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Land Owners and Law Givers: Relations Between Yeomen and Planters in the South Carolina Back Country during the Early Republic, 1790-1830

Kevin Caldwell Grubbs
University of Southern Mississippi

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LAND OWNERS AND LAW GIVERS: RELATIONS BETWEEN YEOMEN AND
PLANTERS IN THE SOUTH CAROLINA BACK COUNTRY
DURING THE EARLY REPUBLIC, 1790-1830

by

Kevin Caldwell Grubbs

A Thesis
Submitted to the Graduate School
of The University of Southern Mississippi
in Partial Fulfillment of the Requirements
for the Degree of Master of Arts

Approved:

Dr. Max Grivno_____

Committee Chair

Dr. Louis Kyriakoudes_____

Dr. Matthew Casey_____

Dr. Karen Coates_____

Dean of the Graduate School

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ABSTRACT

LAND OWNERS AND LAW GIVERS: RELATIONS BETWEEN YEOMEN AND PLANTERS IN THE SOUTH CAROLINA BACKCOUNTRY DURING THE EARLY REPUBLIC, 1790-1830

by Kevin Caldwell Grubbs

December 2014

The society that fought the Civil War in the 1860s was slowly created through years of class conflict and cooperation between planters and yeoman farmers. The South Carolina backcountry developed during the decades of the Early Republic, reacting to the formative events of the nation during that time, such as the Second Great Awakening, the market revolution, and the War of 1812. The difficulties of these events necessitated new approaches to life in South Carolina. Over time, the new society spread from the eastern seaboard states across the South, forming the regional southern society.

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CHAPTER I

INTRODUCTION

The so called “common folk” of the South have received varying degrees of attention from scholars in the past hundred years of rigorous historical study. Frank Owsley wrote the first study that did not focus on planters or slaves in 1941, entitled, appropriately enough, *Plain Folk of the Old South*. He argued that the South could not simply be divided into plantation owners and white trash, as much of the lost cause mythology has portrayed the region, but instead was filled with a middle class of farmers who played a significant role in the development of southern society. They and the elite planters presented a united front due to their shared economic interests and desire to maintain their dominance over their slaves. Owsley’s book has set the stage for much of the debate concerning the middle class of the South for many decades, though its definition of the plain folk fails to account for the many different types of citizens that he includes. Owsley’s plain folks consisted of farmers, doctors, lawyers, and merchants, nearly encompassing every career that was available in the antebellum South.

Since then, historians have debated exactly who the plain folk of the South were. Bill Cecil-Fronsman argued that Owsley ignored the similarities between the middle and lower classes, instead coining the phrase “common folk” to label the people of both groups. Orville Vernon Burton divided southern citizens into poor whites, the yeomen middle class, and the elite planters. Though his definition of the elites is clear, land owners with more than twenty slaves, once again the distinction between the poor whites and the yeomanry remain vague. Charles Bolton’s comparative history of Mississippi and North Carolina, *Poor Whites of the Antebellum South*, made the important distinction

that yeomen owned their own land, allowing them to attempt an autonomous lifestyle, while the poor whites lived as tenants and laborers on other's property. Shortly after Bolton, Stephanie McCurry argued that yeomen, as land owners, were able to claim an identity that entitled them to respect, in addition to autonomy. She argues that "power and authority clearly had spatial grounding in Antebellum South Carolina," though the boundaries for it were constantly contested by the elites and the yeomen.¹

The amount of cooperation or conflict between the classes of the South has also witnessed much scholarly debate. The paternalist theories of Eugene Genovese and Elizabeth Fox-Genovese have portrayed the elites as exercising hegemonic authority over the southern citizens. Building on the theories of Antonio Gramsci, Genovese posits that the elites convinced the lower classes to support them, even if the lower classes' interests apparently differed from their superiors. The elites supported the yeomanry, to a limited extent, who then supported the elites in turn. According to Eugene Genovese and Elizabeth Fox-Genovese in *Fatal Self-Deception: Slaveholding Paternalism in the Old South*, slave owners were convinced that they were paternalistic, even though their actions frequently reveal the opposite. The contradiction between their belief and their behavior represents one of the core problems of the antebellum South as historians have alternated between arguing whether southern slave owners were fooling themselves or whether they were trying to fool everyone else.²

¹ Bill Cecil-Fronsman, *Common Whites: Class and Culture in Antebellum North Carolina* (Lexington: University Press of Kentucky, 1992), 1-3; Orville Vernon Burton, *In My Father's House are Many Mansions* (Chapel Hill, The University of North Carolina Press, 1985), 49-75; Charles Bolton, *Poor Whites of the Antebellum South: Tenants and Laborers in Central North Carolina and Northeast Mississippi* (Durham, NC: Duke University Press, 1994), 4-6; Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Lowcountry* (New York: Oxford University Press, 1995), 7-8.

² Eugene D Genovese and Elizabeth Fox-Genovese, *Fatal Self-Deception: Slaveholding Paternalism in the Old South* (Cambridge, MA: Cambridge University Press, 2011), 3-5.

J. William Harris' *Plain Folk and Gentry in a Slave Society* paints a more complicated picture of the relationship between the elites and the lower classes. Modifying Genovese's hegemony theory, Harris argues that, while the classes disagreed and came into conflict over religion, political parties, and economic relationships, they were able to unite on the subject of race based slavery and the fear of slave uprisings, which unified them enough to fight the Civil War in defense of slavery. McCurry's *Masters of Small Worlds* primarily displays the relationship between planters and yeomen as antagonistic, with each side attempting to gain an advantage over the other through their manipulation of law and traditional rights. McCurry does admit, though, that both yeomen and planters agreed on the value of property and dependents as the foundation of masculine rights, but this very agreement also placed the yeomen at a disadvantage, since planters could laid claim to larger amounts of property and dependents.³

The vague definitions concerning the yeomanry makes a quantitative study difficult. Since Owsley's work in the 1950s, the distinction between the yeomen and the other lower classes has remained fairly static with the understanding that land ownership separated the yeomen from the other lower classes, though the standards of living between the poor yeomen and the non-landowning laborers may not have been that pronounced. The distinction between the planters and yeomen is much more difficult to define, with the understanding that planters did not need to labor on their own property, while the yeomen did. Generally, historians have seen twenty slaves as the dividing number between yeomen and planters; however, Stephanie McCurry defines yeomen as "those who owned fewer than 150 acres of improved land and fewer than ten slaves"

³ J. William Harris, *Plain Folk and Gentry in a Slave Society* (Middletown, CT: Wesleyan University Press, 1985), 5-7; McCurry, *Masters of Small Worlds*, 92.

while Steven Sarson defines yeomen in his study of late eighteenth-century tobacco production as having more than 40 acres, but less than 800, while also possessing 19 or fewer slaves. The distinctions between the yeomanry and the planters on the wealthier end, and the yeomanry and landless laborers on the lower end, of the spectrum are blurred. The difference in standards of living at these margins were miniscule and possibly not even detectable by the people living at the time.⁴

The act of defining the yeomanry has been one of the central points of the historiographical debate. This debate is confused by the fact that a man could, and probably did, occupy several different positions throughout the course of his life. Young men were typically landless, spending their first decades working on other people's farms to save enough money to purchase a plot of his own. Once a young man saved enough money, or if a relative passed away and left him a plot of land, he could then continue as a yeomen, hopeful of eventually becoming a planter himself. Here, the word common folk is used to describe both the yeomen and landless laborers of South Carolina as a group distinct from the planters and the slaves, while yeomen is used specifically to define land-owning farmers with less than fifteen slaves. Though fifteen slaves could produce quite a bit of labor, the demographic preferences of the yeomen meant that many of these slaves were female and/or children, which limited the amount of labor that they could contribute to the farm and kept the master himself working alongside his slaves. Farmers with more than fifteen slaves could quite possibly have avoided fieldwork altogether for themselves and their families, laboring only to keep their slaves working at

⁴ McCurry, *Masters of Small Worlds*, 50-1; Steven Sarson, "Yeomen Farmers in a Planter's Republic: Socioeconomic Conditions and Relations in Early National Prince George's County, Maryland," *Journal of the Early Republic* 29, No. 1 (Spring 2009), 68.

maximum efficiency, although again, this would have depended on the demographics of their slaves.

This study attempts to provide a new perspective on the relationship between the yeomanry and the planters of South Carolina by analyzing them solely during the Early Republic. It is not the first study to concern itself with South Carolina during the first decades of the United States' existence. Rachel Klein's *Unification of a Slave State* and Peter Moore's *World of Toil and Strife* both study the Early Republic. However, Klein focuses entirely on the unification of the backcountry and lowcountry planters as a class, while Moore looks at the development of a single backcountry community, that of the Waxhaws, during the eighteenth century. The time frame here, 1790-1830, has usually been included by previous authors as a part of the antebellum period, but the many changes that occurred during these decades, the rise of cotton as a regional cash crop and the increasing reliance on the regional market, the War of 1812, and the Second Great Awakening, necessitate a closer view of the behavior of southern citizens during this time. The actions of the yeomen and the planters while surrounded by these major events created a dialogue, from which they created a social tableau derived, yet distinct, from the colonial society that had given birth to them.

Each chapter of this thesis revolves around at least one of these events. Chapter I confronts the rise of cotton and a regional market that stretched to encompass the backcountry during the early nineteenth century. The adoption of cotton on the part of the elites, and later the yeomen themselves, increased the value of the backcountry, which often led to difficulties for the yeomen, who had to choose between cultivating cotton and risk insolvency through fluctuations in the market, or continue growing subsistence

crops, which could not provide the income necessary to increase their economic, and consequently social, standing. The spread of cotton also tied the farmers of the backcountry to a larger economic network, facilitating the purchase of novel goods. The yeomen either could not or would not purchase new essential farm tools to ease their labor but instead chose to avail themselves of fine luxury goods with which they could adopt a veneer of gentility to display to the public.

Chapter II explores the War of 1812 and the yeomanry's use of their participation in the war to highlight the necessity of their cooperation to the elite planters. Occurring during the rise of the cotton industry, the economic troubles of the early nineteenth century affected South Carolina particularly badly, which resulted in increased tension between the classes. The lower classes provided the majority of troops from South Carolina and protested the increasingly aristocratic behavior on the part of the elites, which led to concessions from the elite, who knew they needed the lower class if they were to win the upcoming war. The War of 1812 also provided South Carolina citizens with temporary employment, since insolvency and poverty had claimed many yeomen in the years before the war, while simultaneously giving them the opportunity to renew trade with Britain and open territory to the southwest in Alabama and Mississippi. Planters and small farmers alike left South Carolina in great numbers after the war, seeking new fortunes in the unpopulated states.

Finally, Chapter III examines the Second Great Awakening and the re-adoption of religion as a motivating force for moral behavior in the backcountry. Church membership fell drastically during the latter half of the eighteenth century and only increased again during the early nineteenth century. The new churches promoted

equality before God, while the churches of the eighteenth century had espoused hierarchy and obedience to one's social superiors. The increasing participation in egalitarian churches, concomitant with a growing distrust of the current legal system, facilitated the creation of a new set of rules for enforcing social cohesion, which were enforced through extralegal, rather than judiciary, means. The judicial system remained a convenient tool of southerners for many decades, to be utilized when they called on it, and to be ignored when it was not desirable.

By 1830, many of the events of the Early Republic had been resolved. Cotton had established its dominance as the major cash crop, the interconnected national market had forever changed the economic system of the United States, the War of 1812 was long over and the exodus of South Carolinians to other states had begun, and the antebellum moral system had been internalized by southern citizens. Though many conflicts and problems between the planters and the yeomen continued to appear during the antebellum period, the formative years of the American South were behind it.

CHAPTER II

LUXURY GOODS AND LAWSUITS: THE ECONOMIC CHOICES OF THE
YEOMANRY AND THE APPEAL OF PLANTERHOOD IN THE EARLY REPUBLIC,
1790-1830

The backcountry of South Carolina exploded, both economically and demographically, during the cotton boom of the early nineteenth century. Cotton came to characterize southern agriculture during the antebellum period. The image of the South as vast fields of cotton plantations, however, has long been complicated by the work of previous historians, who have often analyzed the yeomanry within the context of southern society. Their role in creating and maintaining southern society during the early republic, however, has been neglected. The yeomanry, as landholding farmers, had an important stake in society. Though they worked small farms, especially when compared to the planters, they held pretensions of respectability and insisted that they were equal to their planter neighbors by right of their property ownership and dependents.¹ The rise of an increasingly connected regional market presented new opportunities for the yeomanry to purchase luxury goods, since the yeomanry prioritized respectability over economic stability. Seeing themselves as close to achieving the ideal of planter status, they supported the plantation system, often at their own expense. This respect for the system did not necessarily translate into unconditional support for individual planters, who often clashed with the yeomen in complicated struggles over support and deference. However,

¹ Stephanie McCurry, *Masters of Small Worlds: Yeomen Households, Gender Relations, and the Political Culture of the Antebellum South Carolina Lowcountry* (New York: Oxford University Press, 1995), 92.

throughout these struggles, both parties were careful not to threaten the burgeoning cotton industry, in spite of the plantocracy's dominance of it.

The yeomanry of the South Carolina backcountry found themselves in a unique position during the last decades of the eighteenth century. Settlers had slowly been moving into the backcountry since the 1730s, primarily moving southward into South Carolina from North Carolina or Virginia; however, the area remained sparsely populated for the entirety of the eighteenth century. Unlike the coastal area, the backcountry farmers were far more economically equal in the eighteenth century than the landholders on the coast, where the rice planters dominated the economic sphere, though the wealthy planters of the backcountry were already coalescing as a class. The crops grown in the interior was far less profitable than the lowcountry sea shelf that provided the state's primary source of income, rice. Therefore, the majority of migrants to the backcountry were poor themselves, settling in the less profitable upcountry because land was scarce and expensive further east. These poor farmers carved their own farms out of the forested area, often without legal title to the land that they stood on. African-American slaves, the primary labor force for the wealthy and well placed, were also scarcer in the backcountry when compared to the gigantic plantations found on the coastal islands due to the lack of profitable crops in the area. Nevertheless, settlers continued to trickle into the area, surviving and thriving on subsistence farming and indigo cultivation, which provided the means to survive, though the backcountry was rarely as profitable as the rice plantations on the coast.²

² Rachel Klein, *Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808* (Chapel Hill: The University of North Carolina Press, 1990), 10-11

Though the land had been settled for decades, seventy-seven percent of the families in the backcountry did not own any slaves at all in 1790, and only one percent had more than twenty. However, the number of slaves grew dramatically in the years following 1790 as the cotton boom made the backcountry lands more profitable to those with the resources to farm them, though they remained concentrated in the hands of wealthy planters. Some few of the backcountry yeomanry gained enough capital to enlarge their farms and become wealthy planters in their own right, but most yeoman failed to break into the planter class and remained small farmers their entire lives, or became landless laborers due to their social aspirations. Between 1790 and 1830, the yeomanry confronted many of the economic changes that lay before the young nation, though frequently this interaction was slight. Though many of them participated in the cotton economy that was forming across the South, their participation in cotton growth was marginal at best. Their participation in the cotton industry as a whole, however, was deeply ingrained. The lower classes of backcountry South Carolina used cotton as both a means of creating wealth and of sustaining their small households through the creation of clothes and fabric for use and sale. This participation, however, opened up new possibilities to bring novel goods into the backcountry, where men of low status could purchase them.³

If someone could take a picture of the rural backcountry in 1790 and another in 1830, the photographer would find that Edgefield County looked very different, in spite of the short forty years that had passed between them. The county had evolved from a frontier region into a thriving rural county with several small towns, including the all-

³ Rachel Klein. *Unification of a Slave State*, 153.

important town on the Savannah River, Hamburg, which allowed goods to travel from Edgefield to Augusta and vice versa. Enough people had recognized the importance of the county to the state's economy that a railroad from Charleston to Hamburg had been commissioned in 1827 to divert the goods that had previously travelled down river to Savannah, Georgia. The railroad opened in 1837, shipping more goods to and from the area. The first issue of the Edgefield Advertiser, published in 1836, presented a portrait of a busy and well-populated area, whose citizens were interested in events well outside of their locale. The newspaper contained news from the capital, where the state government had just passed legislation restricting the sale of alcohol, news concerning the Edgefield County court dates, as well as several advertisements, including one for a local timber mill which offered "fifteen or twenty thousand feet of lumber, and will have constantly on hand a supply" and one for the Edgefield Female Academy, as well as an ad requesting that a local man's debtors come forward and pay their dues.⁴

The reputation that Edgefield County had acquired by the 1830s had grown steadily, however. During the first decades of the nineteenth century most of the area had still been unoccupied, in spite of the growing population. Wealthy planters controlled the fertile land and the money in the area, though they remained a tiny minority of the local population, which had grown from 9,000 in 1790 to nearly 15,000 in 1830. The slave population, however, had grown by nearly five hundred percent, illustrating the effects of the cotton boom on the area. The proportion of the population that owned these slaves, however, was still very small. During the first thirty years of the nineteenth century,

⁴ *Edgefield Advertiser*. (Edgefield, S. C.) 18 Feb. 1836. *Chronicling America: Historic American Newspapers*. Library of Congress. chroniclingamerica.loc.gov/lccn/sn84026897/1836-02-18/ed-1/seq-4/.

most of the middle class yeomanry owned fewer than eight slaves, and even as late as 1860 almost half of the population of the county owned no slaves at all.⁵

The yeomanry adjusted fairly easily to the changes that swept across the fledgling nation. The changes that occurred in Edgefield County produced an effect on the small landowners who farmed much of the area but did not produce any radical change in their standards of living. They had access to a greater variety of goods and services, such as finer schools and a broader range of goods to choose from and made use of these options when they felt it necessary. They continued to utilize many of the strategies and methods that had been used in the 1790s, however, when the area was still being settled. For instance, the average house of the yeoman farmer, a basic four room cabin, which might have been built in the eighteenth century, would still be used by his descendants several generations later. Even wealthy yeoman, those with fifteen or more slaves, frequently lived in such utilitarian structures. These houses provided the focal points of their farms, and masters and slaves lived and worked in close proximity to each other. Of course, many of the yeomen could not afford or were unwilling to build lavish houses when their simple ones served them just as well.⁶

Even the elite planters, this early in the state's history, had not yet built the ostentatious mansions that have come to characterize the plantation system. The lowcountry rice planters occupied their aristocratic position in South Carolina society and acted accordingly, but the emerging cotton planters in the backcountry were still in the

⁵ The mean number of slaves owned by yeomen who died around 1830 was 4.5 (See Table 1 for more details on the surveying process used here). Edgefield County, South Carolina, Probate Case Files, South Carolina Department of Archives and History (Hereafter cited as Edgefield Probate Inventories, SCDAH); Orville Vernon Burton, *In My Father's House are Many Mansions: Family and Community in Edgefield, South Carolina* (Chapel Hill: University of North Carolina Press, 1985), 38-40

⁶ Burton, *In My Father's House are Many Mansions*, 20.

process of solidifying their position among the elite. Their recent ascension above the average yeoman that primarily occupied the area meant that cotton planters were also still sensitive to the attitudes of their neighbors and were less willing to put on the airs of the lowcountry dandies. By the 1830s, however, this attitude among planters had changed. They began building large mansions with painted walls and lavish rooms, illuminating the differences between the classes. The attitudes among the planters concerning the yeomen had also changed. Planters identified more with the planters of other areas than with the poorer farmers that surrounded them and had given birth to them. Most backcountry planters, such as the famous Calhoun family, had been yeomen themselves during the eighteenth century and had only recently risen to the planter class.⁷

The yeoman population from which the large planters had spawned, all possessed what they termed “plantation tools,” which were necessary to operate their land. These consisted of basic tools, such as hammers, hoes, reap hooks, small saws, and other hand tools that helped the farmers cultivate their land. The farmers attempted to keep themselves self-sufficient by creating their own cloth, but also carving their own lumber and utilizing basic smithing to keep their tools serviceable. Even as late as 1830, where the increased population and tighter ties to the regional market allowed for greater job specialization, ten percent of the yeomen probate inventories surveyed listed blacksmithing tools, though only four percent owned shoemaking tools. All of these tools helped reduced expenditures on the farmers’ part, allowing them to save greater portions of their income for slaves, land, or goods. Of course, not all of the items necessary to live on and run a plantation were easily made at home.⁸

⁷ Klein, *Unification of a Slave State*, 266-268.

⁸ Edgefield Probate Inventories, SCDAH.

Gaining a clear understanding of the material conditions of the yeomanry is difficult for the early republic, due to the lack of written documents. The census records of the time are notoriously inaccurate, making them rather unhelpful sources for historians seeking to understand the early republic. The taxes on inherited goods, however, and the frequent debts that most, if not all, of the population died with necessitated the creation of thorough records of the possessions of the deceased. These records carefully listed the value of the possessions so they could be taxed or auctioned off where appropriate. Many of these probate records also detail the economic developments of the deceased's farms after their death, as the executors took the responsibility of seeing to the farms' wellbeing until the heirs came of age or the widows remarried. These probate records indicate that they often specialized in a particular trade in addition to their own work of running their farm as seen by the ownership of a specific set of tools, which other did not possess. Skilled blacksmiths, shoe makers, and carpenters sold their abilities and wares to their neighbors, though the number of these was never high. As late as 1850 more than two thirds of the male population of Edgefield claimed to be agricultural workers of some sort.⁹

These workers facilitated social ties among the farmers, and the journeys from farm to farm required established roads throughout the area. The local farmers had already established this interconnected society before the cotton boom of the 1790s. The boom, however, facilitated the construction of roads and bridges in the area. Local travel was increasingly necessary as more people brought their crops to the riverside for sale in Savannah. As early as 1794, the local court had ordered a bridge built through the local

⁹ Burton, *In My Father's House are Many Mansions*, 48-9.

swamp to allow travel to the local courthouse and its environs. In 1795, the court ordered the maintenance of a roadway from Turkey Creek to Oliver's Place Crossing, a road from Blocker's Path to the court house, and a third road from the court house to Horn's Creek.¹⁰ The maintenance of these roadways frequently fell to the wealthier citizens of the area. Joseph Hammond, a wealthy planter, was given the maintenance of the road from "Campbleton to the Pinewood house." The commissions of maintenance of these roadways allowed planters to keep control of any local problems that might arise and gave them reasons to be seen frequently, and in a position of authority, by their neighbors. The roadways also eased the journeys between farms and allowed greater specialization in the area. By the 1830s the growing towns in the area contributed to the increased specialization of trades to the point where some of those men had stopped farming entirely.¹¹

The rise and spread of cotton throughout the backcountry had created significant wealth for the growing planter class. It had allowed many yeomen, but by no means a majority, to join the ranks of the planters. The ideal of the yeoman farmer, propagated by such famous writers as Thomas Jefferson, became the cultural goal for men across the South, but the yeomen themselves desired to become planters. These farmers understood the necessity of accumulating slaves and land to gain wealth, and consequently, social standing. To achieve this end, farmers had few options but to try and cultivate enough cotton, the primary cash crop of the time, to amass enough capital to buy more slaves and repeat the process as often as they could. Sixty percent of the fifty surveyed yeomen

¹⁰ County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. South Carolina Department of Archives and History.

¹¹ Edgefield Probate Inventories, SCDAH.

probate inventories from Edgefield County in 1830 possessed bales of cotton, but the over half of those who possessed cotton only possessed small amounts of cotton, frequently less than fifty dollars' worth. Unsurprisingly, those yeomen who did grow some cotton tended to be those with more slaves, which represented the primary mode of maintaining wealth. The vast majority of the yeomanry focused instead on subsistence crops, which were primarily corn, but also large numbers of potatoes and wheat. Those yeomen who did grow cotton regularly had begun the arduous process of accumulating slaves and were on their way to breaking into the ranks of the planter class.¹²

The number of yeoman farmers participating in the cotton economy in 1810, however, was far smaller than those participating in 1830. Orville Vernon Burton has claimed that “almost all farms raised cotton as a cash crop.”¹³ However, many of the yeomen during the early national period did not participate in the cotton economy beyond making their own clothes. Though some of the wealthier yeomen grew cotton this early, they still focused primarily on subsistence crops, mostly corn and potatoes. Edward Hooker, in his travels of South Carolina in 1805 describes that backcountry sales in Charleston as “pretty numerous with corn and cotton.” However, only ten percent of the probate inventories surrounding 1810 possessed large amounts of cotton (Table 1). The lack of large amounts of cotton possessed by the yeomanry five years after Edward Hooker penned the entry concerning cotton growth in the backcountry suggests that the crop was primarily cultivated by rich planters who could afford to buy food from other sources rather than grow it themselves in the quantity needed to support their slave

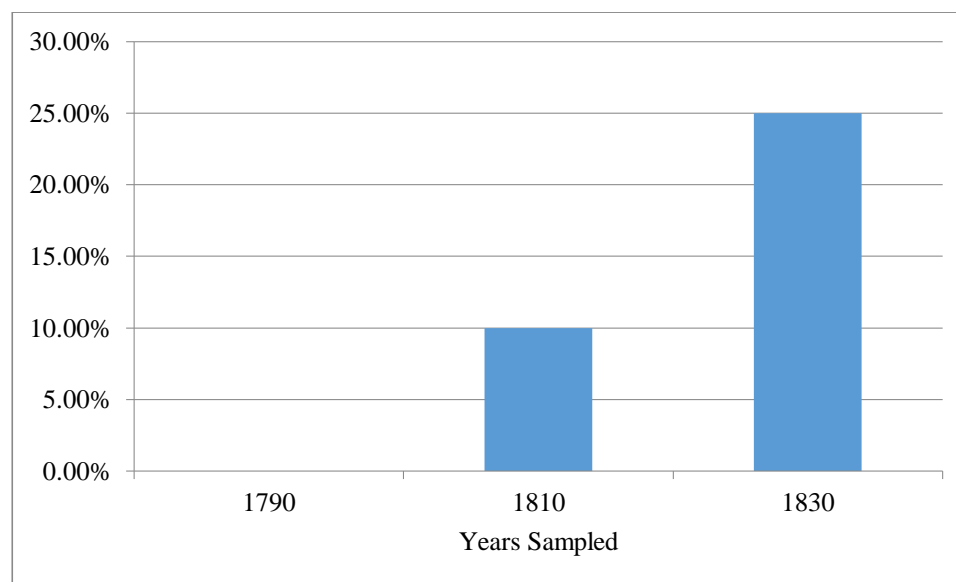
¹² Edgefield Probate Inventories, SCDAH.

¹³ Burton, *In My Father's House Are Many Mansions*, 30.

population. Many planters purchased this food directly from the local yeomen. This served the dual purpose of tying the yeomanry to the planters through the local economy

Table 1

Percentage of Yeomanry Who Owned More Than \$150 Worth of Cotton upon Death



Source: Edgefield County, South Carolina, Probate Case Files, SCDAH. The 127 selected probate inventories for tables one, two, and three were compared against the land plats and deed books for Edgefield County to confirm that they were the probate inventories of yeomen farmers, except for some for the year 1790, where this was not possible. Those records were selected based on slave ownership and conform to the ownership patterns found in 1810 and 1830. This does mean that the non-slaveholding yeomen are underrepresented for 1790.

and providing the planters with much needed food without paying the extra expense of having it transported long distances.

Any person who decided to grow cotton needed to process it once they had harvested it. The cotton gin, which had allowed cotton to initially spread as a cash crop, cost more than many yeomen were willing or able to pay, which provided another obstacle to participation in that economy. In 1810, a gin cost \$74, equivalent to the price of a good horse. As the cotton industry spread, however, gins became available for broader use. Only twenty years later the average gin only cost \$35 while a horse of equal

value still cost \$65 or \$70 dollars, which made cotton production a much more viable option for poorer farmers. Of course, gins varied in size and quality, but even a small gin would have allowed a farmer to begin growing small amounts of cotton with which he could hopefully begin the accumulation of enough capital to rise in status.¹⁴

Cotton gins could be utilized profitably by many different people, for the machine could be used regularly without harming it. Those with gins did not always allow their neighbors to use their machine for free, however. Even larger farmers with many slaves did not necessarily own cotton gin but entered into arrangements where they paid for the use of a cotton gin to another owner. These debts were calculated in dollar amounts, though whether they paid these debts with dollars is unlikely. They more frequently paid in kind or by selling their labor to their neighbors. In spite of the fact that many farmers did not own cotton gins themselves, they were often able to take advantage of the nearness of their richer neighbors to gin the small amount of cotton that they had produced themselves. The expansion of cotton during the nineteenth century allowed some of the middle class yeomen to attempt to grow their own cotton, depending on their neighbors' tendency to permit them to utilize his gin.¹⁵

The yeomen farmers in the early 1800s had to make difficult choices when determining what goods they grew. The "safety-first" route, growing subsistence crops, would keep their families fed and possibly allow them to make enough of a small profit to keep themselves comfortable. This option, however, would not move them any higher in society. The other option was to focus their efforts on growing and selling cotton down the river. This was by far the riskier option for the local farmers. Participating in

¹⁴ Edgefield Probate Inventories, SCDAH.

¹⁵ Burton, *In My Father's House are Many Mansions*, 48-49.

the regional economy placed the farmer under the whim of far off market forces, most obviously the international price of cotton, but also the price of food, clothes, and other goods which cotton growing farmers could not produce themselves and would have to purchase. Without the subsistence crops that yeomen grew, the entrepreneurial cotton farmer would have to purchase most of the food that his family and slaves consumed over the course of the year, hoping all the while that the incoming crop would produce enough to make up for the loss. The yeoman would have to take a loan to purchase food unless he already possessed enough ready cash to keep him afloat while the cotton grew.¹⁶

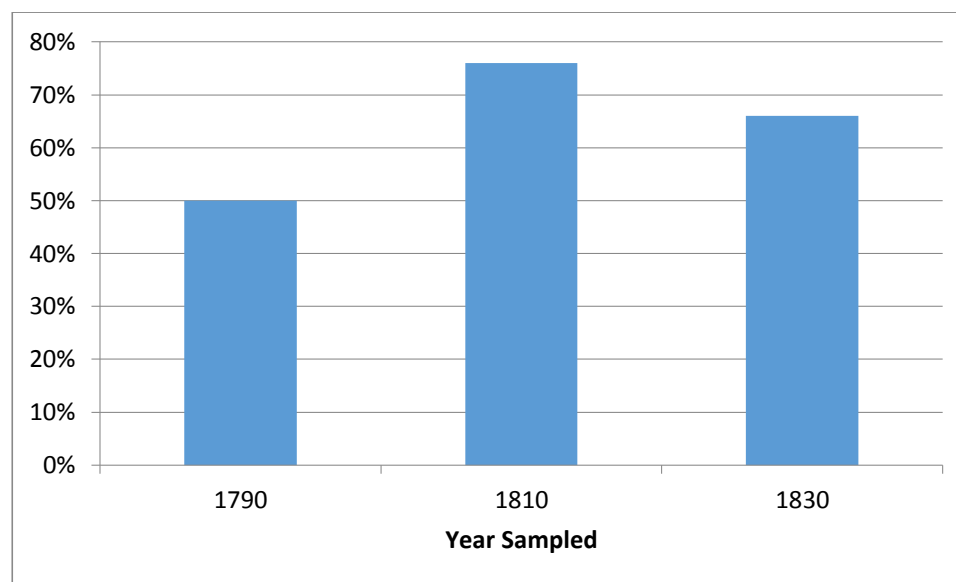
Even though some yeomen decided not to grow cotton themselves, the crop had made such an impact that nearly everyone utilized it by 1830. Even poorer farmers, those with fewer than four slaves, which included the majority of the population, might well have possessed some cotton. However, the small amounts of cotton that they owned, in conjunction with the spinning wheels and looms that the majority of yeomen owned, suggest that they were not growing it themselves or simply growing it for sale but had some stored by to use with their looms and spinning wheels. The local population would have been familiar with flax, which could also have been woven, and they were able to grow it in Edgefield. The vast majority of farmers, however, chose not to grow flax, with only one farmer in 1830 growing flax, and none forty years before. Wool would also have been a viable source for spinning and weaving, but sheep were one of the rarer livestock that farmers possessed, though they were much more common than flax among yeomen farmers. The superiority of cotton to wool, combined with the relatively easy access to cotton, meant that the profitability of keeping sheep had significantly decreased

¹⁶ Lacy K. Ford, *The Origins of Southern Radicalism: The South Carolina upcountry, 1800-1860*, (New York: Oxford University Press, 1988), 73.

over time. By the 1830s cotton was the undisputed king of crops grown in the area, and the local population turned to it to provide their needs.¹⁷

Table 2

Percentage of Yeomanry Who Owned Looms or Spinning Wheels upon Death



Source: Edgefield County, South Carolina, Probate Case Files, SCDAAH (See Table 1 for more details on the surveying process).

Looms and spinning wheels increased drastically in Edgefield County between 1790 and 1810 (Table 2). Many families had more than one of each, to maximize the amount of cloth that they could produce. These domestic items would have reduced the amount of cotton that the yeomen were trading even further, though they might well have traded or sold the cloth that they spun at home. Primarily, wives and daughters spun the cloth that yeomen households produced, perhaps with some assistance from house slaves if they were wealthy enough to own them. Among the few probate inventories that women left behind, spinning wheels and looms were almost always present as well. The women of these households were expected to contribute to the families' income and well-

¹⁷ Edgefield Probate Inventories, SCDAAH.

being as much as the husband, but as Laurel Thatcher Ulrich has shown, early republic farmers divided labor along gender lines, at least among the free members of the household. She also shows the drastic rise of the presence of looms among households during the later decades of the eighteenth century. In South Carolina, the increasing presence of the cotton industry spurred these families to weave their own cloth as well as spin their own thread. The family might well have worn or sold the cloth that they made to bring in some extra money separate from the harvest. The percentage of families with looms and spinning wheels shrank slightly by 1830, however, reflecting the diversification of the labor force and suggesting that more clothes were being crafted by clothiers, who dedicated all their time to making quality goods.¹⁸

Many yeomen also kept livestock to supplement their households during the year. Hogs and cattle were kept by many of the farmers of Edgefield County. These animals required little attention from their owners and often ran wild among the forests and other properties that surrounded the area. Few yeomen owned the necessary land to keep their creatures fed on their own. Nevertheless, livestock production was a very important part of the farms in the backcountry. Not only did they provide supplemental food for the homestead, but they were tradable goods for the farmers to participate in the local economy. However, livestock consumed food even as they produced it. To minimize the expenditure on this expense, farmers kept livestock that foraged off the nearby area. Geese, ducks, and other fowl were numerous, while chickens remained fairly uncommon. Farmers also kept large numbers of hogs, which could survive with very little intervention on the part of the farmer.

¹⁸ Laurel Thatcher Ulrich, "Wheels, Looms, and the Gender Division of Labor in Eighteenth-Century New England," *The William and Mary Quarterly* 55, No. 1 (January 1998), 10.

The fencing act of 1827 was an attempt to curtail the movement of these beasts and their masters and keep them confined to their master's property. The backcountry was known for illicit uses of land, with farmers willingly and openly hunting on a planter's land. The court system supported these farmers and expressed astonishment that the planters would be upset about it. The open range attitude of South Carolina persisted for several decades after the cotton explosion made backcountry land more valuable. Farmers appealed to the idea of common law which had dominated the political landscape during the colonial era. The farmers who had started their occupation of the area by squatting on planters' land continued to make use of it after that particular conflict had been settled. The planter class and the poorer classes continued to conflict over land and its usages in spite of the fencing acts.¹⁹

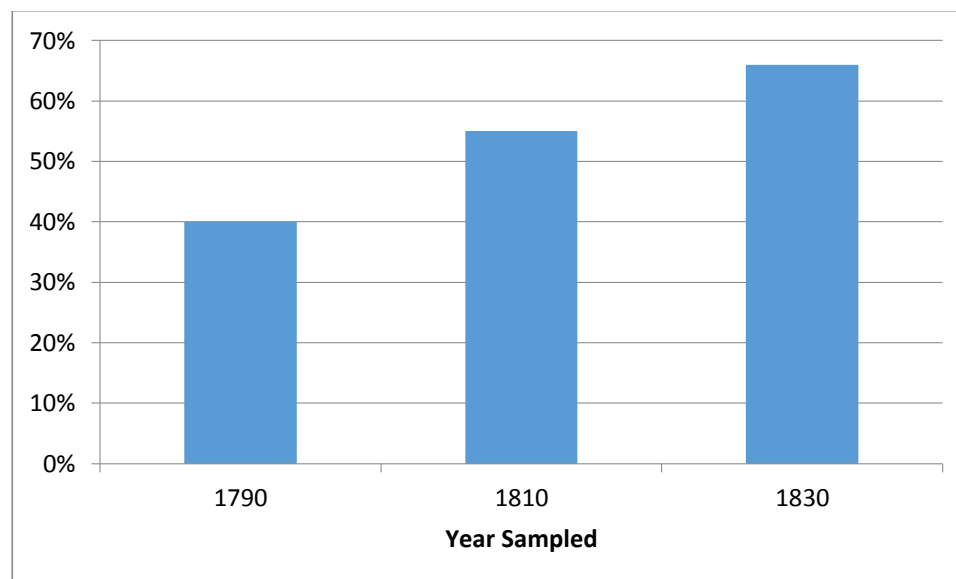
The growing change among the planting habits of the yeomanry was concurrent with changes in other areas of South Carolinian society. Even those yeomen who did not participate directly in the cotton economy could conceivably reap the benefits of the increased wealth in the area. Between the 1790s and 1830s the yeomanry became much more involved with the growing trade network that industrial progress facilitated. Though many of them continued to grow the same subsistence crops and cultivate the same livestock that their fathers had produced, they participated in a regional economy. Edgefield County in particular grew in importance among South Carolina counties, becoming one of the most important counties of the backcountry by 1830, with farmers lining up outside the central town of Hamburg for miles when crops were sold down the river. Far more yeomen had access and the desire to purchase luxury goods in the 1830s.

¹⁹ McCurry, *Masters of Small Worlds*, 10-12.

The presence of clocks, pocket watches, coffee mills, umbrellas, and looking glasses nearly doubled in the houses of the surveyed yeomanry as time passed (Table 3).²⁰

Table 3

Percentage of Yeomanry Who Owned Luxury Goods (Watches, Clocks, Coffee Mills, Umbrellas, Fine China, Looking Glasses) upon Death



Source: Edgefield County, South Carolina, Probate Case Files, SCDAAH (See Table 1 for more details on the surveying process).

The prices of these goods also dropped significantly over time, though they were still fairly expensive. A good clock, for example, still cost a farmers more than \$10, equivalent to the price of a gun or several cows. Many farmers owned time pieces, whether they were bulky clocks or smaller pocket watches. Both of them signified an understanding that keeping track of the local time was important. Whether these devices were used to partition working time among the yeomanry or if they kept them as status symbols is unknown, but their presence does suggest that the yeomanry were increasingly

²⁰ Edgefield Probate Inventories, SCDAAH; Burton, *In My Father's House are Many Mansions*, 52.

part of an interconnected environment which valued the clock time.²¹ The expensive nature of these goods implies that the yeomen farmers were slowly gaining both increased access to and the desire to possess these goods. None of these goods, furthermore, were made in the area. They all had to be shipped upriver to the town of Hamburg and disseminated from there if the spread out population were going to buy them.

These luxury goods provide evidence of the yeomanry's desire to emulate that planter class, who had greater access to these goods. The increase of finery, such as glassware and finer clothes contributed to the poor farmers' emulation of the planters and reveal their desire to gain access into that exalted class. The idea of the planter on his plantation had become a hegemonic force in South Carolina. To this end, even if a farmer could not actually live like a planter, he could at least have some of the possessions that a planter would own, thereby securing in his own mind the possibility of one day becoming a planter. Furthermore, these goods gave the appearance of gentility and respectability should the local planter make his presence known. The obsession with honor that dominated the minds of Southern men required that they make the appearance of being respectable, for through their appearance they gained some real respect. The drastic increase in looking glasses and fine razors attests to the southerner's interest in his appearance. Southerners were fond of analyses of the body, and especially the face, to determine a general measure of a man's honor and respectability. By adopting the luxury

²¹ Mark Smith has suggested that the use of clocks and watches on plantations "during and after" the 1830s illustrates plantation owners' and overseers' sensitivity to time management and a rising capitalistic impulse. The presence of clocks and watches among the yeomanry here suggests a similar understanding developing among the lower classes during the Early Republic. Mark M. Smith, "Time, Slavery, and Plantation Capitalism in the Ante-Bellum South," *Past and Present*, No. 150 (Feb. 1996), 143.

goods of the planters, yeomen could lay claim to some of the honor that the planters possessed.²²

Whether the poorest farmers had purchased their extra cotton or had traded it for their labor on some farm or plantation, they participated in a local, rather than regional or international, cotton economy. The complex labor exchanges of the area meant that workers were constantly laboring for one another, often for small amounts which might well have been paid in cotton. Even land owners who could have resorted to unconventional methods of production, such as timber harvesting, chose not to during the early national period in favor of continuing the binary production of cotton or subsistence crops. Though timber became a convenient source of capital for yeomen farmers after the Civil War, early national farmers chose not to invest in the tools necessary to harvest timber. Those willing to risk their capital on the chance to become planters chose to do so by investing in cotton production, regardless of their chances of succeeding in becoming wealthy from it. The image of becoming wealthy through timber manufacturing simply did not have the attraction that becoming a cotton planter had in the minds of the white population, though several timber mills and mines opened up after the 1830s.²³

Some of the yeoman farmers who chose to speculate heavily in cotton succeeded in making enough money to repay their loans and purchase new slaves and land. The primary purchasers of the majority of the land that had opened up after 1785, however,

²² Bertram Wyatt Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 48-50.

²³ None of the probate inventories surveyed for 1810 or 1830 catalogued the tools necessary for timber harvesting, suggesting that the yeomen did not engage in such activities, or if they did used someone else's tools to do the work; Burton, *In My Father's House are Many Mansions*, 280-284.

were already wealthy planters who hoped to expand their power and wealth. They first took advantage of the innovations which made cotton a viable crop since they could afford to purchase both the land, the labor, and the machinery necessary to farm cotton profitably. Many planters purchased land in the backcountry simply so they could resell it at a profit or repay their own loans, which were heavy after the American Revolution, with fairly unprofitable land. Poor farmers who had previously been living on the land found themselves under attack by the rich planters. The land that they had lived on had suddenly been swiped from underneath them, especially if it was particularly profitable or fertile soil. Many planters simply evicted squatters in their endeavors to turn the land into profitable cotton plantations. These farmers continued to eke out their existence on the margins of the land, either moving further west or continuing to squat on land that was no longer theirs.²⁴

Some planters even entered into arrangements with squatters, allowing them to continue working on their land at little or no cost. The legal authority that these planters possessed gave them great power over the small farmers on their land, appeasing the small farmers by providing them with land to use, even if it was fairly unprofitable land, tied the small farmers to the planter. A few planters sold or even gave away land to the small farmers during the 1790s and 1800s. These small farmers could be relied upon to support the planter who had given them the opportunity to increase their own wealth and status. Before instituting universal male suffrage in 1810, the land requirements for voting had excluded many small farmers who either squatted or rented another's land. The partisan politics of the state necessitated the backcountry planters gaining the support

²⁴ Klein, *Unification of a Slave State*, 180-182, 197-198.

of the yeomanry against the planters of the lowcountry. As Rachel Klein has shown, by 1810, the planter classes had united, and the need to appease the yeomanry had decreased. The local planters could rely upon such men to follow them, whether in the political or social arena.²⁵

The planters also feared an uprising of the poor farmers in the backcountry. Nearly all of the yeomen farmers surveyed owned guns, which they used to hunt the land around their farms to provide supplemental food for their tables throughout the year, but the yeomen could easily turn them against the planters. The events leading up to the American Revolution, which was fairly recent in the minds of the people, had demonstrated the power that lower classes possessed and could utilize given enough repression. The pressure that the poorer classes placed on the wealthy had drawn them into the Revolution in the first place, and the rise of the French Revolution made the possibility of the poor turning on the wealthy all the more frightening. Planters could not even rely on the myth of white solidarity to keep the yeomen from rebelling in the wake of a rising yeomen class conscious, and the relative lack of slaves in the backcountry made rebellion against the planters even more likely. Therefore, appeasing the yeomanry through land usage and personal patronage secured the planters' continued prosperity, or at least, existence.²⁶

Many rural communities in the United States have been described as surviving off barter-based trade. The seasonal nature of most of their income has suggested that most, if not all farmers, were flush at certain times of the years and lacking in funds at others.

²⁵ Klein, *Unification of a Slave State*, 200-202.

²⁶ Woody Holton, *Forced Founders: Indians, Debtors, Slaves, and the Making of the American Revolution in Virginia* (Chapel Hill: The University of North Carolina Press, 1999), 165-170.

While this is undoubtedly true, it does not necessarily predicate a lack of a cash economy in the area or describe a cash economy that was solely in the hands of the wealthy. While Southerners' tendency to reinvest their capital through slaves and land is well established, there were necessary transactions to maintain and improve their farms, such as property taxes which could not be paid in kind. Those who decided to take the gamble and focus primarily on cotton instead of subsistence crops also needed loans by which they could survive while the crop developed. After the War of 1812, however, credit became much easier to come by, allowing an increasingly large portion of the yeoman population to at least begin cultivating small amounts of cotton.²⁷

Because of the complex ties between the local social and economic landscape, there were frequent clashes which farmers could not mediate unofficially. To this end, the courts in the area were kept busy with debt cases and conflicting social and economic interests. These cases officially resolved disputes among the population and settled many of the judicial matters in the area. The judges of such cases were circuit judges who held court a few times throughout the year. These judges were not necessarily locals and were probably not aware of the intimate details of the local social ties, but the members of the jury would have been. The jury members were selected by lot from the local population and consisted primarily of yeoman farmers. The local planters kept careful tabs on the court system, however, as the local lawyers were primarily planters. They also executed many of the court's wishes concerning the proper arrangements of the claimants.

William Anderson, a wealthy Edgefield planter, headed the courts in 1794 and oversaw

²⁷ Daniel Walker Howe, *What Hath God Wrought: The Transformation of America, 1815-1848* (New York: Oxford University Press, 2007), 137.

dozens of claims cases during a single session. The position of professional planters in the courts helped maintain their legal and social position over the poorer farmers.²⁸

The yeomen also turned to planters when they needed loans to keep their farms profitable. Small loans and debts between yeomen occurred frequently as well, and they often took each other to court to regain their losses. The role that small claims court cases play in understanding the social ties of the area cannot be underestimated. Though the rural farmers embraced a complex and interconnected society which relied heavily on unofficial methods of solving problems, they relied on the court system to provide the final word when arrangements became intolerable. The planter LeRoy Hammond, Joshua Hammond's cousin, sued successfully for \$301 against John Glover in 1806. Glover managed to absorb the loss and continue farming, with some success, passing on nine slaves to his survivors upon his death in 1819. Though Glover was able to maintain his status as a yeoman, he was never able to accumulate enough wealth to become a planter during his lifetime. It seems likely that yeomen like John Glover who had decided to take the gamble of planting primarily cotton to try and boost their income and ended up further in debt than they would have otherwise been.²⁹

The turbulent and interconnected relationships of the community made court days especially hectic. Large groups of people gathered in and around the courthouse to solve their problems and engage each other in a social and public environment. The planters took advantage of their position to try and gain the favor of the courts and maintain respect and control among their fellow citizens. Their social position, however, did not

²⁸ County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. SCDAH.

²⁹ Court of Common Pleas (Edgefield County), Pleading and Judgments, 1800-1913. SCDAH; Will of John Glover, March 31, 1830, Will Typescript, Abbeville County, MSS Will: Book 2, 74, SCDAH

always guarantee their victory in the cases they fought. In 1790, George Pearson and a third member of the Hammond family, Abner, came to court over the proper ownership of a slave that both men claimed. The court found in favor of George Pearson and forced Hammond to pay for the cost of the suit. Interestingly, the case was not decided by the judge, but by an entire jury, which had been chosen by lot. Though it is difficult to know if the jury consisted of yeomen, the nature of the lotto suggests that many were of the lower classes. As this case shows, there were times when the lower classes could defeat the planters and remind them that the yeomanry possessed their own tools of coercion.³⁰

The planters did not simply work against the interests of the poorer yeomanry, however. The social relation between the two classes twisted and intersected in many different ways. The planters often represented client yeomen in the court, posting bonds or securities for them. Henry King of Edgefield County served as security for several yeomen wives whose husbands had passed away in 1794, as did Joshua Hammond.³¹ By receiving security, the widows were able to continue the difficult work of running their husbands' farms and raising their children while avoiding the possibility of becoming destitute. The mindset of the time rarely allowed women to take a controlling position in their own lives. The local men found it necessary, therefore, to assist the widow until she remarried or her children came of age. In helping yeoman farmers, and widows especially, planters reasserted their position in the local hierarchy, which they cultivated to justify their social position. Nor was this phenomena isolated to the planters.

Executors kept careful records of the work that other men had performed on the farm of a

³⁰ County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. SCDAH.

³¹ County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. SCDAH.

recently deceased yeoman. Though much of this work required payment (which was kept on account until the farm was profitable again), many men donated some of their time, skills, and money to help support the farms while they lacked a male head.³² By keeping these small farms afloat, the men who worked on them simultaneously increased their own social masculinity and reinforced their position as respectable and generous yeomen, who were both able and willing to donate their valuable labor to the less fortunate, thereby creating the illusion of gentility and making yet another claim to a higher social standing.³³

Men like King and Hammond also frequently participated in the appraisal of probate inventories, which were taken to establish the personal property of the deceased citizens in order to repay the debts they had incurred in life. The appraisal of the material goods of the deceased provided another opportunity for the planters to interject in the lives of their poorer neighbors. By over or underpricing the value of their crops, livestock, and goods, they were able to help or hinder the farmers' survivors. Since these goods were often sold at auction to pay leftover debts, their perceived worth could significantly change the economic position of the family. Since many of the debts that yeomen incurred were owed to the planters, they also had their own interest in the outcome of the inventories. If the farmer did not possess enough goods to pay his debts then the family would be forced to sell their land and slaves, which the planter could then

³² Many probate inventories include the debts incurred by the farm after the head had died. The records for the family of David Brown are particularly revealing, showing purchases for shoes for the family, labor on the farm, and several common household items. Edgefield Probate Inventories, SCDAH.

³³ Wyatt-Brown, *Southern Honor*, 66-69.

purchase himself. Through these methods the planters harmed or relieved the lives of the widows and children, while regaining some or all of their debt.³⁴

Planters also occasionally defended or represented their poorer neighbors in court. These cases illustrate the multi-faceted relationship between planters and the yeomanry. Another member of the Hammond family, John Hammond, paid the debt of one Mary Taggart to Leonard Marbury, thereby relieving the widow of some of her economic pressure. The planters could not do without the yeomanry, who voted them into office, supplied them with food, and worked in their slave patrols to keep slaves in their place. In their turn, the yeomen relied on the planters to assist them when they required it and aspired to join their ranks. As much as the economic and material assistance that planters offered helped the poor farmers, the possibility, rarely attained, of becoming a planter themselves and enjoying the benefits thereof often kept farmers from overstepping their social bounds. Though their relationship was often turbulent, neither group could entirely forsake the other. The degrees of obligation made agreements between the people very interpretive.³⁵

The economic position of the yeomanry during the early republic had not changed significantly. The means by which they established and maintained that position, however, had shifted drastically as more and more yeomen switched to cotton instead of subsistence crops like corn and wheat as their primary crops. Southern farmers in general became obsessed with cotton during the nineteenth century as the means by which they could attain wealth and social standing. By switching to cotton instead of relying on

³⁴ County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. SCDAH.

³⁵ County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. SCDAH.

subsistence crops, a small percentage of yeomen were able to make their fortune and break into the planter class. Many more, however, found themselves ruined by their attempts to raise their economic position. Edgefield farmer William Thurmond, who had inherited a tract of land in Edgefield from his father in 1830, found himself taken to court by over seven different people that same year to pay his debts.³⁶ Thurmond appealed to the Insolvent Debtor Act, but with no relief. His credit had run out, and he was forced to pay his debts, thereby destroying any chance of becoming a planter, or even of remaining a respectable citizen.³⁷ Nor was Thurmond alone, for even yeomen farmers who managed to keep themselves afloat during their life often found that the goods they possessed had to be sold upon their death, leaving their inheritors with less than they had hoped. Whether their survivors wished to or not, they often had to sell their families' slaves and land to wipe away the debt, lowering their status among the local population and possibly forcing them off the land entirely. The practice of splitting up one's land and goods among the inheritors also hurt the chances of succeeding economically, since it meant that each inheritor only received a fraction of a larger farm.³⁸

The changes in farming strategies helped shape the complex relationship between the wealthy planters and the poorer farmers. Both sides attempted to take advantage of the other but not to the extent that the situation became untenable to either side. Their relationship consisted of both conflict and cooperation, mediated by the court system and mutual understandings when matters became too severe to ignore. By securing mutual

³⁶ Will of Pleasant Thurmond, March 31, 1830, Will Typescript, Edgefield County, MSS Will: Book C, 329-330, SCDAH.

³⁷ Court of Common Pleas (Edgefield County), Pleading and Judgments, 1800-1913. SCDAH.

³⁸ See, for example: Will of George Pope, May 22, 1844, County Wills, Edgefield County, MSS Will: Book D, 393-394, SCDAH. Will of Allen Burton Sr., May 18, 1808, Will Typescript, Edgefield County, MSS Will: Book A, 247-248, SCDAH.

agreements of support, both yeomen and planters gained access to goods and services that they needed. However, the net result of many of these agreements was a continuation of the social status quo, with the planters maintaining their position at the top, while most farmers remained poor, in spite of the attempts of the yeomanry to equivocate their status with the planters.

Nevertheless, the cotton economy did have its effect on the yeoman farmers as access to new goods and services allowed them to feed their desire for fine goods, occasionally at the price of hindering their attempts to increase their capital. The backcountry, which had been settled by poor farmers who could not afford land close to the coast, transformed into a pivotal piece of the South Carolina economy by 1830. However, as the value of the backcountry land rose, so too did the conflicts between classes as they struggled over who had rights and access to that land. The increasing importance of the backcountry to the cotton based economy brought in more people who attempted to establish their own holdings, putting further pressure on the yeomanry. The importance of Edgefield County in particular, increased during this time as its access to the coast via the Savannah River made it an excellent place for farmers to sell their wares and planters to ship them to the merchant hub of Savannah, Georgia. By 1830, Hamburg had become so important to the cotton trade of the backcountry that hundreds of people camped outside the town to wait for the opening of the markets which would buy their crop.³⁹

³⁹ Burton, *In My Father's House are Many Mansions*, 30.

CHAPTER III

MOVEMENT AND MILITIA: THE WAR OF 1812

AND PLANTER/YEOMEN RELATIONS

The War of 1812 proved a critical moment in time for the relationship between planters and the yeomanry. The South Carolina representatives' pressure in beginning the war and their service during the War of 1812 provided unique opportunities for the yeomanry, who had provided the backbone for Southern forces during the war, and the planters, who had led the nation into the war. Though the elite representatives from South Carolina insisted that war with Britain was necessary to the United States' dignity and honor, in actuality they did so to keep the increasingly unstable and unsatisfied yeoman population back in their home state content. By using their political clout as landholders and drawing attention to the elites' need for the yeomanry, both during and after the war, yeoman farmers attempted to increase their social standing and create new pathways to economic security. Yeomen were able to grasp the opportunity to increase their economic position by moving to new territories created by the war or taking advantage of the exodus westward, but unless they were able to become planters themselves, their social standing changed little.

The expansion of large cotton plantations in the backcountry put pressure on the yeomanry, who found their population shrinking over time as large landowners acquired more of the yeomanry's land. The international economic bubble during the 1790s had collapsed during the first years of the nineteenth century as the blockades in Europe following the First Napoleonic War led to a decrease in exported goods from the United States. Even though yeomen only participated peripherally in the transatlantic economy,

they still felt the economic pressures that came from the state's inability to sell the increasingly important local cash crops, such as cotton and rice. The erratic Napoleonic Wars, and the concurrent problems with trade, had done little to assist the plight of the yeomanry, who increasingly found that they could not support their farms any longer. The embargo acts laid against Great Britain by President Jefferson only added to the problems that the yeomanry dealt with during the first decade of the nineteenth century.¹

The United States had been struggling to maintain its vital economic relationship with England for several years leading up to the war. The economic sanctions imposed by Jefferson hit the farmers of the South especially hard due to their reliance on trade from Britain. Though yeomen did not commonly participate directly in the Atlantic trade between England and South Carolina, the lack of incoming goods and money from the rival nation left its mark on the struggling farmers. The state's inability to sell its goods to England had left the economy in shambles and had created a "total stagnation of trade" which brought small farmers with few savings and increasing debt to the edge of economic ruin. Citizens of South Carolina found that they were unable to repay their debts and fell into more debt as the embargoes continued. In spite of the requests of the people for greater leniency towards the debts that they owed to the wealthy citizens, the debtors' crisis continued to worsen.²

The elites' desire to expand their own holdings may have contributed to the lack of debt relief for the lower classes. As more planters switched to cotton as their primary

¹ J. C. A. Stagg, *The War of 1812: Conflict for a Continent* (Cambridge, MA: Cambridge University Press, 2012), 19.

² See Presentment Requesting the Indulgence of Debtors during the Crisis, 1808 (Spartanburgh District), Grand Jury Presentments. SCDAH; Presentment Requesting Relief from the Operation of the Embargo, 1808 (Laurens District), Grand Jury Presentments. SCDAH.

source of income, the land of small farmers, which had primarily been located on the peripheries of more fertile areas, became increasingly valuable. The cultural capital that came from owning land, however, made few yeomen willing to sell unless they were presented with no other option. The yeomen's increasing problems with debt, therefore, provided planters with a perfect opportunity to increase their holdings without convincing the current owners to sell and gaining the land without parting with too much of their own money. This tactic did not go unnoticed by the larger population, however, who again plead to the state government in 1808 to provide laws protecting the real property of the state's citizens during the economic crisis. The fact that the current economic troubles had been artificially created through the embargo acts must have made the impression of a conspiracy to take the land of honest citizens even more apparent, increasing the unrest among the lower populations.³

In spite of their pleas, the yeomanry remained without aid from their local government. The troubles of the yeomanry can be easily seen through the Sheriff auctions across the state. Between 1806 and 1811 the number of foreclosures and public auctions of land jumped from three a month to eleven or twelve a month. The difficulties encountered by the yeomanry in 1808, and their consequential complaint to the state government, represented the troubles of the population at the beginning of the debtors' crisis, not those at the end. The continuing problems increased the tension between the lower classes and the elite, who possessed the necessary capital to ride out the economic

³ Presentment Requesting Relief from the Embargo Act, 1808 (Pendleton District), Grand Jury Presentments. SCDAH.

nightmare, keeping their cotton stored until such time as the international market resurfaced, and continued to increase their holdings through purchasing foreclosed land.⁴

The difficulties of the state were not lost on the political leaders of the time. The myriad economic difficulties had created a population of former landholders who felt the loss of their land sharply and witnessed that their loss had become the planters' gain. This state of affairs no doubt worried more conscientious elites who remembered well the problems that they had encountered during the American Revolution in maintaining their authority over the larger population. In 1811, John C. Calhoun, who had recently entered the United States Congress, fought hard for the removal, or at least decrease, of the embargo acts against Great Britain, though he had initially supported them. However, since he was unable to gain "any commercial change for the better," he was "inclined to think strong measures will be resorted to." Calhoun decided that war with Britain was the only way of solving the economic deadlock that was pushing his state further into a crisis.⁵ A successful war with Great Britain would not only reopen the trade routes that had been closed for years but could gain land through which the displaced yeomen could seek their fortune. He was vehemently supported in his efforts to declare war on Great Britain by his fellow congressmen from South Carolina who understood the precarious position in their home state.⁶

The common folk who would form the backbone of South Carolina's military had few choices but to go to war with Britain, though their protests had not been aimed at the

⁴ *The Edgefield Anti-Monarchist and South Carolina Advertiser*, 1806, 1811.

⁵ John C. Calhoun, Letter to Patrick Calhoun, November 14, 1811, *The Papers of John C. Calhoun, Volume 1, 1801-1817*, Ed. Robert Meriwether (Columbia: The University of South Carolina Press, 1959), 63.

⁶ John C. Calhoun, "Speech on the Report of the Foreign Relations Committee," December 12, 1811, *The Papers of John C. Calhoun Volume 1, 1801-1817*, 75-85.

British as such, and they certainly made no claim that war was the best choice for them. The failure of the state to provide sufficient debt relief for the yeomen farmers, however, left them with few choices to prosper economically. The embargoes against Great Britain set forth by President Jefferson also cut the state off from its primary trading partner, a fact that the South Carolina representatives in Congress were quick to point out to the nation. Now again, with the economic pressure on yeomen in the backcountry rising, the only opportunity for the elite to appease the common people was to go to war if they desired to maintain their social and economic position.⁷

Once the war had started, however, the need for soldiers provided a new avenue for the young men of South Carolina to support themselves, at least temporarily. Though the war itself left few soldiers with any immediate windfall, at best militiamen, who comprised almost all of the U.S. forces, could expect room and board and some small pay for their services, the aftermath of the war provided new opportunities for expansion and success. The pensions that awaited veteran soldiers also offered an impetus to join the war for far thinking citizens.

Though in many ways the war would be a failure for the new nation, the citizens of South Carolina took advantage of the new lands opening to the west and the newly awakened appreciation for the yeomanry in the minds of the planters. South Carolinian elites, including William Lowndes, Langdon Cheves, and John C. Calhoun had spearheaded the nation's pro-war faction, working towards the declaration of war in the first place. These gentlemen, however, grew gravely concerned about an invasion of the state by Britain's capable navy, which led to an increase of militia in the state. Even

⁷ Woody Holton, *Forced Founders: Indians, Debtors, Slaves, and the Making of the American Revolution in Virginia* (Chapel Hill: The University of North Carolina Press, 1999), 165.

before the war had begun, such exemplaries as John C. Calhoun recognized the upcoming need for the support of the larger population, and specifically the land holding yeomanry, to serve as soldiers if they were to succeed in their conflict with England.⁸

Unfortunately, the details of the common soldier remains difficult to assess, since the War of 1812 remains one of the least documented conflicts in American history and produced few personal narratives from southern soldiers. The majority of studies concerning the War of 1812 focus on the northern front and the singular Battle of New Orleans in 1815. In spite of the leadership of South Carolina's politicians in beginning the war, the practical role that South Carolina forces played in the War of 1812, and the average soldier's reasons for participating, remain relatively obscure. Few South Carolinians served outside of their state, which explains part of the gap in the historiography concerning South Carolina's participation in the war effort. Those who did serve on the northern front were primarily those from upper class families, serving as officers in the regular army, like Colonel James Burn, who served at the disastrous defeat at Bladensburg, Maryland. Nevertheless, South Carolinian forces played an important role in the war, at least from their own perspective. The citizens along the east coast were well aware of the British navy's power and feared the possibility of an invasion. Citizens petitioned frequently for assistance from the state to help defend against a possible naval invasion of the fertile and profitable coastal islands of South Carolina. The fear of Britain's naval power led the commanders of the military to station most South Carolina companies along the coast, where they felt the British were likely to

⁸ Carl J. Vipperman, *William Lowndes and the Transition of Southern Politics, 1782-1822* (Chapel Hill: The University of North Carolina Press, 1989), 117.

attack. However, such attacks did not occur along the South Carolina coast, leaving the soldiers stationed there to while away their time however they could.⁹

The South Carolina militia was woefully unprepared for combat with the professional British soldiers, should the occasion arise. Disparagement of the state militia was strong, in spite of the claims of local commanders. The British did not even bother to capture militiamen after battles but merely allowed them to return to the United States. One British soldier claimed that American militiamen “would have been much more appropriately employed in attending their agricultural occupations” than in serving the army.¹⁰ Doubtless many South Carolina militiamen would have agreed with that statement, and given the option would have left for their farms immediately. Though the state required militias to muster themselves for training four days out of the year, these training sessions were far more often used as excuses for the community to get together and enjoy a day of leisure and spectacle. Politicians and local elites spread supplies and material necessary to support a militia unevenly across the state.¹¹ Many regiments dealt with a complete lack of state supplied arms, in spite of their entreaties to the local government.¹² This is not to say that the militia units were necessarily without arms, for as many as sixty five percent of the probate inventories from the years surrounding 1810 showed at least one gun per household. These guns, however, varied widely in style and

⁹ Inhabitants of Edisto Island, Petition for Legislative Assistance in Procuring Cannon and in Assembling Guard Sufficient to Protect the Island against British Invasion, and Asking also That a Guard be Posted at Fisherman’s Bluff on Fenwick’s Island, 1812, Petitions. SCDAH.

Inhabitants of Edisto Island, Petition Stating Their Vulnerability in the War with England, and Asking That the Legislature Grant them Additional Cannon for their Forts, an Additional Company of Men, and a Guard on Ashpoo River, 1812, Petitions. SCDAH.

¹⁰ Robert L. Kerby, “The Militia System and the State Militias in the War of 1812,” *The Indiana Magazine of History* 73, No 2 (June 1977), 104.

¹¹ Wyatt-Brown, *Southern Honor*, 418-419.

¹² Dunlap, Samuel, On Behalf of the Thirty-Fourth Regt. of Infantry, S. C. Militia, Petition Asking that Said Regiment Be Supplied with Rifles, 1812, Petitions. SCDAH.

usability. Many of them were listed specifically as old or broken when the inventories were made. In several interesting cases, officers of a corps of riflemen purchased their own soldiers firearms, applying for compensation at a later date.¹³

Though many farmers did own guns, they did not necessarily have the skill to utilize them properly in combat situations. Farmers frequently used hunting as a way to irregularly supplement their food stocks and resented any attempt to remove their natural right to do so.¹⁴ The state government saw the hunting habits of the yeomanry as beneficial since hunters were able to exercise their martial abilities while bringing food to their table.¹⁵ Though the yeomen possessed some skill with firearms, they lacked the discipline necessary to become a truly efficient fighting force. The consequent disparagement of local militias reflected the failure of local “training days” to accomplish its intended purpose. Even before the beginning of the war, the *Charleston Courier* published an article concerning the failures of the militia system.¹⁶ The War of 1812 revealed the failures of the militia system to produce an adequate fighting force and led to the creation of a professional “regular” army shortly afterwards. Though the army was still small, consisting of merely ten thousand troops, it was nearly double the size of the regular army supported before the war.¹⁷

¹³ Officers Commanding the Charleston Riflemen, Petition Asking to be Compensated for Purchasing Rifles for Said Company, 1813, Petitions. SCDAH.

Potts, Samuel and Wilie Belvin, Officers of the Rifle Co. Attached to the Thirty-Second Regt, Petition Asking that the Legislature Pay the Sum owed on the Rifles Used in Said Co., 1815. SCDAH.

¹⁴ Steven Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York: Oxford University Press, 1983), 58-63.

¹⁵ McCurry, *Masters of Small Worlds*, 11, 105-6.

¹⁶ *The Charleston Courier*, 1806.

¹⁷ Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Chicago: The University of Illinois Press, 1990), 304.

The militia had other problems than the simple fact that its soldiers were primarily untrained. The makeup of militia regiments depended heavily on local hierarchies to fill out their ranks, which frequently led to a class bias among the units. The elites filled most officer positions and left only the lowest ranks for the yeomen and common folk. This had been a point of contention during the American Revolution when free holders had simply refused to join until they were able to elect their own leaders.¹⁸ Though the militia during the American Revolution had eventually solved that problem, it occurred once again during the years before the War of 1812 and was augmented by the general refusal of the elites to serve within the ranks. By 1809 soldiers were no longer able to elect their own officers. South Carolinians complained that the militia tended to “promote aristocracy” and took “the power from the people” in a manner that was “derogatory to the republican character” before the war had even begun. Recent acts concerning the militia had even prevented the advancement of the few non-elite officers in the militia. After 1809, planters in South Carolina filled most of the officer’s corps of the state militia, an unfairness which made the differences between the classes apparent. The citizens of South Carolina perceived this obvious difference as another example of their increasing marginalization in the face of expanding planters.¹⁹

Once the militia had been called to protect the nation in 1812, wealthy men frequently hired substitutes to serve for them in the militia. John A. Crosby served as one such militia in South Carolina. He had been paid to substitute a wealthy man and then was further paid for his service in the militia. He found out in the following decades,

¹⁸ Holton, *Forced Founders*, 168.

¹⁹ Presentment Complaining of the Recent Alteration in the Militia Law which Tends to Promote Aristocracy, the Remoteness of the Ordinaries Office and Need for Additional Furnishings in the Courthouse, 1809 (Pendelton District), Grand Jury Presentments. SCDAH.

however, that this may not have been the wisest move, as the substitution made it difficult for him to secure a pension during the 1850s.²⁰ The ability of the elite to simply buy their way out of unfavorable positions provided yet another point of contention between the two classes, as some found themselves entering the military as “bought” men.

The pension records for the War of 1812 surveyed show a marked difference between draftees and volunteers in the South Carolina militia. Volunteers were primarily young, married men without the means to support their new families. Unlike the militiamen during the American Revolution, who frequently struggled to balance the needs of the militia with the needs of maintaining their farms, the age of the men in the War of 1812, combined with the increasing foreclosures on their land, meant that they were more willing to serve for months at a time, since few of them had their own extensive holdings, that would have demanded their constant presence and attention.²¹ The increasing scarcity of land in the eastern states provided another incentive for men who could not work their own land. Volunteering for service allowed them to receive an income for their family, though not a large one, while they were away and their own needs during that time were seen to, providing another source of relief for their economic situations. If they served as a substitute for a wealthier man, they also received the payment for that, providing a secondary source of income for their new families. Many of them joined the local militia within a year of their marriages, serving for the minimum six months before returning home.

²⁰ War of 1812 Pension and Bounty Land Warrant Application Files, Pension Files of John A. Crosby. National Archives and Records Administration. <http://www.footnotelibrary.com/> (accessed April 6, 2014).

²¹ Woody Holton, *Forced Founders*, 169.

These soldiers had other concerns than simply waiting on the coast for naval attacks, however. The ever-present fear of slave uprisings was a major concern for the South. The British policy of providing refuge to escaped slaves in the Chesapeake only exacerbated these fears. Local militiamen in the Chesapeake frequently spent a great deal of time attempting to prevent the escape of slaves. Since militiamen might well have been slave owners themselves, preventing such flights also allowed them to protect their own economic interests. The governor of Maryland, for instance, refused to call up additional forces to protect the Chesapeake, claiming that the troops were needed in their neighborhoods to quiet the unrest among the slaves. Further rumors claimed that the British were actively courting slaves in the hopes that they would rebel, providing another distraction for American forces. These rumors had some basis in reality, since at times the British even provided arms and basic training to escaped slaves and sent them to fight their former masters.²²

Though the state was not as high a priority to British forces, South Carolina faced similar troubles. Rumors of freedom enticed slaves to run away and take advantage of the disruption that the war caused. The overwhelming density of slaves along the coast provided yet another reason for stationing troops there, where slaves would have the easiest access to British ships. Militiamen serving during the War of 1812 worried about the slaves that they had left behind and many lost slaves during that time. These slaves frequently used the opportunity to escape, and those who were captured were frequently punished severely. Many petitions were sent to the state government asking for

²² Frank A. Cassel, "Slaves of the Chesapeake Bay Area and the War of 1812," *The Journal of Negro History* 57, No. 2 (April 1972), 147.

compensation for slaves who were executed during the war.²³ Long after the war had ended, stories circulated that slaves in South Carolina had planned on joining with British forces or rebelling against their masters on their own. One such instance describes a church gathering in the swamp surrounding Charleston in 1813, where slaves discussed the possibility of revolt, in light of supposed British support.²⁴ Though the elites had done their best to marginalize the yeomanry and acquire the land of those who were no longer economically solvent, the perceived increase of runaway slaves during the war, and the concurrent danger involved in them doing so, brought home the fact that the elites needed the yeomanry to help keep their valuable property in line.

Slaves were not the only allies that the British courted, however. Native Americans played a large part in the British plan against the American forces. American expansion in both the North and the South put pressure on the Native population and states like South Carolina and Georgia had nearly succeeded in driving them out altogether. The efforts of Tecumseh and his brother, The Prophet, to unite the disparate tribes is well known, and some Native American tribes in the south prepared to fight against the encroaching United States. Though the different tribes did not always agree on the best strategy to deal with the United States, and in South Carolina some Natives assimilated into the population fairly well, many tribes decided to go to war on the side of the British and began the Creek War in 1813.²⁵ The British, in their turn, decided to

²³ For instance: Hollingsworth, Jacob, Petition Requesting Payment for his Slave Frank who was executed in 1814 while his Owner was Serving the Militia, 1815 (Richland District). SCDAH.

Thomson, James, Petition Seeking Payment for his Runaway Slave who was Seized and Sold by the Sheriff of Newberry District, 1815 (Newberry District). SCDAH.

²⁴ John Hammond Moore, "A Hymn of Freedom- South Carolina, 1813," *The Journal of Negro History* 50, No. 1 (January 1965), 50-53.

²⁵ Theda Purdue, "American Indian Survival in South Carolina," *The South Carolina Historical Magazine* 108, No. 3 (July 2007), 217-219.

support the Native attempts to fight the United States and had provided arms, equipment, and training to them by 1814. This war provided the United States with another opportunity to push the Native population even further out of their way to make room for expansion. Southern soldiers found that most of the actual combat that they saw was directed against the natives.²⁶

Regiments from South Carolina saw combat against the natives, though there are no reports of such combat within the state itself. Instead, regiments moved down into the south-west portions of Georgia and west Florida to fight against them. Nehemiah Blackstock, a soldier in a South Carolina regiment commanded by Reuben Nash, recounts fighting against the Creek Indians near the “southwest line of Georgia” in late 1812 and early 1813.²⁷ Clearly, South Carolina troops, though worried about the safety of their own state, were not averse to leaving their local environs if they found suitable cause to do so. The opportunity to increase their holdings by taking it from the native population proved itself too enticing to let pass. The fact that they were more willing to travel south to fight the Native population and open up new land, rather than travel north to fight the British, is very suggestive of the motivation for Southern troops to fight. Furthermore, Calhoun himself had proposed “a bounty in land ought to be given, in addition to the pay and bounty now allowed by law,” knowing that land would be a powerful draw for the young men of South Carolina.²⁸

²⁶ John Sugden, “The Southern Indians in the War of 1812: The Closing Phase,” *The Florida Historical Quarterly* 60, No. 3 (January 1982), 282.

²⁷ War of 1812 Pension and Bounty Land Warrant Application Files, Pension Files of Nehemiah Blackstock. <http://www.footnotelibrary.com/> (accessed April 6, 2014).

²⁸ John C. Calhoun, “Report on Relations with Great Britain,” November 29, 1811, *The Papers of John C. Calhoun*, 68.

It is interesting to note that Nehemiah Blackstock and his compatriots had moved down into the Native American held region during the early months of the war against the British, long before the British policy of assisting the Natives became official. The troops, therefore, had other reasons for marching several hundred miles and engaging the Native troops there. The opportunity to push out the Natives and open up their land for American citizens proved too great for South Carolinians to resist. The later efforts of the British to use the Natives against the forces of the United States only provided more justification for United States troops to attack and claim their land. Even with British assistance, the Native forces were not strong enough to truly defeat the United States forces in the area. They simply opened up another front for the United States to deal with, which may have been the British goal all along, and provided an easy excuse for them to take possession of valuable land with which the young nation could expand further. The Treaty of Fort Jackson, signed in August, 1814, ceded remaining Native land in Georgia and most of that in Alabama to the United States. Though the treaty was officially declared null and void in 1815, Americans continued to act as if it was still in place and began settling the areas.²⁹

The defeat of the Native population during the War of 1812 opened up new stretches of land for Southern farmers. The former Indian land provided new opportunities for farmers to try their hands on unspoiled land where they could start new farms and, hopefully, find the increase in status that was becoming increasingly closed off from them in South Carolina. This opportunity also served to bring down property prices, as land became easier to acquire, making the possibility of starting a new farm a

²⁹ John Sugden, "The Southern Indians in the War of 1812," 306-307.

viable possibility for the lower classes.³⁰ The decades following the War of 1812 witnessed increased mobility westward among the yeomanry as leaving their old homesteads became easier.³¹

The yeomanry used their participation in the war as an opportunity to try and increase their economic standing. Struggles with debt relief and the increasing pressure of cotton plantations led to economic difficulties for many of the yeomanry, who either could not or would not participate in the burgeoning cotton economy. More and more of the population found themselves unable to better themselves or even maintain their standards of living due to the increasing pressure of large landowners who desired to expand their own holdings. Those who found themselves unable to establish themselves in their community left to establish themselves in more economically viable areas. James D. Foust has suggested that small landholders preceded planters in the migration to the new territories in Alabama and Mississippi, where they had a better chance of expanding their holdings. This movement, however, did not always result in permanent migration to the new states, as planters quickly followed the yeomen farmers, attempting to push them off the lush new land as they had done during the late eighteenth century in South Carolina.³²

This new land to the southwest and the consequent movement there served the interests of both planters and yeomen. Yeomen found that the new land gave them an opportunity to escape the stratified society of South Carolina and offered them the opportunity to purchase new land, since the increase of available land lowered property

³⁰ Howe, *What Hath God Wrought*, 126.

³¹ Ford, *The Origins of Southern Radicalism*, 38.

³² James D. Foust, "The Yeoman Farmer and Westward Expansion of U. S. Cotton Production," *The Journal of Economic History* 27, No. 4, (December 1967), 612-13.

prices. The lowered property values assisted people of both classes who were attempting to expand their holdings. In the new territory, free holders thought that they too could take advantage of the cotton boom and become gentlemen in their own right, which spurred a large westward migration of the population westward. The new land provided as many or more opportunities for the elites, however. The surplus population had found its pressure valve, and people flowed out of the state, leaving room for wealthy planters to continue their expansion as they rode the reignited wave of the cotton boom. The exodus of farmers to Alabama and Georgia removed a potentially disrupting element from South Carolina, as those who had suffered from debt and insolvency found new opportunities to the southwest.³³

The data shows that a large percentage of those who left the state after the War of 1812 were veterans from that war. James W. Oberly has suggested that as much as fifty seven percent of veterans from South Carolina who participated in the conflict left the state in the decades following the war.³⁴ Though their goal was to create their own prosperous farms in the new territory, the economic prosperity that followed the War of 1812 often failed to reach the families of these poor soldiers. Even the attempts of the lower classes to escape to new territory proved futile as planters themselves were often perfectly willing to stake a claim out west. The attempts of large planters to increase their holdings to grow more cotton and gain more wealth often left yeomen with few choices if they were to prosper. It did not take many poor harvests before they lost whatever land they had managed to collect and were forced to find greener pastures

³³ Ford, *The Origins of Southern Radicalism*, 41.

³⁴ James W. Oberly, "Westward Who? Estimates of Native White Interstate Migration after the War of 1812," *The Journal of Economic History* 46, No. 2 (June 1986), 434.

elsewhere. The case of William Duncan, who applied for a land grant multiple times, reveals the many problems that even ownership of land could not solve. Duncan moved from South Carolina to a plot of land in Georgia for several years before losing his farm and moving back to his home county of Greenville, South Carolina.³⁵ Such movements were not unusual among veterans. While many left their home state after their service, many of those also later returned to South Carolina in the following decades, reducing the number of veterans that can truly be said to have migrated westward. Oberly draws his conclusion based on the veteran applications for land grants, but he fails to follow through and show how many of those veterans permanently settled in their new westward homes.

The land grants of the 1850s provided aging veterans and their families with a much needed outlet for their needs. These plots of land were not primarily in their home state and necessitated leaving the state that had produced them. Oberly states that willingness to migrate out-state was based on military rank, and consequently, social status. Illiterate veterans were far more likely to leave their home state than officers. Many of the rank and file veterans had already left South Carolina during the decades before and used the land grants as opportunities to expand what holdings they already held. Clearly, many poorer veterans found the enticement of new property too much to resist and were willing to travel across several states to start their new farms. Several veterans, however, sold the land that they had been granted in other states and used the

³⁵ War of 1812 Pension and Bounty Land Warrant Application Files, Pension Files of William Duncan. <http://www.footnotelibrary.com/> (Accessed April 6, 2014).

proceeds to continue living in South Carolina, another factor that Oberly fails to address.³⁶

Social ties persisted throughout the migration of South Carolina families to other states. Though historians have long accepted that these farmers from the early republic moved regularly, they also maintained their relationships with others far away from them, frequently across state lines. These relationships provided crucial support networks in times of trouble. Agnes Bankston, the wife of veteran Joseph Bankston, moved with her husband to Georgia in 1816, shortly after the end of the War of 1812 and her husband's honorable discharge. The couple then received land in Coosa County, Alabama, where they lived for the next several decades. They were joined by Agnes' brother and his wife some years later. The death of her husband in 1863 prompted Agnes to return to Georgia, where she spent the remainder of her life. Significantly, however, Agnes felt comfortable calling upon people outside of her family in both Polk County, Georgia and her native county of Spartanburg, South Carolina to attest to the facts of her life and marriage when she applied for later pensions.³⁷

However, not all farmers were able to leave the state whenever they pleased. Though farmers found land easier to find after the former Native land had opened up to them, veterans and their wives frequently encountered trouble when applying for pensions on account of their service during the War of 1812. South Carolina did not require that newlyweds register their marriage in any kind of registry, which made proving their marriages later in life difficult. The proofs of such claims lay in their

³⁶ Oberly, "Westward Who?," 437-8.

³⁷ War of 1812 Pension and Bounty Land Warrant Application Files, Pension Files of Joseph Bankston. <http://www.footnotelibrary.com/> (accessed April 6, 2014).

ability to utilize social ties of long standing and call upon friends, family, and even business associates to verify their histories. Elites served an important function in these affidavits, as their word frequently made the process of obtaining pensions much simpler. Naturally, veterans such as William B. Fletcher, who never left his home state, had an easier time verifying their identities, since they had never starched their social ties by moving far away from their native areas. Upon applying for a pension in 1853, his widow was able to call upon several neighbors, all of whom claimed to have known Fletcher since before the war and one had even served with him. The neighbors both claimed to have attended their wedding, and their descriptions of the event bear marked similarities.³⁸

The uses of social ties were not always in step with the desires of the government, however. The case of William Duncan's widow, Nancy, shows how some Southerners were willing to capitalize on their social ties to manipulate their way to more wealth. Nancy called on several relations to attest to her purported marriage to several different veterans. She claimed each time that she had only been married to one particular man, lies to which many affidavits were submitted, and deserved a pension from each one. The rules regarding widow's pensions stated that only widows married before or during the war were entitled to pensions. It is entirely possible that Nancy was not well off after her husband's death, thereby necessitating the urge to try and gain land that she did not lawfully have the right to. Certainly remarriage after a husband's death was common during the early nineteenth century, but the fact remains that she lied several times to gain multiple land grants. Though the authorities eventually unraveled her attempts at

³⁸ War of 1812 Pension and Bounty Land Warrant Application Files, Pension Files of William B. Fletcher. <http://www.footnotelibrary.com/> (accessed April 6, 2014).

profiting from the pension acts, many of her relations were willing to lie about her marriages to other men for the sake of assisting the widow Duncan in her efforts to increase her wealth.³⁹

The migration of small communities from South Carolina to other states provided an important impetus for farmers to attempt to relocate after the War of 1812. Knowing that when they moved they would have friends and family nearby to help support them while they carved out their farms made making the important decision of whether or not to leave South Carolina much easier. It also provided them with an important weapon that they could use in their struggles with the elites. The ability to remove themselves away from the planters' purview gave them bargaining power to obtain both formal and informal benefits from the elites. By withdrawing themselves from the community, the yeomanry made it clear that the elites maintained control only through their consent. The yeomanry were no longer trapped in an unpleasant situation due to their lack of options and the scarcity of land. If they elite planters wished to maintain their standards of living, they needed the yeomanry in the area and would have to create new way to keep them satisfied in the coming decades.

Social ties remained an important part of life for the South Carolinian farmers. Local networks continued to provide the yeomen with opportunities to illustrate their importance, as those yeomen who chose to remain in South Carolina began to exploit the necessity of their support to gain increased benefits and improve their standards of living. The migration of many people from South Carolina provided new opportunities for the yeomen who remained in their home state, as the decrease in their numbers made the

³⁹ War of 1812 Pension and Bounty Land Warrant Application Files, Pension Files of William Duncan. <http://www.footnotelibrary.com/> (accessed April 6, 2014).

support of the yeomanry for the planters all the more important if they wished to keep control of the local slave population, since slave patrollers consisted entirely of property owners after the Stono Rebellion. Planters worried constantly about potential problems with the slave population, and the efforts of the British to ignite slave rebellions and encourage slaves to flee their masters only brought the danger in sharper focus.⁴⁰

Since the ranks of the militias and those of the slave patrols were frequently identical until 1839, the movement of former soldiers away from the state also weakened the efficacy of local slave patrols. State laws stated that all patrollers must have been land owners as well, in theory to keep patrols filled with those who had a stake in keeping the slave population in line. Yeomen, however, were perfectly willing to use their patrols as an opportunity to punish local elites, occasionally to the benefit of the slave population. By abusing the slaves of the large plantation owners or even ignoring the trespasses of said slaves, yeomen could strike a subtle blow against the planters in the area. On one occasion, patrol members simply did not arrive to fulfill their duties, and the local officers were unable to “compel the observance of the militia laws” which damaged the “serenity of the citizens.”⁴¹ In order to keep the weakened and rebellious patrols effective, planters had to find new ways to appease the portion of the population on whom they relied to keep order. An appearance of equality between the classes was necessary, since the lower classes were constantly watching for any attack on their republican values. To this end, planters and their sons filled out the ranks of slave patrols themselves, though they certainly did not enjoy doing so. It was a necessary step,

⁴⁰ Sally Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas* (Cambridge, MA: Harvard University Press, 2003), 72-3, 140.

⁴¹ Presentment Complaining of Slaves Planting Cotton and Raising Livestock, The Neglect of Militia and Patrol Duty, and Slaves Being Allowed to Keep Dogs, 1819, Orangeburgh District. SCDAH.

however, if they were to protect their own interests. Their participation in the slave patrols also gave the planters opportunities to win the personal support of their neighbors, and they frequently brought alcoholic drinks and food on the patrols with which they could win the local yeoman population's loyalty.⁴²

The yeomen of South Carolina struggled mightily during the first decades of the nineteenth century to maintain their economic solvency. The cotton explosion sparked conflict between the yeomanry and planters who worked to expand their holdings- and consequently their profits- by taking advantage of struggling yeomen farmers. The class conflict quickly came to a head as the embargos against Great Britain and France, South Carolina's primary trading partners, drove even more yeomen into insolvency. Poorer farmers and those who had recently lost their land complained bitterly to local governments. In light of the problems with the lower classes that the elite had experienced during the Revolution, congressmen sparked a war with England that would eventually reopen the trade routes and, hopefully, give the young nation access to more land in both the North and South. The war itself revealed many of the inequalities between the elites and the lower classes. Planters dominated the officer's corps, while some used their influence to avoid service entirely.

Though the War of 1812 remained largely unsuccessful in the North, large tracts of land opened up to settlers in Alabama and southwest Georgia. Yeomen and elites alike took advantage of this new land in a dual attempt to increase their wealth. Though these efforts occasionally worked to the benefit of both classes, for some planters on the cotton frontier were willing to teach tier yeomen neighbors, it frequently sparked conflict as they

⁴² Sally Hadden, *Slave Patrols*, 42-5, 72, 75, 86.

competed for resources.⁴³ Within South Carolina itself, however, the exodus of yeomen led to an increase in wealth of those who stayed behind, since they could take advantage of the newly vacated land in South Carolina. Furthermore, local elites were reminded of the yeomanry's importance in keeping their slaves from fleeing or rebelling, which provided the yeomanry with a powerful tool in the years to come.

⁴³ Ford, *Origins of Southern Radicalism*, 42.

CHAPTER IV

FROM THE COURTROOM TO THE CHURCHYARD: DISSATISFACTION AND MORALITY IN THE EARLY REPUBLIC

As the legal system of the United States evolved over the course of the early nineteenth century, it moved away from legislating morality and towards a pragmatic approach to lawmaking and enforcing. Moral problems, such as slander, infidelity, and accusations of dishonor or inappropriate behavior, moved into the realm of the local churches. This left the enforcement of such extralegal problems in the hands of the citizens themselves, rather than relying on the legal system. Consequently, the citizens of the backcountry gained hold of a powerful tool for regulating the behavior of their neighbors. The twin realms of the church and the complicated system of honor and social respectability provided an opportunity where they could be the judges of their economic superiors. The revolutionary generation, now respectable fathers and citizens of the new nation, had frequently claimed that they had escaped the bonds of the class controlled English society and could, therefore, judge all members of society as equals.¹

Before the nineteenth century, however, even the preachers of South Carolina spoke of the need for social order and the duty of the church to see that the lower classes accepted their place within the state hierarchy. The very construction of the church reinforced those themes, with carefully assigned seating to provide the local elite with maximum visibility. As Rhys Isaac has shown, the layout of the church “exhibited the community to itself in ranked order.”² The church was important, but primarily as a

¹ Gordon Wood, *The Radicalism of the American Revolution* (New York: A. A. Knopf, 1991), 184-187.

² Rhys Isaac, *The Transformation of Virginia, 1740-1790* (Chapel Hill: The University of North Carolina Press, 1982), 60-65.

means to keep the lower classes in their place and subservient to the laws of the state, which had been written by the elites. One prominent minister wrote that the church existed “to supply the imperfection of the civil laws.”³

The Second Great Awakening, however, changed that perspective on religion towards a more egalitarian view of society. The impulses that led to the success of the Second Great Awakening are difficult to establish. Lacy Ford states that the “awakening itself, and especially its timing, remains largely unexplained, and perhaps inexplicable.”⁴ Donald D. Mathews, however, argues that a large part of the Second Great Awakening’s success had little to do with theology and a great deal to do with organizing meaning for people confronting the drastically changing society of the early nineteenth century.⁵ Certainly, the lower classes flocked to the churches as they promised equality before the lord and morality here on earth. During the early nineteenth century, the churches developed from a tool of the elites to an opportunity for the common folk as the middle and lower classes flocked to the churches during the early nineteenth century. Though the elites continued to dominate the lowcountry churches, the yeomen of the backcountry found that they outnumbered the elites in the new churches. The new egalitarian perspective demanded an adjustment to the backcountry’s social mores.⁶

The planters found that the tool they had initially tried to utilize to enforce their social position was turning against them. The churches began to undermine the court system, which the elites dominated, as the moral authority during the nineteenth century.

³ Thomas Reese, *An Essay on the Influence of Religion, in Civil Society* (Charleston, SC: Markland and M’Iver, 1788), 15.

⁴ Ford, *The Origins of Southern Radicalism*, 30.

⁵ Donald G. Mathews, “The Second Great Awakening as an Organizing Process,” *The American Quarterly* 21, No. 1 (Spring 1969), 27.

⁶ Rachel Klein, *Unification of a Slave State*, 276-278

Though they may have had the material benefits to embrace the trappings of gentility, they had no secret weapon to defend against the fickle court of public opinion, which became increasingly important as the backcountry filled. The yeomanry used the power of the churches and other extralegal tools of behavioral regulation to protect themselves from the threat of the elites. As the court systems became less important, the elites found their positions weakened, since they could no longer easily manipulate the law to solve their problems with the lower classes. Though they could use their influence to try and protect themselves, there was no guarantee that it would succeed on the nebulous playing field of community morality.

Bertram Wyatt-Brown has claimed that that Southern court system was designed to “give the upper ranks the titles and authorities justice and... [present] the lower orders with the chance to participate.” This interpretation, however, fails to account for the many conflicts between the two classes. Within the court system the elite were indisputably in control, and it was impossible for the lower classes to gain any semblance of power within that system. Moreover, the common folk’s supposed interest in participating in the court as jury members and witnesses was never high, due to the large amount of time it took away from their efforts to increase their status and the subsequent low return on their investment. Instead, the lower classes found the court system singularly unhelpful to their causes and attempted to regain control by removing the authority of the courts from their day to day lives as much as possible. The result was the antebellum society that Bertram Wyatt-Brown showcases in *Southern Honor*, a society where the law was remarkably “unjust and ineffective,” as Wyatt-Brown admits himself. Though all considered that the law was important, people dealt with and increasing

number of their problems out of court, especially when those problems exhibited a moral cast.⁷

Questions of morality lay at the heart of Southern society. The dubious morality of owning slaves, which provided the backbone of the labor force in the South, forced southern citizens to constantly assess their moral position, both in light of slavery, but also in light of their personal relationships in general. The rise of antislavery movements across the United States and in Great Britain, which condemned slavery as a moral sin, rather than an unfortunate fact of life, required a new justification of slavery, one in which slave owners could remain moral and keep their slaves. Naturally, slave owners and the wealthier yeoman, were most concerned with these questions of morality since they were directly involved in slavery, but even those citizens without slaves questioned its morality. The broadening abolition in the United States and Great Britain placed the immorality of southerners in the international spotlight. Southerners attempted multiple times throughout the antebellum period to reform slavery and create a more acceptable image for that they could present to the world. Accusations of immoral behavior, therefore, were not only attacks on the individual, but were also attacks on the fabric of Southern society, which relied on a veneer of respectability to maintain its position.⁸

The question of the morality of slavery came into even sharper distinction in the wake of the American Revolution. Slave owners across the South had ostensibly fought a war with Great Britain, and consequently earned their independence, in defense of personal freedom. These men had fought for their own freedom, but regularly denied it

⁷ Wyatt-Brown, *Southern Honor*, 362- 364.

⁸ Kimberly Kellison, "Towards Humanitarian Ends? Protestants and Slave Reform in South Carolina, 1830-1865," *The South Carolina Historical Magazine* 103, No. 3 (July 2002), 211-216.

to others. The hypocrisy of this position did not go unnoticed, and a defensible solution to it remained unclear throughout the early republic. The elites, in particular, faced an increasingly difficult task in appearing virtuous while owning many slaves. Over time, evangelical preachers of the nineteenth century responded to abolitionist rhetoric by claiming that slavery was “sanctioned by God.”⁹ These concerns over slavery, also informed the ever increasing concern with broader morality in the South, where people expected their neighbors to show their morality to the public, regardless of what happened behind closed doors. The tradition of public conversion experiences among the Baptist churches illustrates the importance of presenting an image of morality to the larger community, so all could witness that their neighbors were upstanding people. It also provided a tool with which church members could keep control of their congregation by refusing to admit the validity of certain experiences.¹⁰

The South in general was “one of the most unchurched sections of the country” at the beginning of the nineteenth century. Though the First Great Awakening had converted many in the area, the South had drifted away during the latter decades of the eighteenth century. The diffuse nature of Southern life, a fascination with deism, and a serious lack of qualified ministers contributed to the neglect of the churches to the point where an estimated nine tenths of the population were not members of the church in the 1790s. During the first decades of the nineteenth century, however, churches spread like wildfire across the primarily rural communities of South Carolina, even though ministers

⁹ Anne C. Loveland, *Southern Evangelicals and the Social Order, 1800-1860* (Baton Rouge: Louisiana State University Press, 1980), 188.

¹⁰ The Baptist churches required conversion experiences from people seeking membership, and their records are filled with lists of people presenting their experiences before the church members. Nor were these experiences limited to the white population. African American slaves also presented their experiences before the community in what might have been a dual attempt on the part of the slave owners to show how righteous their slaves were and present a moral image of the community to curious outsiders.

remained in short supply. Large numbers of citizens joined churches and professed conversion experiences, which allowed them to join a growing society of church members. The power of the churches to influence the society around them, and even societies that were not directly around them increased exponentially as more people joined the churches. As they grew, the churches began to reclaim morality as property of the church and enforced their strictures themselves rather than resort to a law that was increasingly moving towards a more mundane outlook.¹¹

Therefore, the methods of resolving moral issues in 1790 differed greatly from that in 1830. Though the moral concerns were frequently the same, those of drunkenness, infidelity, and slander, the means by which these transgressions were prosecuted had changed drastically. In the 1790s, moral issues were dealt with by the court systems, with each defendant presented before a judge and a jury of their peers. Those found guilty of such crimes were then punished, usually by a substantial fine, as shown by the case of John Rainsford v. William Peterson in 1792. The jury, consisting of 12 members of the community along with the circuit judge, found that Rainsford was guilty of slandering Peterson and fined him accordingly to the amount of two pounds and ten shillings plus the cost of the case. Nor were cases such as this uncommon during the first decades of the new republic. The exact number of these cases is hard to determine, since the kind of case was not always recorded in the courts record books, but there were four cases explicitly slander-related brought before the courts in 1792, showing that slander was not an uncommon occurrence.¹²

¹¹ Loveland, *Southern Evangelicals and the Social Order*, 31-33.

¹² County and Intermediate Court (Edgefield County), Journals of the County and Intermediate Court, 1785-1795. SCDAH.

The crime of slander may best represent the shift in the early republic away from the legal system where morality and social mores were concerned. Though it was a common crime in the beginning of the early republic, by the 1830s it had almost ceased to exist within the court system. Slander, once in the domain of the court system, phased into a religious matter that the church could legislate morality. In 1790, there were few who would have disagreed with that statement and would have claimed that the law existed for precisely such a purpose. However, the perception of what the law stood for and what fell under its jurisdiction had changed drastically by 1830. As Andrew King has argued, the law moved from a concern with “honor, dignity, and property” towards an understanding of republican values that assumed the power of the “crucible of public opinion” that could take its toll on a man’s reputation with impunity. Furthermore, most people held the prevailing opinion that the law should be as specific as possible to clearly outline citizens’ rights. Slander was simply too vague a crime to reasonably enforce and attempting to enforce it would have been counterproductive, since it naturally displayed the slander to an even broader audience in court than when it was initially spoken. Though the people of South Carolina remained very much occupied by “honor, dignity, and property,” they no longer sought to protect such ideals by using the law, instead choosing more personal methods of confrontation.¹³

By 1830, however, many problems that had been dealt with in the courts were now solved outside of the legal structure, within the domain of the churches, with punishments that were socially, rather than legally, enforced. Those guilty of wrongdoing found themselves excommunicated from their church or forced to perform

¹³ Andrew King, “The Law of Slander in Early Republic America,” *The American Journal of Legal History* 35, No. 1 (January 1991), 8-9, 13.

some form of penance to regain the churches good graces. The case of Luke, from Edgefield, South Carolina, illustrates that the churches were not opposed to excommunicating their parishioners if they refused to toe the line. The Edgefield Baptist Church excommunicated him on a charge of drunkenness, after deliberating on the matter for nearly ten months. He had come up before the churches' committee once before on a charge of drunkenness, but his behavior afterwards set the seal on his expulsion from the church.¹⁴

Though sexism and racism both played their parts in decisions regarding moral offences and forgiveness of the same, no person was safe from punishment from his church. African Americans, for instance, while less likely than the white population to face charges of immorality, were far likelier to be expelled from the church entirely.¹⁵ Occasionally a church's decision had even wider area of influence, and sufficiently severe infractions could follow a former church member to completely new areas if he or she chose to avoid censure by moving to a different state. In such cases the new church would learn of the wrongdoing. Of course, it might have been easier to earn a new church's forgiveness, but the power of widespread church networks to create and enforce social cohesiveness across large areas cannot be underestimated.¹⁶ Evangelicalism spread quickly across the South after the War of 1812 due to the youth of many new converts, who were more willing to migrate to

¹⁴ Records of Edgefield Baptist Church, 1823-1854, (Edgefield District). SCDAH.

¹⁵ Christine Leigh Heyrman, *Southern Cross: The Beginnings of the Bible Belt* (New York: Alfred A Knopf, Inc., 1997), 69.

¹⁶ Allen D. Charles, "Black-White Relations in an Antebellum Church in the Carolina Upcountry," *The South Carolina Historical Magazine* 89, No. 4 (October 1988), 220, 224.

While the court system had moved toward non-interference by 1830, the churches could easily interfere in the private life of an individual, out of genuine concern for an individual's soul, or in a desire to enforce social cohesiveness. In the eyes of many pastors, one of the duties of the church was precisely to enter into people's personal lives to enforce morality. That the churches were important to the citizens of the early nineteenth century goes without saying, and expulsion or censure became effective punishments for wayward church members. Church membership increased from eight percent to over twenty three percent between 1799 and 1810, increasing the power of the church among the local community. Though many of the new church members were yeomen farmers, planters, laborers, and slaves were all represented in the new denominations.¹⁷ Ministers exhorted their congregation to apply the laws of the church steadfastly in order to keep the church pure of sin. Perhaps most importantly, the churches asked congregation members to decide worldly conflicts "among themselves or through arbitration of other Christians rather than appealing to the civil law." Church leaders saw their communities as separate entities that did not require the law, as long as true Christians filled the ranks.¹⁸

The broader movement of moral problems, such as slander, from the judicial to the social spheres during the early republic presents an intriguing problem. The elites of South Carolina maintained nominal control over the judicial sector of the state, with most judges and lawyers coming from elite families. Since they controlled the courts, it would have been in their interest to keep morality statutes on the books where they could keep control over the lower classes. Courts also served as a layer of protection for the elites,

¹⁷ Ford, *Origins of Southern Radicalism*, 24, 32.

¹⁸ Loveland, *Southern Evangelical and the Social Order*, 92-93.

who could use their economic strength to pressure the yeomen who would not behave properly towards their betters. The fines due from those guilty of a moral crime would have given the poorer yeomen pause, since the loss of even a few pounds might well have hurt their economic aspirations.

A petition from Charleston in 1793 suggests that it was not the will of the judges and state legislators that moral problems leave the bounds of the court system. The petition complains that the “jurors of this city do not, so far as they are authorized by law, enforce a due observance of the Sabbath day and... prevent the scandalous practice of profane swearing.”¹⁹ Thus, it seems that the jurors, i.e., the common people, rather than the judges, permitted and assisted the decline of the judicial system’s efficacy. Though it seems that the law makers of South Carolina did not push towards more stringent action concerning the lax behavior of jurors, they were not responsible for the initial push. A similar petition some months later suggests that the opinions of the juries had not changed, and they had made no attempt to more strictly enforce morality laws.²⁰

Though the presentments themselves were submitted by jury members, the complaints about the morality of its citizens are indicative of a larger portion of the population ignoring the laws on the books. The population was clearly dissatisfied with the state of the court system. Therefore, both the petitioners and the problematic citizens they are complaining about reveal a growing distrust of the elite dominated court system as a whole. One group of citizens from Williamsburg County complained that they had

¹⁹ Presentment Concerning the Dram Shops, Prisoners Needing Warm Clothing, an Addition to the Jail, Observance of the Sabbath, and Profanity, 1793 (Charleston District), Grand Jury Presentments. SCDAH.

²⁰ Petition Requesting an Effective Law to Suppress Vice, That Breaches of Trust be Made Capital Offenses, and that Bridge and Ferry Holders be Obligated to Keep Inns, and complaining of the Insufficient Numbers of Plantation Overseers, the Unequal Application of the Patrol Law, and the Condition of the Courthouse and Jail, 1794 (Charleston District), Grand Jury Presentments. SCDAH.

“been twice denied their right of suffrage... once by the legislature, and again by the Executive Judiciary” since their right to elect a sheriff had been revoked. The citizens went so far as to declare the governor “a dictator” for allowing such flagrant abuse to occur.²¹ Since these complaints continue throughout the early nineteenth century, it is apparent that, in order to enforce a moral standard across the society, the citizens needed to invoke an alternative power structure, such as the churches and the court of societal norms.

The poor levels of reimbursement for jurors contributed to part of the problem with the court systems of the time. Though wealthy planters could easily take days away from their schedules to serve in court, the lower classes had a much more difficult time leaving their small farms unattended for extended periods. The inhabitants of Orangeburgh County asked for greater compensation to “relieve a number of poor inhabitants from great distress” since “a greater number of persons are called on by law to attend as jurors.”²² Removing the morality laws from the jurisdiction of the courts, however, would serve a similar purpose by removing cases from the docket and freeing up valuable time for the yeomen, who could then spend that time working on their farms and attempting to increase their standards of living. The problem with the court system was only intensified by jurors skipping court entirely when they were required to attend. Even witnesses missed their court dates often enough for Ninety Six District to try and pass laws to coerce them to attend more regularly. It seems reasonable that these missing

²¹ Presentment Complaining of the Incarceration of Kibs Hagen, on Criminal Charges, For Thirteen Months Without a Trial and of the Appointment, Rather than Popular Election, of the Sheriff, 1823 (Williamsburgh District), Grand Jury Presentments. SCDAH.

²² Presentment Concerning the Compensation of Jurors and Constables Giving Security, 1794 (Orangeburgh District), Grand Jury Presentments. SCDAH.

jurors and witnesses were among the poorer inhabitants who most desperately needed to attend to their farms as much as possible. The low levels of pay for jurors continued throughout the 1790s and into the 1800s as citizens continued to complain and skip their duties as jurors and witnesses. Witnesses, in particular, barraged the government with requests that they be reimbursed for their time in court to little effect. This disregard for the courts among the lower classes suggests that much deeper concerns with the legal system existed in area.²³

Heavy dockets also contributed to the dissatisfaction of potential jury members. Compounding the problem of their lack of pay, the sheer number of cases meant that small farmers had to spend even more time away from their farm judging those accused by the untrusted state. The jury dockets made the court system impractical and wasted everyone's time with unimportant crimes. It also meant that criminals could "flee in safety" secure in the knowledge that the court system would not have time to get to their case.²⁴ Furthermore, those jailed on criminal charges had to wait long periods of time until their court date could be arranged. The same Williamsburgh citizens who complained about the appointment of the local sheriff also made claim about the injustice in imprisoning a man named Kibs Hagen for over thirteen months before his court date could be arranged, though they made no mention of the charges against him. Such a long

²³ See Presentment Concerning Needed Court House Repairs, Estray Sales, The Prosecution of Liquor Law Violators, The Attendance of Jurors and Witnesses in Court, The Regulation of Hawkers and Pedlars, Constables' Sales, The Holding of County Court, and the Abbeville Tavern, 1794 (Ninety Six District), Grand Jury Presentments. SCDAH; Presentment Concerning Legislative Representation, The Compensation of Jurors and Constables, and The Cost of Tavern Licenses, 1800 (Lancaster District), Grand Jury Presentments. SCDAH; Presentment Concerning Duelling, Jurors Serving Without Pay, Application of the Patrol Law, and Character of Men Chosen as Justices of the Peace, 1804 (Richland District), Grand Jury Presentments. SCDAH.

²⁴ Presentment Concerning the Delinquency of Magistrates in Returning Warrants, Crowded Court Dockets, and The Condition of the Gaol and Recommending that Peddlers be Taxed, 1817 (Abbeville District), Grand Jury Presentments. SCDAH.

incarceration without a trial was “almost a death sentence” due to the climate in the area. His family “had been suffering in want and poverty” while Hagen was in jail, effectively condemning the family, as well as the accused, before the trial had even begun. This case clearly made the populace uneasy, since it was not all that difficult to imagine that they too could be financially ruined due to the creeping nature of the court system. The lower classes saw the courts as inefficient and time wasting when it was supposed to be protecting them from people willing to abuse the law. Unfortunately, it performed the opposite task in its current state.²⁵

By 1830, the complaints concerning the compensation of jurors had stopped, suggesting that the local government had been at least partially amenable to fixing some of the problems in the court system, though the presentments concerning the heavy dockets continued. Complaints concerning the efficacy of most laws regarding morality had also stopped, a sign that the courts no longer claimed jurisdiction over such matters. Serious moral offenses, such as bastardy and adultery, occasionally came before the court, but more everyday crimes, such as swearing and drinking, stopped being a matter to complain to the government about and ceased to be a problem that the government should concern itself with.

The growing churches appealed more to the common people, who frequently found themselves marginalized in the official court system, than the elites. The Baptist and Methodist churches considered that all men were equal before God, regardless of their economic or social position on earth. Elites attempting to maintain their social

²⁵ Presentment Complaining of the Incarceration of Kibs Hagen, on Criminal Charges, For Thirteen Months Without a Trial and of the Appointment, Rather than Popular Election, of the Sheriff, 1823 (Williamsburgh District), Grand Jury Presentments. SCDAH.

position were uncomfortable with such notions and were less eager to join these churches. The churches of the early nineteenth century, therefore, were relative social safe havens from the elites, where the common people could rule and enforce themselves. Furthermore, most ministers during the early republic came from middle class families, and while being a minister carried a certain amount of respect in the local community, the low pay for such duties often led to ministers leading middle or lower class lives themselves. The ministers' tradition of visiting the houses of the congregations on a regular basis led to even more intimate relations between church leaders and church members. Ministers moved frequently between communities, due to their low numbers, which provided communication between communities and gave ministers power over large and diffuse bodies of people. Tightly knit church communities, filled primarily with average citizens, formed powerful tools for the lower classes.²⁶

The attempt among the lower classes to move questions of morality away from the legal system and into the more nebulous court of the churches and public opinion represented an attempt to remove themselves from a power structure that the elites dominated. The legal system consisted of lawyers and judges who almost entirely consisted of members from the elite class. With the dual weapons of money and influence, the elite were able to maintain control of the courts and use it to serve their own ends.²⁷ The refusal of the jurors of Charleston to enforce certain laws indicates a broader dissatisfaction with a moral code created and enforced by the elites. The movement of morality towards the churches and extra-legal social systems leveled the playing field between the elites and lower classes. Yeomen could create their own moral

²⁶ Loveland, *Southern Evangelical and the Social Order*, 32-35.

²⁷ Ford, *The Origins of Southern Radicalism*, 101.

boundaries by participating in the burgeoning evangelical churches. Christine Heyrman has argued that southern evangelicalism “was being transformed during the very decades that it took root in the region” by the parishioners who flocked to the churches, that primarily consisted of yeomen.²⁸

The elites of South Carolina, one of the states with the largest slave population, were aware of the changes regarding morality and its enforcement in the United States and did their best to adapt to the new world and instill their children with the ethics that they believed would be appropriate to planters. As Lorri Glover has shown, education played a large part in the upbringing of Southern elites. Their schooling rarely focused on academics, but rather on leadership skills and refinement, which allowed the scions of elite families to present themselves well in any company. The simple fact of birth into an elite family no longer qualified these men to take their place at the heads of society, though it certainly gave them a head start. Instead, personal accomplishments and proper deportment were vital to retaining control over South Carolina. Elites could no longer simply assume that they would keep their positions, but instead had to work for it under the dual scrutiny of international society and the no less critical eye of their poorer neighbors.²⁹

The elites’ preoccupation with their own morality is clear through John C. Calhoun’s comment in a letter to Andrew Pickens, May 23, 1803, when he attended college. He writes of the immorality of Southern students when compared to New Englanders and claims that New England students are “more penurious, more contracted

²⁸ Heyrman, *Southern Cross*, 27.

²⁹ Lorri Glover, “An Education in Southern Masculinity: The Ball Family of South Carolina in the New Republic,” *The Journal of Southern History* 69, No. 1 (February 2003), 40-44.

in their sentiments, and less social than Carolinians.”³⁰ Though the shift in morality had not completely occurred, the understanding among the elite that their veneer of morality was necessary to maintain their position in society was clear. The new republic demanded a new type of planter, one who was not only genteel, but also willing and able to descend to the common man’s level and appeal to their understanding of morality and manhood. Their failure to maintain a legal system that satisfied both the elites and the lower classes required a new approach to social control.

With the inefficacy of the law as it concerned the moral activities of southerners, established, the creation of a more egalitarian set of social mores grew out of the general population. The condition of a gentleman, or even just a man, took on a large spectrum of meanings that could be promoted or removed from a target at the will of the people. As Bertram Wyatt Brown has made clear, honor became the backbone of Southern masculinity and without honor no man could be dealt with on an equal basis. Though there is some question concerning the landless poor and their honor, as farming land owners, the yeomanry had a stake and a voice in the court of honor, which provided them a powerful tool for honor could only be bestowed by the larger community, in which the yeomanry maintained a large presence. A man could not simply proclaim himself honorable but had to be given the title by his neighbors. Elites, who needed to be thought honorable for a variety of reasons, had to seek the approval of their economically less fortunate neighbors.³¹

³⁰ John C. Calhoun, Letter to Andrew Pickens, May 23, 1808, *The Papers of John C. Calhoun, Volume 1, 1801-1817*, 10.

³¹ Wyatt-Brown, *Southern Honor*, 13-14.

The transmission from legal precedent to extralegal social enforcement was not smooth. One unexpected result of the movement towards extralegal methods of enforcing social mores was that a base level of morality was difficult to establish. Even the churches could not agree on what consisted of a simple amusing pastime as opposed to a sinful action. Though some actions, such as adultery, were obviously sinful, church members found that defining more prosaic hobbies, such as chess, cards, billiards, and dancing presented a problem.³² Conflict inevitably arose without clear laws establishing what was and was not proper behavior for South Carolinians. These problems were frequently resolved through a slow adoption of mores by the population at large, facilitated by large meetings of the population that occurred regularly as part of the calendar of the South, such as barbeques, militia mustering, and church meetings. People could discuss problems and possible solutions at such times and establish what they felt was right and proper behavior for southerners. Such meetings also provided opportunities for the elites to demonstrate their patronage and increase the appearance of their superiority over the community.³³

The problems that Southerners confronted concerning legal and moral authority led to many difficulties with other aspects of tradition, law, and their enforcement. A disconnect between what was legally or morally allowed, and what the culture of the South called for grew as morality and legality separated. Social concerns, such as dueling, excessive drinking, and gambling, which all existed problematically in both the legal and moral spheres, drifted between the two poles of acceptability and unacceptability. Furthermore, conflicts between a person's duty to his family, to his

³² Loveland, *Southern Evangelicals and the Social Order*, 98.

³³ Wyatt-Brown, *Southern Honor*, 418-419.

masculinity, and to his church all threatened to provide problems and establishing where one's primary efforts should rest was nearly impossible. Devout young men could rarely fulfill their responsibilities to both their churches and their families. Since both required masculine devotion, a devout man would fail to be properly masculine in both areas.³⁴ These issues remained points of conflict throughout the antebellum period, as the two clear masters of extralegal mores, i.e., the church and the nebulous school of honor, frequently differed on the appropriate action that men should take in appropriate circumstances.³⁵

Though dueling was technically illegal, it persisted throughout the South as a moral necessity, which men could and did resort to when necessary. It was a cog in the machine of honor bound conduct among the upper and middle classes. Dueling was common during the early republic and remained an important facet of life throughout the antebellum period, in spite of numerous attempts on the part of the legislature to abolish the destructive practice. It served, however, an important purpose among Southerners who were unwilling to take their problems to the courts. Motives for duels ran the gamut from insults to a person's honor to poor business relation to political differences, illustrating the widely held belief that such matters were best resolved between the two parties, rather than involving as diffuse a body as the courts. There were strict rules concerning dueling, and those of different social classes did not typically duel each other, though this rule was not always strictly enforced, and those people, like some of the yeomanry who straddled the line between gentlemen and laborer, were not always

³⁴ Heyrman, *Southern Cross*, 132-133.

³⁵ Bertram Wyatt-Brown, *The Shaping of Southern Culture: Honor, Grace, and War, 1760s-1890s* (Chapel Hill: The University of North Carolina Press, 2001), 84-86.

prohibited from dueling members of the elite. These rules protected the upper classes from accepting potentially deadly duels from disgruntled workers in their area and as such were not an effective weapon of class warfare.³⁶

The rationale behind dueling, however, was very much a usable weapon for the lower class. Since honor could only be bestowed, appearing cowardly and refusing to face such a challenge would definitely harm the standing of a gentlemen before his neighbors. Duels were, by necessity, public affairs with witnesses visible when the duel itself was performed, for the implicit purpose of spreading the news of what happened. Furthermore, dueling announcements were often carried in local newspapers to increase the visibility of the duelers and increase or decrease their respective status, depending on their behavior during those times of crisis.

Even though dueling was largely a pastime of the upper and middle classes, i.e., those with a claim to honor through property ownership, the lower classes disregarded the law in their own defense of their masculinity. Brawl and fights, too chaotic and informal to be considered duels, occurred frequently in the drinking dens of the landless laborers. These fights demonstrated the masculine power of these men, who had no other claim to a masculine identity except through crime and violence. It also shows the blatant disregard for the law that characterizes the antebellum South. As David Brown's recent article illustrates, men such as Edward Isham, described as a "vagabond," were perfectly willing to ignore the more prominent church laws and mores that held sway over most Southerners' lives. Such men had little stake in the broader Southern society and therefore little to lose by defying the conventions of the time. Male disregard for the

³⁶ Jack K. Williams, *Dueling in the Old South: Vignettes of Social History* (College Station: Texas A&M University Press, 1980), 8-10, 13-16, 27-30.

laws of the land spread across class lines, as refusing to acknowledge the law became a symbol of masculine power and dominance in the South.³⁷

Similarly, excessive drinking continued its central role in masculine culture, even though many decried it as a moral offense. Numerous petitions and presentments called for harsher laws and enforcement of laws concerning drinking during the early republic, but in spite of this, drinking remained a central pastime for Southerners. Southerners rarely drank alone, however, preferring to travel to the local tavern to mix with members of the community. The tavern provided another opportunity for the yeomanry to both mix with their social superiors and to establish the rules of acceptability. Like dueling, however, drinking ran against the moral guidelines established by the local churches, who tried repeatedly, but in vain, to stem the tide of drunkenness. Ecclesiastical punishment for excessive drinking rarely occurred through men's efforts. Instead, the women of the church took steps to limit their husband's drinking, illustrating yet again, that what social mores called for often conflicted with the laws of the church. Such problems revealed the difficulties that arose from the attempts to reshape southern society.³⁸

Gambling also fell into a nebulous domain between masculinity and morality. "Respectable" Southerners considered professional gamblers as highly undesirable people and condemned them frequently. Gambling, however, was a popular pastime among Southern men. Card games, cock fights, and races all provided opportunities for men to partake of an enjoyable and shared masculine culture, made all the sweeter by the frequent condemnations. The churches and moral folk of the South frequently

³⁷David Brown, "A Vagabond's Tale: Poor Whites, Herrenvolk Democracy, and the Value of Whiteness in the Late Antebellum South," *The Journal of Southern History* 79, No. 4 (November 2013), 815.

³⁸ Wyatt-Brown, *The Shaping of Southern Culture*, 98-99.

condemned gambling, but the lawmakers of the United States refused to take a stand on gambling, and “insisted that gamblers... were citizens entitled to the protection of the law.”³⁹ Both elites and common men participated in gambling events. They were one of the few opportunities where men could associate across the vast boundaries between classes, and therefore were important to men devoted to the ideas of equality. Men of lower standing could just as easily triumph in games of chance as elites and could claim victory, and therefore superiority, over their social betters for a time afterwards, probably until the next wager.⁴⁰ In spite of the moral problems with gambling, it continued to be a favorite hobby of the South for many decades. Even after the Civil War and Reconstruction, author William Faulkner frequently described gambling as a hobby for many of his characters, regardless of social status.

The South’s obsession with honor and the consequent social standing that it conferred derived its origins from similar concerns over the public perception of its citizens. As Stephanie McCurry has shown, the distinction between public and private life in the South was very blurred. Questions about a person’s private life were often a matter of public discourse. The ability of a man to protect his own interests, such as his property, masculinity, and dignity, and the necessity of him appearing to be moral were on public display at all times. A man’s immediate neighbors served as witnesses, judges, and messengers of his behavior to everyone else in the community, which, in the case of the elites, could span the length of several states. It was crucial, therefore, that immoral actions remain hidden from the public eye, which provided another reason to avoid the

³⁹ Joshua D. Rothman, “The Hazards of the Flush Times: Gambling, Mob Violence, and the Anxieties of America’s Market Revolution,” *The Journal of American History* 95, No. 3 (December 2008), 658.

⁴⁰ Wyatt-Brown, *Southern Honor*, 342-346.

court system since court decisions were frequently published, and were at least recorded, during the early republic. Of course, such actions frequently occurred, but the perpetrator was safe as long as they remained hidden behind the veil of respectability.⁴¹

The rise of the churches in the backcountry witnessed the proportionate failure of the laws to provide for its citizens. Dissatisfaction with the law had prompted the common folk to seek out other avenues of enforcing social cohesion. The Second Great Awakening proved very appealing for South Carolinians searching for grace and community. The frequent revivals and meetings allowed church members to continually reaffirm their devotion to their community and the morality that the church established.⁴² Though the law remained the titular ruler of men's behavior, in practice it was frequently ignored or even outright broken as men sought to prove their masculinity to each other. However, many problems formed in the void caused by the struggle between Southerners choosing to decide between rules set by the churches, laws, and nebulous measure of behavior known as honor. The antebellum period was characterized by the conflict between these three modes of behavior as men attempted to live up to the impossible goal of thriving in all three systems.

By 1830 the Baptist and Methodist churches had established themselves as the most popular churches in South Carolina. Huge numbers of yeomen and other lower class citizens flocked to the churches at regular intervals. During those times they received wisdom from the minister, company from their neighbors, and stood in judgment of their peers under God. Though churches had been a fairly non-important aspect of most farmers' lives in the later eighteenth century, they had adopted it as their

⁴¹ McCurry, *Masters of Small Worlds*, 6-9.

⁴² Ford, *The Origins of Southern Radicalism*, 5, 20.

own and used its power at every opportunity. By the antebellum period, anyone with a claim to “respectability” was a member of a church and even though many vagabonds looked down upon organized religion as an object of the upper classes, it remained hugely powerful among all classes. Even Edward Isham attempted to join a Methodist church, showing the influence that such structures held, which even a man like Isham could attempt to tap into.⁴³ Though the elites continued to dominate the economic sphere, by utilizing the churches and manipulating the elites’ perception of honor through public opinion, the yeomen gained a powerful tool with which they could create a definition of respectability that included them and the elites on equal footing.

⁴³ David Brown, “A Vagabond’s Tale,” 818.

CHAPTER V

CONCLUSION

In 1858 James Henry Hammond made his famous Cotton is King Speech before the United States Congress. He not only described the prominence of cotton in the Southern economy, but also a society that surrounded the crop. By this time cotton had been the primary cash crop of the South for decades. The society that revolved around it, however, was younger than the crop itself, developing slowly during the Early Republic. In South Carolina, conflicts between the yeomen and the planters had shaped the formation of the antebellum society as each group attempted to increase their wealth and status, often at the expense of members from the other class. The yeomanry had taken an active role in these conflicts, since their position as land owners entitled them to respect from their social superiors. Their large numbers, furthermore, made them a force to be reckoned with, as the elites recognized early on that their position was dependent on the yeomanry's acceptance of the social and economic order.

The opportunity of becoming one of the elites themselves remained tantalizingly open to the yeomen. Though in reality very few of the yeomen were able to accumulate enough capital to fund an elite lifestyle, the chance that they could do so kept the yeomen from rejecting the social order they were a part of entirely. Nevertheless, frequent problems arose between the two classes. While the elites recognized the necessity of the yeomanry, they also recognized the danger if they expanded too much. The elites were also expanding their holding in the backcountry during the early republic and so

competed with the lower classes for control of the land around them, especially during the rise of cotton, when previously unconsidered land became much more valuable.⁴⁴

During these times the elite were frequently able to utilize their superior economic and social prowess to force the yeomen to give ground against them. The planters dominated both the court systems and the political sphere, providing them with the tools they needed to pass legislation that undermined the yeomanry's position in the state. Though South Carolina was the first state to support universal white male suffrage in 1810, an act which can be seen as an attempt to appease the lower classes once again, there were few choices about who they could vote for, since political candidates reliably came from the planter class. Nevertheless, securing yeomen's votes remained a concern for planter politicians, as they dealt with dispute within the elite class. The elites' repressive acts of legislation continued throughout the early republic and into the antebellum period, creating further points of contention between the upper and lower classes. Fencing acts and hunting restrictions both placed more bounds around the yeomanry's traditional rights, which they had frequently utilized to alleviate their food supplies in previous years.⁴⁵

Nevertheless, the yeomanry developed their own tools to use against the elites. The yeomen did not have the economic backing to initiate change within the system of law, but they were able to manipulate social mores to create a system whereby they could conceivably profit from the elites' own wealth and status. Nor were they alone in this endeavor. Moral problems within South Carolina demanded a new approach to citizenship and moral participation in a slave society. The new morality of the South

⁴⁴ Klein, *Unification of a Slave State*, 183-5.

⁴⁵McCurry, *Masters of Small Worlds*, 10-12, 271.

demanding a method of behavior on the part of the elites which the yeomen could easily manipulate. Honor, which became the social currency of the region, provided the yeomen with an extralegal implement for their own gain. By bestowing and removing honor upon certain individuals, the elite became beholden to the community at large if they desired to, in turn, maintain their influence and prestige in the area.

New avenues of escape and potential profit, also provided yeomen with opportunities to negotiate with the elites. Land in Alabama and Mississippi opened during the years following the War of 1812, and yeomen and elites alike were willing to travel across several states on the chance that they could increase their wealth in the new territories. South Carolinians were so willing to migrate to other states that fully half of the white population born after 1800 had moved to another state. These movements widened the networks of community across a multitude of states, which provided both yeomen and elites with contacts well removed from them, and provided safety nets for the yeomanry in case of economic crisis or social crisis, in which case the family or friends far away could support them and assist them.⁴⁶

The migration of farmers and planters out of the backcountry seemed a blessing for those that remained behind. Land became more available to yeomen and planters alike in South Carolina, without the difficulty of pushing former landowners into the poverty and insolvency that had plagued the state before the War of 1812. Migrants also carried their religion with them to their new home, spreading evangelical Christianity across the South and assuring its place as the dominant denomination for decades to come. The spread of Southern society came at a cost, however, which South Carolinians

⁴⁶ Tommy W. Rogers, "The Population Exodus from South Carolina, 1850-1860," *The South Carolina Historical Magazine* 68, No. 1 (Jan. 1967), 17-18.

confronted in the 1840s. The spread of cotton agriculture to the southwest devalued the cotton grown in South Carolina, a problem compounded by the exhaustion of the local soil. Furthermore, a “corn panic” led to many small farms failing in 1845, increasing the outpour of citizens once again. South Carolina eventually recovered its economic stability by the 1850s, having witnessed the spread of the society it had nurtured across the South.⁴⁷

⁴⁷ Ford, *Origins of Southern Radicalism*, 38-43.

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