whiteness. See Edmund Burke, _On the Sublime and Beautiful_, (Cambridge: The Harvard Classics, 1909-14), http://www.bartleby.com/24/2/415.html. Note: This quotation is also included in part in Gilroy, _The Black Atlantic_, pg. 9-10.
In 1775, Lord Dunmore, the last royally appointed governor of Virginia, issued a proclamation that would enrage colonists who were already weary of his rule. Known widely as “Lord Dunmore’s Proclamation,” this document outlined the necessity of Virginians to remain loyal to the Crown and stand with their governor against those who wished to dismantle the imperial ties between England and the colonies. This call would have appeared routine for such an official if it had not ended with the following:

And I [Lord Dunmore] do hereby farther declare all indentured Servants, Negroes, or others (appertaining to Rebels) free, that are able and willing to bear Arms, they joining the Majesty’s troops, as soon as may be, for the more speedily reducing this Colony to a proper Sense of their Duty, to his Majesty’s Crown and Dignity.56

Dunmore had encouraged the very circumstance that many Virginians feared: freed and armed slaves fighting against the colonists. As Ruth Holmes Whitehead explained in her book *Black Loyalists*, many of the slaves “took advantage of this offer, following the British Army or sailing with the Royal Navy.” Similarly, those few freedmen who lived in Virginia before the proclamation was passed revaluated their stance on the War for Independence, some opting to join the lines of the English as their enslaved counterparts had. These men and women attempted to seize “freedom from the chaos of war”—little did they know that the freedom they would obtain would be imperfect.57

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The claims of black loyalists reveal a great deal about the circumstances of these individuals before, during, and after the American Revolution. In their memorials, they described life in the colonies—some as slaves, some as freedmen—with attention to the poverty that most were subjected to in a land that refused to acknowledge their humanity or their citizenship socially and legally.

There were some free blacks who enjoyed levels of status similar to their white neighbors, but these cases were few and far from the norm. The majority of blacks were refused status beyond the label of “slave” which affixed them permanently to the social floor of Virginia society. This social inferiority was imposed upon blacks not only by their colonial superiors in Virginia, but by English officers of the Claims Commission. The officers found themselves asking the same question their Virginian counterparts asked themselves about slaves and black freedmen in their own land: how could a race treated as property own property of their own? Regardless of whether freedmen found themselves in Nova Scotia or London after the war, those who submitted claims to the Commission were subjected to an English racism that drew much of its authority from the same contradiction that would plague the Americans until the Civil War: can one be both European (or American) and black?58

Like the identity groups discussed above, the claims of freedmen revealed correlations in property and status that were similar to their patriotic—or enslaved—counterparts in Virginia. Of all of the self-identified groups of

58 For a lengthier discussion of slaves' limitation to the bottom of the social hierarchy in Virginia, and subsequent development of racism, see Edmund S. Morgan, American Slavery, American Freedom: The Ordeal of Colonial Virginia, (New York: W. W. Norton & Company, 1975), pg. 235-249 and 316-337.
loyalists, freedmen claimed to own the least amount of property of all kinds. Of the eleven Virginian freedmen, only four claimed to own land—two of which did not specify the acres—and only two requested compensation for goods other than living quarters or meager furnishings (in this case cattle). Whereas women wrote some of the longest claims submitted to the Commission, slaves dictated some of the shortest—their words typically written and endorsed by a literate neighbor or volunteer. Such was the case of John Twine, a resident of Petersburg, whose claim did not fill the entirety of the page it was printed on.

After his military service left him in Charles Town, Twine took passage aboard the Unity to England. The voyage was diverted, however, to France where "your memorialist was set at Liberty." Twine claimed to have lost "a Lot of Land of One Acre and a Small Dwelling House and Furniture; of the Value of about 150 pounds." The bottom of his claim provided a few more details about this property. The house had four rooms and the furniture included a feather bed, 6 chairs, 2 tables, one chest of drawers, and one iron pot. The claim was signed by a witness—John Dudley—as John Twine could not sign the claim himself. Dudley included a separate letter to join Twine's claim in which he explained that he had "Signed my name to the memorial of John Twine as a Witness in his behalf, not that I can attest to the truth of his Services after Diserting the Americans." Instead, Dudley's "friend Colonel Edmund Fanning" had told him that there was truth to Twine's claim, a fact that the Commission found unlikely.

resulting in its rejection. Twine’s memorial was absent of the carefully chosen
language of his more affluent Virginians, attempting to reclaim upper or middling
status. Instead, his words emphasized the smallness of his home and the
meagerness of his existence before the war.60

Twine was not the only black loyalist whose claim was rejected by the
Commission. Black men had the highest rate of rejection of Virginians at 45%.
Because Twine’s claim was written by Dudley, and not a commission officer, the
reader is not privileged to the personal reactions of agents of the Commission that
may have led to his claim’s rejection. Such reactions can be gleaned from the
claims of other black loyalists revealing a predominate reason as to why these
men suffered a higher rejection rate than their white peers—including women.

In the case of Edward Jackson, a black man from Norfolk, a commissioner
endorsed his claim with the sentiment “it is not at all probable that he [Jackson]
had property and his claim is in no degree proved.” Edward had dictated that he
owned a “tolerable” house in Norfolk and that his deceased master, John Tag, left
his estate to him in his will. In the wake of these claims, the commissioner’s
endorsement continued, “He admits that he was not born free”—how could a
slave possess such property? Similarly, on the claim of George Mills, a resident
of Portsmouth, a commissioner wrote “like most blacks, he produces no proof of
his case and has no right to expect anything from Government.” The claims of
whites were rarely endorsed by commission officers, and when they were, they

60 Ibid.
possessed no characterizations according to race or circumstance as was common
of the claims of black freedmen.\textsuperscript{61}

The treatment of black loyalists by commissioners is consistent with
historians’ discussions of “imperial racism” that characterized the predominant
reaction of the British to freed slaves during the Revolution. In his book \textit{Black
Patriots and Loyalists}, Alan Gilbert explained that “imperial emancipation during
the American Revolution had a notoriously British patchwork quality.” He
continued, “Bigots on both sides derided the policy of emancipation. Just as some
Patriots ridiculed Dunmore’s proposal to free slaves to be soldiers, some Loyalists
mocked the Laurens proposal to raise black Patriot regiments.” One of the most
telling cases of institutional racism was exhibited by Sir Henry Clinton who often
acted contrary to orders regarding slaves. Gilbert detailed how Clinton was
“committed only to royal victory, rather than to abolition.” He “distinguished
blacks who fled from rebels from those who escaped Tories. He sometimes
returned ex-slaves to Loyalist masters”—an action he was not required or
encouraged to take. The social relationship that white British subjects had with
blacks was as tenuous as that of their Virginian counterparts. The signing of the
Treaty of Paris did not signify the end of imperial racism across the Atlantic and
neither the British nor the young American government would abolish slavery for

\textsuperscript{61} “Edward Jackson,” \textit{American Migrations}, pg. 572; “George Mills,” \textit{American Migrations}, pg.
583.
From the data provided by the claims, black loyalists join the Virginian planters, merchants, soldiers, and tradesmen in one respect other than their loyalty to the Crown: there is a correlation between the property they requested compensation for in their claims and the status they claim to have achieved in the colonies before their displacement. These correlations further reveal that loyalists were not extraordinary Virginians before the label that would damn them politically was affixed to their person. They owned the amounts and types of property that Virginians of the same social stations who sided with the patriot cause did. The content that dominated the claims does not disappoint historians who are willing to learn what the words of displaced loyalists can teach—property was intimately tied to status in Virginia as what one owned reflected who they were socially in the colony.

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Conclusion

When Reverend John Agnew submitted his claim to the Commission in 1787, he was providing the historical record with more than a request to the British government for monetary compensation. He, like hundreds of other loyalists from Virginia, was submitting a document that spoke to his past as well as the uncertainty of his future. The claims, which could go on for pages, are full of information that loyalists wished to be read as testaments to both their struggles to remain loyal and the lives they were forced to leave behind in the colonies. A defining aspect of their lives was the status they achieved in their communities. Through the process of identification, confirmation, and maintenance, loyalists and their neighbors situated each into the hierarchical society that was colonial Virginia.

Though loyalists' claims should not be considered transparent imitations of status construction in Virginia, as only lived experiences in the colony can replicate, the process of status construction that did govern the social imaginations of Virginians can be gleaned from the organization of the claims submitted to the Commission. In their memorials, loyalists asserted an identity and included details about their lives, including lists of property, to confirm who they claimed to be. The evidence supplied by their neighbors in personal letters and other documents furthered this confirmation process, adding validity to the identities loyalists put forth before the Commission. By submitting the claims in their entirety, loyalists were attempting to carry out the final stage of maintenance—they wished to reassert their status and obtain compensation that could give them
the chance to rebuild the lives that once were. Loyalists, such as Mary Bristow,
did not accept that the end of the War for Independence should be the end of the
people they had become in Virginia—accepted claims were not submitted with
the intention of proving to be anyone other than who one was. This was evident
in both the organization of the claims and their content.

The language and kinds of information written in the memorials and
evidentiary documents demonstrate claims to status made by loyalists. In doing
so, Claimants included details and adjectives akin to the social stations they
identified with. This is best exemplified in the claims of women whose burden of
proof was higher than their male peers. Elizabeth McCaw, Mary Bristow, and
other women held nothing back when asserting their husband and family's social
status in their memorials. They supplied evidentiary documents that likewise
spoke explicitly to elements of status in an effort to prove their claim—instead of
fellow Virginians, their audience was British bureaucrats, but the performances of
status that loyalists gave drew inspiration and guidance from the social
conventions they had been exposed to and learned throughout their lives in
Virginia. Yet, the language of the claims is not the only content that spoke to
status in Virginia. The overly-detailed lists of property in the claims revealed an
intimate connection between property and status construction beyond the
expected overemphasis that the purpose of the claims elicits.

From the data provided by the claims, particular kinds of loyalists were
found to request compensation for particular kinds of property. These
correlations not only supplemented the apparent importance that loyalists placed
on property in their claims through the inclusion of unnecessary detail, but revealed that loyalists were not extraordinary Virginians. They owned the kinds and amounts of property that similar patriotic peers owned. Planters documented the highest amount of land and slaves in their claims—a condition one would expect from the elite of a plantation-based society. Yet, established merchants were not far behind the planters; they possessed land, homes, and other forms of wealth that asserted themselves into the higher echelons of Virginian society. Even less successful merchants, who did little to establish social connections within their communities, possessed wealth in the form of stores and boats that allowed for some social mobility in a colony thought by some historians to be governed solely by aristocratic social tendencies.

The claims of soldiers likewise demonstrated how the accumulation of property and wealth highly influenced the status of an individual. Officers obtained their commissions as a result of the possession of affluence in the form of land and homes whereas enlisted men were often propertyless—conditions found amongst the officers and enlisted of the Continental Army. The claims of tradesmen revealed no correlations of property in mass as was the case for planters, soldiers, and merchants, but their diverse social stations correlated to the diverse experiences and statuses of patriotic tradesmen in the colony. Finally, black loyalists were shown to share in the meager existence of their social equals in Virginia, possessing the least amount of property of all the self-identified groups. Freed slaves likewise presented the commissioners with two dilemmas: how could property own property? Could one be both European and black?
When confronted with these questions, commissioners responded with the imperial racism that defined the British—and American—interactions with blacks throughout the American Revolution. Compared to other loyalists, their claims were overwhelmingly rejected.

Agnew was correct when he described the struggles of displaced loyalists as “distresses of mind, body, and estate.” In colonial Virginia, the property one possessed was intimately tied to the status one achieved. For loyalists, the loss of their belongings was, in terms of status, a loss of themselves. Yet, the information found within these claims—and the complexity of status construction—inspires questions to be answered beyond the scope of this study. The difference in organization and content between the claims of South Carolinian and Virginian loyalists could be the inspiration for comparative histories that illuminate not only the lived experiences of colonial Virginians, but loyalists from each of the thirteen colonies. The claims are a vast source of information and with a careful eye toward the limitations of the documents, historians could learn much about the social, material, and political lives of loyalists and those in the communities they left behind.

Thus far, this study and its conclusions have focused on the information that can be gained from the claims regarding the lives of loyalists in their colonial hometowns. However, the claims can also be used to explore the lives of loyalists in the diverse places they migrated to following the Revolution. By supplementing the claims with diaries, letters, and other documents produced by claimants around the time of their displacement, historians can examine how
loyalists' experiences abroad shaped the claims they submitted. How much were loyalists thinking of the new places they found themselves in when they were requesting compensation? How did loyalists react when they entered communities unlike their own, with different social processes including status construction? What about similar communities, like those found in England? Were they really all that similar to the colonial experience in America?

Historians are familiar with sentiments like those of Sarah Tilley who, upon finding herself in the new and very different land of Nova Scotia, wrote of her feelings as she watched the ship that carried her from the colonies depart: "I climbed to the top of Chipman’s Hill and watched the sails in the distance, and such a feeling of loneliness came over me that though I had not shed a tear through all the war, I sat down on the damp moss with my baby on my lap and cried bitterly." Or the excitement that Peter Van Schaack expressed upon his arrival in London in 1779: "This great city baffles all description and I find myself like an atom in it." Whether loyalists approved of or feared the new circumstances they found themselves in, the environments were quite different from the places they inhabited in the colonies. These experiences after the Revolution should be explored further in relation to the claims they submitted.63

In sum, this study provides a step in the direction of analyzing the process of status construction in colonial Virginia through the information provided in loyalists' claims. However, the journey is not complete and there is much work

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that can still be done with these sources to answer questions related to and beyond
the conclusions provided here. There are more documents to be read, more
possessions to be analyzed, and more lives to be studied in an attempt to better
understand the world that loyalists found themselves in before, during, and after
the American Revolution.
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