

RESTRAINING THE FLAMES OF WAR: THE ROLE OF THE CONTINENTAL  
ARMY ON VIOLENCE IN THE SOUTHERN THEATRE OF THE AMERICAN  
REVOLUTION 1780-1781

by

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## 1. INTRODUCTION

On 25 July 1780 General Horatio Gates of the Continental army fled Camden, South Carolina on horseback while his newly formed army of Continental and militia units fled the field. His failure marked the second major defeat of the Continental army in the southern theatre since the fall of Charleston in May 1780. General Moultrie, a Patriot, wrote a memoir of the war after his political career as governor of South Carolina.<sup>1</sup> He noted, following the battle of Camden, that British General Lord Cornwallis issued orders to his subordinates to “punish the rebels in the district in which you command” along with other hard stances on dealing with Patriots.<sup>2</sup> To the Patriots, “Cornwallis issued the following inhuman order, by which he let loose the dogs of war upon the poor inhabitants, and Tarleton, with his blood hounds, excelled in brutality.”<sup>3</sup> The Revolutionary War, for many in the South, was a war of absolute evil versus absolute good as “every species of cruelty was exercised throughout the country.”<sup>4</sup> Both the Loyalists and the Patriots operated with cruelty in a violent civil war in which “both sides committed brutal assassinations, tortured prisoners, abused civilians, and freely engaged in plundering.”<sup>5</sup> During the 1780-1781 campaign of Continental General Nathanael Greene the structure and execution of violence in this civil war changed due to centralized leadership lessening violence that the Continental Army saw as illegitimate.

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<sup>1</sup> John, Buchanan, *The Road to Guilford Courthouse: The American Revolution in The Carolinas* (New York, NY: John Wiley & Sons, Inc., 1997), 7.

<sup>2</sup> William Moultrie, *Memoirs of the American Revolution, so Far as It Related to the States of North and South Carolina, and Georgia ...* (Vol. 2. New-York: Printed by David Longworth, for the Author, 1802), 2:240-241.

<sup>3</sup> *Ibid.*, 238.

<sup>4</sup> *Ibid.*, 239.

<sup>5</sup> Ronald Hoffman, Thad Tate, and Peter Albert, eds, *An Uncivil War: The Southern Backcountry during the American Revolution*, (Williamsburg: The University Press of Virginia, 1985), 107.

The aim of this thesis is to present the complicated role the Continental army had in the violence of the southern theatre in 1780-1781 with their abilities to halt vigilante behavior and occasionally be sucked into the cycle of violence and contribute to it. The introduction of regular forces, the British army and the Continental army, significantly shaped the nature of warfare in South Carolina and North Carolina. The type and frequency of violence fluctuated with the military campaigns of General Lord Charles Cornwallis and General Nathanael Greene. Their actions in the southern theatre shaped the nature of warfare by providing structure and creating strategic goals with authority in the effort to make the violence in the southern colonies a legitimate means to victory.

The British and Continental armies played critical roles in creating violent rhetoric, violence, passion for retribution, restraining violence, and legitimizing violence, all of which shaped the nature of warfare in the southern colonies. The British army increased violence by spawning violent patriot rhetoric that legitimized violence due to the violent prosecution of the British campaign. The Continental army restrained acts of violence because of its centralized organization which delegitimized the cycle of violence. It brought the militia, stuck in the cycle of violence, together under centralized leadership and kept the objective of engagements to be tactical rather than for retribution. There were limits, however, to this centralized control that let the Continental army be responsible for a terrible massacre. Officers on independent missions sometimes failed to restrain their men from committing violent acts.

The key to understanding the role of the Continental armies' in the shaping of southern warfare lays in the military operation during the war in the Carolinas and a close examination of combat and violence. A study of the battles and campaigns shows how

the Continental army caused militia violence to change, but it also shows the limits of the Continental army on reshaping violence. The effects of the Continental army on violence in the southern theater are most present in relation to the Battle of Kings Mountain (7 October 1780), the Battle of Cowpens (17 January 1781), and the Battle of Guilford Courthouse (15 March 1781). These three battles each show the different effects the Continental army had on local and militia violence. The progress between each battle illustrates violent militia behavior, the role of the Continentals as part of this conflict, revenge rhetoric, and the urge to justify violence.

In this thesis, understanding violence in the southern campaign revolves around four key terms: violence, rhetoric, retribution, and legitimacy. Violence created looting, pillaging, murder, torture, and a lack of empathy to the opposing side, which happened frequently. Violence, in this study, is the process of looting or inflicting bodily harm that results in death or mutilation motivated by fear, hatred, or orders. Rhetoric is language that is used to justify retribution. Retribution is the process for one side to harm the other side in an equal or greater response to satisfy the emotional grievances of those who have experienced violence. Legitimacy is important in all four terms. For something to hold legitimacy it must abide to rules that at least one party recognizes, and it must be seen as justified. It allows the process and type of violent behavior to develop and set the condition for violence that fluctuates throughout the war. These backcountry fights grew increasingly larger and more centralized as the British and Continental armies became involved, which shaped violence and the nature of southern warfare; legitimacy was malleable.



With the irregular nature of much of the fighting, many men had to practice their own restraint but based upon their sense of legitimacy, which sometimes changed when the British and Continental armies operated in the southern theatre. The regular armies, strong leadership, and local laws when adhered to, could restrain the violent behavior of the militia, but total restraint was not possible due to the militia recognizing much of this violent behavior as legitimate. Without restraint, the violence of loyalist and patriot militia consisted of murderous behavior, with looting, pillaging, and execution behavior that many militiamen felt to be legitimate. With an orderly structure this behavior tended to lessen because army rules usually prohibited such behavior, although restraining the Continental and British regular soldiers also proved difficult throughout the war. However, when under quality leadership, the restraining organizations of standing armies sometimes did lessen the number of atrocities, executions, and murders by bringing the militia together with a shared goal, even though men in the Continental army were not always immune to participating in this behavior.

The sum of these parts illustrates the core mechanic of the cycle of violence in the southern theatre and the evolving goals of Loyalists and Patriots. Different groups committed different acts of violence and atrocities throughout the war. The banditti and local fights were typically brutal, and no force could stop them from happening. However, the violence and the operational style of the militia changed in relation to the Continental army because the Continental army unified the militia under its control. This shows that the Continental army influenced the nature of warfare by lessening violence by conducting operations that viewed backcountry violence as illegitimate. The violence

in the south, however, could not be completely tamed as Continental leadership is responsible for its own acts of violence.

Each of the three battles shows how the continental army influenced violence in different ways. The Battle of Kings Mountain shows the cycle of violence and stands out as an example of how the Continental army and Continental government legitimized Patriot militia behavior and influenced the battle due to Continental absence in the theatre. Without even attending the engagement the Continental army influenced the engagement. Cowpens shows the important role that Continental leadership played in destroying the force under Tarleton, one of the most aggressive leaders in this cycle of violence, as well as in uniting a large number of militia under an American cause in a pitched battle that briefly altered the violence in South Carolina by restraining the Patriot militia from retribution, murder, and vigilantism. This shows the capability of the Continental army to lessen the violence in the southern theatre. Guilford Courthouse shows the militia fighting under command in a large battle under centralized leadership with maximum restraint. Moreover, it shows the power of centralized leadership in combining efforts of the militia under the American cause. Additionally, it shows the limits of the Continental army in murder which resulted in a massacre, and the ultimately complicated relationship the Continental army had with violence.

### **Historiography**

Patriots, Whigs, Tories, and Loyalists. Historians have called those fighting for the American cause “Patriots” or “Whigs” and have called colonists who remained loyal to the crown during the war “Loyalists” or “Tories”. This thesis will use the terms Patriot and Loyalist because they are the most commonly used terms among historians, and Tory

was a derogatory label applied to Loyalists by Patriots. Loyalist and Patriot show the distinction between both sides without losing the sense that both parties were legitimate actors in the revolution.

The methodology of closely studying violence, as displayed in combat, is not entirely new. Indeed, John Keegan's 1976 *The Face of Battle* developed this methodology by studying the experience of battle in order to display the human experience of war. The battles of Cowpens and Guilford Courthouse have already been examined using Keegan's methods.<sup>6</sup> Expanding this methodology to the southern theatre at large, however, is critical to understand the nature of warfare of the southern theatre. The Patriot and Loyalist militia units did not all share the same desire for retribution, murder, pillaging, and their actions to cement their acts as legitimate. Understanding the combatants is important because in battle the actions of combatants is telling of their relationship with violence and how the Continental army influenced their relationship with violence.

Understanding the theory of violence in the southern theatre is critical to this study. In *Crowds and Soldiers in Revolutionary North Carolina: The Culture of Violence in Riot and War*, Wayne Lee presents the basis of his convincing framework for studying violence in revolutionary North Carolina. Lee argues that understanding the standards of violence, culturally, allows us to understand acceptable violence and how new acts of violence could re-shape the standards once more.

The standards were malleable as demonstrated by the North Carolina Regulator Movement (1765-1771) and its evolution of violence into the Revolution. The Regulator

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<sup>6</sup> Lawrence E. Babits, and Joshua B. Howard, *Long, Obstinate, and Bloody: The Battle of Guilford Courthouse*, (Chapel Hill: The University of North Carolina Press, 2009); Lawrence E. Babits, *The Devil of a Whipping: The Battle of Cowpens*, (Chapel Hill: The University of North Carolina Press, 1998).

movement began with mob violence used as a legitimate means of soliciting a response to their grievances. However it escalated to open battle in 1771 at the battle of Alamance. Governor Tryon had raised an army to combat the protestors and the Regulators responded in kind although hoping to avoid violence. They both then, through their armies, attempted to adopt military rules of war and violence. This resulting escalation in violence demonstrates the possibility that violence breeds more violence by justifying retaliation. This escalation of violence spiraled out of control once the revolution began.<sup>7</sup>

Warfare for Loyalist and Patriot militia, culturally, was a legitimate action, but by 1775, “ideal of virtuous war that encompassed the restraints and influences of popular morality republican ideology, European military formalism, the culture of masculine honor, adaptive and reactive responses to Natives, and a still powerful, although declining, sense of providentialism...”<sup>8</sup> Warfare may be culturally acceptable, but retribution and murder were still not seen as desirable for southerners. Yet, they continued. Due to the absence of centralized control murder and retribution remained unchecked and socially legitimate in a society that recognized revenge as an undesirable, but still a legitimate form of warfare. Officers, both regular and irregular, attempted to restrain the violence, but ultimately were unsuccessful at restraining the militia from committing violent acts of revenge largely because the militia lacked discipline. Centralized leadership, Militia or Continental, was the only way for longstanding violent behavior to adhere to lessen. Patriot militia reacted violently toward the Loyalist population when the British arrived, responding to British actions in the theatre. The lack

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<sup>7</sup> Wayne E Lee, *Crowds and Soldiers in Revolutionary North Carolina: The Culture of Violence in Riot and War*, (Gainesville: University Press of Florida, 2001), 47-57; 82-85; 95-96.

<sup>8</sup> *Ibid.*, 6.

of an orderly society, supported by crown or congress, allowed cultural legitimacy for militia to conduct violent behavior when responding to British and Loyalist actions because there was little help from a state or Continental government to address their grievances if the Continental army did not operate in the Carolinas. The development of new ideologies in the South pushed for a change in violence when the Continental army became operational.

Lee builds on his argument in a later publication. He argues that the war in the South features patterns of restraint and escalation but highlights that “Many of the struggles lay in the struggle between the desire for a virtuous war and the urge for personal retribution.”<sup>9</sup> Many militia sought restraint in the midst of war, but escalation of violence made restraint difficult even under the best intentions.<sup>10</sup> Lee, in both of these works, provides a thoroughly researched set of tools for understanding why the war in the South became violent and how it was maintained.

This thesis uses the important work that Lee has done on the culture of public violence during the Revolution. While Lee provides an excellent analysis of the importance between British action and Patriot militia reaction in violence and culture, he does not fully examine the equally important impact that the Continental army had on the nature of warfare and its role in violence on the militia. The British and Continental armies brought their own cultures to the southern colonies, cultures that drastically challenged the cultural norms that Lee identifies. Studying the role and impact of the Continental army on the militia builds upon Lee’s work and our understanding of the war

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<sup>9</sup> Wayne E Lee. “Restraint and Retaliation: The North Carolina Militias and the Backcountry War of 1780-1782.” In *War and Society in the American Revolution: Mobilization and Home Fronts*, 163–90. DeKalb: Northern Illinois University Press, 2007, 183.

<sup>10</sup> *Ibid.*, 165.

in the southern colonies. It will demonstrate the importance of the British and Continental armies, which will ultimately add to Lee's foundation of violence and the southern theatre. Without examining Greene's 1780-1781 military campaign in South and North Carolina specifically, historians cannot understand the full complexity of the violence in the southern campaign which drove so many actions of southerners and the role of the Continental army on militia violence.

Before Lee's examination of the culture of violence, a collection of essays on the topic discussed an "uncivil war" that existed between Patriot and Loyalist militia. This collection of essays found in *An Uncivil War: The Southern Backcountry during the American Revolution* answers many questions regarding violence and the southern colonies. In the preface, Thad Tate writes that "the essayists demonstrate that the southern backcountry has an important history in its own right but can also provide a particularly incisive illustration of the difficult process of change and adjustment within the American states during the revolution."<sup>11</sup> The backcountry was a complex violent region that displayed an internal war within America, and it gives historians the chance to explore "the impact of the military conflict itself on a civilian population in a particularly dramatic way."<sup>12</sup> Thorough in the understanding of the war in the southern colonies, elements of the essays are informative regarding backcountry culture and class, which played roles in the violence of the southern theatre and the relationship of violence between the operations of the British and Continental armies.

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<sup>11</sup> Ronald Hoffman, Thad Tate, and Peter Albert, eds, *An Uncivil War: The Southern Backcountry during the American Revolution*, (Williamsburg: The University Press of Virginia, 1985), Viii.

<sup>12</sup> *Ibid.*

The concepts of virtue, law, and emotion define the violence in the southern theatre as they drove what actions Loyalists and Patriots perceived as legitimate. Patriot acts during the war and the laws of the colonies play a key role in understanding legitimacy of violence.<sup>13</sup> A collection of essays published in *Justifying Revolution: Law, Virtue, and Violence in the American War of Independence* shows the difficulty of waging a virtuous war.<sup>14</sup> The British and Continental armies maintained law and order independently through military law. This weakened the power of public civilian law because military law had different categorization and responses for crime, so no consistency between public law and military law existed. As violent behavior grew, Continental propaganda tried to justify violent acts by dehumanizing the British and Loyalists. For the Patriots and Loyalists in the South, victory or annihilation were the only foreseeable outcomes of the war.

Without understanding the role and experiences of Loyalists, no study of the southern theatre can be comprehensive. Jim Piecuch's *Three Peoples One King: Loyalists, Indians, and Slaves in the Revolutionary South, 1775-1782* argues that the sufferings that Loyalists endured were equal to or greater than the violence that the Patriots experienced.<sup>15</sup> Loyalists in general suffered more often by Patriot brutality than Patriots suffered by Loyalist action. The British did not help, as they were too lenient on Patriot transgressions while the Patriots were not lenient on the Loyalists, which undermined the British strategy. This, and the misuse—or no use at all—of Loyalists,

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<sup>13</sup> Lee does discuss the relationship between local laws and legitimacy, but not in the larger context.

<sup>14</sup> Glenn A. Moots, and Phillip Hamilton, eds. *Justifying Revolution: Law, Virtue, and Violence in the American War of Independence*, (Norman: University of Oklahoma Press, 2018).

<sup>15</sup> Jim Piecuch, *Three Peoples One King: Loyalists, Indians, and Slaves in the Revolutionary South, 1775-1782*, (The University of South Carolina Press, 2008), 7.

Indians, and Slaves undermined the British war effort in the southern theatre. Piecuch is very convincing due to his research and, when read between the lines, shows that the brutality of the Patriots outweighs any violent behavior by the Loyalists.

Understanding the military narrative that historians have researched in the last thirty years is fundamental to understanding the nature of warfare in the southern theatre. The often-cited study of the military theatre in North Carolina and South Carolina is *The Road to Guilford Courthouse* by John Buchanan. Buchanan shows the character of the war in South Carolina and North Carolina in detail along with the battles, big and small, that occurred from 1775-1781. His research shows the violence in the theatre and the cycle of violence that promoted retaliation. Harry Ward's *Between the Lines: Banditti of the American Revolution* further develops this cycle of violence and an "uncivil war" by looking at bands of marauders, Patriot and Loyalist groups that committed violent acts that "created a legacy of proneness toward violence, vigilantism, extremism, and class hatred."<sup>16</sup> This theme of a civil war is visible in other military histories covering the war in the southern theatre.

John Pancake's *This Destructive War: The British Campaign in the Carolinas, 1780-1782* provides a broad coverage of the war in the southern theatre and argues that the war is a civil war, for which he provides anecdotes, though without the role that the British and Continental armies played in developing violence. There is more literature that covers the military campaigns in South Carolina, such as John Gordon's *South Carolina and The American Revolution: A Battlefield History*, which is an organized collection of every battle and major skirmish fought in South Carolina during the war.

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<sup>16</sup> Harry Ward, *Between the Lines: Banditti of the American Revolution*, (Seeking Place: Praeger, 2002), 239.



Theodore Savas and David Dameron's *A Guide To the Battles of the American Revolution* is an encyclopedia covering every major battle of the entire revolutionary war, which sometimes features more statistics and comprehensive data for battles in the southern theatre than Gordon's battlefield history. Carl Borick's *A Gallant Defense: The Siege of Charleston, 1780* is the only book that is dedicated to the siege of Charleston, which marked the beginning of major British and Continental activity in the South. This thesis adds to these works by analyzing the nature of violence that informed the actions within and surrounding some of the battles covered by these works. It also builds upon the relationship between the Continental army, the militia, and violence.

Unlike other major battles of the Revolution, Kings Mountain has yet to be covered in one volume. This is unfortunate because Kings Mountain is one of the key battles of the American Revolution. It was a turning point of warfare in the southern colonies in favor of the Patriots and the first major success they had after the fall of Charleston and marked a major attempt by the Patriot militia to limit violence due to the absence of the Continental army. This is most likely because the length of the battle was short, it was a one-sided engagement, and primary sources are difficult to find—they are not, however, nonexistent.<sup>17</sup>

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<sup>17</sup> Many major battles of the American revolution have at least one book dedicated to the entire battle. The battles of Charleston, Cowpens, and Guilford Courthouse are key examples of important battles that have intricate studies to understand the battle in detail. However, there are works that discuss battles smaller in size than Kings Mountain that try to expand our understanding of the southern theatre. See Carl Borick, *A Gallant Defense: The Siege of Charleston, 1780*, (Columbia: The University of South Carolina Press, 2003.; Lawrence E. Babits, and Joshua B. Howard, *Long, Obstinate, and Bloody: The Battle of Guilford Courthouse*, (Chapel Hill: The University of North Carolina Press, 2009); Babits, *The Devil of a Whipping*. The two most relevant books on Kings Mountain are reprints of primary source material. In an edited reprint, *Captured at Kings Mountain: The Journal of Uzal Johnson, A Loyalist Surgeon*, Uzal Johnson described what happened before and after the battle. He described being a Loyalist prisoner and the terrifying road that Loyalist prisoners from Kings Mountain took while under Patriot control. The most important collection of sources relating to Kings Mountain, *The Battle of Kings Mountain: Eyewitness Accounts*, provides many pension records and later statements that provide a closer face to the battle and the nature of war. The other primary sources that do exist are scattered around in other collections or have

## Terminology and Military Structure

The structure of the British and Patriot forces showcases the mechanics of the war, which plays a significant role in understanding the nature of the warfare and how the Continentals and British shaped it. Defining military terminology is necessary to make the use of military terms clear and highlight the mechanics of war. Defining violence, rhetoric, retribution, and legitimacy is also critical to understand the violence in the southern theatre and its evolution. With these tools it is possible to understand the warfare that the Continental army influenced.

Removing the British and Loyalists from the southern colonies required irregular and regular military forces. The strategies that the British and Continental armies constructed, and the operation of these military forces, changed and borrowed from the nature of warfare in the southern theatre. The constructions of all these forces are critical to understand how the regular army differed from the irregular army, how the Patriot and Loyalist militia are linked to the regular army, and the critical role of officers.

Militia, traditionally, were an independent irregular body of men that had leaders with local political power who were either elected or assumed the position fighting an irregular war. Thus, they had a very social structure which made the militia public bodies. Additionally, tours of duty were often very short, which created manpower problems as the number of men in each militia changed quickly, even overnight. Irregular warfare, typically conducted by militia or similar units, frequently featured actions other than standing battles. Commonly, irregular warfare featured short engagements, usually by

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not been studied at the national archives. Thanks to these reprints, however, a closer analysis is possible. See Kolb III, Wade, and Robert Weir, eds. *Captured at Kings Mountain: The Journal of Uzal Johnson, A Loyalist Surgeon*, (Columbia: The University of South Carolina Press, 2011).

ambush or sabotage. Importantly the militia showed desires for retribution and little command cohesion.<sup>18</sup> This meant that the actions of individual soldiers were incredibly difficult to control. However, some militia fought under the command of regular forces of the British and Continental armies as the war continued, which gave the militia direction and organization necessary to lessen the vigilante retribution that commonly took place.

State militia formed and recognized by the colonies, and British provincials, were supposed to be regular standing bodies and used to fight against the British and Loyalists in organized battles. Typically, these state troops were men who stood in a space “between long-service continentals and short-term militia.”<sup>19</sup> Patriot and Loyalist militia attempted to fight using tactics that any regular unit would use in battle, but Continental and British army officers took advantage of the irregular nature of the militia in battle. Despite the militia fighting alongside the regular army, the continental regulars looked down upon the militia and made this cultural division later in pension statements. Governor Rutledge of South Carolina commissioned state militia officers and generals to provide direction to state militia and organize irregular militia. These state officers provided coherency in action, encouraged the militia to act with some regularity, and made continental use of the militia possible. State militias often worked in subordination to the Continental army. This allowed the Continental army to shape the way that some of the southern militia fought, a trend that continued until the end of the war.<sup>20</sup>

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<sup>18</sup> Babits, *The Devil of a Whipping*, 29.

<sup>19</sup> *Ibid.*, 28.

<sup>20</sup> The deployment and orders that the Militia received at the Battle of Cowpens is an example of unique militia traits being used for a tactical advantage. Militia, due to their construction as an irregular body, exercised warfare that would be unconventional in any regular army. For the militia’s behavior in battle, and the traits of state militia, see Babits, *The Devil of a Whipping*, 28-29; Michael C. Scoggins, *The Day It Rained Militia: Huck’s Defeat and the Revolution in the South Carolina Backcountry May-July 1780*, (Charleston: History Press, 2005), 16.

The physical presence of the Continental army did not always shape the nature of warfare, but their presence as a regular army in the southern theatre inspired some militia officers to alter the militia nature of warfare. Some militia leaders, such as Francis Marion, also known as the Swamp Fox, had previous experience in the Continental army, which affected the nature of the warfare that he utilized by minimizing vigilante violence.<sup>21</sup> Other militia members also had experience with the continental army.<sup>22</sup> This exposure granted them experience that became valuable to the Southern Department because their experience with the Continental army made it easier for the Continental generals to organize the militia tactically and strategically.

The Loyalists had militia that actively fought against Patriot militia in irregular and regular warfare. These were often bodies of men led by a political figure, a popular figure, or a British officer. The Loyalists fought independently in countless guerilla engagements and large engagements while contributing to the main British effort as well. The Loyalists, indeed, fought against the patriots, but many Loyalists had other reasons for combating the patriots. Divided local communities, ethnic differences, religious differences, and family relationships were key to forging the initial division between Patriots and Loyalists.<sup>23</sup>

In the South, the Southern Department held the Continental and thus official command, and this meant the main army in the southern theatre and all organized forces were under the supreme command of one regular army officer. Both armies operated using a military hierarchy involving ascending and descending ranks of officers and

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<sup>21</sup> John Oller, *The Swamp Fox*, (New York: Da Capo Press, 2016), 103.

<sup>22</sup> Babits, *The Devil of a Whipping*, 31.

<sup>23</sup> Ronald Hoffman, Thad Tate, and Peter Albert, eds, *An Uncivil War: The Southern Backcountry during the American Revolution*, (Williamsburg: The University Press of Virginia, 1985), 68.

many men who became conscripted, impressed, or who volunteered. Those who volunteered sometimes did so for the financial bounty for their enlistment, the curiosity of war, or for ideological reasons. Many of these men had served for long periods in their respective units, with a harsh system of corporal punishment. These experiences bonded them into governable soldiers making regular units private bodies, open to only those who enlist and submit to the structure of army life. Continental regulars saw their service as distinctly different from that of the militia.<sup>24</sup> Regular rank and file troops, typically, were well disciplined, looted sparingly, and waged war following military law. However, regular units lost some of this cohesion in the Carolinas, most notably among the British due to leaders such as Tarleton, which resulted in atrocities that further fueled Patriot and Loyalist anger and made the nature of the war more violent.

Officers played the critical role in shaping the nature of warfare, but different officers commanded different kinds of units and used different tactics. There were two types of officers: British and Continental army officers, and irregular officers in the militia who led troops under colony supervision or through complete autonomy. Regular officers typically had experience in the military and fought with the primary focus of achieving total victory in the American struggle. Militia officers may have fought for personal reasons, to provide security for local regions, or for an American victory. The militia increasingly contributed to the main effort to thwart the British. This evolution significantly altered the nature of warfare because it brought militia under centralized control of regular officers who applied restraint and organization that legitimized regular warfare over irregular murderous warfare.

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<sup>24</sup> Babits, *The Devil of a Whipping*, 34.

The violence of the war in the south makes it difficult at times to distinguish engagements between battles or massacres, massacres being engagements in which one side had few casualties but caused great damage to the opposing force.<sup>25</sup> This distinction is important because a massacre created retribution rhetoric that decided the legitimacy of the engagement. Violent engagements had to appear to be legitimate to at least the participants that created the massacre. However, a massacre is a massacre because one side views the outcome as illegitimate and inhumane.

The battle of Waxhaws, considered to be a British-led massacre in Patriot eyes, and Pyle's Massacre, a Patriot-led massacre, are difficult to describe as battles due to the lopsided casualties produced; however, neither of the involved officers intended them to be massacres.<sup>26</sup> The motive behind each engagement is the distinguishing factor. An absence of premeditated motive for creating a slaughter demonstrates the initiative of individual participants rather than the objectives of leadership that led to the massacre. Massacres show the difficulty in restraining personal acts of retribution despite the best efforts of recognized leadership.<sup>27</sup> Officers of the British and Continental army attempted to provide enough restraint to reduce the capability of emotion overriding the illegitimate

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<sup>25</sup> A massacre, in the Oxford English dictionary is, "An indiscriminate and brutal slaughter of many people" while a battle is defined as "a sustained fight between large organized armed forces." See "Battle | Definition of Battle in English by Oxford Dictionaries." Oxford Dictionaries | English. <https://en.oxforddictionaries.com/definition/battle>; "Massacre | Definition of Massacre in English by Oxford Dictionaries." Oxford Dictionaries | English. <https://en.oxforddictionaries.com/definition/massacre>.

<sup>26</sup> Both Tarleton and Lee had no clear intentions of massacring enemy troops. Both engagements are illustrations of the difficulty of command. See, Tarleton, Lieutenant Colonel Tarleton Of The Late British Legion. *A History of the Campaigns of 1780 and 1781, In The Southern Provinces of North America*. (Dublin: Printed for Colles (etc.), 1787). 30; Henry Lee., *Memoirs of The War in The Southern Department of the United States*. (Washington: Peter Force, 1827), 156; Buchannan, *The Road to Guilford Courthouse*, 363-364.

<sup>27</sup> Tarleton stands out as an officer who waged a violent campaign, one for which he bears responsibility, but Waxhaws did not occur under direct orders of Tarleton unlike the structure of the rest of his conduct in the southern theatre.

view of massacres by both regular parties, but they failed at places such as Waxhaws and Pyle's Massacre.

This difficulty in handling emotion, often spurred by rhetoric and personal experience, created an atmosphere where events such as Waxhaws and Pyle's Massacre created a significant test on the restraint of leadership. Both massacres were under the leadership of regular officers who found themselves incapable of restraining their troops once the engagement began. Despite the likely intention of virtuous warfare, the legacy of massacres provided fuel for future violence and shaped the nature of combat for future engagements. The Patriot and Loyalist perception of massacre, however, is more important than the labels historians have provided because rhetoric that called an event a massacre created a psychological and emotional role in future engagements. When studying violence, it matters less if historians would call these events massacres because if neither side claims an engagement to be a massacre the important emotional and rhetorical response to massacre does not exist. Therefore, the label of massacre does not add to the understanding of why Patriots or Loyalists viewed their acts of violence as a legitimate reaction to brutal engagements. This is most notable at Kings Mountain where murder took place and the Continental Congress would praise the Patriot victory and thus legitimize the actions of the militia in the eyes of the Patriots.

### **The Backcountry of South Carolina and North Carolina**

As settlers moved westward toward the frontier of South and North Carolina, they lived in newly settled areas that had yet to be incorporated into those colonies. The lack of clearly defined counties led historians to record only vague geographical descriptions of the backcountry. Generally, the British thought the backcountry to be the counties of

Ninety Six and Camden. Revolutionary War historian Ian Saberton writes, “In the east the outer boundary began at the confluence of the Congaree and Wateree, extended northwards to the North Carolina line, continued westwards along that line to the Cherokee nation, and followed the Georgia line to a point just below Augusta. From there it proceeded in the south to a point on the Saluda midway between the village of Ninety Six and the Broad River before following the Saluda and Congaree eastwards.”<sup>28</sup>

The backcountry consisted of several immigrant groups. These settlers were predominantly Scotch-Irish, but Germans and other immigrant groups settled the backcountry as well. Ninety-five percent of backcountry men were farmers and they provided large quantities of food to the Carolinas. They lived in cabins or shelters leading lives that challenged the contemporary standards of behavior in other colonies; their standards of legality, morality, and religious practice did not coincide with those of many who lived toward the coast, and they generally lacked clergymen and were illiterate. There were, however, few men of wealth who were landowners, lawyers, merchants, and surveyors; these men largely became revolutionaries when the war began.<sup>29</sup>

### **South Carolina and North Carolina 1775-1780**

Starting in the late 1760s, violence between colonists occurred that formed the basis of violence between Loyalists and Patriots beginning in 1775. This violence defined the conflict of the American Revolution in the southern colonies. Before the American Revolution began, the settlers of the backcountry had already experienced a civil war. In the late 1760s after the French and Indian War, vigilantes roamed the backcountry

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<sup>28</sup> There are few centralized resources that summarize the backcountry as well as Ian Saberton. See Ian Saberton, “The South Carolina Backcountry in Mid 1780.” *Journal of the American Revolution*, May 24, 2017. <https://allthingsliberty.com/2017/05/south-carolina-backcountry-mid-1780/>.

<sup>29</sup> Ibid.



creating a lawless and dangerous environment for all of those living in the backcountry. This led to the creation of the so-called Regulators. The Regulators conducted a small-scale guerilla war against vigilantes and general lawlessness due to the poorly organized legal system in the backcountry of the Carolinas. As settlers moved into western North and South Carolina, these areas were only gradually drawn into districts to form some colonial control for safety and regulation. This led to uncertainty in the backcountry as disputes about land ownership broke out among these settlers. These disputes meant that the backcountry was under no authority, leading to bandits wandering the countryside robbing travelers, homes, horses, and livestock. The Regulators simply wanted government to provide courts, appoint sheriffs, and allow members of the backcountry into the legislature. The colonial government largely ignored their wishes.<sup>30</sup>

This gave rise to the Regulator movement in North and South Carolina which created a cycle of violence that brought a civil war to the backcountry. The Regulators took militant action in removing bandits from the backcountry to provide order, but many Regulators were guilty of pillaging in the process, which created a civil war between communities.<sup>31</sup> Some victims banded together to form the Moderators who then combated the Regulator movement to stop Regulator violence but ended up pillaging as well. This created a cycle of violence in the backcountry that created a civil war between warring backcountry men. In 1769 the Carolina governments drew three formal districts in the backcountry, each with a courthouse and jail to restore law and order. Since the Regulators attempted to restore law and order with their own “frontier justice,” they saw

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<sup>30</sup> Michael C. Scoggins, *The Day It Rained Militia: Huck's Defeat and the Revolution in the South Carolina Backcountry May-July 1780*, (Charleston: History Press, 2005), 21.

<sup>31</sup> Richard Beeman, *The Varieties of Political Experience in Eighteenth Century America*, (Philadelphia: University of Pennsylvania Press, 2004), 176.

themselves as independent from the low country colonists. Many Regulators and Moderators later became Patriots and Loyalists at the start of the revolution in 1775 and this ambiguous loyalty centered around “ethnic and religious antagonism, bitter competition for scarce economic resources, and the utter failure of outside mediation organizations to create a larger sense of the polity.”<sup>32</sup>

In January 1775 South Carolina quickly joined the patriot cause by sending delegates to the first provincial congress, but the backcountry was largely unrepresented in this process, encouraging the creation of militia units to defend the backcountry due to the inability of the Continental army to defend the entirety of the southern colonies. The militia of the backcountry raised men under command of Colonel Richard Richardson, the start of militia leadership. Presbyterianism was the dominant organized religion of the Scotch-Irish settlers, and the Presbyterian ministers successfully crafted sympathy toward the Patriot cause in many areas of the backcountry. The Patriots took strong control of the back country, but those who refused to join the Patriots began to fight back and a violent civil war began.<sup>33</sup> Many, but not all, men of the backcountry joined the fight.

The conflict for law and order did not spark universal conflict between colonists; many colonists remained disinterested in the politics behind the conflict and remained neutral during the Revolution. Southerners had no “national sentiment” to strengthen their bond to the Continental army or the American cause.<sup>34</sup> However, roughly half of the backcountry sided with the British because Loyalists were thankful for the British land

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<sup>32</sup> Scoggins, *The Day It Rained Militia*, 21. For more on the North Carolina regulator movement see Marjoleine Kars, *Breaking Loose Together: The Regulator Rebellion in Pre-Revolutionary North Carolina*, (Chapel Hill: The University of North Carolina Press, 2002).

<sup>33</sup> *Ibid.*, 27-30.

<sup>34</sup> NG to Colonel Alexander Hamilton, Camp on Pedee River [S.C.] Jan. 10th, 1781, In *The Papers of General Nathanael Greene*, Showman, et al, 7:88.

grants in the backcountry and were frustrated with the low country elite who had, in their eyes, unfairly governed the backcountry. A sense of belonging to the “British community” also contributed to loyalism.<sup>35</sup> Much like elsewhere, there were those who did not choose a side and those who had flexible loyalty. It was not uncommon for some to fight with the Loyalist militia for a period of time and then the patriot militia or vice versa.<sup>36</sup> There were those who did not want to pick a side and attempted to stay neutral, but they often found themselves serving either side in combat roles, willingly or not, or being extorted by either side for resources. The cycle of violence, starting with the Regulator movement, quickly translated into the American Revolution.

Immediate clashes between Loyalists and Patriots began in earnest throughout the backcountry as a civil war raged once more. The violence that commonly occurred related to the inability of the Militia to have centralized leadership to restrain violent retribution.<sup>37</sup> In 1776 the Cherokee, encouraged by the Loyalists and Shawnee Indians, attacked frontier settlements and the Patriot militia became embroiled in a violent conflict. By 1777 the Cherokee sought a peace deal, but the frontier remained a battleground between Indians and Patriot militia. In 1778 the militia units reformed into regiments and brigades because the numerous independent militias were causing a logistical strain. This organization of militia created some centralized leadership for the militia and had them participate in the American cause at large. This organization provided some manpower to the Continental forces fighting in the northern colonies, but, more importantly, it created organized resistance to combat the Loyalists and then the

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<sup>35</sup> Saberton, “The South Carolina Backcountry in Mid 1780”

<sup>36</sup> Richard Beeman, *The Varieties of Political Experience in Eighteenth Century America*, (Philadelphia: University of Pennsylvania Press, 2004), 176.

<sup>37</sup> Lee, *Crowds and Soldiers in Revolutionary North Carolina*, 197.

British, which helped form militia units to combat the British arrival in the southern colonies. In 1778 the British landed in Georgia, which alarmed South Carolinians, leading them to fight in Georgia until the landing of British forces in South Carolina. With the landing of the British in the southern colonies, the Loyalists began to band together and pillage Patriot properties, and the Patriot militia replied in the same fashion. These attacks, and the rumor of smallpox in Charleston, led to many backcountry militia men not wanting to participate in the defense of Charleston; the Loyalists were too great a threat to their own homes. The surrender of Charleston gave Loyalists the opportunity to equip themselves to fight the Patriots. The introduction of British forces provided the Loyalists with safety to regroup and the absence of centralized Continental forces meant that no centralized military authority existed to support and organize the Patriot militia at large.<sup>38</sup>

The introduction of the British also provided an opportunity for the slaves of the South, primarily in the low country of South Carolina. They believed that working with the British offered them an opportunity for freedom although the British never formally created a plan for the use of slaves. Northern Loyalists and British felt pity for the slaves and did not shy away from accepting slaves for humanitarian reasons. The British made some use of slaves primarily in logistical and support roles, rarely in a combat role, but were also willing to abandon their control over slaves due to illness.<sup>39</sup> The British frequently took slaves during raids of Patriot territory, so not all slaves came of their own free will. The British also promised the return of slaves to those who would submit to the

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<sup>38</sup> Scoggins, *The Day It Rained Militia*, 31-36.

<sup>39</sup> Lauren Duval, "Mastering Charleston: Property and Patriarchy in British-Occupied Charleston, 1780–82," *The William and Mary Quarterly* 75, no. 4 (2018), 615. <https://www.muse.jhu.edu/article/707412.614>

British thus using slaves as capital for control.<sup>40</sup> Slaves' general lack of combatant roles means that they don't feature strongly in this narrative, but a study of the British army, South Carolina, and British operations would feature more regarding slaves.<sup>41</sup>

In the period of 1775-1780 the backcountry militia, hardened by frequent warfare, became accustomed to violence and irregular warfare. Violence of retaliation contributed to this warfare because the militia saw it as legitimate responses to illegitimate acts by the opposing side.<sup>42</sup> The brutality of the violence cannot be understated. William Gibson, a Patriot and frequent volunteer in North Carolina military bodies, admitted to execution and torture in his pension record. Two loyalists, notorious for their violence against the Patriots, were captured and one hastily condemned to be shot while the other, "was condemned to be spicketed...he was placed with one foot upon a sharp pin drove in a block, and was turned round...until the pin run through his foot."<sup>43</sup> Gibson still felt no satisfaction, citing the "unrelenting cruelties" that Loyalists committed upon Patriots, thus arguing that this civil war provided legitimacy to torture and execution.<sup>44</sup>

As 1780 drew to the summer, everything would change with the inclusion of British forces in South Carolina. Many of the Loyalists and Patriots who were busy fighting each other joined the British or Patriot military bodies in an attempt to make a big difference in the outcome of the war. The fall of Charleston became the critical turning point in the southern theatre that escalated violence. The South Carolinian countryside, following the Siege of Charleston, erupted in violence.

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<sup>40</sup> Ibid., 614.

<sup>41</sup> Piecuch, *Three Peoples One King*, 9; 11; 44; 160-161; 215.

<sup>42</sup> Lee, *Crowds and Soldiers in Revolutionary North Carolina*, 196.

<sup>43</sup> John Dann, ed. *The Revolution Remembered: Eyewitness Accounts of the War for Independence*, (Chicago: The University of Chicago Press, 1980), 188-189.

<sup>44</sup> Ibid., 189.

This brief history demonstrates the unique nature of the war in the South in comparison to the war in the northern theatre. The war in the South became defined by a level of violence that was not matched in most other theatres of operation during the American Revolution. The frequency of torture, murder, and plunder key among them. Indeed, General Nathanael Greene commented frequently on the state of the southern colonies, often regarding the level of violence. The history of conflict unique to the South created a culture of violence that defined the brutal experience of war for those in South Carolina and North Carolina.

The first battle to be observed is the battle of Kings Mountain. The cycle of violence makes an appearance at the battle of Kings Mountain where we first see the indirect impact of the Continental army, violent rhetoric, passion for retribution, and definitions of what acts of violence are legitimate in the southern theatre. The Continental army, in its absence, influences the battle by making the militia come together to fight a major British formation and with the Continental Army's regularity gone, the militia adopt rules of their own to define what was legitimate or not legitimate in war.

## 2. THE ROAD TO KINGS MOUNTAIN

The violence of the Southern Theatre, the key role of the militia, and the effects of the actions of the British and Continental Armies began with the fall of Charleston in 1780. After the siege of Charleston, and the swift British victory at Camden soon after, the Continental Army was largely absent from the Carolinas. The British also shaped the violence of the war in this period. The British victory at the battle of Waxhaws following the siege of Charleston provided retribution rhetoric for Patriots to legitimize murder. The British, as well as the Loyalists, also participated in looting and plundering, which created a “moral” legitimacy for retribution between Patriots and Loyalists.<sup>45</sup> For the Patriot militia, the safety of their lives against Loyalist retribution and British aggression could not rely on Continental strength; they had to rely on themselves. The absence of the Continental Army thus played a role in the Battle of Kings Mountain, because its absence spawned the creation of a strong militia force which influenced the violence. This absence influenced the Patriot militia to engage the Loyalists at Kings Mountain because they were the only ones who could defeat the British. The Patriots also displayed a desire for the battle of Kings Mountain to be legitimate in Patriot eyes and limit retribution. All of this was possible due to the absence of the Continental army and thus its influence.

At the battle of Kings Mountain, the Patriot militia made clear that they wanted their actions during and after the battle to be legitimate in the eyes of all men across all colonies.<sup>46</sup> Following the battle, Congress praised the victory, thus making Kings Mountain legitimate and a noteworthy action that supported the American cause. Still,

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<sup>45</sup> Hoffman, Tate, Albert, eds. *An Uncivil War*, 61-62.

<sup>46</sup> As defined in the introduction, “For something to hold legitimacy it must abide to rules that at least one party recognizes, and it must be justified. It allows the process and type of violent behavior to develop and set the condition for violence that fluctuates throughout the war.”

surrendering Loyalists were slain by Patriot militia as victims of retribution during the battle which demonstrates the cycle of violence in the Southern Theatre and the limits of Continental Army influence from afar.

### **The Fall of Charleston and The Fall of South Carolina**

In 1780 the British underwent one of the largest military operations of the entire American Revolution to take Charleston from Patriot hands. This operation used British infantry, cavalry, and artillery along with Hessian forces and provincial Loyalist formations. The final offensive blow to subdue the rebellion was planned to take place in South Carolina.<sup>47</sup> The British had captured Savannah in 1779, and thus Georgia; the foothold in Georgia made South Carolina all the more attractive.<sup>48</sup> The British, having no major strategic victory in the middle and northern colonies by 1780, decided to exploit the potential allies in the southern colonies, primarily the Loyalists and the Indians bordering the South Carolina backcountry.<sup>49</sup> On 11 February 1780 British troops, after surviving a terrible storm on their journey southward, began to disembark their force just twenty miles south of Charleston.<sup>50</sup>

The landing of significant British forces showed that the British were going to make South Carolina their main effort in their attempt to destroy Continental power in the southern colonies. Continental power had previously kept South Carolina a relatively safe place for Patriot inhabitants. General Benjamin Lincoln commanded the Southern

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<sup>47</sup> Carl Borick, *A Gallant Defense: The Siege of Charleston, 1780*, (Columbia: The University of South Carolina Press, 2003), 22-23.

<sup>48</sup> David Wilson, *The Southern Strategy: Britain's Conquest of South Carolina and Georgia, 1775-1780*, (Columbia: The University of South Carolina Press, 2005), 173-175.

<sup>49</sup> I am using the term Indian to reflect the way the British were strategically thinking. Piecuch, *Three Peoples One King*, 6-11.

<sup>50</sup> Buchanan, *The Road to Guilford Courthouse*, 25; Borick, *A Gallant Defense*, 25-27.



Department—The Southern Continental Army—and found himself at a disadvantage but not surprised at the British move.

Lincoln stood outnumbered and attempted to increase the size of his army. Lincoln did not have enough manpower to thwart the British invasion, so George Washington sent several formations of his own command southward to reinforce Lincoln. Lincoln also suggested to Governor Rutledge that black battalions should form to aid in the defense of Charleston. The offer met fierce criticism from the South Carolina Assembly because the fear of slave insurrection and property loss was too great, so the suggestion ultimately achieved nothing. Lincoln had to stay in Charleston because he feared fighting the British in an open battle and his manpower decreased by low militia turnouts. Furthermore, the trip of Continental units southward from Washington's army was going to take a long time. Time was a resource that Lincoln did not have.<sup>51</sup>

Cannonballs crashed into Charleston on 12 March and this marked the beginning of the end for the Southern Department and Continental control of Charleston. Lincoln worked tirelessly at building defenses in and around Charleston to produce the hardest resistance possible and made sure his forces were well disciplined. Although Charleston was already suffering from cannon fire, the morale of the army and the civilians remained high initially.

However, by 26 April, as the siege wore on, Lincoln entertained the thought of evacuating the city, but he realized evacuation would be impossible because the British held strong positions around Charleston. Additionally, the civilian government was strongly against this option and the locals threatened to open the city to the British if the

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<sup>51</sup> Borick, *A Gallant Defense*, 33; 36; 40-41; 57.

Continental Army were to evacuate. The defenders of Charleston put up a determined defense, but ultimately surrendered on 12 May and the British marched into Charleston.

Most significantly, the power of the Southern Department evaporated with the lack of a field army following the surrender. To make matters for the Patriots worse, Loyalists began to pour into Charleston ready to serve the British. British Major Patrick Ferguson, appointed to organize the Loyalist militia in South Carolina, would soon become infamous to the Patriots for his recruitment skills and suppression of the backcountry.<sup>52</sup>

The British made Loyalist recruitment attractive, which further divided South Carolinian society between those loyal to the crown and those loyal to the Patriot cause. This understandably led to bloodshed. The British promised the Loyalist militia that they would not be used farther than Georgia or North Carolina, that they would only serve six months out of twelve, and that they would receive the same supplies that the British army received.<sup>53</sup> Additionally, the Loyalists would work alongside British troops to reconquer South Carolina in its entirety.<sup>54</sup> In the weeks after the siege, proclamations outlined the British plan to pacify South Carolina.<sup>55</sup> The British also offered any person who participated in the rebellion, including prisoners on parole, a full pardon, and British government protection.<sup>56</sup> The British continued by gathering new allies in the form of Loyalists and putting down the Patriot militia quietly seemed as though it might work as they moved towards the backcountry.

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<sup>52</sup> Borick, *A Gallant Defense*, 66; 87; 92; 129; 181; 219; 231.

<sup>53</sup> *Ibid.*, 235.

<sup>54</sup> *Ibid.*

<sup>55</sup> Paul Hubert Smith, *Loyalists and Redcoats: A Study in British Revolutionary Policy*, (Durham: North Carolina: Omohundro Institute and University of North Carolina Press, 2014), 130.

<sup>56</sup> Smith, *Loyalists and Redcoats*, 131.

The introduction of British forces legitimized a full-scale war against Patriot South Carolinians because they brought the legitimacy of their military institution. The British intensified Loyalists' motives and provided the tools necessary for the Loyalists to have their own retribution. The Loyalists could mass under a single banner with clear strategic goals to reinforce their war effort as legitimate.

The situation in South Carolina, to a southern Patriot's eyes, grew even worse after the siege of Charleston with the rise of Loyalist participation. Without the presence of a Continental Army, the British army became the security force for the Loyalists. Although the Loyalists and Patriot militias had fought violently since 1775, the stakes were now much higher. If the British were successful in their campaign in the southern colonies, the Patriots would lose everything. This strong emotion of fear provided both legitimacy to the Patriot resistance and created hate that made retribution a legitimate response for Patriot militia. The battle of Waxhaws in May of 1780 would solidify this change in stance on warfare for the remainder of the Revolutionary War and become the Patriot's most cited reason for murder, torture, and other acts of violence between Patriot and Loyalist militia.

### **Battle of Waxhaws**

The battle of Waxhaws became the key part of Patriot retribution rhetoric to assign legitimacy to brutal retaliations against Loyalists and British forces. The battle of Waxhaws also represented the widespread brutal behavior of the British, which relied on the strength of their military capabilities rather than widespread Loyalist friendship.<sup>57</sup> On 29 May 1780, only seventeen days since the fall of Charleston, Lieutenant Colonel

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<sup>57</sup> Stathis Kalyvas, *The Logic of Violence In Civil War* (New York: Cambridge University Press, 2006), 93.

Banastre Tarleton's mounted British Legion of 270 men came upon a body of 350 Continental and militia soldiers commanded by Colonel Abraham Buford at the Waxhaws in South Carolina.<sup>58</sup> Buford's formation had been on its way to Charleston, but had not reached the city in time for the siege and was trying to retreat towards friendly forces in North Carolina.<sup>59</sup> Tarleton offered quarter, allowing the militia to be paroled and sent home while the Continental line would become prisoners of war, but Buford rejected those terms.<sup>60</sup> Tarleton and his British Legion became infamous as Buford's inexperienced men let a volley loose at close range, then called for quarter, but were answered by the sabers of Tarleton's legion.<sup>61</sup> Due to the Patriot fire, Tarleton had lost command of his men due to his horse being killed during the charge.<sup>62</sup> By the time the battle was over, the British Legion suffered four casualties and fourteen wounded while Buford lost 113 men killed, 150 wounded, and 53 captured.<sup>63</sup> Tarleton, in his memoirs, recalled that, when his cavalry collided with Buford's men, "a slaughter was commenced."<sup>64</sup> Tarleton suggested, "thus in a few minutes ended an affair which might have had a very different termination" had he retained command of his men.<sup>65</sup>

Brutal engagements were not new to the Southern Theatre, however, the battle of Waxhaws was committed by a British officer which furthered the Patriot narrative that

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<sup>58</sup> Theodore Savas and David Dameron, *A Guide to the Battles of the American Revolution*, (El Dorado Hills, CA: Savas Beatie, 2013), 238; John Gordon, *South Carolina and The American Revolution: A Battlefield History*, (Columbia: The University of South Carolina Press, 2003), 86.

<sup>59</sup> John Gordon, *South Carolina and The American Revolution: A Battlefield History*, (Columbia: The University of South Carolina Press, 2003), 86.

<sup>60</sup> Wilson, *The Southern Strategy*, 253.

<sup>61</sup> Gordon, *South Carolina and The American Revolution*, 86-87; Wilson, *The Southern Strategy*, 254-255.

<sup>62</sup> Ibid.

<sup>63</sup> Theodore Savas, and David Dameron, *A Guide to the Battles of the American Revolution*, 241.

<sup>64</sup> Tarleton, *Lieutenant Colonel Tarleton Of The Late British Legion. A History of the Campaigns of 1780 and 1781, In The Southern Provinces of North America*, Dublin: Printed for Colles (etc.), 1787, 30.

<sup>65</sup> Ibid.

the British were just as evil as the Loyalists were. Therefore, Waxhaws, to the Patriots, normalized murder between the Loyalists, Patriots, and the British. Buford managed to escape along with roughly 100 men who had failed to make it to the battle.<sup>66</sup> Once word spread of the battle, and Tarleton's failure to quarter surrendering troops, a battle cry began to take shape in Patriot ranks to excuse Patriot brutality as the Patriots cried "Tarleton's Quarter" as a justification for all measures of violence in response to the massacre.<sup>67</sup> In the eyes of the Patriots, Tarleton became a villain; known as "Bloody Ban" or "Bloody Tarleton." His actions at Waxhaws were known as "Tarleton's Quarter" and the consequences of that rhetoric appeared at the battle of Kings Mountain.<sup>68</sup> The details, however, have made historians question how at fault Tarleton was and whether the battle of Waxhaws was a massacre. Historians who don't label the battle as a massacre tend to cite Tarleton's inability to restrain his men to halt violence after the Patriots had surrendered, while those who call Waxhaws a massacre argue that surrendering troops were slain regardless of Tarleton's leadership making it a massacre.<sup>69</sup>

Regardless of blame, Tarleton's actions at the Waxhaws is important because this action shaped Patriot rhetoric that would fuel the flames of later brutality and how

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<sup>66</sup> Ibid.

<sup>67</sup> Ibid.

<sup>68</sup> John Pancake, *This Destructive War: The British Campaign in the Carolinas, 1780-1782*, (Tuscaloosa, AL: The University of Alabama Press, 2003), 71; Buchannan, *The Road to Guilford Courthouse*, 84.

<sup>69</sup> David Wilson argues that Waxhaws was a failure of restraint than a massacre, Wilson, *The Southern Strategy*, 258-259; Pancake argues that Tarleton may not deserve his notoriety, Pancake, *This Destructive War*, 71; Hooock argues the Waxhaws was a slaughter but that it is unclear whether Tarleton had a direct role to play in the slaughter, Holger Hooock, *Scars of Independence: America's Violent Birth*, (New York: Crown Publishing, 2017), 312; Buchannan argues that Tarleton's history can be trusted when he is victorious, so it was a battle with unfortunate slaughter, Buchannan, *The Road to Guilford Courthouse*, 83; Jim Piecuch argues that it was not a massacre, nor actually referred to as one by any of the survivors see Jim Piecuch and Wayne Lynch, "Debating Waxhaws: Was There a Massacre?" (Journal of the American Revolution, August 7, 2013); John Ferling argues that Waxhaws was one of many British massacres, John Ferling, *Almost a Miracle: The American Victory in the War of Independence*, (Oxford: Oxford University Press, 2009), 452; Wayne Lynch also argues that Waxhaws was a massacre because surrendering troops were slain, Piecuch, Lynch, "Debating Waxhaws: Was There a Massacre?"

Patriots would later categorize Tarleton and the British throughout the rest of the war.<sup>70</sup> The conduct of Tarleton's actions was not legitimate in the eyes of the Patriot militia. The patriots thought the battle of Waxhaws was a massacre and thus their later actions against Loyalists and British could view murder as a legitimate means of warfare by satisfying retribution. If the British could commit massacres, massacres and other violence remained legitimate forms of warfare for the Patriots.<sup>71</sup> He became notorious for his ruthless tactics of burning villages and crops, leaving civilians with nothing, but Waxhaws shaped the Patriot reaction at large.<sup>72</sup> Tarleton, the commander of his British legion, seemed to demonstrate that the crown actively sought control of the southern colonies by any means necessary. Patriot hatred fueled by Waxhaws furthered brutality between Patriots, Loyalists, and the British as a norm in the nature of warfare in the southern colonies.

### **Camden**

With the Continental army absent, the Patriots had to do much of their own fighting using violent skirmishes that they viewed as legitimate. However, as the British and Loyalists further took control of South Carolina, it became increasingly clear that the militia needed to win a battle rather than another skirmish. The Patriot militia found this very difficult due to the lack of unification between militia units and the fickle nature of their participation. The Continental Army, if present, could provide such unification to bring all Patriot resources together by destroying the British threat.

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<sup>70</sup> Wilson, *The Southern Strategy*, 259.

<sup>71</sup> Buchanan, *The Road to Guilford Courthouse*, 84; Ferling, *Almost a Miracle*, 452.

<sup>72</sup> Piecuch, *Three Peoples One King*, 230.

The patriots of North Carolina and South Carolina saw the hope of major military victory once more when the Southern Department regrouped under Continental General Horatio Gates on 25 July and began marching towards Camden, South Carolina on the 27<sup>th</sup> to fight British General Cornwallis and take back South Carolina.<sup>73</sup> After Charleston, the militia had been waging a growing guerrilla war against Cornwallis with some success, but none of their victories halted the British progress. A pitched battle to destroy Cornwallis' force was necessary to cripple British control of North and South Carolina. Additionally, when Gates marched towards Camden, he fueled the effort of Patriot resistance that would culminate in a large growth of Patriot militia forces.<sup>74</sup>

General Gates destroyed the Patriot hopes of regaining military superiority or plurality when his new Continental Army fled the field at Camden after Cornwallis destroyed Gates. Gates, marching towards South Carolina with a mixture of Continental and militia forces, failed to understand that Cornwallis was only fifteen miles south of his army, while Gates ordered to march by night at 10 pm on 15 August towards Camden. Cornwallis had also issued a night march, unknowingly, towards the Continental Army. Gates completely failed to count the number of men in his command, thinking he had a sufficient number of men and, to make a night march even worse, his men were not properly fed. Gates, the hero of Saratoga, demonstrated his lackluster capabilities of combat command. While Gates moved his force at night, the Continental Army bumped into the British forces, creating a confusing and short skirmish.<sup>75</sup>

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<sup>73</sup> Buchanan, *The Road to Guilford Courthouse*, 152-153.

<sup>74</sup> Piecuch, *Three Peoples One King*, 189; 333.

<sup>75</sup> Buchanan, *The Road to Guilford Courthouse*, 161-162.

Both armies withdrew to form battle lines: the battle that would decide the immediate fate of South Carolina was in motion on a hot and humid day in Camden, South Carolina on 16 August. Cornwallis was the key obstacle in Gate's way to retake Charleston. Gate's army was poorly deployed and not of the same caliber of Cornwallis's elite British force, which resulted in an overwhelming British victory. Gates fled the field and never fully witnessed the carnage as he mounted his horse, famous for its speed and racing, and rode hard for three days. Once safe, he reported to Congress that he was organizing a defense of North Carolina with the militia, many of whom were dead, captured, or scattered, on the battleground at Camden.<sup>76</sup>

The defeat at Camden, like Charleston, made it appear the Continental Army would not be aiding the defense of South Carolina, which left the Patriot militia on their own to continue fighting the British. The British had defeated two field armies that the Continental Army presented. The regular army vanished and would not return entirely until the end of the year, but the Patriot militia continued to fight in South Carolina and experiencing greater and harsher threats to Patriot lives as the Loyalists began to fight back in strength.

Camden reintroduced Continental centralized strength in the South, providing a structure for the Patriots to raise their militia units so, even though the battle of Camden proved disastrous, the power of the militia grew. The Patriot militia ultimately came together to defeat a large arm of British forces as a response to Camden; the Patriots had to destroy major British formations even though the Continental Army remained absent. British Major Patrick Ferguson effectively recruited and trained Loyalist militia and

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<sup>76</sup> Ibid., 165; 170-171.



moved into the interior of South Carolina with his force, continuing the process.<sup>77</sup> With the lack of external assistance, the irregular militia had to operate independently and at a scale that matched the might of the British army. In October of 1780, the frustration of the militia resulted in the battle of Kings Mountain which had a profound effect on the Patriot cause at large.

### **Kings Mountain**

With no centralized Continental Army in the Carolinas after Camden, the Patriot militia continued its war against the British and Loyalists. Following the battle of Camden, however, the Patriot militia grew bolder in their plans against the British. This is best demonstrated at the Battle of Kings Mountain which occurred due to the Continental Army's absence. Between the fall of Charleston, and the battle of Kings Mountain, Patriot resistance threatened British control of the Carolinas. The lack of any permanent Continental presence altered the Patriot militia strategy, forcing the militia to combat British formations in a pitched battle on a scale not yet seen. This increased scale of action, seen at Kings Mountain, ultimately altered the violence exhibited by the militia. Some militia officers used this opportunity to restrain their men from murder and other behavior that many non-southern combatants would have viewed to be illegitimate.

Generally, across South Carolina and North Carolina, the Patriot militia exhibited brutality with raids and actions set on Loyalist combatants and civilians or British forces in skirmishes and minor engagements.<sup>78</sup> However, as the months passed after the battle of Camden, the size and unity of the militia, generally grew. One of the most important

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<sup>77</sup> Ibid., 202.

<sup>78</sup> Rebecca Brannon, *From Revolution to Reunion: The Reintegration of the South Carolina Loyalists*, (Columbia: The University of South Carolina Press, 2016), 16-18.

militia engagements would be at Kings Mountain. The conduct of the militia at Kings Mountain, and afterward, demonstrates a change in the nature of warfare.

Those who were neutral were often forced to pick a side due to the widespread violence of the Southern Theatre, the growing strength of Ferguson's force, and a fear of being criticized by their peers.<sup>79</sup> A Patriot Militia officer, John Franklin, fought with the Patriot militia starting in 1777 and later fought under Patriot militia officer Francis Marion, but when he returned to North Carolina in September 1780, he did not know what to do because the Loyalist and Patriot forces had divided the region. Franklin later stated:

“ I amongst many others of the peoples who took protection under [Ferguson] as a British subject and was immediately marched by him with the rest of his force to Kings Mountain and was there under him when the Battle was fought...I was...on the side of the British for while...I saw my error before the battle was over...I returned to what is now East Tennessee having been only eleven days with and in the service of the British. So began and ended my allegiance to the British King.”<sup>80</sup>

Franklin's recruitment, after many years of patriot service, is but one example of the effectiveness of Ferguson's recruitment strategies.

Ferguson became the image of what the British were doing to South Carolinians; they were separating the populace and enflaming a civil war between Loyalists and Patriots, causing many to see joining the Patriots as beneficial.<sup>81</sup> He planned to burn the countryside and destroy rebel outposts as he operated, which quickly demonstrated that there were two key sides at work: The Patriots or the Loyalists.<sup>82</sup> Staying neutral left

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<sup>79</sup> Kalyvas, *The Logic of Violence in Civil War*, 178; Rebecca Brannon, *From Revolution to Reunion: The Reintegration of the South Carolina Loyalists*, (Columbia: The University of South Carolina Press, 2016), 16.

<sup>80</sup> “John Franklins Account” in Robert Dunkerly, *The Battle of Kings Mountain: Eyewitness Accounts*, (Charleston: The History Press, 2007), 139.

<sup>81</sup> For more on militia control see Kalyvas, *The Logic of Violence in Civil War*, 340.

<sup>82</sup> Buchanan, *The Road to Guilford Courthouse*, 204-205.

southerners defenseless against the burning and pillaging from either the Patriots, Loyalists, or the British.

Ferguson demonstrated that the British army promised to strengthen the divide in their community between those loyal to the crown and those who were not through recruitment. Ferguson vilified the Patriots in his 1 October 1780, proclamation calling the Patriots “Barbarians” who had murdered innocent children in the eyes of their fathers and then cut the arms off of the fathers who had to watch their son die in agony.<sup>83</sup> His rhetoric continued suggesting their wives and daughters would be abused by Patriots.<sup>84</sup> He noted that “McDowell, Hampton, Shelby, and Cleveland are at their head... If you choose to be pissed upon forever and ever by a set of mongrels, say so at once and let your women turn their backs upon you, and look out for real men to protect them.”<sup>85</sup> Through fiery rhetoric, insulting manhood, Ferguson attempted to legitimize violence between Patriots and Loyalists by making those who were neutral join a side out of peer pressure or fear. His proclamation successful recruited. The Patriot militia, however, was on the move to destroy Ferguson’s force.

Ferguson understood the power that a strong militia force provided for the British effort, so he knew that any threat to the entirety of his force seriously threatened the British effort and future recruitment possibilities. Ferguson needed every man he could find because he was aware that the growing Patriot militia force could possibly outnumber his force and destroy him. He moved his formation to Kings Mountain because he thought it defensible due to its high ground and that Cornwallis, with the main

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<sup>83</sup> “Major Patrick Ferguson’s Proclamation” in Dunkerly, *The Battle of Kings Mountain*, 135.

<sup>84</sup> *Ibid.* 135-136.

<sup>85</sup> *Ibid.*

army, was nearby.<sup>86</sup> He still maintained confidence in his militia and his position at Kings Mountain as being enough to win any encounter with the Patriot militia.<sup>87</sup> He had faith in his militia and understood the importance of having a stable militia to control South Carolina.<sup>88</sup>

Ferguson's formation of Loyalist militia provided British control in the Carolinas and Ferguson's recruitment force became a target for Patriot militia. If the Patriots sought to secure the Carolinas Ferguson had to be destroyed. The battle of Kings Mountain on 7 October 1780, was the product of a hunt by Patriot militia to eliminate a body of Loyalist militia led by Major Ferguson.<sup>89</sup> Some of the Patriot militia had been fighting in previous engagements, but all shared a desire to confront the Loyalist militia.<sup>90</sup> Standing armies were a threat to the security and tranquility of South Carolina because they led to recruitment and raiding, which broke any semblance of an organized and lawful society that the backcountry culturally held as a high priority.<sup>91</sup> Major Ferguson mastered the trade of Loyalist recruitment. Ferguson was able to recruit local Loyalists, and neutral colonists who had to pick a side, at such a significant level that he became a force multiplier to Cornwallis' command and thus critical to any major offensive goals that Cornwallis planned.<sup>92</sup>

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<sup>86</sup> "Memoir of Captain Alexander Chesney" in "The Battle of Kings Mountain: As Seen By The British Officers" Tennessee Historical Magazine 7, no. 1 (1921), 58.

<sup>87</sup> "Ferguson's Last Letter to Cornwallis" and "Ferguson To Robert Timpany" In Dunkerly, *The Battle of Kings Mountain*, 137-138; Williams, "The Battle of Kings Mountain: As Seen By The British Officers", 58.

<sup>88</sup> Wade Kolb III and Robert Weir, eds. *Captured at Kings Mountain: The Journal of Uzal Johnson, A Loyalist Surgeon*, (Columbia: The University of South Carolina Press, 2011), xxvii.

<sup>89</sup> Savas, and Dameron, *A Guide To the Battles of the American Revolution*, 262.

<sup>90</sup> Gordon, *South Carolina and The American Revolution*, 113-114.

<sup>91</sup> Marjoleine Kars. *Breaking Loose Together: The Regulator Rebellion in Pre-Revolutionary North Carolina*, (Chapel Hill: The University of North Carolina Press, 2002), 2; 6.

<sup>92</sup> "John Franklins Account" In Robert Dunkerly, *The Battle of Kings Mountain: Eyewitness Accounts*, (Charleston: The History Press, 2007), 139.

The geographically diverse Patriot militia that engaged Ferguson on Kings Mountain shows the widespread fear that Ferguson's Loyalists created and the fear of British victory and the necessity of unification due to the absence of the Continental Army. He was a threat to the backcountry at large, so men came to fight from several colonies. The Patriot militia force consisted of men from Virginia commanded by William Campbell, Tennessee Over-Mountain Men commanded by Isaac Shelby and John Sevier, and North Carolina militia commanded by Charles McDowell, Benjamin Cleveland, and Joseph Winston.<sup>93</sup> Colonel Campbell was the supreme commander of the entire force who, despite his seemingly cool manner of command, notoriously suppressed the Loyalist population with fear and violent tactics.<sup>94</sup> On 1 October, before settling on Campbell as commander, they informed General Gates that they had no proper commander so they requested a Continental officer, which demonstrated a desire to wage war under Continental influence.<sup>95</sup> The hunting of Ferguson's force was complicated by complex terrain, rain-soaked soil, fatigued men and horses, and the difficulty of acquiring intelligence to ascertain the exact location of Ferguson's force.<sup>96</sup> Shelby, Sevier, and Cleveland came to the home of Solomon Beason, a man who was a Loyalist or Patriot depending upon the scenario, and there they learned of Ferguson's location.<sup>97</sup> They captured two Loyalists and ordered them to guide the Patriot militia to Kings Mountain;

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<sup>93</sup> Gordon, *South Carolina and The American Revolution*, 114.

<sup>94</sup> "Jacob Bealer's Statement" In Dunkerly, *The Battle of Kings Mountain*, 16; Kolb and Weir, eds. *Captured at Kings Mountain*, xxxiv.

<sup>95</sup> William Campbell, "Report by William Campbell et al. concerning the Battle of King's Mountain [as printed in the Virginia Gazette and the Massachusetts Spy]," Documenting the American South, accessed March 10, 2020, <https://docsouth.unc.edu/csr/index.php/document/csr15-0119>.

<sup>96</sup> Buchanan, *The Road to Guilford Courthouse*, 225-226.

<sup>97</sup> *Ibid.*, 226.

otherwise, they would be executed.<sup>98</sup> They discovered that Ferguson and his troops were camped at the top of Kings Mountain and they wasted no time preparing for battle.

With the Patriot militia unified they attempted to do what the Continental Army had failed to do since the fall of Charleston: destroy the ability for Cornwallis to control the backcountry and continue his invasion northward into North Carolina. The battle of Kings Mountain quickly escalated into a situation from which Ferguson could not run away. On a sunny day on 7 October 1780, an estimated 910 Patriot militia led by myriad Patriot militia leaders engaged roughly 1,075 Loyalist militia under the command of British Major Patrick Ferguson; the only Briton on the mountain.<sup>99</sup> Patriot militia moved up the slopes of Kings Mountain and deployed in a manner to encircle much of Ferguson's force.<sup>100</sup> The Patriot force attacked Ferguson's force and Ferguson began to launch counterattacks at the Patriot militia moving up the hill, but the irregular "frontier" style of warfare, where rough terrain, rifles, marksmanship, and loose order reigned supreme, denied Ferguson any progress.<sup>101</sup> The British doctrine of using the bayonet to give the enemy 'cold steel' was not suited to this warfare because they could not reach close quarters with their opponent.<sup>102</sup> Once contact occurred, no militia leader really had

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<sup>98</sup> Ibid.

<sup>99</sup> There is no consistent manpower value of either force, See, Savas, and Dameron, *A Guide To the Battles of the American Revolution*, 262; Gordon, *South Carolina and The American Revolution*, 114-116.

<sup>100</sup> Gordon, *South Carolina and The American Revolution*, 115.

<sup>101</sup> Gordon, *South Carolina and The American Revolution* 116; Williams, "The Battle of Kings Mountain: As Seen By The British Officers" *Tennessee Historical Magazine* 7, no. 1 (1921), 58.

<sup>102</sup> The bayonet became a favored tool of British troops and part of their training because of the frontier style of warfare where British troops had ineffective fire. The best answer to this was closing with the enemy which would force them, typically, to run. Loyalist militia trained to use this tactic, but not to the same level as British regulars. Additionally, at Kings Mountain, the terrain and fragmented nature of the battle made coordinated attacks difficult. For the use of the bayonet, and the most complete study of the British army during the revolution, See Matthew H. Spring, *With Zeal and With Bayonets Only: The British Army on Campaign in North America, 1775-1783*, (Norman: University of Oklahoma Press, 2008), 216-217.

complete control of his command: the slaughter was left to each armed combatant on the mountain.<sup>103</sup>

The Patriot militia, although not uniformly trained and led like the Continental Army, outmaneuvered Ferguson's defense and pressed the attack. As the Patriot militia reached firing positions across most of the mountainside the Loyalists were stuck in a crossfire.<sup>104</sup> Ferguson, understanding the likelihood of defeat, decided the only way out of the engagement would be to launch a large breakthrough counter-attack with him leading on horseback.<sup>105</sup> A frontal assault was his only option as the fire grew louder with increasing numbers of Patriots reaching the mountain top. Exposed on horseback, he was shot by Patriot riflemen, fell from his horse, and died. His entire command soon lay dead, wounded, or surrendering.<sup>106</sup> After an hour of vicious fighting, Fergusons' Loyalist command fiercely dissolved and Ferguson himself was another casualty on Kings Mountain.<sup>107</sup>

Like the Battle of Waxhaws, the casualty figures after Kings Mountain read more like a massacre—a one-sided affair with deliberate indiscriminate killing or surrendering men—rather than a battle. Military historians estimate that the Loyalists suffered 244 killed, 163 wounded, and 668 captured while the Patriots only suffered 29 killed and 58 wounded.<sup>108</sup> Despite the murder, retribution, and violent rhetoric, the militia achieved a great victory due to their shared commitment to destroying the Loyalists following the

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<sup>103</sup> Buchanan, *The Road to Guilford Courthouse*, 229-230; 233.

<sup>104</sup> A crossfire is when an individual, or a body of individuals, is fired at by more than one direction so that cover is difficult to acquire. See Gordon, *South Carolina and The American Revolution* 116.

<sup>105</sup> Gordon, *South Carolina and The American Revolution*, 116.

<sup>106</sup> *Ibid.*

<sup>107</sup> Savas, and Dameron, *A Guide To the Battles of the American Revolution*, 270.

<sup>108</sup> *Ibid.*

battle of Camden and the absence of the Continental Army. The Continental Army's absence forced the militia units to unite and defeat a British formation.

To Patriot eyes, Kings Mountain successfully halted any major British attempts to threaten the security of the backcountry, and they achieved their victory legitimately which the Continental Congress quickly confirmed. Officers Campbell, Shelby, and Cleveland sent an official battle report to the Continental Congress that Congress quickly celebrated.<sup>109</sup> Until Kings Mountain, growing British control of the southern colonies significantly threatened the Patriot cause. Within this context, Congress praised the victory at Kings Mountain stating, "Resolved, That Congress entertain a high sense of the spirited and military conduct of Colonel Campbell, and the officers and privates of the militia under his command."<sup>110</sup> Additionally, on November 13, Congress wanted all men in the Southern Theatre to know about the victory on Kings Mountain, requesting "that this resolution be published by the commanding officer of the Southern Army, in general orders."<sup>111</sup> The positive and proactive interaction with Congress gave Congressional legitimacy to the battle and the militia.<sup>112</sup> Congressional support made Kings Mountain a battle worth praise due to its effect on the American cause. The way Congress praised the victory also demonstrates the importance of the victory at Kings Mountain to the larger American cause.

The Congressional praise of the victory, due to the absence of the Southern Department, was the only official voice that could recognize the battle, its importance to

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<sup>109</sup> "Official Report" in Dunkerly, *The Battle of Kings Mountain*, 25-26.

<sup>110</sup> Army War College, *Historical Statements Concerning the Battle of Kings Mountain and the Battle of the Cowpens*, South Carolina (Chapel Hill: Washington, U.S. Govt. Print. Off., 1928), 32.

<sup>111</sup> Army War College, *Historical Statements Concerning the Battle of Kings Mountain*, 32.

<sup>112</sup> "Official Report" in Dunkerly, *The Battle of Kings Mountain*, 25-26.



the American cause, and thus its legitimacy. General Cornwallis, and other British officers, did not comment on the battle itself as being illegitimate in their correspondences in late October either, but they noted that the defeat greatly hindered Cornwallis's offensive plan into North Carolina, which signifies the strategic importance of the battle.<sup>113</sup> The lack of criticism on the battle's execution may be due to the fact that Ferguson's formation was destroyed or captured, leaving little information to reach the ears of Cornwallis. George Washington appointed General Greene as commander of "the Southern Army" in a letter on 14 October, so Greene had no immediate reaction to Kings Mountain.<sup>114</sup> Still, Greene received a letter dated 17 October 1780 from Patriot General George Weeden that praised the militia and reported the battle as a great victory.<sup>115</sup>

The militia at Kings Mountain demonstrated an evolution of their strength as a result of indirect Continental Army influence on the Southern Theatre.<sup>116</sup> Campbell, and most officers present, were able to argue that the battle of Kings Mountain was conducted honorably, with sacrifice, and was successful in honoring attempts at surrendering troops. However, Loyalists and Patriots presented different conclusions in later statements regarding the nature of warfare during and after the battle of Kings Mountain through pension records, diaries, and memoirs.

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<sup>113</sup> Lord Rawdon to Sir Henry Clinton, camp between Broad River and the Catawba, South Carolina, Oct. 29 1780, in *Correspondence of Charles, First Marquis Cornwallis*, Charles Ross, ed. (New York: Cambridge University Press, 2011), 1:62-64; Lord Rawdon to the Hon. Major General Leslie, Camp between Broad River and the Catawba, South Carolina, Oct. 31, 1780, in *Ibid*, 1:64-65.

<sup>114</sup> From George Washington to NG, Head Qrs Passaic Falls [N.J.], Oct. 14, 1780, in *The Papers of General Nathanael Greene*, ed. Richard K. Showman, *et al*, (Chapel Hill: The University of North Carolina Press), 6:385.

<sup>115</sup> From General George Weeden to NG, Fredericksburg [Va.], Oct. 17, 1780, in *Ibid*, 6:407

<sup>116</sup> Gerald M. Carbone, *Nathanael Greene: A Biography of the American Revolution*, (New York: Palgrave Macmillan, 2008), 151.

The militia leaders attempted to fight without bloody retribution, but Patriot militia murdered surrendering Loyalists during the action on Kings Mountain. Militia leaders, such as Campbell, fought actively to stop the slaughter and they eventually succeeded, but the bodies of surrendered troops laid upon the mountain.<sup>117</sup> The memoir of Alexander Chesney, a Loyalist officer in Ferguson's force who was present at Kings Mountain, details much about the nature of the war in the Carolinas. He participated in the revolution as a Loyalist first, then was impressed into the Patriot militia until the fall of Charleston. The presence of the British army gave him the opportunity to fight for the crown. In Chesney's memoir he stated, regarding the Loyalist's attempts to surrender, "[We] sent out a flag of truce, but as the Americans resumed their fire afterwards our was also [sic] renewed under the supposition that they would give no quarter... a dreadful havoc took place until the flag was sent out a second time" and Patriot officers could sufficiently restrain their men.<sup>118</sup> Before the battle began Loyalists were aware of the possibility that no quarter may be given, but that did not stop them from fighting.<sup>119</sup> The militia leaders had great difficulty in restraining the militia, as Patriot militiamen continued firing after the Loyalist called for quarter.<sup>120</sup> The lack of strict military restraint allowed the Patriot militia to be judge, jury, and executioner with little threat of punitive

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<sup>117</sup> Campbell's word is hard to judge due to his previous violent behavior. "Ensign Robert Campbell's Account" In Dunkerly, *The Battle of Kings Mountain*, 19; Buchannan, *The Road to Guilford Courthouse*, 233.

<sup>118</sup> Colonel William Hill heard his information from Veterans at Cowpens and had motivation to undermine Colonel James Williams, so his testimony must be questioned although it matches what Alexander Chesney witnessed, "Colonel William Hill's Account" In Dunkerly, *The Battle of Kings Mountain*, 51; Alexander Chesney fought at kings mountain, See "Memoir of Captain Alexander Chesney" in Samuel C. Williams, "The Battle of Kings Mountain: As Seen By The British Officers," *Tennessee Historical Magazine* 7, no. 1 (1921), 54; 58-59.

<sup>119</sup> "Memoir of Captain Alexander Chesney" in Williams, "The Battle of Kings Mountain: As Seen By The British Officers" 58-59.

<sup>120</sup> "Colonel William Hill's Account" and "Joseph Hughes's Pension Application" and Colonel Isaac Shelby's Pamphlet to the Public 1893" in Dunkerly, *The Battle of Kings Mountain*, 51-52; 77.

responses from their officers for a period of time until the militia forces were restrained.<sup>121</sup>

The retribution rhetoric following the Battle of Waxhaws and other British and Loyalist actions provided the motive and legitimacy to give encourage some troops to deny quarter as it was a battle for retribution as much as it was a battle for a strategic victory.<sup>122</sup> Patriot Colonel William Hill later wrote following the war, after listening to the veterans at Kings Mountain, “It is generally supposed and believed that it was done by some of the Americans, as many of them had been heard to promise on oath that they would do it when they had an opportunity which promises were made at the time the dispute took place before mentioned...”<sup>123</sup> The irregular structure of the militia—a lack of trained men and officers in an organized chain of command—provided the environment for groups of Patriots to commit murder because there was no proper mechanic for Campbell to sufficiently reinforce the position that surrendered troops may not be fired upon. Still, many Loyalists successfully surrendered. Once rounded up, the prisoners and the Patriot militia had to move quickly because they knew that Cornwallis’s force was nearby and could destroy the Patriot formation.<sup>124</sup> The Patriots and the Loyalist prisoners left Kings Mountain in the morning after the battle.<sup>125</sup> Patriot militiaman Silas

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<sup>121</sup> “Colonel William Hill’s Account” in Dunkerly, *The Battle of Kings Mountain*, 50-52.

<sup>122</sup> Buchanan, *The Road to Guilford Courthouse*, 233.

<sup>123</sup> Hill may not be entirely truthful in this statement, because it is Col. William’s troops who apparently held this oath and Hill had an agenda against col Williams. However, his recollection is broad, and it is unclear if he is attempting to use these “oaths” as a smear. “Colonel William Hill’s Account” in Dunkerly, *The Battle of Kings Mountain*, 51-52.

<sup>124</sup> “Statements of Silas McBee” in Dunkerly, *The Battle of Kings Mountain*, 65.

<sup>125</sup> Memoir of Captain Alexander Chesney “in “The Battle of Kings Mountain: As Seen By The British Officers”, 59.

McBee noted, “I have to smile when I tell of how Cornwallis was running in fright one way, and the Americans eagerly fleeing the other way.”<sup>126</sup>

Campbell faced the issue of retribution regarding the prisoners following the battle of Kings Mountain, but this time he and the other militia officers showed their intent to practice restraint and a lawful order of war. The issue of retribution and legitimate warfare rose again while the Patriot militia escorted the Loyalist prisoners. William Campbell’s general orders commanded officers to restrain troops from killing or provoking any of the prisoners and ordered all offenses by Patriot militia to be punished.<sup>127</sup> To have more control over the prisoners, the Patriots warned that if the Patriots were attacked they would kill every prisoner.<sup>128</sup> Three days after Kings Mountain, Ensign Robert Campbell noted that North Carolina officers approached Colonel Campbell and stated, “there were among the prisoners a number who had previous to the action on King’s Mountain, committed cool and deliberate murder and other enormities alike atrocious, and requested him to order a court-martial to examine into the matter”.<sup>129</sup> These Patriot officers were calling for retribution.

The British had also hung Patriots at towns like Camden and Ninety-Six prior to Kings Mountain, which made the Patriots despise the Loyalists and British all the more.<sup>130</sup> The Patriots were concerned with actions that happened before the battle and clearly held a desire for retribution that tested the strength of the militia body and its leadership. The accusing officers, “feared they [Loyalists] would commit other

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<sup>126</sup> “Statements of Silas McBee” in Dunkerly, *The Battle of Kings Mountain*, 65.

<sup>127</sup> “William Campbell’s General Orders” in Dunkerly, *The Battle of Kings Mountain*, 28.

<sup>128</sup> “Unknown Account, Scotts Magazine January 1781” in Dunkerly, *The Battle of Kings Mountain*, 146.

<sup>129</sup> “Ensign Robert Campbell’s Account” in Dunkerly, *The Battle of Kings Mountain*, 22.

<sup>130</sup> William Hill, and A. S. (Alexander Samuel) Salley, *Col. William Hill’s Memoirs of the Revolution*, (Columbia, S. C: Printed for the Historical commission of South Carolina by the State company, 1921), 24.

enormities worse than they had formerly done.”<sup>131</sup> However, rather than resorting to immediate personal vengeance, the restraint of the Patriot militia leadership required a formal answer to these fears.

To satisfy this desire for retribution the patriots decided to rely on colonial law rather than murder. Campbell used North Carolina law attempting to make acts of retribution legitimate because soldiers of the patriot militia felt that certain Loyalists deserved punishment for previous crimes committed. Campbell agreed to court martialing Loyalist prisoners and allowed Patriot officers to investigate, witnesses to be called to testify, and each case to be examined individually and with order based upon the laws of North Carolina.<sup>132</sup> How the officers found themselves to be lawful judges in this court is a mystery. This court found thirty-two men guilty, nine of whom were executed, “who were thought the most dangerous, and who had committed the most atrocious crimes.”<sup>133</sup> “Crimes” is important, because Loyalists were frequently tried as criminals rather than prisoners of war if captured.<sup>134</sup> The Patriots clearly did not recognize the legitimacy of their role in the war as soldiers and the Loyalists thought the same regarding the Patriots.<sup>135</sup> Both sides, in their battle for legitimacy, “could define the actions of the other as crimes against public law and against humanity.”<sup>136</sup>

The testimonies provided in the court demonstrate the focus on the Loyalists as criminals and largely relied on the words of the accusers rather than on evidence. A

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<sup>131</sup> “Ensign Robert Campbell’s Account” in Dunkerly, *The Battle of Kings Mountain*, 22.

<sup>132</sup> “Ensign Robert Campbell’s Account” in Dunkerly, *The Battle of Kings Mountain*, 22; “Colonel Issacs Shelby’s Account 1815” In Dunkerly, *The Battle of Kings Mountain*, 74.

<sup>133</sup> “Ensign Robert Campbell’s Account” in Dunkerly, *The Battle of Kings Mountain*, 22.

<sup>134</sup> Calhoun, Robert M., Janice Potter-MacKinnon, Robert M. Weir, Timothy M. Barnes, Robert Scott Davis, and Donald C. Lord, *Tory Insurgents: The Loyalist Perception and Other Essays*, Vol. Rev. and expanded ed, (Columbia, SC: University of South Carolina Press, 2010), 254.

<sup>135</sup> Ibid.

<sup>136</sup> Ibid.

Loyalist prisoner, Alexander Chesney, later called this a “mock tryal [sic]” in his diary.<sup>137</sup> Some of the execution charges fell on those who were found guilty of breaking into a home of a Patriot Captain and shooting his child, promoting Indian violence in the South Carolina backcountry, or even allying with Indians to murder women and children along the frontier.<sup>138</sup> Whether these perceived crimes were real or not, it is clear that the Loyalist as the ‘other’ remained a key feature of this civil war. Loyalist prisoners continued to suffer; however, orderly retribution reigned supreme, which indicated that the militia willingly satisfied their grievances in court with a noose rather than irregular accusations that immediately resulted in murder.

Loyalist Surgeon Uzal Johnson authored a diary, “Memorandum of Occunces [sic] during the Campaign [of] 1780,” which details a long timeline of events before, during, and after Kings Mountain.<sup>139</sup> With Uzal’s journal, it is apparent not all officers always shared the same observable commitment to making militia retribution legitimate. Uzal had a terrifying encounter on November 1<sup>st</sup>, nearly one month after the Loyalists had surrendered. Patriot militia leader Col. Cleveland entered his tent and “he said he was a damnd Villain and deserved the gallows.” Uzal, confused, asked why, to which Cleveland responded, that he “had found out my villainies and had a great mind to cut me up...he struck me over the head with a sword...and cut my hand.” Cleveland harmed Uzal because Uzal, to Cleveland, was a criminal. Col. Armstrong took Cleveland’s

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<sup>137</sup> “Alexander Chesney’s Diary” in Dunkerly, *The Battle of Kings Mountain*, 132-133.

<sup>138</sup> “Ensign Robert Campbell’s Account” and “Statements of Silas McBee” in Dunkerly, *The Battle of Kings Mountain*, 22; 64-65.

<sup>139</sup> Wade, *Captured at Kings Mountain*, IV-X; The journal “Memorandum of Occurrences during the Campaign in 1780” by Anthony Allaire has been often cited by historians since 1881 and is very similar to Uzal’s diary, but it is not as comprehensive. Uzal’s anonymous journal was found at the Thorne Boudinot Collection at Princeton University and featured striking similarities to Allaire’s journal, but Uzal did not plagiarize according to the editors and the benefits of the diaries’ information encouraged the editors to fully transcribe the journal, VII; IV.

command that night, which might have saved Uzal's life. Uzal later witnessed the impressment of Loyalist militia into Patriot service as men feared dying from cold and hunger, which demonstrated the often-flexible distinction between Loyalists and Patriots.<sup>140</sup>

General Cornwallis saw the executions differently and viewed the actions of the Patriot militia as illegitimate, taking offense to the treatment of Loyalist prisoners. He believed the Patriot militia acts of court martialing were cruel and unusual, as he stated in a November 10 letter: "I must now observe that the cruelty exercised on the prisoners...is shocking to humanity; and the hanging of poor old Colonel Mills...was an act of most savage barbarity." To prove these executions as "cruel murders" Cornwallis attempted to contrast Patriot behavior with British behavior. He sought an "authority to stop this bloody scene," which meant "in justice to the suffering Loyalists, to retaliate on the unfortunate persons now in my power." To conduct these executions of retribution—similar to the Patriot executions—he called upon the accused "for bearing arms after having given a military parole...or for enrolling themselves in our militia...and taking the first opportunity of joining our enemies." Cornwallis thus attempted to respond using traditional military charges of treason, but the actions of the Patriots following Kings Mountain drew the formal nature of the British army into a cycle of "necessary" retribution and execution. The British participated in this cycle of violence fueling acts of retribution conducted by the Patriot and Loyalist militias.<sup>141</sup>

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<sup>140</sup> Wade, *Captured at Kings Mountain*, 34.

<sup>141</sup> Earl Cornwallis to Major-General Smallwood, Camp, Nov. 10, 1780, in Ross, *Correspondence of Charles, First Marquis Cornwallis*, (New York: Cambridge University Press, (1859) 2011), 1:67; 70.

The British took the legitimacy of their executions seriously and tried to convey their execution logic to General George Washington, the face of the American military efforts. On 13 October, as the battles with the Patriot militia continued and intensified, General Sir Henry Clinton wrote to Washington to ensure him that “proper punishments upon guilty persons may become sometimes necessary. By guilty persons I profess to mean those who shall have been convicted upon the clearest ground and justest [sic] principles of *real*, not *supposed* crimes.”<sup>142</sup> Although Cornwallis and Clinton tried to accomplish an organized system, their strategy of retribution dirtied the sanitized picture of military justice that they presented. Cornwallis specifically stated that the execution of “persons in my power” was to “retaliate” rather than purely military justice.<sup>143</sup> Cornwallis searched for reasons to hang more prisoners, just like the Patriot militia had searched for reasons to hang Loyalist prisoners.

For Loyalists, the destruction of Ferguson’s militia left many unprotected against Patriot retribution. A Loyalist officer, Colonel Robert Grey, did not participate in the battle of Kings Mountain, but his comments regarding the plight of the Loyalists in the Southern Theatre are important. They illustrate the violence in South Carolina that plagued the Southern Theatre as long as both sides were vying for control. During the spring of 1782, Grey recorded his experiences of the war in Charleston, and shared:

It was no longer safe to be a loyalist on the frontiers...the others, increasing in boldness and enterprize, made constant inroads in small parties and murdered every loyalist they found, whether in arms or at home. Their eruptions answered the descriptions we have of the goths and vandals. The unfortunate loyalist found the fury of the whole was let loose upon him. He was no longer safe to sleep in his own house...had our militia been certain of being treated as prisoner of war by [sic] the enemy, many more would have aided the

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<sup>142</sup> Sir Henry Clinton to General Washington, New York, Oct. 23 1780, in *Ibid*, 1:61.

<sup>143</sup> Earl Cornwallis to Major-General Smallwood, Camp, November 10, 1780, in *Correspondence of Charles, First Marquis Cornwallis*, 1:67.



royal standard. They should have been allowed to retaliate against the rebel prisoners in kind.<sup>144</sup>

Even though the key militia forces slowly joined the Continental operation in the Southern Theatre, many men would stay as brigands and commit atrocities as Colonel Robert Grey described. Patriot men across South Carolina continually harassed the Loyalists for real or imagined crimes. The loss of major British backcountry control meant the loss of South Carolina as a home for many Loyalists as they suffered at the hands of the Patriots. The fear tactics that the Patriots used, alongside the growing Patriot victories against regular British forces, meant that Loyalists crept closer towards a feeling of isolation.

This cycle created an upset of Loyalist and British control, and the Patriots gained newfound hope due to the unification of militia units into a strong, centralized command that mirrored the commands of the Continental and British Armies. The British intervention shaped the nature of warfare to include masses of Loyalist troops, but with the Patriot victory at Kings Mountain, the war slowly began to see more Patriot success and growth in numbers.<sup>145</sup> Gray recollected “Had Major Ferguson lived, the [Loyalist] militia would have been completely formed” because Ferguson “possessed all the talents & ambition necessary to accomplish” the raising of a proper Loyalist militia force.”<sup>146</sup> For the Patriots and the Loyalists, it was victory or annihilation and the Patriots scored their largest victory yet. For the Loyalists, annihilation came closer to reality, but they were not out of the fighting yet; the war was far from over. It was not until general

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<sup>144</sup> “Colonel Robert Gray’s Account” in Dunkerly, *The Battle of Kings Mountain* 140-141; Robert Gray, “Colonel Robert Gray’s Observations on the War in Carolina.” *The South Carolina Historical and Genealogical Magazine* 11, no. 3 (1910): 140.

<sup>145</sup> *Ibid.*, 143.

<sup>146</sup> *Ibid.*, 144.

Nathanael Greene arrived, with his Continental Army, that significant Patriot victories occurred. Due to the Continental Army's involvement in the Carolina's for the rest of the war, the nature of warfare continued to evolve.

### **Conclusion**

The battle of Kings Mountain demonstrated the Patriot militia response to rapidly increasing British control over South Carolina, the threat of Cornwallis invading North Carolina, and the absence of the Continental Army that opened a unified patriot militia formation to fight the British in an open battle. The absence of the Continental Army forced the militia units to work together in a large formation, which resulted in a decrease in militia violence while unified. This absence altered the violent narrative tied to the militia because at Kings Mountain the militia lessened the slaying of surrendering men and provided enough restraint to capture many prisoners and to return them safely without unwarranted reprisals.

Campbell appeared to be a militia officer who attempted to conduct a brutal, but fair, battle by 18<sup>th</sup> century battle standards through restraining his men from conducting violent acts of revenge. Campbell clearly wanted militia actions to be legitimate in the eyes of the colonies at large by conducting fair trials for prisoners under North Carolina law. He sought law and order for actions during the battle and for the captives afterward. The organizational qualities, motives, and leadership, necessary for a victory like Kings Mountain, demonstrated the growth of the militias and its capability to ultimately apply enough restraint to keep the murder of surrendering troops minimal.

Due to the destruction of a large Loyalist military formation, any form of large-scale Loyalist recruitment vanished for the British. As the militia then witnessed a major

victory through unification, Patriot militias continued to play a large role when general Nathanael Greene's Southern Department became operational and called upon the support of the militia. At Kings Mountain, the Patriots fought to make their action legitimate and less violent, but the Continental Army brought *de facto* legitimacy along with it. This would further shape the warfare practiced by the Patriot militia.

In the larger context, southern militia actions such as that at Kings Mountain became part of an American victory. However, the violent nature of the war never entirely changed. There were too many banditti and angry neighbors to suggest that the Patriot and Loyalist militia completely changed, but the militia's responses to the evolving nature of the war altered the conduct of their fight. Shortly after Kings Mountain, a new Continental Army, under the command of General Nathanael Greene, entered South Carolina and relied on the militia to achieve victory. Many militia units during every operation, and many major battles, played a key part in victory and marched and stood under orders of Continental officers. Operationally, Patriot and Loyalist militia worked in concert with the British and Continental Armies, which further changed the nature of warfare. While the violence may not have completely shifted, there is no doubt that the introduction of state forces, the British who intensified the actions of retribution, and the Continental Army that enabled them, required the militia to execute their war on a larger scale, which demonstrated the evolving cycle of violence, restraint, legitimacy, and retribution.

### 3. THE CHASE TO COWPENS

Kings Mountain showed the effect of the absence of the Continental Army and the role of the British army while Cowpens shows the direct effects that the Continental army could have on restraining violence. Kings Mountain demonstrates a ferocious battle that showcased the violent nature of retaliation but concluded with relative restraint on the prisoners using North Carolina law instead of murder which demonstrated an attempt at making these executions legitimate. At Cowpens, despite the desire for retribution that the Patriot forces had, a clearly legitimate and orderly battle took place that saw no examples of failure to quarter surrendering troops and an absence of prisoner abuse. This is due to the unifying factor of the Continental army, specifically General Daniel Morgan and his ability to unite much of the militia in the Carolinas and Georgia to fight as one formation. This had the additional effect of lessening the violence in South Carolina because a vast majority of the militia came together under Morgan's command for the most part. There were limits, however, as William Washington killed 150 Loyalists as they ran in an engagement highlighting the cycle of violence that persisted. Still, Morgan, as a general of the Continental army, carried de facto legitimacy as an American army rather than a band of militia, while Morgan's superior, General Nathanael Greene, was organizing the frontier and actively working to reduce the level of violence. The official status of the Continental army gave Greene the power to work with the colonies, organize and unify their militia, provide legitimacy to combats, broker rules of war with Cornwallis, and thus alter the nature of warfare.

Cowpens is an example of how the Continental army altered the nature of warfare, however, the campaign for Cowpens also demonstrates the limits of Continental

influence had in affecting violence. Cowpens featured some of the same men as those who fought at Kings Mountain as well as hundreds of men who had been fighting or hiding in the backcountry, yet Cowpens had a different character that clearly shows the power that the Continental army had on regulating violence. These same men fought using the rules of war that were recognized by the British and Continentals, with a lack of murder and retribution. The type of warfare practiced in South Carolina, however, did not disappear entirely. Still, Morgan and Greene made an impact on the cycle of violence as part of the military campaign.

Continental General Daniel Morgan played a pivotal role in the Patriot victory in the southern theatre and the American Revolution as a whole and the presence of his forces in South Carolina changed the nature of warfare. His action at Cowpens destroyed another arm of Cornwallis's forces and created successful tactics from which Greene took inspiration at the battle of Guilford Courthouse that led to Cornwallis's surrender at Yorktown. The success of Daniel Morgan is not as surprising as it is at first glance. Morgan continually demonstrated his superior command capabilities in battlefield leadership and tactics from the outset of the war in 1775.

Daniel Morgan, from Virginia, had extensive battle tried leadership experience before his role in the southern campaign of 1780 that allowed him to competently lead Continental forces and the Patriot militia as a cohesive legitimate force to combat the British. For the Continental practice of warfare to occur, an officer dedicated to representing the Continental practice of war had to be leading the actions. Daniel Morgan braved a storm of fire at the Patriot assault on Quebec in 1775, but once in the city he reluctantly surrendered, trapped and outnumbered. The British offered him command as a

Colonel in the British army after witnessing his seeming lack of fear under fire and leadership capability, but Morgan denied the offer, feeling insulted at the suggestion of fighting for the British. Later paroled in 1777, his fierce reputation preceded him upon his return to the Continental Army. Washington gave Morgan a promotion to colonel, commanding a rifleman regiment of 500 Continental riflemen, men of the frontier, later called Morgan's Rifleman, and fiercely fought the British at the battles of Saratoga, Freeman's Farm, Bemis Heights as well as constant skirmishing with British forces. Morgan briefly went on Furlough when he was denied command of a brigade due to the overabundance of Virginian leaders. In the summer of 1780 Gates pressured congress to promote Morgan to brigadier general to take command of the light troops of the southern army, but Morgan's deteriorating physical health delayed his arrival until late September 1780. Upon his arrival, he immediately began skirmishing with British forces and on 13 October he finally received a promotion to Brigadier General.<sup>147</sup>

Despite the important move of the Continental army back into the Carolinas, they faced extreme logistical challenges that, if not addressed, would put the Continental army in the position to make plunder part of their operations and stop the capability for Greene to create an organized and strong force to operate with the militia. Greene saw his future army shortly before Gates gave Greene command of the troops. In a letter, he noted, "I find the troops under his command in a most wretched condition, destitute of everything necessary either for the comfort or convenience of soldiers."<sup>148</sup> Beyond food and ammunition, uniforms and basic lodging were critical to Greene, "No Man will think

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<sup>147</sup> Buchanan, *The Road to Guilford Courthouse*, 280-281; 283-288.

<sup>148</sup> NG To Governor Thomas Jefferson of Virginia, Camp Charlotte [N.C.], December 6, 1780, in *The Papers of General Nathanael Greene*, Showman, *et al*, 6:530.

himself bound to fight the Battles of a State that leaves him to perish for want of covering, nor can you inspire a Soldier with the Sentiment of Pride whilst his situation renders him more an Object of Pity than Envy.”<sup>149</sup> The soldiers of the southern department needed adequate morale to face the British, and as they seemed abandoned by the colonies, Greene’s fear about their morale became a heavy burden. He soon asked great courage and determination from the militia and Continentals under his command.

Greene came to North Carolina some five years since hostilities began in 1775 and witnessed how violently the Loyalist and Patriot civil war destroyed the countryside due to the absence of strong centralized control under Continental leadership. Greene inherited an army that barely stood on its own let alone provide structure to the southern theatre to influence violence. Green encountered the complete absence of any information regarding purchases of the army, which states were supplies purchased from, where the army received lead from, and the arms and ammunition held by the army; information that the previous commander, General Gates, had failed to communicate to Greene.<sup>150</sup>

Beyond an understanding of the civil war raging the countryside, Greene showed that he understood Patriot accusations of British atrocities and, importantly, believed them, further bonding the Greene’s relationship with the Patriot militia. Greene, as the official military body of American war efforts in the South, then made the efforts of the Patriot militia legitimate means to violent conflict and supported the argument that the violence committed by the British bore illegitimacy. While Greene could not yet put an

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<sup>149</sup> Ibid.

<sup>150</sup> NG To General Horatio Gates, Camp Charlotte [N.C.] Dec. 8<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, *et al*, 6:553.

army in the field, he began a dialogue with Cornwallis, his British counterpart, to provide an official voice regarding Patriot behavior.

It is important that Greene, not militia leaders, opened a dialogue with Cornwallis for two reasons. First, this acted as the first official attempt between the British and Patriots, since the Patriot defeat at Camden, to define the scope of warfare in the southern theatre. Secondly, Cornwallis viewed Greene as a legitimate figure while Cornwallis viewed the militia units as illegitimate, so any challenge to the nature of warfare had to come from a legitimate source to be taken seriously. Greene, sympathetic to the Patriot plight, communicated his concerns in letters to Cornwallis clearly demonstrating Greene's view of British behavior. Cornwallis sent Greene a letter complaining of the treatment of Loyalist prisoners by the Patriots and British responses to such actions on 27 December, stating, "The proving to the suffering Loyalists that I am in earnest to protect them, and to retaliate on their inhuman oppressors, is a duty which I owe to my country" which clearly marks Patriot retaliation as illegitimate to Cornwallis. He noted that "you will find instances enough of the most inhuman persecution, and even tortures, inflicted on those who refuse to take arms on your side...I shall observe the same rule of conduct which you do, in the treatment of the officers and soldiers of the army, the militia, and the inhabitants of the country."<sup>151</sup> Cornwallis spoke truthfully and did not exaggerate in this letter to Greene—the Patriot militia cruelly dealt with Loyalist prisoners including "assassinating" those taken prisoner—however, he left out the British atrocities which Greene saw as illegitimate actions.<sup>152</sup> To Greene, actions from the Patriot militia that

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<sup>151</sup> Earl Cornwallis to Major-General Greene, Wynnesborough, December 27, 1780 in *Correspondence of Charles, First Marquis Cornwallis*, Ross, 1:75.

<sup>152</sup> Gray, "Colonel Robert Gray's Observations on the War in Carolina," 145.



resulted in executions were understandable behavior by the Patriot militia as a response to illegitimate Loyalist and British actions.

The parole given to the Patriots after the fall of Charleston was punishable by anyone who joined the Patriots to fight against the British, a crime for which the British had been hanging men.<sup>153</sup> Regarding the conduct of Patriot militia, Greene responded to Cornwallis on December 17<sup>th</sup> supporting Patriot militia violence if they had, among other reasons, “the conduct of your army as a precedent.”<sup>154</sup> Greene criticized the hanging of colonists who broke their parole: “Punishing capitally for breach of military parole is a severity that the principles of modern war will not authorize.”<sup>155</sup> He reminded Cornwallis of the violent actions of British officers such as Lt Col Balfour, Lord Rawdon, and Tarleton: “The feelings of mankind will forever decide when the rights of humanity are invaded. I leave them to judge of the nature and tendency of your lordships orders...in laying waste the Country and distressing the inhabitants, who were taught to expect protection and security if they observed but a neutrality.”<sup>156</sup> The Patriots had legitimized execution and poor treatment of Loyalist militia prisoners, while the British had legitimized a system of violence as a legitimate response to Patriot militia actions.

Judging the state of the war in North Carolina, Greene made important conclusions that altered how the Continental army would operate alongside the Patriot militia. Greene wrote to General Henry Knox, “The great bodies of militia...has laid Waste the whole Country. The Expence [sic] and Destruction that follows this Policy

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<sup>153</sup> Earl Cornwallis to Vice-Admiral Arbuthnot, Charlestown, June 29, 1780 in *Correspondence of Charles, First Marquis Cornwallis*, Ross, 1:48; Earl Cornwallis to Sir Henry Clinton, Camden, August 29, 1780, in *Ibid.*, 1:58.

<sup>154</sup> NG To Lord Cornwallis, Charlotte, [N.C.] Dec. 17<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, *et al*, 6:592

<sup>155</sup> *Ibid.*

<sup>156</sup> *Ibid.*

must ruin any nation on Earth... it is with the utmost difficulty you can restrain them from plundering one another.”<sup>157</sup> Greene, therefore, worked towards restraining the militia units by bringing them under his control, exchanging violent militia policy with Continental army policy. It is possible that Greene thought this for moral, tactical, and strategic reasons.

Greene recognized the importance of a standing army in the Southern Theatre and the importance of its continued presence in a society with flexible loyalty and morals, “Nothing can save this Country but a good permanent Army conducted with great Prudence and Caution...Every Thing here depends upon opinion, and it is equally dangerous to go forward as to stand still for if you lose the confidence of the People you lose all Support and if you rush into Danger you hazard every Thing.”<sup>158</sup> Greene quickly suggested to the North Carolina Board of War that organizing magazines to store provisions all over North Carolina played a critical war in altering the nature of warfare in the Carolinas, “ as it respects the Army, but as it effects [sic] the inhabitants in it’s [sic] consequences...For if an army is not well provided the people will soon begin to feel the hand of violence; nor is it in the power of a General to avoid it.”<sup>159</sup> Greene’s previous experience in the war explains how Greene quickly understood the critical importance of logistics.

Greene had fought for three years primarily as an officer in the Continental Army, where his extensive capabilities as a commander became apparent. On 2 March 1778

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<sup>157</sup> NG To General Henry Knox, Camp Charlotte [N.C.] Dec. 7<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, *et al*, 6:547.

<sup>158</sup> *Ibid*.

<sup>159</sup> NG to the North Carolina Board of War, Camp Charlotte [N.C.] Dec. 7<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, *et al*, 6:548.

Greene left his leadership in the field and became Quartermaster General, much to his displeasure, but with the insistence of the Continental Congress and Washington.<sup>160</sup> He made significant improvements to the logistical system used by the Continental army with a proper transportation network and field depots.<sup>161</sup> Even while he was Quartermaster General, he managed to take field command on a few occasions, but this was not enough to satisfy his eagerness to command troops in the field.<sup>162</sup> Two weeks before the battle of Camden, Greene resigned from being Quartermaster General, and after the failure of Gates, Washington appointed Greene to command the Southern Department on 14 October 1780.<sup>163</sup>

As this chapter demonstrates, Greene's experience and success as Quartermaster General provided him with the experience in waging a war in a cycle of violence among the population because he understood the strengths and weaknesses that the Continental Army provided. Food, clothing, arms, and equipment, if properly organized, would keep his Continentals, and even the militia when possible, ready to wage war against the British and Loyalists in an organized way. Greene believed the looting had to stop to restore order to the frontier. Looting promoted violence and retribution and thus fed the cycle of violence. Greene's early attention to the issue of logistics further organized the backcountry around a system where he attempted to end the want of the militia and soldiers, but with mixed success.

Ultimately Greene's army became the center of organizing the patriot cause, attempting to end the looting, reorganizing the southern theatre, and providing a strong

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<sup>160</sup> Buchanan, *The Road to Guilford Courthouse*, 271-272.

<sup>161</sup> *Ibid.*, 272.

<sup>162</sup> *Ibid.*, 273.

<sup>163</sup> *Ibid.*, 274-275.

center of Patriot control that could rival the British. This created a shift in how the militia fought, which created opportunities for violence to be restrained. Despite Greene's disdain of the militia, he understood that they were necessary for victory.<sup>164</sup> He needed to come up with a strategy to begin his campaign against Cornwallis. He understood the strategic and tactical advantage of "Partisan warfare" to preserve his own troops while slowing down the advances of Cornwallis as much as possible; a strategy to which the militia was well suited.<sup>165</sup> Cornwallis believed that British control in the Carolinas could not be established unless the Continental army was destroyed.<sup>166</sup>

General Greene looked towards General Morgan for his known capabilities as a combat commander and leader. Greene needed an officer that could not only produce military victories but also unify the militia units under Continental leadership, a job that required patience. Before reaching his new army, Greene decided to split it into two formations, one being a "flying army" of light infantry who excelled at moving rapidly.<sup>167</sup> Upon arrival to the clearly weak Southern Department, Greene knew that fighting the British in a pitched battle would be foolhardy, but he could not make any large retreat that would further damage morale to his army and the populace. He decided to split his army into two forces and sending the light force into Western South Carolina to fight a partisan war with the goal of halting Cornwallis.<sup>168</sup> This gave Greene time to organize the main army while Morgan, moving westward with his Continentals and

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<sup>164</sup> Massey, Gregory D., and Jim Piccuch, eds. "We must endeavor to keep up a partisan war: Nathanael Greene and the Partisans" In *General Nathanael Greene and the American Revolution in the South*, (The University of South Carolina Press, 2012), 119-120.

<sup>165</sup> *Ibid.*, 120-121.

<sup>166</sup> Buchanan, *The Road to Guilford Courthouse*, 307.

<sup>167</sup> Headnote of Greene's Decision to Split the Southern Army, in *The Papers of General Nathanael Greene*, Showman, *et al*, 6:587.

<sup>168</sup> *Ibid.*, 6:588.

joined by South Carolina militia leaving British control of key posts at Ninety Six and Augusta exposed.<sup>169</sup> The division of Greene's army still left Greene's army a threat to Cornwallis's as Greene blocked Cornwallis from moving into North Carolina while Morgan put too much pressure on Cornwallis's forces to allow Cornwallis to advance.<sup>170</sup> Although divided and weak, Greene gave Morgan the opportunity to unify Patriot militia units with restraint and organization, altering the violence that the militia practiced.

### **General Morgan Takes Command**

General Daniel Morgan's entry into South Carolina brought with him the legitimacy of the Continental Army due to his official status as a Continental officer, causing those who joined him to be tied to Continental views of legitimate warfare as they had to wage war under Morgan's guidance. Although fragile, regular troops from the Continental army followed Morgan and their presence extended the legitimacy of his command, being physical examples of the army. This unification also gave the militia direction in a large scale, spanning multiple colonies, that they could not have continued to do independently following Kings Mountain. The militia that joined Morgan conducted operations under his order to a strategic end rather than violent moments of irregular vigilante justice and pillaging. Many militia units previously probed the Continental army for this leadership before Kings Mountain, so this transfer in authority from the militia to Morgan did not prove troublesome. This legitimate command authority that unified Patriot militia units under Morgan's authority kept the militia focused on defeating the British effort rather than on vengeful acts.<sup>171</sup>

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<sup>169</sup> Ibid.

<sup>170</sup> Ibid.

<sup>171</sup> Those Patriot and Loyalist militia and banditti who continued acts of violence did so not under Morgan's influence.

On 16 December General Daniel Morgan was appointed to command “a corps of light infantry” and ordered to:

“proceed to the west side of the Catawba River where you will be joined by a body of volunteer militia...you will employ against the enemy on the west side of the river, either offensively or defensively as your own prudence and discretion may direct, acting with caution and avoiding surprizes [sic]...I give you the entire command in that quarter, and do hereby require all Officers and soldiers engaged in the American cause to be subject to your orders and command.”<sup>172</sup>

Greene, now in control, wanted Morgan’s command with authority over all militia to give “protection” to and “spirit up” the people.<sup>173</sup> Greene later wrote to General Sumter, “nor the people be firm in our favor until they behold a better barrier [Continental Army] in the field than a Volunteer Militia.”<sup>174</sup> Greene made a point to remind Morgan, “you will prevent plundering as much as possible...giving receipts for whatever you take...”<sup>175</sup> In this way, Morgan’s operation brought Continental regularity to the backcountry to “distress the enemy and afford protection to the country.”<sup>176</sup> Additionally, by ordering all Patriots in South Carolina to rally to Morgan’s formation, Greene gave the opportunity to unite the militia together under one leader; centralized control that followed military law which had been absent since the fall of Charleston.

The composition of Morgan’s formation demonstrates the importance of the Continental command had on organizing the backcountry and how it brought so many people from different places together with one goal: the destruction of British control of the southern colonies. Morgan left with his new force of light troops on 21 December and

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<sup>172</sup> NG to General Daniel Morgan, Charlotte [N.C.] Dec. 16<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, et al, 6:589.

<sup>173</sup> Ibid.

<sup>174</sup> NG to General Thomas Sumter, Camp on the Pedee [S.C.] Jan. 8<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:75.

<sup>175</sup> NG to General Daniel Morgan, Charlotte [N.C.] Dec. 16<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, et al, 6:589-590.

<sup>176</sup> NG to General Daniel Morgan, Charlotte [N.C.] Dec. 16<sup>th</sup>, 1780, in *The Papers of General Nathanael Greene*, Showman, et al, 6:590.

called for the participation of South Carolina militia commanded by General Thomas Sumter and North Carolina militia under the command of General William Davidson as well as anyone who would pick up a weapon and fight.<sup>177</sup> Patriot General William Moultrie, in his memoirs, recorded that in December, “the inhabitants, tired of their ill treatment...and finding no security for their lives or property, sincerely wished for an American force to come among them.”<sup>178</sup> Their security relied upon the Strength of an American force rather than their local militia musters and this meant participating in the Continental system of war.

In his call for the militia, Morgan acknowledged the weak state of the army, but he also reminded the southern inhabitants that the British Press lied about the progress of the war and that the fight against the Loyalists and British could continue under Morgan. Contrary to the Loyalist press, Morgan claimed the French caused significant damage to the British to harden the resolve of those in the backcountry.<sup>179</sup> This positive news for the Patriots who would then hopefully be encouraged to join Morgan’s ranks. Many militia units answered Morgan’s call: 60 men from South Carolina, 620 from North Carolina, and militia “wandering” in South Carolina from Georgia.<sup>180</sup> Morgan received cooperation with most militia officers and many who were critical to the victory at Kings Mountain, but Sumter proved to be less useful. Sumter took great offense to Morgan super seceding him which led Sumter to ignore Morgan, which deprived Morgan of more men and supplies.<sup>181</sup>

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<sup>177</sup> Buchanan, *The Road to Guilford Courthouse*, 296; “The Following Manifesto Was Published by Brigadier General Morgan,” *The Newport Mercury*, March 17, 1781.

<sup>178</sup> Moultrie, *Memoirs of the American Revolution*, 2:252.

<sup>179</sup> “The Following Manifesto Was Published by Brigadier General Morgan” *Newport Mercury*, March 17, 1781.

<sup>180</sup> Buchanan, *The Road to Guilford Courthouse*, 298; 301-302.

<sup>181</sup> *Ibid.*, 304-305; 312.

Militiamen from three colonies banded together in South Carolina which shows the impact of a central regular army. There were two reasons for this widespread participation. First, the strong pull of retribution encouraged Patriots to fight the British by any means, second, the common goal for Patriots to destroy Loyalists.<sup>182</sup> Morgan did not coerce the militia with promises of loot; they arrived on their own accord upon word of Morgan's call for militia. This demonstrates the importance of the Continental army's operation in the southern theatre because the army organized the wide variety of men under the legitimate American cause making Morgan a legitimate officer of all those opposed to the British and Loyalists. This unification also lowered the level of vigilante justice in the southern theatre by keeping the combat arms in the South together with a centralized focus. With a unified force, the militia had the opportunity to defeat the British in the field. Previously, many Patriot militia had to be satisfied in their smaller efforts of vigilante justice, lacking a large unified body. Now, with the army's centralized organization, many militiamen crept away from the satisfaction of vigilante justice because they now had an opportunity to create real change by destroying British control under unified Continental leadership. The justice the Patriots sought thus removed itself from the cycle of violence while under centralized leadership of Morgan's formation.

Morgan had an army, but this army consisted of militia from all over the colonies which brought the possibility of command and cohesion issues because keeping an army like this together could have fallen apart. Beyond these new militia troops, Morgan had a relatively elite force of Continental Line—regular long term and trained service soldiers—from Delaware, Maryland, and Virginia as well as militia from Virginia before

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<sup>182</sup> NG to General Thomas Sumter, Camp on Pedee [S.C.] Jan. 16<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 7:132; Kalyvas, *The Logic of Violence In Civil War*, 60.



he moved into South Carolina.<sup>183</sup> Being diverse, this mixture of Continental and militia troops from six separate colonies in varying numbers meant men of different cultures, motives, and experience had to work together. Additionally, each group brought their own tactics and leadership styles that Morgan had to understand. The key commonality that held this group of men together relied on their desire to see the Loyalists and British defeated and that they stood strong under Morgan's Continental leadership.

Despite diversity threatening the cohesion of the army, the militia units were highly capable in the art of irregular warfare which Morgan relied on. As many as seventy percent of the officers and men had already seen combat, some having seen many engagements.<sup>184</sup> Additionally, Morgan did not attempt to reorganize the militia, so members of the militia stayed within their own units under their own officers, a critical lesson that the Continental army had learned by 1781.<sup>185</sup> Veterans of Kings Mountain also found their way into various militia commands under Morgan.<sup>186</sup> Morgan relied on their combat experience and their motivation at the battle of Cowpens, but before then, he began immediate operations against the Loyalists pillaging the countryside.

With a melting pot of men at his command, Morgan took the fight to Loyalists to give "protection" and "spirit up" the people of South Carolina, which began the role of the Continental army in shaping the nature of warfare. Due to the growth of Morgan's command, he ordered William Washington, commanding the Dragoons, to split from Morgan's formation to attack Georgian Loyalists who were plundering Patriot

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<sup>183</sup> Lawrence E. Babits, *The Devil of a Whipping: The Battle of Cowpens*, (Chapel Hill: The University of North Carolina Press, 1998), 32.

<sup>184</sup> *Ibid.*, 42.

<sup>185</sup> Seanegan Sculley, *Contest for Liberty: Military Leadership in the Continental Army, 1775-1783*, (Yardley: Westholme Publishing, LLC, 2019), 34.

<sup>186</sup> Gordon, *South Carolina and The American Revolution*, 131.

settlements. He successfully broke the Loyalists, but his subordinates displayed brutality not unlike the pattern of violence in the Southern Theatre. This did not match the high standard of behavior for which Greene and Morgan pushed, nor the pattern for the rest of Morgan's campaign.<sup>187</sup>

The success of Washington did not match the moral standards of Morgan or Morgan's mission. His action demonstrates the increase in violence even under Continental control. Washington rode into a body of Loyalists, killing and wounding 150 without losing one man, which Washington saw as a great success.<sup>188</sup> Patriot officer Major Thomas Young witnessed the killing of prisoners.<sup>189</sup> Additionally, "a boy of fourteen or fifteen...was ducked by a blunder of his horse" while crossing a river before the engagement and was laughed at by other men in the unit.<sup>190</sup> The boy swore, "he would kill a man that day or die" and during the one-sided battle the boy "charg[ed] round a crib after a tory, cutting and slashing away with his puny arm, till he brought him down," which "highly amused" Young.<sup>191</sup> Violence had reigned in the Carolinas for so many years that even boys murdering men was an "amusing" activity and the wholesale slaughter of men a source of pride. Despite the authority of the Continental Army and Morgan's will to contain brutal behavior, the Continental army participated in the cycle of violence, as Washington showed at this engagement.

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<sup>187</sup> Buchanan, *The Road to Guilford Courthouse*, 302.

<sup>188</sup> *Ibid.*

<sup>189</sup> Thomas Young, "Memoir of Major Thomas Young: A Revolutionary Patriot of South Carolina." *The Orion*, a Monthly Magazine of Literature and Art (1842-1844); Penfield, October 1843. Volume 3 Issue 2, 87.

<sup>190</sup> *Ibid.*, 87.

<sup>191</sup> *Ibid.*, 88.

Cornwallis paid attention to the successes of Washington and realized he could not ignore him, which delayed Cornwallis's movement into North Carolina.<sup>192</sup> Morgan's presence in South Carolina and the daring actions of Washington destabilized British control, so Cornwallis dispatched Tarleton's light formation of swift-moving troops on 2 January to destroy Morgan.<sup>193</sup> Tarleton's impetuous nature as well as his sheer determination for success by any means necessary marked him as the best officer Cornwallis had to tackle Morgan's fast moving formation. So began Tarleton's chase of Morgan's formation to destroy it.

### **Tarleton's Chase**

Tarleton's force consisted of men who were adept at combat as well as participants in violent acts across South Carolina that the Patriots viewed as illegitimate. Tarleton's force was not only a British force, it also consisted of the infamous group of men led by Tarleton that represented British oppression against Patriots and Neutral citizens throughout South Carolina. This provided the Patriot militia with an extra desire for participation because Cowpens became a battle of retribution for some militia. Tarleton's "flying army" was elite in comparison to Morgan's army, despite the experience of many men in Morgan's command. Tarleton's formation consisted of elite, battle-hardened, and well-trained troops on foot, as well as Loyalist cavalry and scouts.<sup>194</sup> Additionally, Tarleton had two light pieces of artillery.<sup>195</sup> As well as artillery, 250 mounted dragoons of the British Legion, comprised of Loyalists and Patriot deserters, and sixty 17<sup>th</sup> Light Dragoons attached to the legion played a key role in the march to

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<sup>192</sup> Buchanan, *The Road to Guilford Courthouse*, 302-303.

<sup>193</sup> *Ibid.*, 308-309.

<sup>194</sup> Gordon, *South Carolina and The American Revolution*, 133.

<sup>195</sup> *Ibid.*

Morgan and at the battle.<sup>196</sup> The British Legion consisted of the same men who cut down quartered troops at Waxhaws and pillaged the South Carolina countryside.

Tarleton found communication with Cornwallis difficult and Morgan had difficulty communicating with Greene which left Tarleton and Morgan to act independently to complete their objectives. On 3 January Tarleton moved westward for twenty miles and believed Morgan's force a danger to the post at Ninety Six; however, rainy weather during the whole operation significantly slowed Tarleton's chase. As he moved westward he turned North after finding no trace of Morgan, now with the goal of either destroying Morgan's force or driving him towards Kings Mountain and Cornwallis's army that was supposed to be parallel to Tarleton. Communication between Tarleton and Cornwallis fell apart as the weather significantly hindered all movement, which hampered the coordination between Tarleton's force and Cornwallis; Greene and Morgan also had the same difficulties from the weather and the fact that Morgan was 140 miles away from Greene's command. Tarleton learned where Morgan's formation camped and on 12 January woke his men at 5 AM to force march towards Morgan's formation, relentlessly overcoming all geographical obstacles, swimming across rivers and building rafts for the infantry because Morgan's formation was just as swift as Tarleton's, so he had to be dealt with quickly.<sup>197</sup>

Despite the unifying impact that Morgan had on the southern theatre, he still dealt with the traditional problems of militia forces that continued to be present. Morgan's initial army fluctuated in numbers as not enough militia were raised during Morgan's dash into South Carolina and many militiamen were simply leaving and returning, so

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<sup>196</sup> Babits, *The Devil of a Whipping*, 46-47.

<sup>197</sup> Buchanan, *The Road to Guilford Courthouse*, 309-311; 313.

Morgan had no confidence regarding the size of his army.<sup>198</sup> Adding to this, it was a possibility that he would have to engage Tarleton's formation in a pitched battle.

The threat of Tarleton became apparent on 16 January when Morgan learned that Tarleton was only six miles away from his camp causing Morgan to break camp.<sup>199</sup> Morgan marched northwest, stuck moving through swamps which significantly slowed his pace. By the afternoon he was still six miles away from the Broad River to cross into safety; he was not moving fast enough.<sup>200</sup> Morgan decided that moving across the river would be dangerous, especially considering that Tarleton's fast-moving force was near, so he stopped at Cowpens because it was known to members of the militia who were spread out across the area foraging or scouting.<sup>201</sup> Indeed, men came to join Morgan's force, which bolstered his number of men from 600 to an estimated 1,000.<sup>202</sup> Morgan's decision to camp at Cowpens afforded him greater manpower, but he could not escape the threat of Tarleton's formation.

On 17 January Tarleton relentlessly marched his men towards Cowpens at 3:00 a.m. having heard intelligence from a captured militia colonel that confirmed Morgan's formation at Cowpens.<sup>203</sup> With little sleep, Tarleton's formation moved through the same horrible terrain that Morgan had previously marched through partially because Tarleton had knowledge of the ground from past operations.<sup>204</sup> Still, he had to consider the possibility of Patriot skirmishers laying ambushes along his route. He decided to

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<sup>198</sup> Ibid., 312.

<sup>199</sup> Ibid., 313-314.

<sup>200</sup> Ibid., 314.

<sup>201</sup> Ibid., 315

<sup>202</sup> Gordon, *South Carolina and The American Revolution*, 129.

<sup>203</sup> Buchanan, *The Road to Guilford Courthouse*, 315.

<sup>204</sup> Buchanan, *The Road to Guilford Courthouse*, 316; Gordon, *South Carolina and The American Revolution*, 132-133.

frequently deploy troops to storm possible ambush positions, but this slowed the march and further exhausted his men<sup>205</sup> While his march slowed, he also took great care to set out scouts to conduct reconnaissance.<sup>206</sup> At dawn, Tarleton's marching men were only five miles away from Morgan's position but Morgan had carefully, and swiftly, created a plan aided by the accurate scouting by Patriot militia who followed Tarleton's force.<sup>207</sup>

### **The Battle of Cowpens**

The fact that a battle occurred at Cowpens demonstrates the unifying factor of Continental leadership in the Southern Theatre. Many of the militia who fought at Cowpens heeded the last-minute calls from Morgan.<sup>208</sup> The centralized command of Morgan provided the proper "élan" needed by the Patriot militia to be successful.<sup>209</sup> The men from six different colonies were not torching the countryside or murdering opposing forces. Ending Tarleton's reign of the backcountry required a battle using the leadership of Continental officers such as Morgan who could win such a battle by uniting the Patriot militia. While there had been plenty of skirmishes, and a major action at Kings Mountain, no one had destroyed Tarleton's force, who held the reputation as a ruthless plunderer and critical to the efforts of Cornwallis

Instead of continuing to run from Tarleton after his decision to camp at Cowpens, Morgan decided to stand and fight Tarleton in a battle. Before Morgan's campaign, Greene had warned Morgan to not flee from the British for too long because it would only show the unwillingness of the Continental leadership to defend the country.<sup>210</sup>

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<sup>205</sup> Babits, *The Devil of a Whipping*, 56-57.

<sup>206</sup> Ibid., 56.

<sup>207</sup> Buchanan, *The Road to Guilford Courthouse*, 316-318; Babits, *The Devil of a Whipping*, 57.

<sup>208</sup> Buchanan, *The Road to Guilford Courthouse*, 315.

<sup>209</sup> Pancake, *This Destructive War*, 138

<sup>210</sup> Babits, *The Devil of a Whipping*, 54.

Morgan gave individual officers their instruction and made himself comfortable with the militia under his command and ensured that their stomachs were full and that they had an understanding of what Morgan wanted.<sup>211</sup> Morgan “went among the volunteers, helped them fix their swords, joked with them about their sweet-hearts, told them to keep in good spirits, and the day would be ours.”<sup>212</sup> Morgan had to be charismatic to keep together these men from all over the southern colonies and he understood that a personalized touch played a larger role in improving morale than any other possible action.<sup>213</sup>

The nearly impassable Broad River backed Morgan’s position keeping the possibility of retreat uncertain in militia minds as Morgan hoped.<sup>214</sup> Morgan placed the majority of his force on a gentle rise to have some high ground.<sup>215</sup> The area, covered with light trees, provided Morgan with the capability to exploit the benefits of the irregular militia who were used to fighting in this terrain.<sup>216</sup> As a consequence, Tarleton would have to advance upwards through difficult terrain hindering the advance of his forces, which exhausted the British.

Morgan deployed his troops into two battle lines with the second line being behind the first skirmish line and the third line being behind the second in a sequence of men. The first line consisted of one hundred and fifty men from Georgia, North Carolina, and South Carolina armed with rifles for an accurate fire that muskets did not provide.

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<sup>211</sup> Ibid.

<sup>212</sup> Young, “Memoir of Major Thomas Young.: A Revolutionary Patriot of South Carolina.” *The Orion*, a Monthly Magazine of Literature and Art (1842-1844); Penfield, October 1843, 88.

<sup>213</sup> Seanegan Sculley, *Contest for Liberty: Military Leadership in the Continental Army, 1775-1783*, (Yardley: Westholme Publishing, LLC, 2019), 146-147.

<sup>214</sup> Gordon, *South Carolina and The American Revolution*, 132.

<sup>215</sup> Theodore Savas, and David Dameron, *A Guide to the Battles of the American Revolution*, 280.

<sup>216</sup> Ibid.

Additionally, rifles were the common firearm of choice for those living in the backcountry who used them for hunting and protecting themselves, so they were highly skilled in marksmanship. At the slope of the elevation, they deployed loosely into trees and brush and ordered to fire two or three shots and then fall back because Morgan wanted their fire to force Tarleton to set up his force to attack. The second line, commanded by well-known and respected Patriot militia officer Andrew Pickens, consisted of roughly five hundred militiamen, which Morgan ordered to fire three shots and then fallback. The first two lines then were to cause attrition of the British forces as they had to continually move up the rising terrain. The third, most rearward line, consisted of the three hundred Continentals complemented with additional support from Virginia militia, while near the rear of this line were roughly eighty dragoons led by William Washington and some militia horseman. Morgan visited each unit and engaged in casual conversation to make himself known to the men and he stressed their roles in the battle soon to come. He understood that the militia units were not up to fight for long periods of time but his careful practice of restraining the militia, and orders to keep them for only two or three shots, kept the army together and made victory possible.<sup>217</sup>

On 17 January Tarleton engaged Morgan's force at Cowpens in the bitter cold.<sup>218</sup> Tarleton did not have a plan due to his rapid chase of Morgan, which created a hasty deployment to meet the skirmishers of Morgan's frontline.<sup>219</sup> His men dropped everything they carried except for their ammunition and weapons.<sup>220</sup> Tarleton suffered casualties while he approached the first line of skirmishers and ordered his cavalry to

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<sup>217</sup> Gordon, *South Carolina and The American Revolution*, 131-133.

<sup>218</sup> Theodore Savas, and David Dameron, *A Guide to the Battles of the American Revolution*, 276.

<sup>219</sup> Gordon, *South Carolina and The American Revolution*, 134.

<sup>220</sup> Tarleton, *A History of the Campaigns of 1780 and 1781*, 216.



charge the sharpshooters, but they were halted by the accurate fire of the sharpshooters. Meanwhile, the cavalry delayed the fire of the sharpshooters long enough for Tarleton to deploy his men from their marching columns into line formations for battle.<sup>221</sup> The infantry successfully assaulted the sharpshooters, driving them back, but the British took further casualties including several officers, sergeants, and corporals; men who were critical in keeping British formations organized.<sup>222</sup> As the British continued their assault, now with their artillery firing on the Patriots, they ran into the second line of the militia who, as Morgan ordered, delivered three shots and fell back to roughly 150 yards behind the third line.<sup>223</sup> The British continued with spirit, running into the third line of Continentals causing, as Tarleton described, “much slaughter” on the British troops as the Continentals held.<sup>224</sup>

Compounding the heavy fire placed upon the British, they suffered “dreadful bad management,” the British refused the flank—turning to block an enemy attack from their sides.<sup>225</sup> At the same time, it appeared that the Virginians were falling back which encouraged the British to continue the attack, but the militia were not broken.<sup>226</sup> The Virginians turned to fire point-blank at the British and the militia from the second line also turned to fire point-blank causing, as Lt. Colonel Lee describes, a “murderous fire” making the British slow down as their casualties increased and then the Patriots charged

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<sup>221</sup> Gordon, *South Carolina and The American Revolution*, 134.

<sup>222</sup> *Ibid.*

<sup>223</sup> *Ibid.*

<sup>224</sup> Gordon, *South Carolina and The American Revolution*, 134. Tarleton, *A History of the Campaigns of 1780 and 1781*, 216.

<sup>225</sup> Alexander Chesney, *The Journal of Alexander Chesney: A South Carolina Loyalist In The Revolution and After*, (Columbus: The Ohio State University, 1921), 22; Gordon, *South Carolina and The American Revolution*, 134.

<sup>226</sup> Gordon, *South Carolina and The American Revolution*, 134; Chesney, *The Journal of Alexander Chesney*, 22.

the British.<sup>227</sup> The tough Continentals held and due to their strength, the militia units were able to rally and finish the British.<sup>228</sup>

Tarleton witnessed the failure of the attack and personally led his cavalry to charge the Patriot force, but Washington's cavalry successfully caused Tarleton's men to recoil in defeat.<sup>229</sup> Tarleton attempted to rally his troops but, "neither promises nor threats could gain their attention" and Tarleton's force soon surrendered or fled the field except for a battalion of the Scottish Highlanders which, according to one Patriot newspaper, "famous for their butcheries... presenting them on their knees, cried, 'dear, good Americans, have mercy upon us!'"<sup>230</sup> Despite preexisting tension between the British and the Patriots, they did have mercy. Instead of a massacre, the cohesive patriot force restrained itself from committing acts of retribution.

Retribution filled the hearts of the Patriots and the chaotic disorder of the retreating British presented an opportunity for them to commit acts of retribution and Patriot officers found it difficult to prevent Patriot militia from committing retribution.<sup>231</sup> The British fled or called for quarter and many surrendered successfully unlike those who were butchered at Kings Mountain, Waxhaws, and countless other engagements between Patriots, Loyalists, and the British. Retribution did not overtake his men despite the fact that Morgan, Patriot militia, and Continentals all desired retribution.<sup>232</sup> Morgan himself

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<sup>227</sup> Henry Lee, *Memoirs of The War in The Southern Department of the United States*, (Washington: Peter Force, 1827), 132. A two volume set of Lee's memoirs exists, but the book cited has no volume number and so appears to not be part of the two volume work. Lee was not present at Cowpens; Gordon, *South Carolina and The American Revolution*, 134

<sup>228</sup> Pancake, *This Destructive War*, 138.

<sup>229</sup> Gordon, *South Carolina and The American Revolution*, 134.

<sup>230</sup> Gordon, *South Carolina and The American Revolution*, 134; "Anecdote" *Newport Mercury* [Newport], March 17, 1781; Tarleton, *A History of the Campaigns of 1780 and 1781*, 217.

<sup>231</sup> Gordon, *South Carolina and The American Revolution*, 134.

<sup>232</sup> *Ibid.*

held a desire for retribution, to “revenge the horrid barbarities” that the British conducted at Camden.<sup>233</sup> The Continentals in Morgan’s force had reason to hate the British as much as any southerner due to the treatment of Continental prisoners by the British and, to make the battle even more personal, some of the Continentals present had survived Waxhaws.<sup>234</sup> Still, the start of the British retreat felt mercy rather than the blades and bayonets of the Patriots.

Morgan’s ability to brand his militia together under his leadership gave focus to the militia which allowed his militia to successfully capture and handle prisoners as prisoners of war in a formal rule of war. Despite an environment ripe with opportunities of personal retribution, frustrations rarely bore violence, but any Loyalists were still suppressed, and British stragglers hunted.<sup>235</sup> As the Patriots came upon the wounded, dead, and surrendering British forces they looted their bodies for anything of value.<sup>236</sup> This included military items such as flags and swords; the loss of a flag or sword bore great humiliation to the soldier having to relinquish their ownership.<sup>237</sup> Instead of a massacre, Morgan had the militia capture as many British and Loyalists as possible and ordered the militia to continue pursuing fleeing British soldiers and protect Patriot homes and families along the way.<sup>238</sup> Morgan insisted upon the safe delivery of the prisoners because they made up a large portion of Cornwallis’s light formation, causing Cornwallis to pursue Greene, and the prisoners could prove valuable in captivity.<sup>239</sup>

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<sup>233</sup> “The following Manifesto Was Published By Brigadier General Morgan” *Newport Mercury* [Newport], March 17, 1781.

<sup>234</sup> Babits, *The Devil of a Whipping*, 55.

<sup>235</sup> *Ibid.*, 141.

<sup>236</sup> *Ibid.*, 137.

<sup>237</sup> *Ibid.*

<sup>238</sup> *Ibid.*, 141.

<sup>239</sup> *Ibid.*, 143.

Morgan viewed the killing of surrendering troops as illegitimate and praised the mercy his army provided the British as being highly admirable. Morgan created enough structure and unity within his command that the militia could be set out to do their own tasks, giving them something to do besides focus on retaliation. He took note of the lack of murder when he wrote Greene reporting the victory: “It perhaps would be well to remark, for the honor of the American Arms, that Altho [sic] the Progress of this Corps was marked with Burnings and devastations & altho’ [sic] they have waged the most cruel warfare, not a man was killed, wounded or even insulted after he surrendered.”<sup>240</sup> It is unclear what “burnings and devastations” and “most cruel warfare” means relating to his command because the militia do not appear to have exercised any brutality besides foraging or stealing provisions—common practice among 18<sup>th</sup> century European armies—but he may be referring to Washington’s slaughter of Loyalists, or Patriot militia that did not join his army. The Continental army then lessened the violence of action against British and Loyalist forces in battle. The Continental army affected the violence as much as the British had. Having halted murders of retribution Morgan broke a pattern of lawless retribution that appeared in most engagements between Patriots, Loyalists, and the British. The Continental role on shaping violence is evident based upon the absence of Morgan’s force following the battle of Cowpens. The strength of the militia, and their war against Loyalists, turned to murder, pillaging, etc.

### **The Aftermath**

Morgan shortly withdrew roughly 20 miles north with nearly the same number of prisoners as he had in his formation so, fearing their recapture by the British, he sent a

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<sup>240</sup> From General Daniel Morgan to NG, Camp near Cain [Cane] Creek [S.C.] Jan. 19<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:153.

separate force under the Command of Lieutenant Colonel Washington to move the prisoners.<sup>241</sup> Cornwallis attempted to engage Morgan's force and even burned down his own baggage train, filled with necessary supplies for an operation, to increase the speed of his force.<sup>242</sup> This proved to be a significant advantage to the Patriots and, after constant movement away and around Cornwallis, Morgan joined with Greene's army, making it whole again with Cornwallis in pursuit.<sup>243</sup>

The battle of Cowpens marked one of the most absolute victories of the entire revolutionary war because no battle before done so much damage to an entire British formation.<sup>244</sup> Patriot General Moultrie wrote, "This great victory at the Cowpens changed the face of American affairs, and raised the drooping spirits of her desponding friends."<sup>245</sup> The battle of Kings Mountain destroyed a large formation of Loyalists, but Morgan had destroyed an entire formation largely consisting of elite British troops. However, Tarleton escaped and continued to pillage, murder, and strike terror in Cornwallis's service. Newspapers across the colonies printed the action American victory at Cowpens with great delight over the ensuing weeks.<sup>246</sup> Morgan was awarded a "medal of gold" from congress and several more officers received awards for their actions at

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<sup>241</sup> Gordon, *South Carolina and The American Revolution*, 135; Buchanan, *The Road to Guilford Courthouse*, 337.

<sup>242</sup> Buchanan, *The Road to Guilford Courthouse*, 338-341.

<sup>243</sup> *Ibid.*, 341-349.

<sup>244</sup> Gordon, *South Carolina and The American Revolution*, 135.

<sup>245</sup> Moultrie, *Memoirs of the American Revolution*, 2:258.

<sup>246</sup> "Untitled," *The Pennsylvania Evening Post* [Philadelphia], February 9, 1781; "Untitled," *The Pennsylvania Packet* [Philadelphia], February 10, 1781; "Untitled," *The Pennsylvania Packet or the General Advertiser* [Philadelphia], February 17, 1781; "Untitled," *The Connecticut Courant and Weekly Intelligencer* [Hartford], February 20, 1781; "Untitled," *American Journal and General Advertiser* [Providence], February 21, 1781; "Untitled," *The Continental Journal and Weekly Advertiser* [Boston], February 22, 1781; "Untitled," *The Connecticut Gazette; And the Universal Intelligencer* [New London] February 23, 1781; "Untitled," *The Newport Mercury* [Providence] February 24, 1781; "Untitled," *The Boston Gazette, and the Country Journal*, February 26, 1781.

Cowpens and Congress ordered the issue of these awards to be published in general orders.<sup>247</sup>

The impact of Morgan's force on the nature of warfare in the south is apparent by the resulting atmosphere of South Carolina once he left the colony. Morgan's force, which united much of the backcountry, crossed the Broad River and marched to North Carolina to meet with Greene's forces quickly because Cornwallis, with the main army, remained a threat.<sup>248</sup> Those militia units who retired back to their homes were immediately met with reprisals by Loyalists, who murdered them in their homes, even forcing their families to watch in the process.<sup>249</sup> Not all militia retired home and when Morgan left South Carolina, the Patriot and Loyalist militia immediately began to revert back to the cycle of violence that dominated the southern theatre before Morgan's arrival.<sup>250</sup> Loyalist Colonel Grey observed, "on the frontiers they [inhabitants of Williamsburg] were continually harassed with small murdering parties of rebels."<sup>251</sup> Grey also noted that "[Loyalists] carried on a continual predatory war against the rebels & sometimes surprised them"<sup>252</sup> As a result, the irregular war in South Carolina continued with its cycle of violence following Morgan's retreat out of the colony.<sup>253</sup>

### **The Waning and Fading of Backcountry Violence**

General Thomas Sumter played a role in the eruption of violence following Morgan's operations in South Carolina because once Morgan left, he was a militia leader.

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<sup>247</sup> "Untitled," *The Pennsylvania Evening Post*, [Philadelphia], March 16, 1781.

<sup>248</sup> Gordon, *South Carolina and The American Revolution*, 135.

<sup>249</sup> Ibid.

<sup>250</sup> Babits, *The Devil of a Whipping*, 141.

<sup>251</sup> Robert Gray, "Colonel Robert Gray's Observations on the War in Carolina," 149.

<sup>252</sup> Gray, "Colonel Robert Gray's Observations on the War in Carolina," 149.

<sup>253</sup> Gray does not use any dates in his account, but he mentions these facts before Cornwallis advanced into North Carolina, so it must have occurred after Cowpens, See Gray, "Colonel Robert Gray's Observations on the War in Carolina," 149.

A man of low birth born in the Virginian backcountry, he sought to increase his social standing through military leadership starting in 1775. Before the revolution, however, he had a reputation as a warrior and diplomat after fighting in the French and Indian war and negotiating with the Cherokee Indians. He continued to strengthen his status by pursuing business ventures, including land speculation, but this did not carry him far. At the outset of war he was not given a command until he raised militia who nominated Sumter to be their captain. In 1776 he finally received command of a proper regiment and began recruiting men, but saw little action besides burning Indian settlements on the frontier. His regiment was eventually recruited into the Continental army and still saw no action, so he resigned. When Tarleton made his pursuit to Waxhaws, his legion looted and burned down Sumter's home while Sumter fled to Salisbury North Carolina. With the absence of the South Carolina government, he was elected commander in chief of the South Carolina militia and became a brigadier general, finally a status he had sought for years. He sought victory by any means necessary and being the most prominent militia figure in South Carolina since the fall of Charleston, he fueled the violence between the Patriots, Loyalists, and British.<sup>254</sup>

Once Morgan left the colony, Sumter commanded many of the militia in South Carolina as he wished all along. Morgan's incursion into South Carolina had interfered in Sumter's ability to achieve hero status because Morgan took command of all the militia in South Carolina leaving Sumter as a subordinate. Shortly after Morgan left South Carolina and began his retreat with Greene into North Carolina, the short service of militiamen created severe manpower issues for Sumter, so he created the infamous

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<sup>254</sup> Buchanan, *The Road to Guilford Courthouse*, 8; 116-117; 119-121.

“Sumter’s Law.”<sup>255</sup> Sumter’s Law asked for ten-month enlistments promising one, or even more, black slaves, probably as loot, as well as loot acquired in the fighting, but the recruitment strategy fell short with few eventually signing up.<sup>256</sup> Regardless, Sumter’s Law only increased the cycle of violence as he reinforced plundering—from a state-recognized officer—as a legitimate action under Sumter’s Law. With the absence of Morgan’s army, the cycle of violence, left unchecked, continued despite the recruitment issues that diminished the ranks of Marion and Sumter.<sup>257</sup>

In contrast to Sumter, a certain amount of restraint existed among the Patriot militia under the command of Francis Marion who attempted to follow the nature of warfare practiced by the Continentals. Marion was a wealthy slave owner but saw service in the Cherokee War in 1761 (1759-1761), which gave him experience in guerilla warfare and the results of combat when officers practiced little restraint. He had contempt towards the retribution and cycles of violence he witnessed on campaign which later influenced his determined leadership to prevent such behavior during the American Revolution. He joined the Patriot cause due to his family being staunch supporters of the cause in 1775, being elected a captain of the South Carolina 2<sup>nd</sup> state regiment. Morgan and his state troops became a Continental regiment in 1776 introducing him to the formal nature of European warfare and structure now as Lt. Colonel. This environment of order heavily influenced his desire to wage war under military law by attempting to apply the same structure to his militia. He finally marched to war at Savannah when the British started their southern campaign in 1779 under Lincoln but, after the fall of Charleston,

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<sup>255</sup> Ibid., 391.

<sup>256</sup> Ibid.

<sup>257</sup> Robert Gray, “Colonel Robert Gray’s Observations on the War in Carolina,” 152.



Marion, now commanding a brigade, remained the only active force in South Carolina. He began a highly effective guerilla war against Loyalists and British forces that emphasized strategic and tactical operations of war rather than his contemporaries' indulgences in the cycle of violence. He also became a key figure of intelligence for Greene during Greene's campaign only furthering his connection with the Continental art of war that he aspired to follow.<sup>258</sup>

Besides Sumter, Marion remained the only central militia figure, but he operated with completely opposite morals than Sumter. Due to Marion's experience in the Continental army, his practice of warfare differed from many other militia leaders. A fierce disciplinarian, he restrained his militia from pillaging and murder as much as he possibly could. When he captured Loyalists, he, instead of tormenting them, sent them to the nearest military post. He did pillage Loyalists, in the process of protecting Patriots, but he did so as an organized attempt to conduct operations that altered the strategic situation in South Carolina minimizing mob rule.<sup>259</sup>

Marion brought the fight to the Loyalists and British when possible, but he did so without vigilante justice and brewing hatred between Loyalists and Patriots; however, he could only control his militia so much. In February, following Cowpens, Marian had a rogue militia member who pillaged civilian properties and then claimed that his actions were under the advisement of Marion.<sup>260</sup> To cast no doubt on Marion's stance, he produced a proclamation condemning the looting and promised those who looted under his command would be executed.<sup>261</sup> When Morgan left, Marion, at the very least,

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<sup>258</sup> Oller, *The Swamp Fox*, 28-29; 35-36; 43; 46-53; 109.

<sup>259</sup> *Ibid.*, 64-65; 81;107.

<sup>260</sup> *Ibid.*, 123.

<sup>261</sup> *Ibid.*

remained who viewed murder, plunder, and disorder as illegitimate; attitudes closely mirroring the views of the Continental army.<sup>262</sup> The link between Marion and Greene only furthered Marion's participation in the Continental strategical effort, which played a role in keeping Marion operational and focused on his views on legitimate actions in warfare, but like Sumter, his ranks dropped once Morgan had left; the militia were exhausted and the unifying factor of Morgan's formation no longer existed, but the banditti were ever-present.

### **Conclusion**

The Continental army brought men from six colonies together to fight the British and the Loyalists, upsetting the balance of power, and while in South Carolina the violence between the militias dissipated due to the unifying leadership under General Morgan that Greene understood to be powerful. Indeed, the Continental army briefly altered the nature of warfare in South Carolina by bringing restraint, order, the American cause, safety, and destroying Tarleton who terrorized Patriots in South Carolina. With Morgan, citizens could join an army rather than being stuck fighting in small bands in a cycle of violence. Not all men joined to fight Morgan, but the Continental army less violently affected the nature of warfare in a way that the militia could never have done on their own. Morgan and Greene also worked alongside Marion to fight the war but shared a desire for order and Marion wanted to end to the vigilante behavior of most militiamen under his command.

Although this brief period of unification played a role in temporarily restraining some of the backcountry, it also made the violence even more intense once Morgan left

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<sup>262</sup> Ibid., 64-65; 103.

because his success empowered the Patriot militia to reengage the British and Loyalists with newfound energy and the Loyalists, with the relative safety of the British army, to engage the Patriots. The disappearance of a Continental army had the additional effect of weakening major action in South Carolina. This led to “Sumter’s Law” symbolizing the war of plunder and terror regardless of how effective the law recruited militia. Despite this spike in violence, the Patriot militia grew tired of the war and no longer respected Sumter while Francis Marion’s insurgency began to fall apart, making it appear that the Patriots “began also to lose all hopes.”<sup>263</sup> Morgan’s absence sapped away the strength of the cause in South Carolina. Once this began Loyalist officer Col. Gray observed, “So. Car. [sic] seemed to be on the eve of peace” due to the failures of Sumter or Marion to carry out any serious successful action at the battle of Georgetown on 25 January or the clashes of Wiboo Swamp that tried to destroy Marion starting on 6 March.<sup>264</sup> However, the possibility of peace only temporarily existed. When Greene returned to South Carolina (date) this “peace” would be torn asunder. Before Greene returned, he had to destroy Cornwallis’s army in North Carolina to regain any major control of South Carolina. Greene, after a terrifying chase, fought Cornwallis at Guilford Courthouse which marked the beginning of the end for British success in the American Revolution.

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<sup>263</sup> Robert Gray, “Colonel Robert Gray’s Observations on the War in Carolina,” 152.

<sup>264</sup> Robert Gray, “Colonel Robert Gray’s Observations on the War in Carolina,” 152; Gordon, *South Carolina and The American Revolution*, 141-143

#### **4. TURNING POINT AT GUILFORD COURTHOUSE**

The power of a unified force that lessened violence under Morgan is an exception to the cycle of violence that the Continental army, ultimately, could not escape. The cycle of violence did not stop after Cowpens, it continued despite a similarly centralized force that Greene commanded. The campaign to the Battle of Guilford courthouse is an example of the limits to which the continental army could affect violence. With the waning of Patriot activity in the weeks following Cowpens, the main action of the war in the South shifted to North Carolina where Greene and Cornwallis fought a series of skirmishes that eventually led them to Guilford Courthouse. The Battle of Guilford Courthouse remains one of the most significant battles of the entire war. The nature of warfare changed from that at Cowpens. The militia under Greene operated in a unified manner with a common goal, but this did not prevent massacre. The most noteworthy event of murder, Pyle's Massacre—a patriot led massacre of Loyalist militia—is the single event that tarnished the otherwise lawful campaign because the militia and Continentals otherwise behaved well. Pyle's massacre is the only instance of retribution during the Guilford Courthouse campaign committed by Patriot forces. The battle of Guilford Courthouse began with Cornwallis chasing Greene's force towards Virginia, known as the "Race to the Dan," which set the stage for combat at Guilford Courthouse.

#### **British Strategy of 1781**

Cornwallis had a mind for battle more so than he did for strategy and that is not surprising given his experiences. He attended school in Turin, a move British officers rarely made, and most notably debated battle tactics as well as learning Mathematics,

German, and fortifications.<sup>265</sup> Dogged in his attempts at furthering his military career, he participated in the Seven Years War upon its outbreak, first serving as an aide-de-camp, but by 1761 he became a regimental commander and saw battle. His experiences made him a veteran of European warfare and of battle before his service in the colonies. Ironically, he opposed the war in America, but his dedication to a military life urged him to volunteer to serve in America in 1775.<sup>266</sup> On 1 January 1776 Cornwallis became a Lieutenant General and saw action in the middle colonies at engagements such as Trenton (26 December 1776 ), Brandywine (11 September 1777), and Monmouth (28 June 1778).<sup>267</sup> Cornwallis was a soldier's general. He frequently led assaults and exposed himself to enemy fire, took great interest in the welfare of his men, even eating and sleeping like his men.<sup>268</sup> In January 1778 Cornwallis went on leave to England returning in June, but left America again in November to request reinforcements for the British Army, but returned in July 1779 emptyhanded. Cornwallis was now Sir Henry Clinton's second in command after failing to resign. In 1780 the two of them with their army made their way to Charleston to execute the southern strategy and Cornwallis was advising Clinton during the whole expedition. On 5 June Clinton left for New York effectively leaving the war in the South under Cornwallis's authority.<sup>269</sup>

Cornwallis was a proven tactician, but he fell far short of Greene when their encounter turned into a strategic duel. Cornwallis had to make tough decisions regarding the next move of the British after Kings Mountain and Cowpens. However, Cornwallis's

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<sup>265</sup> Buchanan, *The Road to Guilford Courthouse*, 75.; O'Shaughnessy, *The Men Who Lost America*, 250.

<sup>266</sup> O'Shaughnessy, *The Men Who Lost America*, 250.

<sup>267</sup> Buchanan, *The Road to Guilford Courthouse*, 76.

<sup>268</sup> O'Shaughnessy, *The Men Who Lost America*, 251.

<sup>269</sup> Buchanan, *The Road to Guilford Courthouse*, 77-80.

decision making grew from the frustrations of the failures of the previous strategy of 1780. It is worth revisiting the British strategy here to understand Cornwallis's ferocious behavior following the battle of Cowpens.

The British took Georgia and then South Carolina by establishing a series of fortifications around key towns, such as Charleston and Ninety Six, to pacify the backcountry by 1780 and promoted the use of Loyalists—allowing the British to operate with free reign—which initially limited the strategic effects of Patriot action.<sup>270</sup> The strategy, however, showed to be ineffectual starting with Kings Mountain as the backcountry combated the British and Loyalists rather than submit to them. General Gates had an opportunity to capitalize on the growing guerilla war when he attacked Cornwallis at Camden, but his defeat only made the Patriot position worse because a greater number of Loyalists were turning out and the Patriot militia were left to do battle on their own. This changed when Greene rebirthed the Southern Department and sent Morgan with a small, but effective, force of regulars into South Carolina. A standing army brought militia together in an organized manner and created a problem for Cornwallis. He feared he could not ignore Morgan fearing his power of destroying the posts holding British control of the colonies. By setting Tarleton loose on Morgan, Cornwallis could combat the standing army, but with Tarleton's defeat at Cowpens, Morgan remained, and Greene remained in North Carolina. With his action at Cowpens, Morgan took an offensive strategy, a departure from the defensive one that had been prominent since the establishment of posts.<sup>271</sup>

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<sup>270</sup> Heaton, Charles. "The Failure of Enlightenment Military Doctrine in Revolutionary America: The Piedmont Campaign and the Fate of the British Army in the Lower South." *The North Carolina Historical Review* 87, no. 2 (2010), 131-132.

<sup>271</sup> *Ibid.*, 140.

Cornwallis did not think that the war of posts that dominated British strategical thought worked well, so he believed that attempting to use the same strategy in North Carolina would be wasteful, conquering North Carolina, and destroying Greene's force, he believed, would be decisive.<sup>272</sup> His optimism about this strategy was bolstered by the fact that he believed that loyalism was strong in North Carolina.<sup>273</sup> Cornwallis overestimated the turnout of Loyalist militia and underestimated Patriots militia turnout even if Greene looked upon the militia as unfavorable. The destruction of a field army, while being a large blow, would not stop the guerilla war from continuing and in some cases, like at Kings Mountain, the militia operated in large bodies of troops that threatened British regular outposts.<sup>274</sup> Despite the continuing guerrilla war, it is undeniable how positively Continental control affected the Patriots and influenced the cycle of violence.

By the battle of Guilford courthouse nearly half of Greene's army consisted of Patriot militia and on the road to Guilford Courthouse they marched under centralized control with a strategic and tactical mission rather than irregular opportunities for violent warfare.<sup>275</sup> Greene kept his force as organized as possible and sought to combat Cornwallis using attrition rather than direct conflict which made sense strategically and also lessened the possibility of militia retribution. The goal for Cornwallis became simple following Cowpens and it would lead to his eventual doom at Yorktown. He planned to destroy Greene in North Carolina. This strategy, simple in design, became complicated in

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<sup>272</sup> Ibid., 143.

<sup>273</sup> Lord Cornwallis to Lord George Germain, April 18<sup>th</sup>, 1781, Wilmington, North Carolina, in *Correspondence of Charles, First Marquis Cornwallis*, Ross, ed, 1:90.

<sup>274</sup> Charles. "The Failure of Enlightenment Military Doctrine in Revolutionary America", 145.

<sup>275</sup> Lawrence E Babits, and Joshua B. Howard, *Long, Obstinate, and Bloody*, 57.

practice against Greene's more than capable abilities to fight Cornwallis. Greene, however, would have to do so without his trusted commander Daniel Morgan.

Morgan was one of Greene's best commanders but found himself unable to assist Greene in the coming fight which threatened Greene's combat capabilities. Morgan left Cowpens as the superior tactician, but realized his force remained unable to fight being outnumbered and, pursued, suggested to Greene that he rejoin with the main army while encamped at Shereld Ford North Carolina on 25 January.<sup>276</sup> However, in late January Morgan informed Greene: "I am so emaciated that I cant [sic] undertake it. I grow worse every hour. I can't ride out of a walk."<sup>277</sup> Morgan was ill with his sciatica acting up.<sup>278</sup> Still, he continued to avoid capture or combat by Cornwallis or any of his detachments despite his ailment and the fluctuating manpower he held in his command. Greene still faced less than ideal circumstances in his own force. Hearing that his proven battle leader fell ill, and the nearly assured contest with Cornwallis, only deepened the poor situation of his force.

Greene's strategy revitalized Patriot efforts in North Carolina by keeping a strong centralized control and keeping the engagements tactical and strategic, rather than only irregular, which shifted the nature of warfare from skirmishes—where violence tended to boil—to a pitched battle. Greene's strategy remained the same as the one he developed in December. He understood the power that having a unified force in North Carolina meant. It not only meant manpower possibilities for his command; it meant a center of safety for

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<sup>276</sup> From General Daniel Morgan to NG, Shereld Ford [N.C.] Jan. 25<sup>th</sup>, 1781 2 o'clock PM, in *The Papers of General Nathanael Greene, Showman, et al*, 7:201.

<sup>277</sup> From General Daniel Morgan to NG, Shereld Ford [N.C.] Jan. 24<sup>th</sup> 1781, in *The Papers of General Nathanael Greene, Showman, et al*, 7:192.

<sup>278</sup> Buchanan, *The Road to Guilford Courthouse*, 339.



those in North Carolina, which would reduce the violence. With the unifying power of a centralized army, Greene could dictate both the war and affect the violence within North Carolina as part of this process by giving the militia an official American direction rather than an irregular sense of direction that left violence unchecked.

Greene, however, did not have the opportunity to engage the British and fully alter the nature of warfare due to logistical issues stemming from the inadequate support from Congress or the colonies and the disorder the planned retreat caused. Riddled with logistical problems, Greene had a difficult task heading the main Army of the Southern Theatre. The militia, in their violent guerilla war, “has been accompanied with such destruction and loss, has almost laid waste the whole Country.”<sup>279</sup> Greene observed, “there is nothing but murders and devastations in every quarter.”<sup>280</sup> Conditions had not improved much since he took command a few months earlier despite Greene’s best efforts. In January he noted, “The army is in such a wretched condition that I hardly know what to do with it. The officers have got such a habit of negligence, and the soldiers so loose and disorderly that it is next to impossible to give it a military complexion.”<sup>281</sup> But Greene had a mind for strategy and planned to fight Cornwallis somewhere in North Carolina. This mind for strategy proved to be the most important attribute of Greene as he sparred with Cornwallis along North Carolina, despite the disorder, creating a war of attrition in the process that Cornwallis was not prepared to

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<sup>279</sup> NG to Colonel Alexander Hamilton, Camp on Pedee River [S.C.] Jan. 10<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:88.

<sup>280</sup> Ibid.

<sup>281</sup> NG to Colonel Alexander Hamilton, Camp on Pedee River [S.C.] Jan. 10<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:90.

wage. This operation became known as the “Race to the Dan,” one of the most memorable operations in the American Revolution.

Greene had to run away from Cornwallis to keep his army intact, which united the southern Patriots. During this operation, this unification kept the cycle of violence largely at bay. Cornwallis so ruthlessly pursued Morgan and Greene because the military doctrine of the Enlightenment era stressed the need for destroying field armies.<sup>282</sup> Greene had to do as much damage as possible to the British through attrition because Greene’s force had a fluctuating number of militia units and Greene wanted to “avoid an action until our force is collected.”<sup>283</sup> Begging for reinforcements from the Northern theatre, Greene wrote to Baron Steuben of the situation in the Carolinas: “These Southern States are in such a fenceless condition, that they must fall under the dominion of the enemy, unless reinforcements are immediately sent from the Northward.”<sup>284</sup> The Continentals were the only troops that Greene believed he could rely upon due to his distrust of the militia. Furthermore, he needed a centralized force with as little militia as possible to restrain the practice of retribution. Cornwallis, two days away from Cowpens, began to chase Morgan’s formation following the battle of Cowpens, but the loss of all of his light troops put him into a situation in which his reconnaissance operated inefficiently.<sup>285</sup> Additionally, his force, slower than Morgan’s light formation, found themselves outpaced by Morgan and slowed by difficult terrain.<sup>286</sup>

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<sup>282</sup> Heaton, “The Failure of Enlightenment Military Doctrine in Revolutionary America,” 128.

<sup>283</sup> NG to General Isaac Huger, Sherrards Ford [N.C.] Jan. 30<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 7:219.

<sup>284</sup> NG to Baron Steuben, Light Infantry Camp on the Yadkin at the Island Ford [N.C.] Feb. 3, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 7:243.

<sup>285</sup> Buchanan, *The Road to Guilford Courthouse*, 334; 340.

<sup>286</sup> *Ibid.*, 337.

Greene needed Morgan's force to make his army whole once more so that he could reorganize his force to provide maximum coherency and restraint. Morgan, aware of Cornwallis and determined not to be caught by a superior force, rode towards Gilbert Town twenty miles north of Cowpens and there he had William Washington round up the Prisoners from Cowpens and take them out of reach of the British, a process that would also speed Morgan's formation. Morgan finally camped on the opposite side of the Catawba river, placing a river between him and Cornwallis, having marched roughly 100 miles in only 5 days. This was a pace that Cornwallis could not reasonably match due to Morgan's formation being light, but he continued through North Carolina chasing Morgan. To increase the speed of his formation, Cornwallis destroyed his wagon train except "medical supplies, salt, and ammunition" as well as four wagons for the sick and wounded. This only caused further damage to the constitution of his men as the chase went on.<sup>287</sup>

Despite Greene's determination to fight a regular war, he did use the ability of the militia to fight as light troops to stall the British, but the militia did not use their violent tactics because they were fighting under centralized Continental leadership that focused on the strategic campaign rather than retribution. For example, to slow Cornwallis at one point, Greene placed militia at Cowens Ford, a location the British were sure to use. A skirmish began while the British were crossing the river submerged to their chest which kept them from firing back, but hastily moving across the river they charged the Patriot militia. The Patriots soon fled the field and joined many civilians who were evacuating the area. Greene, having evaded Cornwallis thus far, had an opportunity to link up with

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<sup>287</sup> Ibid., 337-340.

Morgan's force on 3 February at the Yadkin river. The following morning Greene's force marched towards Guilford Courthouse 47 miles away and struck camp on 7 or 8 February at Guilford with all of Greene's detachments, all badly tattered from the marching.

Morgan, however, had to retire due to his illness and was not with Greene. Greene, now whole again, continued to march north towards Virginia. He crossed the Dan River that separated North Carolina from Virginia starting on 10 February performing a strategic masterpiece that caught Cornwallis completely unawares.<sup>288</sup>

Greene took advantage of the terrain because a pitched battle remained out of reach, but also kept his force together to limit violence among those under his control. He strategically operated several moves ahead of Cornwallis, leading Cornwallis in a chase in many cases rather than running blindly from him on Greene's move toward Virginia. The common way to cross the Dan river, separating North Carolina from Virginia, was to ford the river upstream because the river dropped too deep as it turned towards the coast, and the length between the banks made the river impossible to cross without boats. Knowing this, Cornwallis believed Greene would cross the Dan using the fords that lay upstream, but Greene the strategist had prepared boats to make the crossing of the Dan at the lower, seemingly impassible, part of the river. He crossed before Cornwallis could catch him and met with a Patriot countryside and near his supplies and reinforcements while Cornwallis stood halted by the Dan with no supplies or proper supply lines to maintain his army and 240 miles away his nearest post at Camden.<sup>289</sup>

Although the main armies were at bay, the small bands of Loyalist militia and foragers were busy spreading violence to the countryside due to the poor supply situation

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<sup>288</sup> Ibid., 346-351; 354-355.

<sup>289</sup> Ibid., 354-355; 359.

of Cornwallis's army. Greene's army could not provide North Carolinians safety, which was one of Greene's major goals in stabilizing the region. Cornwallis could not do much either. James Martin, a militia member, observed: "Two or three weeks the British had followed us in sight of the river and sometimes their front on our rears but no skirmishes took place at that time and they returned again to Guilford County where they harassed and plundered the inhabitants as they pleased."<sup>290</sup> Cornwallis's army brought violence to the countryside and the only way for Greene to stop it required a direct engagement..

The safety of Patriots in North Carolina relied upon Greene's capability to remove Cornwallis from North Carolina to stop the violence and get one step closer to victory in the southern theatre. Having worn down Cornwallis, and after receiving some relief in Virginia, Greene prepared for a pitched battle with Cornwallis to provide safety to Patriots in North Carolina, but he needed the militia to operate under his control in an organized fight. Greene further frustrated Cornwallis when he crossed the Dan once more into North Carolina. On 22 February Greene, still maintaining the initiative, crossed the Dan back into North Carolina to find favorable ground to fight on.<sup>291</sup> However, he faced fluctuating manpower during the Race to the Dan and once more when he crossed into North Carolina, so he had no reliable force size.<sup>292</sup> After reminding those in North Carolina of the Patriot victories, Greene sent a letter to the officers commanding the militia in the Salisbury district of North Carolina, stating: "If after these advantages you neglect to take the field and suffer the enemy to over run the Country you will deserve

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<sup>290</sup> James Martin, "Declaration by James Martin concerning his military service in the Revolutionary War," 147-148, Documenting the American South, accessed January 30, 2020, <https://docsouth.unc.edu/csr/index.php/document/csr22-0033>.

<sup>291</sup> Buchanan, *The Road to Guilford Courthouse*, 365.

<sup>292</sup> *Ibid.*, 365.

the miseries ever inseparable from slavery.”<sup>293</sup> He had also crossed because he did not want to abandon North Carolina to promote Loyalist uprisings or deny the prospects of a resurgence of Patriot support.<sup>294</sup> Still, a Patriot militia veteran later recalled, “the Tories [Loyalists] of North Carolina were sufficient to keep the Whigs [Patriots] engaged” so the militia were already tied up in combat when called upon to join Greene’s force—a type of difficulty in recruiting militia that Greene forgets to mention in his letters.<sup>295</sup>

Greene took advantage of his militia despite their notorious ways of fighting and lack of discipline. However, A lack of evidence of excessive violence indicates that they fought for strategical reasons under Continental authority with some exceptions. They fought to defeat the British and loyalist forces rather than for retribution. Constant skirmishing between the detachments of Greene’s army and detachments of Cornwallis’s army created chaos as both sides tried to reconnoiter each other and slow each other down.<sup>296</sup> The chase came close to disaster while Greene crossed Reedy Fork Creek on 6 March because the British were close and began a sharp skirmish with Patriot forces. This slowed the British from bringing the full weight of their force down on Greene’s force.<sup>297</sup> Having escaped, Greene finally decided to camp at Guilford Courthouse on 14 March, Having seen the terrain previously, he thought it good ground to fight upon and he recently had been reinforced, but Cornwallis quickly heard word of this.<sup>298</sup> This race, according to Cornwallis, caused “excessive” damage to Cornwallis’s force that cannot be

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<sup>293</sup> NG to the Officers Commanding the Militia in the Salisbury District of North Carolina, Camp Beatty’s Ford [N.C.] Jan. 31<sup>st</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:227.

<sup>294</sup> Buchannan, *The Road to Guilford Courthouse*, 365.

<sup>295</sup> Andrew Carson, “Declaration by Andrew Carson Concerning His Military Service in the Revolutionary War, Including Related Certificates,” 114, Documenting the American South, accessed January 30, 2020, <https://docsouth.unc.edu/csr/index.php/document/csr22-0018>.

<sup>296</sup> Buchannan, *The Road to Guilford Courthouse*, 365.

<sup>297</sup> *Ibid.*, 367-368.

<sup>298</sup> *Ibid.*, 368-369.

understated; Greene fought Cornwallis through this careful maneuver through difficult terrain, and constant skirmishes, which caused Cornwallis to burn his train carrying necessary supplies, only further wounding the British effort.<sup>299</sup> Morgan sent a letter to Greene suggesting that he use the same tactics that Morgan had used at Cowpens because if the militia would fight Greene could carry the day.<sup>300</sup> Greene took Morgan's suggestion to heart when he deployed his men for battle.

The fate of the balance in the Carolinas rested on a pitched battle, which Greene feared because he needed the militia to adopt a European nature of warfare rather than the guerilla warfare they had largely done throughout the war. Greene needed to destroy Cornwallis's army to cause a significant blow to British war efforts. Greene pessimistically wrote to General Isaac Huger regarding the difficult situation in which he now found himself. In frustration, Greene wrote: "how is it possible an army circumstanced as ours is, can make head against one organized and equipped as Lord Cornwallises [sic] is."<sup>301</sup> Despite the damage the race had done to Cornwallis, Cornwallis still commanded an elite body of regulars who were well drilled and largely experienced. Greene understood the incredible importance of a centralized force under his command and even having worn down Cornwallis, the outcome of battle remained far from clear. He shared the largest concern he had regarding a pitched battle with Cornwallis, stating: "If he can disperse [the patriot army] he compleats [sic] the reduction of the State: and

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<sup>299</sup> Earl Cornwallis to Lord Rawdon, Hillsborough, Feb. 21, 1781, in *Correspondence of Charles, First Marquis Cornwallis*, Ross, ed, 1:85.

<sup>300</sup> Buchanan, *The Road to Guilford Courthouse*, 370.

<sup>301</sup> NG to General Isaac Huger, Twelve miles from the Trading Ford [N.C.] Feb. 5<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 252.

without [the reduction of Greene's force] he will do nothing to effect."<sup>302</sup> The fate of the southern colonies relied upon a major victory by and the preservation of Greene's army.

Despite the conventional operation that lacked Continental participation in violence, one incident demonstrates the limits the Continental army had on affecting violence. A breakdown in command occurred that no longer allowed Lee to have complete control of his men to provide proper restraint. This breakdown led to the massacre, but ultimately Lee bears the responsibility of the massacre as a Continental officer. Pyle's Massacre took place under a Continental officer, by Continental and militia men, and showed the limits of Continental control of violence. Although the massacre was unplanned, it shows the difficulty in restraining troops who found themselves lured into violence through a sense of legitimacy and retribution. Butchery and murder erupted upon a group of loyalists; a butchery that bore similarities to Waxhaws.

### **Pyle's Massacre**

While Morgan's campaign to Cowpens is notable for its lack of retribution, the campaign to Guilford Courthouse—despite Greene's ability to maintain order through so much of the campaign—featured one of the most brutal massacres of the war. Pyle's massacre serves as an example of violence that occurred outside of the control of a Continental officer with similar features to that of Waxhaws. It is related to the Continental Army due to the fact that the commanding officer, Lee, was a continental officer. It therefore serves as an example of how the Continental forces could be sucked into the cycle of violence of the southern theatre.

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<sup>302</sup> NG to General Isaac Huger, Twelve miles from the Trading Ford [N.C.] Feb. 5<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 252.



Greene acted with virtuous conduct, but he still had to rely upon his militia and Continental subordinates to achieve victory which opened the possibility for violence however unwanted by Greene. Greene ordered Lee and Pickens to cross the Dan from Virginia back into North Carolina on 18 February with the objective of keeping loyalists from joining Tarleton's new formation and to even engage Tarleton if they found the right opportunity. The majority of the men were southern militia commanded by General Pickens, some mounted, alongside Lee's Continental mounted men and their goal to "prevent loyalists from joining Cornwallis...in the northern Piedmont."<sup>303</sup> Early on the day of the massacre, Lee and Pickens followed Tarleton as he left a path of plundered villages. They managed to capture two British officers of Tarleton's legion who were attempting to pay for the pillaged goods. The officers informed Lee that Lee's continentals were wearing the same green uniforms that Tarleton's legion wore and even had similar headgear so that Lee's continentals could visually pass for Tarleton's legion.<sup>304</sup>

By the afternoon on 24 February after learning this, Lee took the opportunity to take Tarleton or Loyalists by surprise knowing that his men were essentially in disguise.<sup>305</sup> They ran into two scouts from a Loyalist formation under command of Loyalist commander Colonel Pyle who believed them to be Tarleton's legion, of which Lee took full advantage.<sup>306</sup> He had found his target. Lee headed a column of his cavalry marching in column adjacent to Pyle's column.<sup>307</sup> The strategy being that Lee marching

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<sup>303</sup> Carole Watterson Troxler, *Pyle's Defeat: Deception at the Racepath*, (Graham: Alamance County Historical Association, 2003), 19; 30. Troxler offers the most detailed and well researched account of Pyle's Massacre using extensive primary source material.

<sup>304</sup> *Ibid.*, 28-30.

<sup>305</sup> *Ibid.*, 30.

<sup>306</sup> *Ibid.*, 41.

<sup>307</sup> *Ibid.*, 49

parallel to the column to meet Pyle and inform him that these were Patriots rather than Tarleton's legion and to give up.<sup>308</sup> Pickens marched his militia along the left flank because their appearance would be recognized as Patriot.<sup>309</sup> Moses Hall, a militia private, did not personally witness the engagement, but he based his account on what was later told to him.<sup>310</sup> Moses, in his pension record, noted that the Loyalists "uttered salutations of a friendly kind" to the Patriots believing them to be comrades as Lee's force drew alongside the Loyalists.<sup>311</sup> The plan was meant to be bloodless. Lee could complete his objective while retaining life by quartering an entire Loyalist formation, sending them home, or offering them service in the Patriot militia.<sup>312</sup>

It is unclear exactly how the bloodshed commenced as different participants offer different reasons for the start of violence. The mounted militia accompanying Lee probably did not hear Lee's admission to Col. Pyle that they were indeed patriots and grew increasingly alarmed as they realized that the body opposite them were Loyalists.<sup>313</sup> Instead, Lee suggests that Pickens had not sufficiently concealed his men and the Loyalists began firing upon them when they were spotted which led to an outburst of violence.<sup>314</sup> Moses claims that once "the Tories [Loyalists], were completely covered by our lines upon both flanks...the bugle sounded to attack, and the slaughter began..."<sup>315</sup> Joseph Graham, present in the militia column, states that while riding at the rear of Lee's horse column a Captain Eggleston asked a Loyalist which side he was on as they trotted

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<sup>308</sup> Ibid.

<sup>309</sup> Ibid., 41.

<sup>310</sup> Ibid., 54

<sup>311</sup> Dann, *The Revolution Remembered*, 201.

<sup>312</sup> Lee, *Memoirs of The War in The Southern Department*, 156.

<sup>313</sup> Troxler, *Pyle's Defeat*, 52.

<sup>314</sup> Lee, *Memoirs of The War in The Southern Department*, 156.

<sup>315</sup> Dann, *The Revolution Remembered*, 202.

by.<sup>316</sup> The Loyalist confirmed his identity, “Thereupon Captain Eggleston struck him over the head.”<sup>317</sup> The militia, having just witnessed an officer attacking the loyalists, “on this example being set, rushed on the Tories like lightning and cut away.”<sup>318</sup> The officer’s action provided legitimacy to begin the slaughter.

Once the violence had begun, the mounted Patriot force, adjacent to the Loyalist force, unleashed themselves upon Pyle’s men and a massive melee against the unsuspecting Loyalists began, but the Loyalists were perplexed as they still thought it was Tarleton’s legion that now charged them; they screamed out that they were loyalists believing that Tarleton was attacking them.<sup>319</sup> Historians Howard and Babits claim that during this confusion, the Patriots acted with a desire for retribution against the Loyalists for the earlier British action at Waxhaws.<sup>320</sup> Following the engagement, the Patriots continued to march with their objective of destroying Tarleton and harassing the British, but due to their great fatigue, they rested and gained new recruits from North Carolinians who abandoned their homes in the path of the British who threatened the safety of colonists.<sup>321</sup>

There is no doubt that Pyle’s massacre deserves the title of massacre. Tarleton himself, noted for his violent and non-European style of warfare, remarked of the “inhuman barbarity” of Pyle’s massacre.<sup>322</sup> Lee only lost one horse while killing 90 Loyalists and wounding an estimated 250, with those not killed escaping or taken

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<sup>316</sup> William A. Graham, *General Joseph Graham and His Papers on North Carolina Revolutionary History; with Appendix: An Epitome of North Carolina’s Military Services in the Revolutionary War and of the Laws Enacted for Raising Troops*, (Raleigh, 1904), 318-319.

<sup>317</sup> *Ibid.*, 319.

<sup>318</sup> *Ibid.*

<sup>319</sup> Troxler, *Pyle’s Defeat*, 54-55; Dann, *The Revolution Remembered*, 202.

<sup>320</sup> Lawrence E Babits, and Joshua B. Howard, *Long, Obstinate, and Bloody*, 38.

<sup>321</sup> Lee, *Memoirs of The War in The Southern Department*, 156-157.

<sup>322</sup> Tarleton, *A History of the Campaigns of 1780 and 1781*, 232.

prisoner.<sup>323</sup> The actions of the Continental army provided legitimacy to murder of quartering troops. The massacre did not remain a small affair, before long many were reading about the event. This widespread publishing of the massacre showcased the brutal nature of war in the southern colonies and how the Continental army could find itself participating regardless of Greene's orders.

Pyle's massacre, like Waxhaws, became a publicly known incident. Word of the massacre reached London in June, with the *London Gazette* reporting: "[Pyle's men] allowed themselves to be surrounded, and a number of them were most inhumanly butchered, when begging for quarter..."<sup>324</sup> By the beginning of Fall the same message also reached New York, Philadelphia, Savannah, Providence, Norwich, and Worcester.<sup>325</sup> The Continental Army's failure, in this instance, to halt the continuing cycle of violence was now apparent to the public.

The massacre did not satisfy retribution for all of those who participated and the difficulty in removing retribution from the conflict is apparent due to the treatment of some prisoners following the massacre. The evening following the battle retribution resulted in the murder of six Loyalist prisoners. Hall Moses, a Patriot militiaman,

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<sup>323</sup> Lee, *Memoirs of The War in The Southern Department*, 156; 283; Dann, *The Revolution Remembered*, 202; William Lenoir "Declaration by William Lenoir concerning his military service in the Revolutionary War," 141, Documenting the American South, accessed February 2, 2020, <https://docsouth.unc.edu/csr/index.php/document/csr22-0030>. Lee does not mention prisoners, but Moses mentions "having a considerable number of prisoners" and William Lenoir's pension statement also states that prisoners were taken.

<sup>324</sup> "From the London Gazette. June 5, 1781" *The Royal Gazette* [New York], August 11, 1781.

<sup>325</sup> "From the London Gazette. Whitehall, June 4, 1781," *The New-York Gazette; and The Weekly Mercury*, August 13, 1781; "The following is Taken from a Charlestown Paper of July 26, 1781" *The Pennsylvania Packet or the General Advertiser* [Philadelphia], August 14, 1781; "From the London Gazette. Whitehall, June 4, 1781" *The Royal Georgia Gazette* [Savannah]. August 23, 1781; "From the London Gazette. Whitehall, June 4, 1781" *The Providence Gazette; and Country Journal*, September 8, 1781; "The following is Taken from a Charlestown Paper, of July 26, 1781" *The Norwich Packet and the Weekly Advertiser*, September 13, 1781; "From the London Gazette Whitehall. June 4, 1781" *Thomas's Massachusetts Spy Or, The Worcester Gazette*. September 13, 1781.

witnessed six Loyalists that were “hewed to pieces with broadswords” while the murderers cried out “Remember Buford” in the process. Moses recalled being sick following the murders until the Patriots marched into Tarleton’s old camp the next morning. Moses found a sixteen-year-old boy that had a bayonet lunged through his body, but the boy was still alive and lived long enough to inform Moses that the British had murdered him because they feared he would provide intelligence for the Patriots. The boy only appeared before the British due to his curiosity. After witnessing this Moses lost all guilt regarding the butcher of Loyalist prisoners, stating that “The sight of this unoffending boy...relieved me of my distressful feelings for the slaughter of the Tories, and I desired nothing so much as the opportunity of participating in their destruction.” The regular armies could not end the cycle of violence between both sides as new motives for retribution continued to appear.<sup>326</sup> Even with Greene’s efforts to limit the cycle of excessive violence and violent retribution, then, the Continental Army could under the right circumstances provide the impetus for continued violence

The Patriots received word of the event which pleased Greene because the destruction of a Loyalist formation would send a message warning against others from joining the fight. General Pickens, in a letter informing Greene of the victory, wrote, “It has knocked up Toryism altogether in this part.”<sup>327</sup> Defeat struck the Loyalists after the massacre and hindered recruitment efforts by the British.<sup>328</sup>

Greene legitimized the slaughter as he praised the victory in a letter to General Andrew Pickens on 26 February, “it gives me infinite pleasure whenever I have an

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<sup>326</sup> Dann, *The Revolution Remembered*, 202-203.

<sup>327</sup> From General Andrew Pickens to NG, Camp Rippey’s [N.C.] Feb. 26<sup>th</sup>, 1781, In *The Papers of General Nathanael Greene*, Showman, et al, 7:358.

<sup>328</sup> Troxler, *Pyle’s Defeat*, 74-75.

opportunity of expressing my thanks to Officers & Soldiers who embrace opportunities of ornamenting their fame by serving their Country...I cannot help congratulating you on your success.”<sup>329</sup> It is not clear how much Greene actually knew of the violence at the massacre, but any destruction of Loyalist and British forces only bore good news because it weakened the power of the British and Loyalists as well as encouraging locals to join the Patriot cause. Whether or not Greene knew of the specific form the violence took, he responded positively, and this praise provided increased legitimacy to the style of warfare that Lee and Pickens force undertook that day and showed the limits of centralized control. The Continental army had reaped rewards from the cycle of violence. It would be at Guilford Courthouse, however, that the immediate fate of the Carolinas came to be determined.

### **The Battle of Guilford Courthouse**

Despite Pyle’s massacre the campaign continued with Greene making centralized efforts to stop the British, this time at Guilford Courthouse. All this maneuver and harassment of Cornwallis’s force finally concluded at Guilford Courthouse, a battle which decided who would ultimately hold power in North Carolina. Greene experienced a surge in militia participation bringing his army to 4,500 men, but he did not have an army that matched the quality of Cornwallis’s.<sup>330</sup> Nearly half of his force consisted of a collection of ill-equipped and unsteady militia that would have to fight British regulars in a pitched battle despite their typical style of guerilla warfare that endorsed retribution.<sup>331</sup> By having a centralized force, Greene could control the tendencies of the militia. So, like

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<sup>329</sup> NG to General Andrew Pickens, Camp at Dobbins’s [N.C.] Feb. 26<sup>th</sup>, 1781, In *The Papers of General Nathanael Greene*, Showman, *et al*, 7:353.

<sup>330</sup> Savas, and Dameron, *A Guide To the Battles of the American Revolution*, 286; 288.

<sup>331</sup> Lawrence E Babits, and Joshua B. Howard, *Long, Obstinate, and Bloody*, 57.

Morgan at Cowpens, he had to be creative with his deployment. Morgan gave advice to Greene regarding the militia, telling him to take experienced militia and put them in with the Continental troops, place rifleman alongside the flanks for skirmishing, and “put the remainder of the Militia in the center with some picked troops in their rear with orders to shoot down the first man that runs.”<sup>332</sup> The militia did not like the nature of Army life, but many participated in it anyway, getting the militia to stand and fight plagued every commander of the war and Morgan took drastic measures to weaken the odds of routing.<sup>333</sup> All of this planning shows the control that Greene had over his men and that control is what limited the violence.

Greene was not a tactician, so he drew upon past battles rather than succumbing to ego and understanding the nature of warfare the militia units were used to meant that he could not rely upon them to stand and fight toe to toe with the British on equal terms. Greene chose a deployment that did follow the spirit of Morgan’s suggestion, but the situation differed, and his plan altered slightly from the deployment of that on Cowpens. Greene, inspired by the victory at Cowpens, deployed his forces in three lines that included continental veterans and militia.<sup>334</sup> The front line was primarily built upon the raw North Carolina militia and some light cannon that utilized farm fencing as cover.<sup>335</sup> Knowing the fragile nature of the militia, Greene understood they would fall back, but he needed some time for them to hold and cause as many casualties as possible, so he requested that they fire two volleys.<sup>336</sup> Following the planned retreat of the militia, they

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<sup>332</sup> From General Daniel Morgan to NG, Carter Harisons [Va.] Feb. 20<sup>th</sup>, 1781, In *The Papers of General Nathanael Greene*, Showman, et al, 7:324.

<sup>333</sup> Lee, *Crowds and Soldiers in Revolutionary North Carolina*, 201.

<sup>334</sup> Pancake, *This Destructive War*, 177-178.

<sup>335</sup> Pancake, *This Destructive War*, 178; Savas and Dameron, *A Guide to the Battles of the American Revolution*, 288.

<sup>336</sup> Pancake, *This Destructive War*, 178.

were supposed to lead the British into Greene's second line, to the rear of the first line in woods, and fight again.<sup>337</sup> The second line consisted of Virginia militia commanded by General Stevens who, disappointed in the conduct of his militia previously, posted men to their rear with the order to shoot any men who began to run.<sup>338</sup> The deployment of both the Virginia and North Carolina militia in difficult terrain occurred because cover provided confidence that could make up for the lack of discipline in the militia ranks.<sup>339</sup>

Greene completed his deployment with his Continentals, the best of his diverse force that he had held together. The third line deployed on a slight elevation to the rear of Greene's deployment with the idea that the British would break through the first and second line only to encounter continentals and veteran Marylanders.<sup>340</sup> Greene deployed cavalry on his greater left and right flanks.<sup>341</sup> He deployed his men for a stretch that was an estimated half a mile long from the first line to the last line which, due to the layered nature of Greene's deployment, made the British essentially fight three isolated engagements, having to advance the great distance through rough terrain while doing so.<sup>342</sup>

Cornwallis, upon learning of Green's camp at Guilford Courthouse, decided that he could make do with the state of his army as it was and moved to attack Greene despite the condition of his hungry and tired army.<sup>343</sup> Cornwallis stood outnumbered by Greene's

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<sup>337</sup> *Ibid.*, 179.

<sup>338</sup> *Ibid.*, 178.

<sup>339</sup> Spring, *With Zeal and with Bayonets Only*, 259.

<sup>340</sup> Pancake, *This Destructive War*, 178; Savas and Dameron, *A Guide to the Battles of the American Revolution*, 289; Roughly 110 free African Americans stood in the continental line thus making this geographically diverse force racially diverse as well. See Babits, and Howard, *Long, Obstinate, and Bloody*, 75.

<sup>341</sup> Savas and Dameron, *A Guide to the Battles of the American Revolution*, 289.

<sup>342</sup> Pancake, *This Destructive War*, 178.

<sup>343</sup> Buchanan, *The Road to Guilford Courthouse*, 367; 369.



force having only 2,100 men compared to Greene's 4,500.<sup>344</sup> Despite Greene's army being twice the size as Cornwallis's and having superior terrain, Cornwallis held the greatest advantage: his army consisted of highly trained veteran troops.<sup>345</sup> He mustered the troops, called his officers, and created his battleplan so that the battle of Guilford's Courthouse commenced on 15 March, 1781.<sup>346</sup>

The deployment of Greene's force did not stop Cornwallis from attacking, and Cornwallis deployed his men in an organized, European manner.<sup>347</sup> His veteran infantry, along with light infantry and jaegers on their flank, were posted roughly in the center while the left flank consisted of Grenadiers and Guardsmen, both elite units, along with elite units on the right consisting of Highlanders and a German regiment, light troops on his extreme left and right flank, and to finalize his deployment, he deployed two three-pound artillery pieces.<sup>348</sup> Directly behind the guns on the main road, the infamous Tarleton was deployed with his dragoons with orders to pursue and run down retreating colonial or militia troops.<sup>349</sup>

The militia units were not strictly familiar with fighting in such an organized manner, but largely proved their worth to Greene and their commitment to destroying Cornwallis's army due to Greene's ability to organize them. The British advanced together impressively, but the North Carolina militia were able to deliver a volley that inspired the British to charge. The latter were stunned, however, when the militia did not flee and delivered a second, even more devastating, volley using buck and ball in their

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<sup>344</sup> Savas, and Dameron, *A Guide to the Battles of the American Revolution*, 286.

<sup>345</sup> Gordon, *South Carolina and the American Revolution*, 145.

<sup>346</sup> Savas and Dameron, *A Guide to the Battles of the American Revolution*, 286.

<sup>347</sup> Pancake, *This Destructive War*, 176; 179.

<sup>348</sup> *Ibid.*, 179.

<sup>349</sup> *Ibid.*

muskets to great effect before they retired as planned by Greene.<sup>350</sup> The first line of militia broke after the second volley and some men even threw down their weapons in the process—an act that Greene did not forget—but they completed their task and the British forces continued but encountered the second line of Virginia militia as they advanced.<sup>351</sup> The British force encountered a much more difficult situation in the woodlands in which the second line was deployed: the British were disordered, causing Cornwallis to commit all his reserve forces to continue his attack forward.<sup>352</sup> The Virginians stood firm, unlike the North Carolina militia.

As the attack continued, the British suffered heavy losses as the Virginians were not as fragile as the first line of North Carolina militia.<sup>353</sup> However, through the smoke and dense woods, a portion of the British army on the left flank found the third line of Greene's deployment and the British decided to press this new avenue of attack. As they advanced, the Continentals stood firm and waited, as a testament to their value, until the best time to open fire on the advancing British. At thirty to forty yards, they unleashed a murderous fire upon the British troops and then they did something the British, at least in the south, were not ready for: they charged. The British attack completely stalled as the British troops who encountered the third line were falling back and the rest of the British

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<sup>350</sup> Pancake, *This Destructive War*, 179; Savas and Dameron, *A Guide to the Battles of the American Revolution*, 290; Babits, and Howard, *Long, Obstinate, and Bloody*, 106. Buck and ball is a combination of one ball with buckshot also loaded creating a projectile force similar to a shotgun. Whether the militia fired one or two volleys is debated See, Babits, and Howard, *Long, Obstinate, and Bloody*, 75.

<sup>351</sup> Pancake, *This Destructive War*, 182; NG to Samuel Huntington, President of the Continental Congress, Camp at the Iron Works, 10 miles from Gilford Court House [N.C.] Mar. 16th, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:435

<sup>352</sup> Pancake, *This Destructive War*, 182.

<sup>353</sup> General Greene's Orders, In *The Papers of General Nathanael Greene*, Showman, et al, 7:433.

army was still stuck in the savage fighting that continued with the second line in the woods.<sup>354</sup>

The Virginians held as long as possible, demonstrating their commitment to destroying Cornwallis. Despite throwing back the isolated British attack, the Virginian militia eventually fell back, and Greene's third line fell under heavy attack from the weary British regulars, but the continentals were holding despite the chaotic nature of the engagement.<sup>355</sup> At this point, Greene held the tactical advantage and could attempt to press the issue by counterattacking and reforming in an offensive posture but he chose not to.<sup>356</sup> Greene's continentals seemed to be winning the engagement, until Cornwallis had his cannon fire into his own men that were intermixed with the continentals.<sup>357</sup> The British were able to recover, breaking a regiment of continentals and threatened to encircle the whole army, so Greene lost his option for a tactical victory and began a retreat from the battle, but had to leave his cannon behind.<sup>358</sup> Despite the tactical defeat, his retreat kept the army together leading Greene to report that his army was in "good spirits."<sup>359</sup>

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<sup>354</sup> Pancake, *This Destructive War*, 182-183.

<sup>355</sup> *Ibid.*, 183.

<sup>356</sup> *Ibid.*, 182-183.

<sup>357</sup> Pancake reports that Cornwallis fired cannon into his own men, See Pancake, *This Destructive War* 183; Lee reports that it did happen See Lee, *Memoirs of The War in The Southern Department*, 176; but not all historians agree that Cornwallis fired upon his men and Greene does not mention it, See Babits, and Howard, *Long, Obstinate, and Bloody*, 162; Greene did not mention this in his report to Samuel Huntington, President of the Continental Congress See NG to Samuel Huntington, President of the Continental Congress, Camp at the Iron Works, 10 miles from Gilford Court House [N.C.] Mar. 16th, 1781, In *The Papers of General Nathanael Greene*, Showman, et al, 7:433-7:435;

<sup>358</sup> NG to Samuel Huntington, President of the Continental Congress, Camp at the Iron Works, 10 miles from Gilford Court House [N.C.] Mar. 16th, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:435; Lee, *Memoirs of The War in The Southern Department*, 177.

<sup>359</sup> NG to Samuel Huntington, President of the Continental Congress, Camp at the Iron Works, 10 miles from Gilford Court House [N.C.] Mar. 16th, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:435

Greene walked away the strategic victor at Guilford Courthouse with no actions of retribution taken on the field and only one during the campaign thus far. He left the field with his army largely intact having suffered six percent casualties.<sup>360</sup> He still had a centralized force to work with as he began his way back to South Carolina to take over the British posts that still offered British control of South Carolina.<sup>361</sup> Greene left the battlefield with what was left of his army and Cornwallis held the field: this was a tactical victory for Cornwallis, but a strategic victory for Greene.<sup>362</sup> The fighting had been incredibly brutal for the British and Cornwallis had a shocking number of casualties; twenty-five percent of his army fell at Guilford Courthouse and many irreplaceable regular troops and many officers were lost.<sup>363</sup> This loss of men occurred only due to the fact that Greene organized the Patriots to fight a pitched battle and fight the whole of the British army at once. The British offensive efforts in the Carolinas were now realistically over.

### **Aftermath**

Greene unified Patriots in the southern theatre and gave them a pitched battle to fight and even win while managing to keep his army in good order and thus limit the cycle of violence and retribution. He brought these thousands of Patriot militia together to fight in the American cause and created a strategical victory, one that had greater consequences despite the tactical defeat at Guilford Courthouse. This restrained the many

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<sup>360</sup> Buchanan, *The Road to Guilford Courthouse*, 380.

<sup>361</sup> NG to Samuel Huntington, President of the Continental Congress, Camp at the Iron Works, 10 miles from Gilford Court House [N.C.] Mar. 16<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 7:435; Buchanan, *The Road to Guilford Courthouse*, 380.

<sup>362</sup> Savas and Dameron, *A Guide to the Battles of the American Revolution*, 291; O'Shaughnessy, *The Men Who Lost America*, 270; Richard K. Showman, et al. *The Papers of General Nathanael Greene*, 1766-1729 June-December 1780 v.VII, 435.

<sup>363</sup> Pancake, *This Destructive War*, 185; O'Shaughnessy, *The Men Who Lost America*, 271.

militia from continuing the cycle of violence. Greene withdrew from Guilford Courthouse in good order staying in line with his strategy of maintaining a field army in the South. During the withdrawal, skirmishes continued between the Patriots and Cornwallis, but with no major victories or massacres. Patriot press published Greene's letter to General Washington summarizing the engagement; even more good news from the southern theatre.<sup>364</sup>

Cornwallis sacrificed British, and therefore Loyalist, control over North Carolina by so aggressively pursuing Greene, which ultimately led to more violence between Patriot and Loyalist militia in the ensuing months outside of Greene's control. Cornwallis pushed the British high command to commit to an attack into Virginia because, to Cornwallis, it "would tend to the security of South Carolina, and ultimately to the submission of North Carolina."<sup>365</sup> Cornwallis wanted to attack into Virginia before his campaign in North Carolina, but the toll that Guilford Courthouse put on his army left him little other choice because he could no longer rely on Loyalist participation and thus lost North Carolina. The Loyalists were now largely alone in combatting the violence in North Carolina. After the battle of Guilford Courthouse, this plan of conquering Virginia became a fantasy despite other efforts of the British to control Virginia.

Following Guilford Courthouse, Cornwallis had no strength to have any serious effect in his invasion of Virginia. His army destroyed itself; no Loyalists rallied around his banner, no supplies were sent or offered to Cornwallis, and his army marched in a

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<sup>364</sup> "Particulars of the Late Battle at the Southward. Philadelphia, April 4." *Thomas's Massachusetts Spy Or, American Oracle of Liberty*, [Worcester] April 19, 1781.

<sup>365</sup> Earl Cornwallis to Lord George Germain, Wilmington, April 18, 1781, in *Correspondence of Charles, First Marquis Cornwallis*, Ross, ed, 1: 91.

“crippled condition.”<sup>366</sup> Tarleton, in his memoirs, recalled, “The move, therefore, to Guildford, produced one of the most hazardous, as well as severe battles that occurred during the war.”<sup>367</sup> This struggle ultimately led to Cornwallis surrendering his army several months later to Washington at Yorktown on 19 October 1781. Unlike Cornwallis, Greene found himself in a favorable position following the battle—a position that changed the course of the war.

Greene went on the offensive shortly after the battle of Guilford Courthouse against Cornwallis. He learned of the dreadful state of Cornwallis’s army which only pushed Cornwallis’s army forward into Virginia.<sup>368</sup> He followed Cornwallis, engaging in skirmishes, until Cornwallis exited North Carolina into Virginia three weeks following the battle. This process allowed Greene to retake North Carolina as he continued to show Continental control and, with this control complete, he turned his army toward South Carolina.<sup>369</sup> In the process, Cornwallis’s men looted and murdered throughout the countryside due to their lack of the supplies that Cornwallis had previously destroyed which promoted vigilante behavior and retribution.<sup>370</sup> Greene sent dispatches for the militia to get organized before his entry into South Carolina to grow Patriot control of the Carolinas and turn a British-controlled South Carolina into increasingly growing Patriot control.<sup>371</sup>

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<sup>366</sup> Lee, *Memoirs of The War in The Southern Department*, 180.

<sup>367</sup> Tarleton, *A History of the Campaigns of 1780 and 1781*, 277.

<sup>368</sup> Moultrie, *Memoirs of the American Revolution*, 2:271.

<sup>369</sup> Savas and Dameron, *A Guide to the Battles of the American Revolution*, 291

<sup>370</sup> Pancake, *This Destructive War*, 188.

<sup>371</sup> Moultrie, *Memoirs of the American Revolution*, 2:272.

As another sign of his lack of strategy, Cornwallis entered Virginia without consulting sir Henry Clinton who was his superior.<sup>372</sup> Greene's maneuver kept control over military activities and provided southern Patriots with safety and direction at the expense of Loyalist safety. This offensive into South Carolina ultimately encouraged violence between Patriots and Loyalist militia groups as Greene's presence provided safety for the Patriot militia to conduct actions despite Greene's attempts to conduct a lawful war. His reliance on militia groups outside of his control weakened his ability provide restraint.

### **Conclusion**

The British created the need for a pitched battle to occur due to their sizable army that, although weakened at Kings Mountain and Cowpens, maintained a security force for Loyalists and provided an opportunity for the British to pacify North Carolina. The militia units were not able to tackle this threat on their own, as they needed a unifying factor stronger than the current militia leaders to cause climactic damage to the British. Greene offered the opportunity for Patriots in North Carolina to effectively fight the Loyalists and the British in a centralized battle rather than stay trapped in a cycle of violence. This process clearly brought organization to the frontier that the militia lacked.

This organization of the Patriot militia changed the nature of warfare during this process because the militia then focused on committing to a European style battle rather than multiple guerilla groups waging a violent and murderess war. This allowed Greene to successfully conduct a strategic campaign that destroyed Cornwallis and allowed his army to reenter South Carolina to retake control of the state. However, there are

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<sup>372</sup> Henry Clinton. *Narrative of the Campaign in 1781 in North America*. (Philadelphia: J. Campbell, 1865), 17-18.

exceptions to this changing nature of warfare. Pyle's massacre serves as the key example. Additionally, the cycle of violence simply returned to North Carolina when Greene did not hold any control, showing the importance of the Continental army on violence.

The Patriot and Loyalist militia were active in their violent campaigns following the battle and beyond. Militiaman John Montgomery's pension record dictates, "After the battle he was released from the care of prisoners to go to Randolph County against some Tories gathered in the High Hills." By September, when Greene's focus had shifted to South Carolina, "he volunteered...marched in the command of Col. Martin and General Rutherford down the country to near Wilmington, and was engaged to near Christmas checking the ravages of British and Tories, who often turned out in parties to plunder and destroy plantations."<sup>373</sup> Violence still reigned in the Carolinas once Greene no longer had personal control of forces in North Carolina.

The Continental Army did not discard the underlying cycle of violence present in the South as a whole, but those under Greene's control largely abandoned retribution, murder, and torture. Still, the Continental influence on violence found itself tested. Pyle's massacre serves as an example to the limits, and participation, of Continental control in affecting violence. The fragility of Continental influence on the cycle of violence is best displayed by the massacre due to the involvement of regular and irregular troops under Continental command.

Despite Pyle's Massacre, Greene's actions in North Carolina did not exhibit the violent behavior witnessed thus far during the war such as murder. By bringing the

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<sup>373</sup> John Montgomery, "Declaration by John Montgomery concerning his military service in the Revolutionary War," 152, Documenting the American South, accessed January 30, 2020, <https://docsouth.unc.edu/csr/index.php/document/csr22-0035>, 0.



militia together and ultimately defeating the British in the process he took the violence from the frontier and placed it on the battlefield. Banditti would still roam the countryside and violent acts would still be committed, but the Continental Army played a large role in affecting the violence in the Southern Theatre by its regular operation with restraint and legitimacy. This became less clear once Greene reentered South Carolina as his war against the British posts were less under his control and more under the control of militia leaders such as Marion and Sumter. A central organized power could only do so much in the cycle of violence.

## 5. CONCLUSION

In Greene's 1780-1781 campaign, he mustered the Continental army to play a role in lessening violence. The Continental army did participate in violence, such as Pyle's Massacre, but overall, the level of violence dimmed, such as the lack of violence in South Carolina during Morgan's command. The Continental army influenced those primarily under its direct control, but also influenced engagements such as Kings Mountain by its absence. As the war continued beyond Guilford Courthouse, the Continental army lessened violence with those troops directly under its control. However, Greene's ability to achieve a permanent reduction of violence remained elusive due to the power vacuum he created in South Carolina. Once Greene moved back into South Carolina, the capabilities of the Continental army weakened.

Greene began his movement back into South Carolina to take control away from the British largely through impressive acts of organized Patriot militia groups that still operated within the cycle of violence. The plan called for the capture of all British posts to dwindle British control of South Carolina. On 23 April Marion and Lee captured the first post at Fort Watson South Carolina even before Greene's arrival.<sup>374</sup> This began a string of victories for the Patriots, who began taking over more posts following the capture of Fort Watson while Greene had kept General Rawdon, commander of British forces in South Carolina, busy and attempting to keep his army intact.<sup>375</sup>

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<sup>374</sup> Showman, et al, *The Papers of General Nathanael Greene*, March-July 1781, v.VIII, xLii; John Buchanan, *The Road to Charleston: Nathanael Greene and the American Revolution* (Charlottesville: University of Virginia Press, 2019), 89.

<sup>375</sup> Richard K. Showman, et al, *The Papers of General Nathanael Greene*, March-July 1781, v.VIII, xLii-xLiii.

Greene had taken North Carolina from Cornwallis, but the militia who were not under his command were continuing a murderous civil war with Loyalists who were still active in the region.<sup>376</sup> Having secured North Carolina and brought organization to many in North Carolina, both disrupting and indulging in the cycle of violence present in the state, Greene began to focus on South Carolina. His primary enemy in South Carolina became Lord Rawdon and the British posts that provided British control over South Carolina and supplies to support opposition.<sup>377</sup> Rawdon, commanding British forces, had a mind for tactics as well as battle experience, which complicated Greene's operation in South Carolina.<sup>378</sup> Greene planned to work with militia leaders—notably Sumter, Pickens, and Marion—as well as his Continentals to operate together and destroy the key British posts one at a time.<sup>379</sup> In this process the last major battle of the southern campaign occurred.

The battle of Eutaw Springs on 8 September 1781 concluded the series of large battles in the Southern theatre when Greene engaged a British force consisting of British regulars and Loyalists.<sup>380</sup> It was a draw, but both the British and the Continentals suffered a large sum of casualties, which ultimately led to British withdrawal and therefore a strategic victory for Greene.<sup>381</sup> The militia leaders as well as Lee continued to fight in many skirmishes and minor engagements against British and Loyalist forces to take greater control of the state.

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<sup>376</sup> David Fanning, "Memoir "Narrative of Colonel David Fanning" concerning the Revolutionary War", 192-194, Documenting the American South, accessed February 23, 2020, <https://docsouth.unc.edu/csr/index.php/document/csr22-0043>.

<sup>377</sup> Pancake, *This Destructive War*, 193.

<sup>378</sup> *Ibid.*

<sup>379</sup> Gordon, *South Carolina and the American Revolution*, 148.

<sup>380</sup> *Ibid.*, 164.

<sup>381</sup> *Ibid.*, 166-167.

His operation successfully took control of South Carolina posts within ninety days when Greene destroyed all of the British outposts in South Carolina except for Savannah and Charleston which remained too strong for him to take.<sup>382</sup> The state was hardly pacified, however, and the Loyalists checked many of the Patriot gains during Greene's campaign until the end of the war.<sup>383</sup> Throughout the war the Loyalists fought ferociously even independent of British control, but the British control dictated the strategic ramifications of Loyalist participation.<sup>384</sup> As long as the Continental army existed in South Carolina the renewed strength of Patriots would continue to feed the cycle of violence by providing safety for independent Patriot militia units to act on their own. This occurred outside the control of Greene's command, but the Continental army still changed the nature of warfare.

The renewed presence and strength of the Continental army gave the Patriot militia, outside the command of Greene, the opportunity to rebirth the cycle of violence because the Patriot militia could now operate in safer conditions due to Greene's presence in South Carolina. Violence remained a key feature of South Carolina with the presence of Greene's army as bands of Loyalists and Patriots continued to murder each other with quarter rarely given.<sup>385</sup> Due to the safety Greene's army awarded the Patriots, this violence erupted and the Loyalists later blamed Greene for the increase of violence in South Carolina when he entered the state.<sup>386</sup> What the Loyalists did not know is how Greene's conduct of his continued campaign limited violence among those that Greene

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<sup>382</sup> Ferling, *Almost a Miracle*, 517.

<sup>383</sup> Piecuch, *Three Peoples One King*, 277.

<sup>384</sup> *Ibid.*, 227; 329.

<sup>385</sup> Pancake, *This Destructive War*, 191.

<sup>386</sup> Piecuch, *Three Peoples One King*, 252-253.

could control. Greene condemned the violent actions by Patriot militia; however, he needed the militia to be victorious even if the conduct of the campaign conflicted with his own moral standards in the prosecution of this war. Still, none of this halted the ability for Greene to lessen violence amongst those directly under his control.

The presence of the Continental army brought safety and hope to Patriots, violence and uncertainty to the Loyalists, but in South Carolina Greene attempted to limit the violence himself. He did not view this behavior as legitimate or even appropriate warfare and was conscious of the behavior of the militia and his own men. However, the cycle of violence continued as Patriots and Loyalists both indulged in murder and destruction and Greene continued to believe in his mission of lessening the violence in the southern theatre: “My utmost influence is and shall be exerted to [attack?] these enormous evils. If the war must continue it is my wish it should be conducted upon as humane principles as the nature of it will admit.”<sup>387</sup> Having heard of Loyalist militia acts of murder and acts of property destruction, Greene wrote to Pickens, “savage cruelty never equaled the conduct of this party [of Loyalists]”.<sup>388</sup> Greene expressed doubt of his ability to change the cycle of violence, however, writing “I fear with you [Colonel William Davies] the evil has got so deeply rooted as to render it almost impossible to remove it.”<sup>389</sup> After continual reports of loyalist “savagery” that “plunders without mercy and murders the defenceless [sic] people” Greene attempted to apply restraint to

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<sup>387</sup> NG to Colonel James Mayson, Camp before 96 [S.C.] June 11<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 8:377.

<sup>388</sup> NG to General Andrew Pickens, Camp on the East side of the Saluda [S.C.] May 20<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 8:286.

<sup>389</sup> NG to Colonel William Davies, Camp before Ninety Six [S.C.] May 23, 1781, in *The Papers of General Nathanael Greene*, Showman, *et al*, 8:298.

his own men to keep them from seeking retribution.<sup>390</sup> He laid out his position regarding this violence to Pickens: “all parties ought to be strictly [sic] prohibited under the penalty of capital punishment from plundering that no violence should be offered to any of the Inhabitants let their political sentiments be as they may.”<sup>391</sup> Greene attempted to apply restraint to forces under his command. While the outcome of this restraint would be desirable, the situation in South Carolina continued to remain the same as long as Greene had to rely upon militia that were outside of his direct control.

This war largely remained the same in temperament due to Greene’s inability to control every militia group as the months went by with growing Patriot control of South Carolina and Georgia. Charleston and Savannah could not be broken by Patriot forces through battle or siege, so they remained largely intact. However, by 1782 the British began withdrawing from the Southern theatre, starting with the withdrawal of British forces from Savannah, and by 11 July 1782 the occupation ended.<sup>392</sup> Charleston, remained out of grasp due to its heavy fortifications and imposing British garrison, so Greene did not commit to any engagement with the garrison; he knew time stood by him and waited for British withdrawal.<sup>393</sup> The British finally surrendered Charleston on 14 December, 1782 as they began to withdraw from the continent.<sup>394</sup> The Patriots stood victorious and the final peace treaty between England and the United States took place in

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<sup>390</sup> NG to General Andrew Pickens, Camp before Ninety Six [S.C.] June 5<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 8:350.

<sup>391</sup> NG to General Andrew Pickens, Camp before Ninety Six [S.C.] June 5<sup>th</sup>, 1781, in *The Papers of General Nathanael Greene*, Showman, et al, 8:350.

<sup>392</sup> “Timeline of the American Revolution: 1763-1783,” National Park Service, accessed February 23, 2020, <https://www.nps.gov/vafo/learn/historyculture/upload/Timeline%20of%20American%20Revolution.pdf>.

<sup>393</sup> Alexander R Stoesen, “The British Occupation of Charleston, 1780-1782.” *The South Carolina Historical Magazine* 63, no. 2 (1962), 82.

<sup>394</sup> Stoesen, “The British Occupation of Charleston, 1780-1782,” 82.

Paris on 3 September 1783. At that point the role that the Continental army played in the southern theatre ended.<sup>395</sup>

The Continental army had considerable impact upon the violence, rhetoric, retribution, and legitimacy of the nature of warfare in the South. There is a role for the Continental army to play in the discussion of violence in the southern theatre. The discussion should not only revolve around the militia and British military action, while both are provocative, because the Continental army influenced the violence by lessening it at times and participating in it occasionally.

The Continental army affected the violence in many ways, sometimes increasing the amount of violence and other times decreasing the amount of violence. The militia wanted the Continental army to participate in the war as shown by the militia at Kings Mountain who requested Continental leadership. This is clear due to the militia's desire for Continental leadership before the battle and the fact that the battle even happened. Militia left their home states on their own accord without formal direction, showing their desire centralized combat rather than the guerilla war. While the militia desired centralized control, the Continental army, the nature of the fighting, and the treatment of prisoners showed the violence inherent within the militia. At Cowpens and Guilford Courthouse this violence did not exhibit itself due to the successful control of Continental leadership; the militia behaved in a virtuous manner. Pyle's massacre highlights the limits of Continental control within its own ranks and how the Continental army at times might participate in the cycle of violence directly. In an age with crude methods of communication, the Continental army relied upon the impulses of men.

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<sup>395</sup> "Timeline of the American Revolution: 1763-1783," National Park Service, accessed February 23, 2020, <https://www.nps.gov/vafo/learn/historyculture/upload/Timeline%20of%20American%20Revolution.pdf>.

The Continental army did not sanitize the rhetoric of the southern theatre despite Greene's efforts, and the failure to do so only fueled the cycle of violence. The use of rhetoric to spread hate continued even though Greene spread rhetoric that promoted lawful and just warfare rather than irregular and violent. Changing the rhetoric of the southern war proved impossible due to the longstanding conditions of war between southern Patriot and Loyalist militia. Both sides that relied upon violent rhetoric to stir up the populace to action with few limits applied. Greene relied upon the same group of people that had fought before his arrival, so he had no real chance of affecting the rhetoric of the war in a longstanding cycle.

Violence and rhetoric created the nasty practice of retribution that took place in the South since 1775, a process which Greene could break with those directly under Continental leadership, but not always with those militia who operated separate from his command such as Sumter. Forces under the control of Greene were able to mostly restrain this practice by applying careful restraint and a centralized organization. The almost assured possibility of retribution that could have occurred at Cowpens did not occur because Morgan had created enough restraint to avoid it from happening due to the centralized organization of his force. At Guilford Courthouse no instance of retribution occurred despite the opportunities that presented themselves during the race to the Dan. All participants were part of an army that acted through restraint and organization regardless of whether of the militia or the Continental regulars. The acts of retribution outside of battle, however, did not disappear. Greene did not have enough control to restrain all of his forces from committing violent acts in the name of retribution.



Greene and the Continental Congress brought legitimacy to the southern campaign as an official body of leadership of the Continental Congress and their war effort. They both legitimized acts of violence indirectly and directly due to their influence and prestige, with legitimate goals in warfare to a legitimate end, which is something the British did as well. Greene, viewing the cycle of violence as illegitimate, also brought his own ideas of legitimacy, which decreased the violence in the southern theatre. Still, the commander of the southern department lay responsible for all military actions under his command, and these involved instances of violent behavior between Loyalist and Patriot militia units as well as Continental troops at Pyle's Massacre. As long as Greene had to rely upon the militia, no real or permanent change in the cycle of violence could occur.

The conversation of violence in the southern theatre has, rightly so, focused on the Patriot and Loyalist militia as well as British involvement. However, the violence of the militia and the importance of the Continental army is often separated in these discussions and they cannot be separated. The Continental army's working around and within the cycle of violence means that it must be incorporated into the wider discussion. It is clear that the Continental army did affect the violence in the southern theatre—by operating in the South, the Continental army affected the rhetoric, violence, retribution, and legitimacy of the cycle of violence.

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