

The Virginia Safety Committee

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CHAPTER III. - SOUTHERN COLONIES.

1. VIRGINIA.

July, 1775, saw the Governor of Virginia a fugitive and the members of the Assembly met as a Provincial Convention to raise and embody an armed force to defend the Province. The flight of the Governor left the Colony without an executive head and the Convention therefore appointed, on the sixteenth of August, a Committee of Safety of eleven members to continue until its next session.

It was to carry into execution all ordinances and resolutions of the Convention, to grant commissions to all provincial military officers, to appoint commissaries, paymasters and contractors and to provide for the troops. It was to issue warrants on the Treasurer to supply these agents with money and pay them for their services and to settle such incidental expenses as arose in connection with the military establishment. All public war stores were to be in its charge. The Committee, moreover, was made Commander-in-Chief of the forces of the Province, and every officer, to the highest, was obliged to swear obedience to it.

If sufficient danger threatened the Colony before the troops which the Convention had determined upon could be raised and organized, the Committee might call upon the volunteer companies which had already sprung up through the Colony, to take the field.

The Committee was directed to keep a journal and lay the account of its proceedings before the Convention for inspection. Its members were exempt from enlistment and could hold no military office. A complete break with the royal government was insisted upon, since no member of the Committee might fill any position of profit under the Crown. Fifteen shillings a day (which a later Convention reduced to ten) was the compensation allowed the members.

By other acts of this Convention an appeal to the Committee of Safety was allowed any officer from the decision of a court-martial, and no sentence of death given in such a court could be executed until the Committee of Safety had given its approval.

The Convention adjourned till the first of December, leaving the Committee of Safety in charge. At the beginning of the next session, the Committee was continued, and on December 16th, a new one appointed of the same size, to sit until the Convention's next session. The same powers that the former body had enjoyed were given it, and others added. Any person found aiding the enemy was liable to be seized and imprisoned, and his estates confiscated by the Committee, unless the latter saw fit to pardon him. Three men were appointed to act as a Court of Admiralty, and in all cases where the ship and cargo were condemned appeal was allowed to the Committee of Safety. It was, moreover, directed to commission five members from each of the county committees to have jurisdiction over all persons suspected of enmity to the State. It was to hear

appeals from their decisions and its sentence was to be final. If a slave was taken in arms against the Colony or in possession of the enemy through his own choice, he could be sent by the Committee to any of the French or Spanish West Indies to be exchanged for war stores. If circumstances rendered his transportation inconvenient it could employ him in any way for the public service. Those inhabitants who refused to take up arms in the American cause, provided they had committed no act of hostility or enmity, might leave the Colony, under a license from the Committee of Safety.

The last Provincial Convention, the body that framed the new constitution of *Virginia*, came together in May, 1776. It revived the Committee of Safety, whose term expired with its meeting, and continued it until its own dissolution on July 5th.

Although the Assembly under the constitution was not to convene until fall, the Convention elected the Governor and Privy Council to take charge of the State till then and usher in the new regime. The need for the Committee of Safety therefore, was taken away, and it passed out of existence with the Convention.

The functions of the Virginia Committee were, in brief, to commission the officers, to command the troops, to appoint agents to equip and feed them, to pay the military expenses of the State, to imprison its hostile inhabitants, to hear appeals from the Admiralty Court, from the County Courts of Inquiry and from Courts Martial.

Its powers were extensive, controlling the military, and to a large extent the financial resources of the Colony, but during its administration no danger threatened Virginia sufficient to test the stability of its authority or its capacity to deal with a crisis. Its work during the year in which it was the executive of the Colony, consisted merely in organizing the militia, in providing it with necessaries and in sending troops to retaliate upon the irritating incursions of Lord Dunmore. The greater part of the inhabitants were Whigs and the orders of the Committee were fulfilled without friction. Virginia was not, like New Jersey or Pennsylvania, the scene of a conquering army, and the problems that their Committees had to face were not presented. Neither was it at any time obliged to assume the whole authority of the State. The Convention was in session during much of the year, and directed the Committee in various ways. Even during its adjournments it was still in existence and could always be brought together if sufficient danger threatened. The Committee of Virginia therefore occupied a less responsible position than the Councils of Safety of Pennsylvania, New Jersey, or of Vermont.

The Committee led a busy if not a stirring life. The actual work of procuring arms, accoutrements and provisions was largely in the care of commissaries and contractors chosen by it, but they were under the direction of the Committee and responsible to it, and every disbursement that was necessary to satisfy the wants of the troops, even the most minute, passed through its hands.

Conservative and radical elements clashed in Virginia as in Pennsylvania. The disagreement was not sufficient to overthrow the existing regime, but centering, as it did, around prominent personalities, brought with it sufficient bitterness. Patrick Henry, the leader of the radicals, had been appointed Commander-in-Chief of the Virginia army by the Convention. At the head of the

Committee of Safety was Edmund Pendleton one of the foremost conservatives. It would seem that Henry was, as a matter of fact, a better orator than general. At all events his military capacity was distrusted to such an extent by the Committee of Safety that Colonel Woodford, a subordinate, but more experienced officer was detailed by it to command the expedition against Lord Dunmore. Opportunity for military achievement was rare in Virginia then and Henry felt the task should have been his. He resented the fact that Woodford reported directly to the Committee and not to him and finally, when the Committee ordered Henry to prepare for winter quarters, it seemed it was purposely refusing him any opportunity of an engagement before the Virginia troops should be taken into the Continental army, when he would be deprived of chief command. Henry never forgot the treatment accorded him, nor did his friends. When he resigned his commission in March, 1776, ready tongues insinuated that the envy of the Committee had sought to undermine his reputation and force him to the step. Supporters of the government hastened to clear the Committee from blame. The factional contest reappeared later in the contest over the election of the President of the Virginia Convention, and the question was discussed at large in the pages of the Virginia Gazette.

Little judicial duty fell to the Committee. As has been seen the first trial of suspects rested with the judges appointed from the county committees and commissioned by the Committee of Safety and cases of appeal were only rarely brought before the latter.

The greater part of the counties were well affected to the American cause but Princess Anne and Norfolk contained many Tories who lent aid to Lord Dunmore and gave intelligence of the plans of the Americans. These districts were sometimes ravaged by parties from the British fleet in search of provisions and the Committee of Safety, at the suggestion of General Lee, determined upon the extraordinary measure of removing the population of the two counties into the interior to keep the friendly inhabitants from harm, and to prevent the Tories from communicating with the fleet. An order to this effect was issued April 10, 1776. All inhabitants, whether friendly or hostile, that resided between the shore and the American posts, were directed to remove at once to the interior. To compel them to go, their livestock and slaves were to be seized by the army and redelivered only when they had complied with the order. All those in any part of the two counties who had previously joined the British side or taken oath to support it were to move at least thirty miles away from the shore, and, to enforce submission, the slaves of all suspected of belonging to this class were to be taken and to be returned only at the order of the Committee, when the owners were settled in some secure place. Three men were appointed to superintend the matter and 1000 was to be advanced to them to pay the expenses. All who were willing to provide dwellings for the emigrants were requested to give notice in the Virginia Gazette.

It is difficult to justify a proceeding so arbitrary and so productive of needless suffering. Its apologists have claimed that, though harsh, it was rendered necessary by the danger of the time. This does not seem probable, for Lord Dunmore had not shown himself able to gain any ground in Virginia or to deal the Americans any effective blow. The Committee may have feared the approach of Howe's fleet and army, but there was no certainty of their coming. No serious danger threatened and it seems an absurdity, in spite of the grave assertions of the Committee, to depopulate the counties to protect them from marauding expeditions and to prevent the Tories from furnishing the fleet with supplies. It was reasonably certain that in leaving and losing their houses and land and their business, in subjecting their live stock and slaves to the uncertainty

they must encounter before they were recovered and in removing to a strange part of the Colony the inhabitants would suffer more loss, discomfort and distress than it was possible to receive from the enemy's guns. As for the Tories it would seem far less trouble to keep so vigilant a guard that communication with the ships would be impossible than to attempt the task of transporting them all into the interior. It is a striking illustration of the despotic character of the revolutionary governments and of the folly into which their excessive fear of the British arms and their inexperience in government led them.

Steps were soon taken to enforce the order and Colonel Woodford was directed to take general charge of the removal, and to deal with the people as humanely as possible. Woodford complied and set about his task. This high handed interference with persons and property aroused inevitable opposition and a petition was sent to the Committee from Princess Anne County setting forth the distress that would ensue if the order was fully executed. It was therefore reconsidered and modified to some extent. Six men were appointed to find out those in the two counties who had taken active part in behalf of the American cause, those who had remained quietly neutral, and those who had appeared in opposition. The commanding officer at Suffolk or vicinity was to allow the friends and neutrals to remain unmolested, but to send into the interior all live stock not necessary for their subsistence. Those who had committed themselves against the cause were still forced to remove with their families and effects.

The Convention met early in May and the conditions were altered again. Besides the Tories, the friendly inhabitants within certain sections were ordered to leave because of the particular danger of their situation. The rest were free to remain, unless the commander of the neighboring troops, on urgent necessity, saw fit to remove them. The expenses of the American sympathizers were to be paid by the public, those of the disaffected from the sale of their estates.

It was found, however, that the people of the two counties were in distress for want of food, and on May 16, a resolution was passed by the Convention permitting the men of the Whig party to remain and care for their crops, but obliging the removal of their families, slaves and livestock. There was little probability of this order being carried out. It took from the farmers the important service of their cattle and slaves. It involved the separation of families and placed the support of the women and children on the government. Having conceded so much, it is not surprising to find the convention a fortnight later rescinding the order for removal entirely, as far as it related to friends. The Tories were still compelled to leave.

In the absence of evidence to the contrary it is reasonable to assume that the orders against the Whigs may not have been rigidly enforced, and that they may have suffered comparatively little. They were few in number and the frequent issue of directions concerning them, show that some at least must have remained in their homes throughout. Between April 10 and May 3, the officers probably waited to know the result of the petition. From May 3 .to May 11, when the first order of the Convention was passed. the Whigs were under the protection given by the Council. There remained then only the time from the eleventh to the twenty-eighth when the order was repealed, when they were in any considerable danger, and during that period influence was probably busy to secure delay, mitigation and at length the total repeal of the obnoxious measure.

The Tories probably suffered considerably. Lee writes from Suffolk, on April 23, that he is busy clearing the country of them and an overseer of the poor, in the county of Norfolk, speaks of the removal of a great many of the inhabitants with their families and goods. The confiscation of their estates made their departure profitable to the government and it was therefore not likely to be stopped. The sufferings of the Tories darken the pages of our revolutionary history. Men dreaded the power of their numbers, their wealth and their influence, and fear was quick to devise harsh measures. However successful its work along other lines, the Virginia committee, in ordering the removal of the Tories from Princess Anne and Norfolk Counties, must stand condemned both for want of judgment and of humanity.