

Claypool's Rebellion

Hampshire* County, Virginia, 1781

The constant demand for men, money, wagons, cattle, grain, blankets and other property wore down the enthusiasm of Patriots as the war dragged on. Taxes rose higher and higher. One Pennsylvanian claimed he paid more taxes in one year than in the previous twenty years taken together. The Commonwealth of Virginia imposed new taxes that struck at the small farmer as much as the larger planter or merchant, for example, a tax of three pence on every head of cattle. The commissary officers regularly purchased livestock, flour and grain, but paid for them in certificates that could be registered with the county court, but not translated into money.

Loyalists took advantage of this war weariness. Some British agents encouraged people in the western part of Virginia, Maryland, and Pennsylvania to pledge resistance to any further demands. One Tory claimed hundreds had taken the oath of allegiance to King George and waited only for a renewed British offensive to make their support available.

The war had not gone well in 1780. General Benjamin Lincoln had surrendered the entire American army in the South, including all the Virginia Continental regiments, at Charleston. General Horatio Gates had hurried South with such units as he could pick up and met disaster at Camden, S.C. with a second American force killed, wounded, or captured. New recruits and drafted militia had to fill the vacant ranks. The British had pacified Georgia and South Carolina and moved into North Carolina when General Nathanael Greene marched against them with Virginia militia and ragged Continentals. Daniel Morgan won an important victory at the Cowpens in January 1781, but Greene's half-frozen, half-starved soldiers kept retreating towards Virginia and seemed already beaten.

Mustering officers hurried more and more companies of militia south to Greene's army or northwest to Pittsburgh, the staging area for George Rogers Clark's diversionary attack on Detroit. Commissary officers organized droves of cattle and wagon trains of flour and meal, fodder and hay to keep the armies in the field. Inflation had reached the point where a thousand paper dollars were needed to buy a dollar in silver or gold. A bushel of salt cost as much as the best farm.

* Later Hardy County, West Virginia

The traitor Benedict Arnold, now a British General, led an invasion of Virginia in January 1781, moving swiftly up the James River to take and plunder Richmond. Jefferson had 5,000 militia, many of them unarmed, most of them untrained, marching to oppose Arnold, without diverting men or supplies from Greene's command in North Carolina. The British invasion added to the feeling of hopelessness, as the militia were incapable of doing anything to prevent Arnold's much smaller force from going where they pleased. The demand for more and more militia on three warfronts took men away from home—and kept them for longer periods—when they needed to be doing their own work on the farm. It was demoralizing when these long absences apparently did nothing of any military value.

Dissension was apparent everywhere. Augusta County men prevented the officers from districting the county as the first step to the draft. In Rockbridge County they seized the court house and tore up the draft papers and proclaimed *"that they would Serve as militia for three months and make up the Eighteen months that way, but would not be Drafted for Eighteen months and be regulars."* Other Virginia counties experienced similar unrest in April 1781. General Daniel Morgan returned home to Frederick County and *"found the people in a Ferment about the Taxes; and some went so far as to say they would not pay them."*

Colonel Garrett VanMeter received orders from Governor Jefferson to send 242 Hampshire County militia to Williamsburg at once. Colonel VanMeter wrote on April 11, 1781 that he could not raise these troops. *"I am sorry to inform your Excellency that a dangerous insurrection has lately arisen in this County, occasioned by the execution of the late Acts of Assembly for Recruiting this States Quota of Troops to serve in the Continental Army, and the Act for supplying the Army with Clothes, Provisions & Waggons; in consequence of which the Collector of the Tax under the former Act has been opposed in the Execution of his Duty, and has been obliged to desist from any further proceeding therein, and although every measure that prudence could suggest has been taken to suppress the Rioters, yet it has proved ineffectual by reason of their having a superior force."*

Colonel VanMeter was in a difficult situation, if more of his neighbors were prepared to side with the rioters than to support him in upholding the law. Jefferson's demand for 242 militia was simply the last straw. They were needed only for a month to relieve other militia who had served more than their three month term and Hampshire County had to find arms, clothing, provisions, and transport for them. The Governor wanted them as mounted infantry, so each man would have to find his own horse and equipment. This call came close on the heels of the order to send 255 men from the same two battalions to Pittsburgh for the Detroit campaign. Indeed, Andrew Woodrow had not yet gotten all of their equipment sent on to Pittsburgh.

Lost River was the center of disaffection at the moment, although the rebellion quickly spread to the South Branch and to Rockingham and Augusta counties. John Claypool had the support of most of his neighbors in challenging Colonel VanMeter's authority. John Claypool was born in 1733 and came with his parents from Sussex County, Delaware when he was a young man. The Claypools settled first in Brock's Gap and then bought up many of the best farms along Lost River in the 1750's and 1760's. James Claypool, Jr., John's brother, was a county magistrate. Dunbars, Scotts, Osborns, Vineys, Gums, and other Lost River pioneers were in the immediate family circle.

John Claypool claimed afterwards that he and his friends "*conceived the Act for laying the enormous Tax of Eighty Two Pounds paper Money on every hundred pounds of their property, rated in specie, and a Bounty for the recruits of the Continental Army, and the Law subjecting them, at the same time to be draughted for the said Service, and the further Act for Cloathing the Army, as unjust and oppressive after paying such a high tax on their assessed property.*" Their arguments made sense. They were paying enormous taxes in money and the authorities then asked for food and clothing on top of that. It was probably the idea that they could be drafted to serve eighteen months and still be taxed to pay a large cash bounty to volunteers for the Continental regiments that rankled most.

Claypool interfered with the collector for the Lost River district in making up the clothes and beef requisitions for the army. According to Colonel VanMeter, Claypool said, "*if all the men were of his mind, they would not make up any Cloathes, Beef, or Men, and all that would join him should turn out.*" There were only five or six other men present, scarcely a mob of tax-resisters, but Claypool got out liquor and they joined him when he "*Drank to King George the third's Health and Damnation to Congress.*" The collector or someone else complained to three of the county justices. The Sheriff and fifty men came to Lost River to arrest Claypool. When they got there, they found sixty or seventy men waiting for them, all armed. The two crowds of armed men faced each other in a standoff for some time. Eighteen year old Isaac VanMeter, one of the Sheriff's posse, later recalled that "*had a pistol been fired a dreadful scene of carnage would have ensued.*"

It was a formal surrender, negotiated by the Baptist preacher at Lost River, Josiah Osborn. He sent a letter to Colonel VanMeter dated April 3, 1781.

"Having consulted the Majority, it is the Desire of them, that their Conduct that has past Lately may be forgiven, as a great part of it was occasioned by Liquor, and as there is things that is laid to the Charge of Sum, that is clear of the Charge, but moreover we acknowledge our behaviour was not Discreet. If you will please to pass it by, we will submit to pay our Tax as the Law directs; and are willing to pay our District tax of Beef & Clothing if they can be purchased, & likewise to be Complyable to the Laws of the

State, as far as our ability will allow. At the request of the majority I have hereunto set my hand

*From Sir, yr. humble Servant
JOSIAH OSBURN."*

Colonel VanMeter replied in the same spirit. He was *"very Glad to hear the Mutineers begin to see their Folly,"* but he could not promise them immunity from legal prosecution. They would have to depend on the lenience of the courts. VanMeter closed his letter, *"from your friend, while you are friends to yourselves and the United States."*

Claypool's rebellion should have ended there, but it didn't. The day after the negotiated settlement, at least 150 men gathered to support Claypool's tax revolt. Colonel VanMeter heard that *"there are several Deserters amongst these people, Some from the English Prisoners, Some Eighteen Months Men, and some Eight Months men, which they support and conceal."* British soldiers who surrendered at Saratoga in 1777 were in prisoner-of-war camps at Winchester and escapees could easily reach Lost River. The deserters from the American army, the "Eighteen Months men" and "Eight Months men," had been drafted from the militia to serve extraordinarily long terms and run away before their forced enlistment was out. These men, escaped p.o.w.'s and deserters, gave a new dimension to the revolt, for they had little to lose by resisting the authorities. VanMeter learned a few days later *"that a very considerable number have assembled in another part of the County, determined to stand in opposition to every measure of Government, and endeavoring to persuade everyone in their neighborhood to join them in their treasonable and destructive measures."* The new rising centered on the South Fork. Some people there were determined to be free of taxes and militia drafts, VanMeter reported, and he feared nothing could be done until a sufficient force was sent to arrest the rebels.

The burden of military service was real. Colonel VanMeter was unable to draft more than 57 men for service in eastern Virginia as *"some of the militia are now in North Carolina, enlisted for the war."* *One of the drafted men was Andrew Wodrow, who "does the whole publick business of the County as a Clerk"* and could not easily be spared. VanMeter suggested Wodrow, Captain William Vause, and Solomon VanMeter as good choices to command any cavalry unit that might be raised in Hampshire County.

Governor Thomas Jefferson took Colonel VanMeter's idea about a cavalry unit as the solution to the insurrection. He commissioned Wodrow, Vause, and Solomon VanMeter as the officers in a troop of cavalry or mounted infantry. Any direct attack on the rebels would certainly begin a battle and end in bloodshed, but the cavalymen could wait until they had dispersed and then *"go and take them out of their Beds, singly and without*

Noise, or if they be not found the first time to go again & again so that they may never be able to remain in quiet at home."

In May 1781 Colonel VanMeter *"ordered out a Company of my militia as Mounted Infantry, together with Three Companies of Foot, as the Rioters had embodied themselves, and the numbers very considerably increased."* When his little army approached, the rebels lost no time in disappearing. Only a few surrendered and only a few more were caught before they got away.

That was only part of the story. Colonel Benjamin Harrison, the Rockingham County Lieutenant, took at least Captain Reuben Moore's company through Brock's Gap to Lost River *"to put down the Tories there."* General Daniel Morgan, the victor of Cowpens, took command of militia raised by Colonel John Smith in Frederick County. The Old Wagoner, as Morgan's men called him, led an army that possibly amounted to no more than two companies of Frederick militia, a company of Rockingham militia, and the mounted men from Hampshire County. That would be enough to overawe men who were not really very desperate rebels after all.

The house and mill of John Brake on the South Fork, about fifteen miles upstream from Moorefield, was a stronghold for the insurgents. But Colonel VanMeter described Robert Smith, Thomas Stacey and Michael Boulger (Burger) as "the principal conspirators" and these three men all lived in Job Welton's district on the South Branch and Lunice Creek near Petersburg. John Claypool and many of his associates in the first stage of the tax revolt came from Lost River and "the waters of Cacapon." The militia under General Daniel Morgan would have to march through all of Hardy County in order to stamp out the last sparks of Toryism.

Morgan's soldiers halted at John Claypool's house and took him prisoner, according to one of Kercheval's informants. Some young men fled, among them William Baker. As he ran across a meadow, heedless of a command to stop, Captain Abraham Bird of the Shenandoah County militia fired and wounded him in the leg. They took horses and provisions from Claypool and advanced along Lost River. Some of the soldiers caught Matthias Wilkins, put a noose around his neck, and threatened to hang him as a Tory. Colonel John Smith of Frederick County intervened. They roughed up and branded another suspect named John Payne.

John Claypool gave Morgan a written apology for his own part in the rebellion. It is dated May 31, 1781, so this part of the campaign was evidently over by that date.

"These are to inform you that I am hartily Sorry that I have bin so fare Blinded in this Roiotus affair which was it to do again I would Suffer all that I have to be taken from me before I would undertake sutch a thing as I

am now convinced that I was out of my duty to Stand against the Laws of our State and if you would be so kind as to Exert your favour and ability in my behalf I shall look upon it as a perticuler favour and do hereby promis to be fathfull for the time to Come to the United States of Amereca. I would appear at the time appointed but it is thought my Life Lays at Stake although I know not that I have had any Ill design only I thought our Burden seemed too heavy, but further Considering the Expencc in Supporting the war to prefect our liberty I plainly see my fault and beg pardon from and not only So but from all in authority.

From Sir your Very Humble Sarvent

JOHN CLAYPOOL

May ye 31 1781

P.S. if you would please to send me an answer to the above Request you will obloige yours.

To Genl. Morgan."

They crossed South Branch Mountain and, on the way, killed an elderly man named Mace who had already surrendered. John and Nicholas Mace both owned land on the South Branch at this time. As Colonel John Smith told the story many years later, Captain William Snickers was aiming a blow at the older man with a drawn sword when Mace's son saw him and picked up his rifle. Snickers fell from his horse, apparently dead. One of Morgan's men, "an Irishman, half-drunk," immediately shot the prisoner.

The army proceeded up the South Fork to John Brake's. He had a fine farm with extensive meadows, a mill, large distillery, and many fat hogs and cattle. Morgan's men halted there for two days, living on the best the farm could supply, while their horses fed on Brake's meadows and oat fields. Colonel VanMeter's mounted infantry rode about the country taking other Tories.

The rebels had no stomach for a fight. *"On the approach of our men to the place where the rioters had assembled, they dispersed with precipitation—only a few surrendered, and a few taken prisoners,"* Colonel VanMeter reported in June. Several more surrendered in the next few days, although *"the principal conspirators and a number of their deluded followers still keep out."* The County Court heard the cases of 42 suspected Tories and ordered three to have a further trial. They bound over the rest to appear before the Grand Jury for indictment or, in some cases, dismissed the charges.

VanMeter sent deserters back to the army. He expected his hard-riding militiamen would bring in the rest of the Tories in a few days.

John Claypool, Thomas Denton, David Roberts, Jr., Mathias Wilkins and George Wilkins were the prisoners taken on Lost River. They petitioned the Governor of Virginia in July 1781 for pardon. Another group of petitioners also asked for executive clemency, adding that they *"have been instrumental in detecting and bringing in some of the principal Comspirators to Justice."* Enough evidence against them convinced the Grand Jury, nevertheless, to indict them for treason and insurrection. The signers of this petition included Samuel Lourie from Lost River. The rest lived on the South Fork or the South Branch. Jacob Brake, whose name headed the petition, Jacob House, John Mitchell, Jeremiah Osborn, and Adam Rodebaugh lived on the South Fork or in the vicinity of Moorefield in Michael Stump's district. Michael Algire, Charles Borah or Borrer, John Casner, Jacob Crites, Leonard Hier, John Mace, Henry Rodebaugh, Jacob Pickle, Adam Wease, Sr., Adam Wease, Jr., John Wease, and Jacob Yeazle were all in John Wilson's district on Mill Creek in present Grant County. Jacob Hier, Isaac Mace, and Thomas Stacey were in Job Welton's district in the vicinity of Petersburg.

Judging from the names of the prisoners, German settlers made up a large part of Claypool's Rebellion. British agents found German settlers from Pennsylvania to North Carolina often confused by the actions of English-speaking Patriots and less ready to reject a King who had allowed them liberty and security never dreamt of in their native land. But they were not really Tories, just tired of the war and its burdens.

Governor Thomas Nelson succeeded Jefferson in June 1781. The legislature fled over the Blue Ridge to Staunton, as Lord Cornwallis and his redcoats advanced, almost unopposed, as far as Charlottesville. With every man, every barrel of flour or other provisions needed in the struggle to preserve the thirteen independent United States, it would be dangerous to punish the tax resisters so harshly that those still at large would feel they had less to lose by fighting on than by surrendering. Governor Nelson offered a pardon to all those who pledged to support their country.

By July Colonel VanMeter told the governor, *"they have cheifly, all (except for a few of the ring-leaders) availed themselves of your gracious offer of Pardon, and have promised to conduct themselves hereafter as good citizens, a considerable number of them have joined the Army, and those who are at home, have faithfully promised to assist in apprehending the others who yet remain obstinate."* This might be easier said than done, *"as they have fled to the mountains and cannot be easily taken."*

Amnesty is never completely fair. Some of the prisoners captures in May and indicted by the grand Jury had taken almost no part in the rebellion, while some of the leaders cheerfully accepted Governor Nelson's pardon and went home as free men. The judges

appointed to try the prisoners on charges of treason and insurrection solved this dilemma by not appearing in court. Without judges to hear the case, the state could not proceed to trial and the authority of the special court ran for only a limited time. The prisoners remained in jail, unlikely ever to appear in court. Colonel VanMeter and other neighbors asked Governor Nelson to pardon them, too.

Peter Hog, Clerk of Rockingham County, did attend the scheduled trial at Romney on July 10. *"I had the opportunity of viewing the distressing Scenes of aged mothers, wives, & children crowding to the Court house to take the last Leave of their unhappy Sons, husbands & fathers, apprehending that Execution would be immediate on the Sentence of Death, which, in spite of all my aversion to Tories, strongly affected my feelings."*

Captain Hog asked Governor Nelson to pardon John Claypool, citing "the many relations & connexions that the Claypole Family have in that part of the Country." He mentioned James Claypool, the father, and his five sons, *"with many grand children, who by intermarriages are connected with the most considerable Families on those Waters, and the strongest friends to our present Constitution."* Punishing Claypool when others, more guilty than he, went free was not a good idea.

The Tory rising that briefly worried the authorities ended peacefully. Some of the men who longed for the happier times and lower taxes before the war, marched off to shoulder muskets in Lafayette's ragged army and eventually ran Cornwallis to earth at Yorktown. The British surrender brought the war to an end, although it would be two years before a peace treaty.

The prisoners from Claypool's rebellion waited through that eventful summer and autumn for some word on their case. Governor Nelson decided that he could not interfere as the separation of the executive and the judiciary should be kept intact. The leading Patriots in the South Branch country signed a petition in behalf of that "Honest Peacable well meaning man" John Claypool, but to no avail. (Led by Stephen Ruddell, the signers were: Cornelius Vandevanter, Anthony Miller, Jacob Rinker, Jr., Abraham Bird, Moses Hutton, John Harness, Daniel Richardson, William Bullitt, M. (Mathias) Hite, George See, Abraham Hite, Garrett VanMeter, John Higgins, Abel Randall, William Vause, Charles Lynch, Abraham Hite, Jr., Isaac VanMeter, Jesse Ashby, Nathan Harris, John Harris, William Renick, Elijah Greenwell, Jacob VanMeter, Christopher Snider, James Parsons, Abraham Westfall, Jacob Weidner, Daniel McNeill, John McNeill, Adam Hider, Gasper Hite, Patrick Lynch, George Harness, Isaac Hornback, Richard Shanklin, Michael Hornback, Manus Allgyre, George Stump, William Sears, Joseph Schoot, Peter Vandevanter, Jr., Peter Vandevanter, James Ruddell, Isaac Ruddell, William Warden, James Taafe, Joel Robinson, Thomas McFarland, Philip Albis, Jacob Chrisman, Joshua Pepper, William Pepper, Jacob Miller, John Solaven, and Archibald Wilson.)

Governor Benjamin Harrison took office in December 1781. He decided, against the advice of Peter Hog and Garrett VanMeter, that it would be *"imprudent to grant a general pardon to the Insurgents in your part of the Country"* since *"Too great Lenity may & most probably will bring the Government into Contempt and at last occasion its Overthrow."* He might pardon some of the lesser fry but he refused to pardon Robert Smith, John Powers, John Ward, Lewis Baker, Nicholas Harpole, and John Claypool, *"Six of the Ringleaders."* They would have to stand trial for their lives. The Governor told Colonel VanMeter that Smith should be sent immediately to the General Court in Richmond for his trial.

The General Court found Robert Smith guilty and sentenced him to death, but the Virginia General Assembly pardoned him by a special act passed during the May 1782 session.

In a letter dated *"Lost River, Feb. 5th, 1782,"* Claypool again asked General Daniel Morgan to use his influence:

"Nothing could induce me to trouble you but an absolut necessity, which you and all my countrymen are fully acquainted with, in regard to my unhappy affair, for which I stand charged in acting so precipitately, in consequence of which I most sincerely lament. Your honor, by reading the enclosed, I doubt not will put the most favorable constructions on my address to you, in praying your sentiments on the occasion. I herewith send you a petition to approve or condemn. The death of that gentleman (Capt. Peter Hog) whose humanity induced him to do all he could for me, is most deplorable. But the deportment by which I have conducted myself the cheif part of my life, added to my conduct since my resignation to trial, will extort your lenity in saving my life. I hope an act agreeable to the laws of heaven and an attribute peculiar to the great Judge himself, who knows the acute conflicts I feel, the consequence of base and dishonorable actions, for which I again request your approbation to live. My trial is to be brought on the next month, and the indisposition I now labor under calls aloud for a suspension of trial a while I presume may probably be in your power. I pray your sentiments in writing, if agreeable to your pleasure.

I am Sir with due respect, Your most obedient humble Servant

JOHN CLAYPOOL."

Claypool had already paid a price for an act of defiance that probably was the result of liquor, as the Baptist preacher Josiah Osborn had said it was. Through all the formal and convoluted language, John Claypool was begging for his life.

On June 7, 1782 Governor Harrison dictated a two sentence letter to Andrew Wodrow, Clerk of Hampshire County:

"I send you pardons for four of the persons concerned in the late insurrection in the back country. There is no occasion for more as the noli prosequi secures the rest."

The state had dropped its case. For Claypool and the others, the long shadow of their "rebellion" lifted. John Claypool lived many years at his home on Lost River. He died in 1823 and is buried in the Miller Cemetery.

1 Sketches of Mercer and Neville are in Robert L. Scribner, ed., *Revolutionary Virginia The Road to Independence* (Charlottesville, Va., 1975--), II, 97, V, 29-30. Jack P. Greene and William G. McLoughlin, *Preachers & Politicians: Two Essays on the Origins of the American Revolution* (Worcester, Mass., 1977), 5-21.

2 Commission of Oyer and Terminer, Hampshire County, 15 October 1772, Archives Division, Virginia State Library, Richmond, Item No. 22516. *Executive Journals, Council of Colonial Virginia*, VI, 506. *Virginia Gazette (Rind's)* Oct. 5, 1769.

3 The Cabell Petition is in James Rood Robinson, *Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia 1769-1792* (N.Y., 1971), 35. On the background of the surveys, see Otis K. Rice, *Frontier Kentucky* (Lexington, Ky., 1975), 29-68 and the same author's introduction to John J. Jacob's *Biographical Sketch of the Late Captain Michael Cresap* (Parsons, W. Va., 1970). The Hite letter is in Reuben Gold Thwaites and Louise Phelps Kellogg, eds., *Documentary History of Dunmore's War* (Madison, Wisc., 1905), 31-32. Muster rolls (from the originals in the Virginia State Library) of men who served in Dunmore's War are printed in E. L. Judy, *History of Grant and Hardy Counties, West Virginia* (Charleston, W. Va., 1951), 220-229. These men were paid at Romney and Winchester in October 1775 for service the previous year. *Journal of the House of Burgesses of Virginia 1773-1776* (Richmond, 1904) 250, 268. *Virginia Gazette (Purdie and Dixon's)*, Nov. 3, 1774. Felix Renick, "A Trip to the West," *American Pioneer*, I (Feb. 1842), 73-80 and (September 1842), 329-332.

4 Robert G. Albion and Leonidas Dodson, eds., *Philip Vickers Fithian Journal, 1775-1776* (Princeton, N.J., 1934), 24. W. W. Hening, *Statutes at Large: Being a Collection of All the Laws of Virginia* (Richmond, 1821), vol. 9:9-48. A major source for recruiting and equipping Hampshire County soldiers is in volumes 6 and 7 of *Revolutionary Virginia. The Road to Independence* (Charlottesville, Va., 1975--), and the three volumes of *Official Letters of the Governors of the State of Virginia 1776-1783* (Richmond, 1926).

5 On Claypool's Rebellion see, in addition to *Official Letters of the Governors*, vols. 2 and 3, *Calendar of Virginia State Papers and Other Manuscripts* (Richmond, 1875), vol. 2, 28, 40, 58, 163, 262, 284, 682, 686. Kercheval, *History of the Valley*, 144-146, and Don Higginbotham, *Daniel Morgan*,

Revolutionary Rifleman (Chapel Hill, N.C., 1961), 160-162. John Claypool's letter is in the Myers Collection, Manuscript Division, New York Public Library.

The article above was extracted from "The History of Hardy County, 1786 - 1986" by Richard K. MacMaster in 1986.