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JAMES R. FICHTER

Collecting Debts

Virginia Merchants, the Continental Association, and the Meetings of November 1774

In November 1774, as many as 500 of Virginia's merchants gathered at a meeting of merchants and signed the Continental Association, agreeing to its ban on imports from Britain, on exports to Britain, and on the consumption of British goods. Virginia had several gatherings that November. These linked events were the culmination of Virginia's economic response to the imperial crisis. As such, they point to a core question in Revolutionary historiography: what was the role of merchants in the American Revolution?

The November meetings and the subsequent association facilitated merchant support for the Revolution in Virginia. Merchants aided implementation of the trading provisions of the Association, which were important to the Revolution's success. This is counterintuitive. Colonial historians tend to assume that consumers' withdrawal from the market came at merchants' expense. Historian T. H. Breen's study of revolutionary-era consumption is a seminal example. We also see Virginia planters supporting the Association out of economic self-interest to avoid paying debt to merchants, a reading that prioritizes merchant-planter conflict. Thus, Woody Holton, in the most important analysis of the Virginia nonexportation movement in a generation, argues that planters used nonexport to increase the price of their tobacco at merchants' expense. Merchant-planter conflict certainly existed. But the zero-sum logic of planter-merchant antagonism does not explain why so many merchants joined the Association, and it overlooks how merchants could benefit from, or minimize their losses with,

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rising tobacco prices. Some merchants did benefit, a point made by Scottish historian T. M. Devine. This article contributes to long-standing economic interpretations of the American Revolution and of the Revolution in Virginia by explaining the financial reasons that pushed the Commonwealth's merchants to join the common cause.¹

Some caveats: It is unclear how much of the Association's structural benefits to merchants were intended, or even understood, by the men who created them. And some merchants accepted the Association because of politics, not money. Yet, the predominant merchant response to the Association was driven not by planter-merchant or Patriot-Tory conflict, but by merchants' tolerance of risk. Some merchants saw opportunity in the Association, others saw danger. The former had assumed greater risk in the past by issuing more credit to planters. They took risks in 1774 and 1775, too, speculating that tobacco price increases would help recover loans. The more cautious merchants had taken on less risk in the past, having issued less credit to planters, and, fearing the imperial crisis would imperil commerce, withdrew from trade to avoid risk. This latter group broadly disliked the Association. Yet, they fulfilled its nonimport and nonexport rules by stopping trade.²

Lending is the missing piece in our understanding of merchants and the Association. Virginia's merchants were lenders, selling imports on credit against planters' future payment in tobacco. By stopping imports on 1 December 1774, nearly a year before stopping exports on 10 September 1775, it is commonly understood that the Association provided political cover for planters to reduce consumption. Yet, we have overlooked what this meant for merchants: merchant-lenders could cease issuing new loans for the sale of consumer goods while still collecting the tobacco that paid off old loans. Rising tobacco prices *benefited merchants* by increasing the value of planters' loan payments. When imports ceased and tobacco prices rose, who were the main beneficiaries: the planters who reduced consumption and paid down debt, or the merchant-lenders who reduced leverage and got paid?³

This article examines the meetings of November 1774, the Association, and the merchant response. Virginia historians have been unaware of these meetings, yet the November meetings were crucial to the Association's success in Virginia. The next two sections will establish who, among the

colony's political and mercantile classes, attended the meetings of November 1774 and how Virginia's merchants came to sign the Association. Subsequent sections examine the closure of Virginia's courts (which affected debt repayment), merchants' response to the Association, and rising tobacco prices. Finally, this article will consider whether the gathering of November 1774 might usefully be considered one of Virginia's Revolutionary Conventions.

IN NOVEMBER 1774, Virginians gathered for one of the most consequential of Williamsburg's Public Times, when court days, legislative sessions, and merchant meetings occurred almost simultaneously. A meeting of merchants had been called for 25 October. The House of Burgesses was called, but did not sit, on 3 November 1774. A "considerable Number" of burgesses remained in town, as well as some councillors. Governor Dunmore and the radical frontier burgesses were absent because of the Indian war on the Ohio. In their absence, Virginia's continental congressmen arrived and addressed the gathered merchants and burgesses about the Continental Association. This was the first meeting of merchants since the Virginia and Continental Associations had been announced. Patriots needed merchants to support their Association, and the November meeting was the crucial occasion for it. Patriots got that support, with between 400 and 500 merchants presenting a "voluntarily" signed copy of the Continental Association to Peyton Randolph and other congressmen on 9 November 1774, after which the merchants, congressmen, burgesses, and councillors went home.⁴

Virginia's continental congressmen also came to proclaim the Continental Association to the burgesses. At least four congressmen reached Williamsburg: Benjamin Harrison, Richard Bland, Peyton Randolph, and Edmund Pendleton. Patrick Henry probably did as well. Randolph, Bland, and Harrison left Philadelphia early, specifically "in order," according to Silas Deane, "to meet the House of Burgesses of Virginia." This was coordinated with George Washington, who stayed behind to sign Randolph's, Bland's, and Harrison's names in their absence. In Williamsburg, the congressmen gave the Continental Association to the editors of the *Virginia Gazette*. This appeared on 3 November, a timely intervention with the merchants.⁵



Peyton Randolph (1721–1775) was speaker of the House of Burgesses, chair of several Virginia Conventions, and president of the First Continental Congress. These multiple roles allowed Randolph to gather burgesses in Williamsburg, convene them in a convention (or convention-like meeting), and then address them on behalf of Congress. (*Virginia Museum of History & Culture*, 1858.6)

It is unclear how many other burgesses attended (the congressmen were burgesses themselves). Some, such as Archibald Cary, Robert Carter Nicholas, and Robert Munford III, can be placed at Williamsburg with certainty. Thomas Nelson, Jr., may have attended. Dudley Digges is given as attending. At least one Nansemond delegate probably attended. Councillor Thomas Nelson, Sr., was present.⁶

Some sources, without naming specific attendees, suggest the number of delegates may have been substantial. Nicholas indicated that additional burgesses came upon news of Randolph's arrival (he was speaker of the House of Burgesses), holding two "Meetings of the Delegates" between 4 and 7 November. These meetings seem to have assumed some governing authority, deliberating over a shipment of tea reaching York on John Norton's *Virginia*. Emphasizing the Williamsburg meetings' propriety and legitimacy, Nicholas indicated they observed "the proper Rules" of legislative procedure and held votes. James Parker concurred that the delegates "talked over" the tea. The meetings were politically significant enough for the York and Gloucester committees to try to consult "the Meeting of sev-

eral Members of the House of Burgesses in Williamsburg” before destroying Norton’s tea.⁷

It was Governor Dunmore who accidentally ensured delegates came. He had gone west to confront restive Indians. Thinking he could resolve the affair peaceably, he dispatched his aide, Capt. Edward Foy, to Williamsburg, with orders that Foy and Dunmore meet in Williamsburg on 1 November. Normally, in the governor’s absence, Thomas Nelson, Sr., president of the Governor’s Council, would have postponed the assembly by several months. Instead, he waited until 3 November, the day the legislature was to sit, to postpone it to the seventh. On the seventh he postponed it again to the tenth. Short, last-minute postponements kept the delegates in town, probably because Nelson thought the governor was, as Parker explained, “daily expected.” Foy’s arrival, at Dunmore’s behest, is the only reason Nelson could have expected this.⁸

On 10 November, Nelson prorogued the assembly until February. By then, news had reached Williamsburg of the Battle of Point Pleasant (10 October). Dunmore followed his victory by going to the Ohio interior and would “not be expected for some time,” leaving no reason to keep the burgesses in Williamsburg. But by then the merchants had signed the Association. Dunmore returned later, popular from his Indian war. Had Dunmore attended the session in Williamsburg with a successful Indian war to his credit, or had he simply not sent Foy so that Nelson could have dismissed the burgesses earlier, the congressmen would have had a smaller audience of burgesses and, in all likelihood, a smaller gathering of merchants, too.⁹

THE MEETING OF MERCHANTS—a sort of Chamber of Commerce—had been created in 1769 to organize for the Townshend Act boycotts. Responding to the Association was core to the meeting’s *raison d’être*, but the merchants had trouble with timely attendance, and few came at first. William Allason arrived on 25 October and left on the twenty-ninth, finding the meeting “so inconsiderable, & the prospect of doing Business there so distant” that he did not want to spend “what little money I had a chance of receiving” from debtors on lodging. Others stayed. A twelve-man quorum of the meeting’s twenty-eight-member Committee of Trade was likely pres-

ent, gathering the larger meeting in response to Randolph, Bland, and Harrison's arrival on the thirtieth.¹⁰ Seventy-two merchants had agreed to attend this meeting. James Robinson thought that by 1 November half that number had arrived; more probably came later. Perhaps the *Virginia Gazette's* count of 400 to 500 attendees was exaggerated; a few hundred probably came. Yet, only a few can be placed with certainty: Neil Jamieson, Henry Fleming, Charles Yates, Archibald Ritchie, William Allason, Samuel Inglis, Anthony Warwick, Michael Wallace, James Robinson, William Henderson, Alexander Diach, a Mr. Hanson and a Mr. Farr, and last but not least, Andrew Sprowle, who, as the *Virginia Gazette* recalled, "At the head of all the merchants . . . voluntarily signed the Continental Association in November 1774, at a General Assembly of the representatives of the people of this colony, then convened at Williamsburg."¹¹

At the meeting, merchants caught up on politics and business, set rates of exchange, and collected debts from other merchants—pressing issues given that the last meeting, scheduled for April, had been canceled. Merchants would want to know how others would respond to the Association, meet with burgesses and congressmen, and perhaps form a collective response. The politics of the merchants diverged in the years ahead: Sprowle and Jamieson would become Loyalists, Yates would become a Patriot. In 1774 such divisions were unmade, and merchant politics remained situational.¹²

There was conflict between the gathered merchants and burgesses. Samuel Inglis's second- or third-hand account, the one usually cited, described 1) the threat of tar and feathers being used to "get everyone [among the merchants to] sign the association," and 2) violence threatened against merchants who violated it, with merchants Warwick and Wallace singled out for a recent importation of tea. Norfolk merchant Henry Fleming, an eyewitness, wrote, "There was a pole erected upon the parade in Wmsburg when I was there with a Brush a Bag of Feathers & a Tar Barrel at its foot by order of the Burgesses to intimidate such as would dare to broach a sentiment contrary to what is calld the liberties of America, Hanging, Drowning, Ducking, Taring & Feathering, Beating to death & Gouging was threatened . . . many us'd very ill [to get merchants to sign the Association]." An "Occasional Committee" led by Archibald Cary, drove



"The Alternative of Williams-burg," 1775, by Philip Dawe. Often mistakenly associated with the convention of August 1774, the image's depiction of a pole holding tar and feathers and the appearance of merchants signing the Association suggest Dawe was most likely portraying the heretofore-forgotten events of November 1774. (*Library of Congress*)

these threats, singling out Warwick and Wallace. Nicholas, along with Randolph, Pendleton, “& Some others,” intervened. Munford, according to Parker, pointed out that “such proceedings were more arbitrary than any the Americans were complaining of.” Nicholas was genuinely concerned that irregular proceedings not end-run the meeting of delegates, though others may have found Cary’s aggressive posture a useful foil. In the end, the other Patriots used Cary to get Warwick and Wallace to agree to surrender their tea. Parker thought Pendleton’s group showed little “moderation”—for in one key point they agreed with Cary: the Association would not be a boycott to which individuals subscribed, but would be binding on all, like law, whether the merchants signed it or not. The Association operated like “the American Constitution.” Its bans on legal trade with Britain (as opposed to any controls on smuggling or home consumption) would be relatively easy to police, since *legal* trade was already policed by His Majesty’s customs officers when it passed through customs houses in Virginia. As George Washington explained, customs houses provided public and “authentick Lists” of trade with Britain. All Patriots had to do was check those lists to see that legal trade had stopped. This removed the main reason for merchants not to sign the Association. If it was to be effectively enforced whether they signed it or not, abstaining had no business purpose. Why stick their necks out?¹³

In 1770, Cary had played a similar role. Before the assembly had met in October 1770, Cary “waited on most of the principall Merchts. about the head of James River,” telling them that the “Gent[leme]n of the Assembly” would issue a “genteel” invitation to the merchants to “Join in an Association.” If they were not “all Consenting to it,” “the Militia would be Raised to shut up their Stores,” or “attempts would be made to prevent people from paying there [sic] debts.” Parker thought “all the merchants above became advocates for the Association,” because of this. Cary’s “peremptory disposition” (he was nicknamed “the old bruiser”) suggests he took to the role.¹⁴

The York and Gloucester committees provided a second “stick”: they destroyed Norton’s tea on the *Virginia* (a symbolic gesture) and (more meaningfully) forbade its master from loading tobacco. Norton lost out on hundreds of hogsheads of tobacco, costing him dearly. The announcement

that Norton would get no tobacco came while the meeting of merchants sat, likely having considerable effect. If Norton, perhaps the most well-connected merchant trading to Virginia from Britain, was to be denied a cargo (and, therefore, the ability to collect debts), no merchant could expect to be spared. All the more reason to sign.¹⁵

“Carrots” followed: signatories could profit from delayed nonexport, collecting tobacco while nonsigning rivals were shunned. A sufficiently repentant Norton was allowed to receive tobacco in 1775, and other parties chartered his vessels to take 300 hogsheads more. Signing the relatively “moderate” Association might also protect merchants from radical local committees. In mid-November, Fleming reported the Association was “subscribed to by the Merchts in Virginia (at least by every one I know).” This was a change from the previous month, when “not one British Storekeeper” had signed the (broadly similar) Virginia Association.¹⁶

The main difference between signers and nonsigners was not politics, but whether they could collect outstanding debts. The Association’s signatories did not sign freely in any meaningful sense, but what mixture of principle, coercion, and inducement led them to sign is unclear.¹⁷

ONE REASON MERCHANTS SIGNED the Association was the closure of Virginia’s courts. Court closure stopped debt collection cases, a precondition for nonexport (if planters stopped selling tobacco but still owed money, they risked creditors pursuing them in court). But court closure was not simply a pro-planter/anti-merchant measure. It did not wipe out debts or allow default. It functioned like an indefinite bank holiday, protecting all borrowers, including merchants.¹⁸

To be sure, court closure crimped lenders by design. It was, Harry Piper explained, meant to make British merchants “distressed” enough to be “active in getting the [Coercive] Acts Repealed.” “Our Courts of Justice are all shut up, and really the situation of the Trading people is at this time truly distressing,” wrote William Reynolds in July. Closing courts was “Evil” and there was “no probability of collecting any debts and no Trade to support our familys,” he wrote. “I am really at a loss to know what plan I shall adopt.” Fleming lamented in January 1775 that with “no means left to compel the sorry rascals to pay their just debts,” he got “not one farthing” from

some debtors, who acted like “haughty dons at present happily serene from justice.” Thomas Jett found “not a shilling of Money to be collected.”¹⁹ Henry Fleming described two men at the Williamsburg meeting who “on Friday evening last promis’d me payment next day” but “step’d out” the next morning “without bidding Good bye.” None of the debtors on Fleming’s list “were at Court.” Another merchant described getting “no pay[men]t” for goods he sold “to a person he has dealt with many years & who never disapointed him before.” Most people had not paid “a single shilling” or paid “very little,” “in short the times are realy shocking.” Fleming blamed court closure. Yates agreed, thinking it “in vain to suppose those who have delayed & evaded for Ten Years, will under such circumstances be prevailed on to pay” without courts. But we might ask, if he had already waited ten years, what good had the courts been?²⁰

Court closures protected debtors from their collectors. This included merchant debtors. Some merchants were net debtors and others net creditors, but most merchants both lent and borrowed money. Reynolds could not recover debts, but he would not have to pay, either. Closure would “of course prevent our paying those whom we owe,” he wrote George Norton—whom he owed. William Allason concurred: without a “Court of Justice by which Debts can be recovered,” it was “out of the Power of many [merchants] to make the remittances they wou’d wish.” In Norfolk, Henry Fleming reported several merchant houses owed him, but “they are all Committee men & to act in Character[.] [T]hey generally think it a duty the[y] owe to America to withhold payment from Great Britain to compel the British to espouse their cause.” Borrowers’ inability to meet obligations constrained lenders’ ability to meet theirs. Merchant-lenders paid what and when they could. William Allason “determined . . . to make all the payments in my power to those to whom [I am] indebted, & for that end will spare no Pains to make my Collection as large as possible.” Reynolds was equally pained. “Believe me,” he wrote John Norton, “it gives me as much uneasiness to have been so short in my Remittances to you as it can possibly have occasioned you, I have depended on the fairest promises of those who have dealt with me & they have most cruelly disappointed me, & now, as the Courts are shut up . . . I cou’d not depend on collecting £150.” But Allason would try anyway, and Reynolds promised to discharge his debt as

he collected tobacco. Court closure hurt these men, but it also protected them by letting them delay their own debt payments until they could pay.²¹

Patriots in the House of Burgesses deflected blame for the court closure onto Governor Dunmore. The Fee Act, which funded the courts, needed to be renewed in May 1774. But in the House of Burgesses, Richard Henry Lee delayed considering renewal until after the house responded to the Coercive Acts, which response got Dunmore to dissolve the assembly with the Fee Act unrenewed. The Fee Act's expiry defunded county courts, closing off the main avenue for debt collection.²²

But the act's effect on the General Court was unclear. That court had original jurisdiction over cases if the property involved reached 2,000 pounds of tobacco or £10 sterling. Its justices were the governor's councilors, and it was overseen by the governor. It could be expected to be unsympathetic to the Association. If it sat, larger borrowers might be exposed. The General Court solicited opinions on whether it should close in response to the Fee Act's nonrenewal. Edmund Pendleton, among the select few who argued before the General Court, argued the court could still function, which it did in spring 1774. In June, Pendleton assured Thomas Adams the General Court would sit again for its next session in October.²³

By July, Pendleton began to think the court should not sit. When General Court Justice Ralph Wormeley asked him to reaffirm his support, Pendleton replied that he would like the court open but, sadly, "A great Majority . . . think the Courts of Justice should not proceed." Pendleton asked Wormeley to keep his supposed support for the court a secret because it was unpopular—this way he could keep in the graces of both the "great Majority" and the judge before whom he might argue future cases. Wormeley saw through it. "This paragraph plainly points out the game, that this complacent casuist means to play," he wrote.²⁴

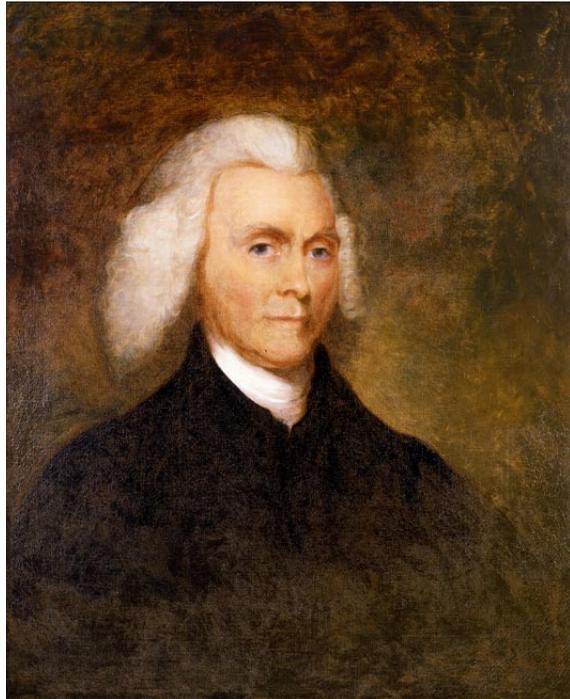
It fell to the General Court's lawyers to shut the court. They could, like Thomas Jefferson, stop appearing before the bar. Jefferson had argued in May that the General Court should shut, and he subsequently gave up his practice before that bar. But he did not organize a collective response, and by passing his cases to Edmund Randolph, Jefferson ensured they could proceed.²⁵



Educated at Eton and Trinity Hall, Cambridge, Ralph Wormeley V (1744–1806) was set to preside at the General Court in late 1774 until collective action by the lawyers admitted to that bar prevented the court from sitting. (*Virginia Museum of History & Culture, 1951.22*)

The court's remaining lawyers organized a strike to stop debt cases. Two Virginia congressmen were among the General Court bar: Edmund Pendleton and Patrick Henry. With Congress in session, they could not also attend court. An anonymous Patriot, writing in the *Virginia Gazette*, discouraged Virginians from attending court. In Pendleton's and Henry's absence the remaining "gentlemen of the general-court-bar" would not proceed, because they had no time to take over their colleagues' cases, and a court session would "add much to the uneasiness of the present times." The writer discouraged witnesses from attending. "It is therefore presumable that there will be no trials at the next General Court" for debt. This effort may have been encouraged by the example of Maryland lawyers who had already refused to appear before their bar that May. Soon enough, this evolved into a strike. When General Court judges sat on 10 October, they "determined not to proceed on the trial or to any other business." Thomas Adams explained that "the General Court could not proceed to Business for want of two of our principal Counsel, (to wit) Mr. Pendleton & Mr. Henry who

Edmund Pendleton (1721–1803), burgess, congressman, and attorney before the General Court bar, helped close that court for debt collection in 1774. Based on an image painted about 1800, this portrait shows Pendleton older than he was in 1774. (*Virginia Museum of History & Culture*, 1851.2)



were then at Philadelphia as Delegates . . . and the other Lawyers out of Respect to them & the Errand they were on *refused to come to the Bar*,” with the exception of Attorney General John Randolph. The court thus heard only criminal cases. Dunmore confirmed “a majority of His Majesty’s Council” would have sat as judges to “perform their duty, yet *the lawyers* have absolutely refused to attend nor indeed would the people allow them to attend or evidences to appear.” This required organization among the lawyers who argued before the General Court, including George Wythe, Thomson Mason, James Mercer, and Edmund Randolph, in addition to Pendleton and Henry. Attention has focused on the closure of the county courts, yet it was the General Court’s closure in October, organized by these men, that truly stopped debt collection.²⁶

It was unclear the strike would work. The announcement in the *Virginia Gazette* was unofficial and unsigned. No one knew whom it represented. Some plaintiffs showed up anyway. James Allan expected payment at the General Court in October. Fredericksburg merchant Charles Yates hoped

the court would put him in charge of collecting Perkins & Co debts. But he, like London merchant James Russell, found himself unable to collect because the General Court “does no business.”²⁷

The Associations motivated Virginians to keep courts closed. Yates claimed it was “the general Opinion” of “leading” burgesses that debt collection would stop while the Association was in effect. Fleming reported that because “Burgesses met at the same time with the Merchants in Wmsburg” he was able to converse with “several” burgesses—it is unclear whom—“upon the subject of the renewal of the Fee Bill.” “I had always for answer that they hoped no member of the house would be bold enough to propose [renewing] it. For their parts they were resolved to oppose it if any one shou’d make the motion.” The burgesses explained “it wou’d be absurd in them to establish or renew the Fee Bill & hold Courts to oblige the planters &c to pay their debts to the people in Britain or Factors here at the same time they Associate to stop all exportations to Britain after the 1st Sepr 1775 . . . when [only] by the exportation of their produce” are they “enabled to pay their debts.” Because they could not expect to export much longer, the only other way to pay their debts would be to liquidate their plantations.²⁸

The General Court was expected to remain shut. Opening required passing a new Fee Act, which Yates doubted the assembly would do, even if Dunmore brought himself to call a session. The March 1775 convention confirmed that “lawyers, suitors, and witnesses, ought not to attend the prosecution or defence of civil suits at the next General Court.” This, as Thomas Adams noted, “shut up our Courts” longer and deemed anyone who brought suit a Loyalist.²⁹

The economic consequences of court closure were threefold. First, as Henry Fleming noted, it protected the post-September 1775 nonexport provision of the Association. Second, it constrained lending and therefore limited the increase in imports before the Association took effect. Court closure was why Fleming reported, “We now refuse farther Cr[edit] to 9/10th of our Customers & absolutely deny it to any new [customers] however fair their credit may be.” He continued with cash sales as best he could, though the colony had a cash shortage. Across the thirteen colonies, imports from Britain in 1774 increased 31 percent from 1773 as importers stocked up in anticipation of the boycott. But the Chesapeake saw a muted 17 percent

increase in imports as merchant-lenders weighed the appeal of going into a boycott with a stock of goods against the hazard of selling that stock on credit without courts. Third, by diverting creditors from the courts, court closure forced creditors to buy tobacco to recover their loans, thereby supporting the tobacco price.³⁰

THE COURT CLOSURES AND ASSOCIATION were not about evading debts. Borrowers wanted to repay—for honor, business relationships, or to achieve financial independence. William Anderson sent three hogsheads of tobacco to John Norton in August 1775, which, “when added to some money I have directed Mr. Gist to pay you” and a £150 bill, “I hope will about square the Yards with us.” William Reynolds likewise hoped that the delay in nonexportation would allow Virginians “to pay off or at any rate lessen our debts in England.” Rather than shipping tobacco to England for sale, William Duval used it to pay his Virginia debts.³¹

Many historians—progressive, neo-progressive and otherwise—have seen the Association as a way for planters to welch on debts. James Parker agreed, thinking “the Glasgow factors seem to be great objects of [Congress’s] resentment” and targets of the Association. He thought the reason “is plain, to them they owe the Money.”³²

This privileging of merchant-planter conflict overlooks that merchants and large planters overlapped. Yorktown Patriot Thomas Nelson, Jr., was both. Merchant William Allason owned a plantation. Merchant and planter families intermarried: James Parker and William Aitchison married Margaret and Rebecca Ellegood. John Norton’s son John Hatley Norton married Sally Nicholas, daughter of treasurer Robert Carter Nicholas. The Nortons owned Virginia farms. The Lee family included both Virginia planters and a London merchant. The Patriotic practice of paying debts with tobacco exports in 1775 grew from this interrelationship, benefiting merchant and planter and implying an expectation of continued commercial relations with Britain, in which context paying down debt made sense. Debt abrogation, on the other hand, made sense in the context of war and independence—contexts that were lacking in 1774. Planter-merchant correspondence does not support T. H. Breen’s assessment that their relationship had “gone sour” by 1774. And his argument that “[t]o achieve personal

independence” from debt, planters “had to break with the economic and political system” and “declare their independence from the merchants of Great Britain,” overlooks that continued relationship in 1774 and 1775.³³

Indeed, financial independence from Britain would take far longer than political independence to achieve. Though the Association contained many economic measures—it regulated trade, urged “frugality,” encouraged local manufacturing and self-sufficiency, promoted sheep breeding, and regulated prices—it made no mention of debt. It certainly did not abrogate it. Perhaps there was a logic to this. The cycle of farm life meant that future planters would need financing. Abrogation would make that borrowing hard and costly, whether it came from British, French, or Dutch firms. Efforts toward planter frugality might thus be read as deleveraging in expectation of a continued need for borrowing. And well they did. As late as 1792, planter and U.S. customs collector William Heth could tell Alexander Hamilton that the trade of Virginia was still “carried on chiefly with foreign [British] capital.” Whatever conflict existed between planters and merchants, both needed a *modus vivendi*.³⁴

The planters’ nonimportation measure benefited merchants. Effective 1 December 1774, it stopped them from issuing more bad debt. Nonimportation and the related nonconsumption provision of the Association (effective 1 March 1775) stopped importers’ sales but, because most imports were sold on credit, in Virginia nonimport effectively stopped merchant lending. Glasgow merchant William Cuninghame instructed his factors to sign any association that included nonimportation—because it would curtail lending to unreliable planters while continued exports would draw debt down. “We hope they will thereby be enabled to pay off part of their debt to Britain during such an agreement,” he wrote, instructing factors in Virginia to “adhere” to the Association. A merchant-lender, scared off new loans by court closure, could now disguise cautious nonlending as Patriotic nonimportation. This element of the Association’s appeal was probably unintentional. Most Virginia planters and burgesses conceived of nonimport as punishing British merchants by depriving them of sales, not helping them cease the issuance of bad loans.³⁵

But nonimport did make it easier for merchants to refuse loans. London merchant Duncan Campbell withdrew from Virginia sales and lending

entirely (but not from collecting payments of Virginia tobacco). When Thomas Dorsey sent in tobacco and then asked for a new loan, Campbell explained that tobacco was “for the purpose of discharging some old arrears,” and not the basis of a new loan, a position many merchants had previously been afraid to take. When John Dickson asked Campbell for an advance on his consignment, Campbell capped the loan at £1,000 sterling. Campbell was a Londoner whose main trade was in government convicts. His aversion to new loans stopped his sales and shipments to Virginia as well as Patriotism would have. The “situation in America obliges me to be very circumspect in my Engagements,” he explained, favoring “Caution.” Henry Fleming had little left to lose by complying with nonimport and nonconsumption—his sales has already fallen to £150 sterling a month after he cut back on lending with the court closure—and in exchange for compliance, he could continue to export tobacco in 1775.³⁶

Fleming, local agent of a Whitehaven, England, firm, and Campbell, in London, did not share Virginian William Reynolds’s Patriotism. Reynolds supported the Association out of his political principles, and he further claimed that “almost every American has signed.” John Hayley Norton signed as well. Charles Yates likewise canceled his orders from Britain and “acceded most cheerfully” to the Association because he hoped it would resolve conflict with Britain. Whether they were true Patriots or true Britons, all these men did the same self-interested thing: they stopped new loans and new shipments to America in 1774 while continuing to take tobacco to Britain in 1775.³⁷

COURT CLOSURES AND DELAYED NONEXPORT increased tobacco prices. Cuninghame & Co General Superintendent James Robinson thought this was by design, arguing “the August convention” adopting the Virginia Association arose “as much from the low price tobacco then bore as from the spirit of patriotism.” Anticipated supply constraints (future nonexportation) and rising demand for tobacco as a means of loan repayment pushed up price. Though merchants paid more for planters’ tobacco, this was not always a win-lose situation. Merchants might benefit; when tobacco was credited against outstanding planter debts, rising tobacco prices meant merchants collected more debt. Even factors who bought tobacco from planters

in cash could see it sold on a rising European market. Other merchants, like John Norton, took tobacco on consignment and sold it in Britain on commission. Higher prices meant more commission and more revenue at sale to pay off planter debts. In Virginia, collecting payments in the present, even if in tobacco, could be better than waiting for courts to reopen. In 1775, planters' frugality reduced their consumption as they paid down debt. This "carrot" helped keep merchants on the side, making them less interested in the clandestine sale of banned goods (which was harder for Patriots to police than British imports). The Association thus fits poorly into a framework of farmer-lender or farmer-merchant antagonism. By appealing to merchants' wallets, not just their hearts, Virginia Patriots induced even conservative merchants to comply.³⁸

Delayed nonexport was understood as accommodating merchants. The indentured servant John Harrower noted the delay, "during which time any that are indebted to Great Britain may pay up their ballances." The ultimate ban on exports was, explained William Reynolds, "far from being agreeable to my way of thinking, tho' I do hope the time given being so long as twelve months may prevent any inconvenience to the Merch[an]ts." Indeed, compared to an immediate nonexport, delayed nonexport could look good. Reynolds, who attended the August 1774 convention, was "fearfull they wou'd resolve against Exporting to take place immediately" and relieved when Virginians agreed to delay. Fearing Congress would not delay, Harry Piper "dread[ed] the consequences." Immediate nonexport was again rumored in May 1775.³⁹

Some thought nonexport should have been delayed further. Fleming thought Congress should allow "3 years Exportation instead of one, when it is a Notorious Fact it wou'd take so much to pay their debts." Glaswegian merchants "think it hard that our countrymen should stop exportation until they get [all] their debts paid and in truth I cannot help joining with them," wrote Gustavus Brown Wallace. But, getting a third of their debts paid via the Association was more than what the merchants had managed on their own or through the courts. Such comments suggest the question was not *whether* nonexport benefited debt holders, but *how much*.⁴⁰

Shutting courts and delaying nonexport helped debtors pay on their terms. Already in 1773 planters had found no one to buy their land. A wave

of adverse court judgments may have otherwise flooded the real estate market, making land similarly useless to pay debts in 1775. Without nonexport, tobacco was expected to remain cheap. Court closures and the Association, in contrast, preserved land values and inflated crop prices. It makes no more sense to consider these pro-planter/anti-merchant measures than it does to consider a Great Depression-era bank holiday anti-bank. The Association and court closures rescued Virginia's financial system. The Robinson affair, the 1770 boycott's disruption to trade, the British credit crisis of 1772, planters' inability to sell land in 1773, and the low price of tobacco in 1773 left lenders overextended and borrowers unable to make payments. Overlending, as much as overborrowing, was the problem. Fleming's idea that it would have taken three years of tobacco sales to pay off outstanding loans begs the question: why had merchants lent so much in the first place?⁴¹

Virginia merchants had competed for tobacco by offering planters overgenerous loans to buy goods. Lenders feared a refusal to extend further credit would send planters (and their tobacco) to competitors. Issuing bad loans to attract trade was bad business. Colony-wide, it amounted to systemic economic failure, for which asset price inflation was the only systemic solution.⁴²

Some disagreed. William Allason thought nonexport would "lay the trading People here . . . under many inconveniences" because merchants could not collect enough to make all their remittances to Britain. This was partly why Campbell and others stopped issuing loans. Risk-averse merchant-lenders saw tobacco as a dangerous speculation, given recent price rises. Henry Fleming, representing the Norfolk end of a Whitehaven firm, thought trade too risky to continue. Unless Parliament repealed the Coercive Acts, "our property at least must be very precarious." He recommended Whitehaven "charter no Ship" to take tobacco in spring 1775 and "send no more Goods to . . . America." Meanwhile, he would settle Whitehaven's business "on this side of the Water as soon as possible." Non-import meant that "no advantage can be made by fr[eight] outward" to the colonies—a vessel sailing from Britain to Virginia would have to go in ballast—"nor do I imagine there will be much demand for Shiping," from Virginia to Britain, "as Comod[itie]s of all kinds are likely to be high," and he did not think that Virginia price increases would carry over to British

markets. Merchants who engaged in bilateral trade may well have “faced ruin if they could not land British goods,” as one Norfolk historian has suggested. But ships could still arrive via Europe or the foreign Caribbean, and all those inflating assets still needed to be shipped to Britain. This was not worth the risk for Fleming, who, because he had issued only a few thousand pounds of loans, had less to recover.⁴³

Merchants who sought to exit trade focused in late 1774 and 1775 on collecting debts and remitting to Britain. Fleming focused on collecting “ready Cash which shall be remitted in Bill as soon as possible.” Allason and others acted similarly. Most debts were small (under \$100), and a trickle of funds flowed to Britain. Yet it was not possible for Fleming to take payment only in money. There was not enough of it. In November 1774, Fleming advised his partners that he was sending £200 sterling worth of gold and silver dollars, another £360 in bills of exchange, but also, despite his concerns, 100 hogsheads of tobacco. Bills, sterling, gold, silver, and tobacco—all were assets. Indeed, “remittance” refers to sending money or goods. What mattered was not what one sent, but how much and when. Indeed, tobacco now might even be better than the promise of cash later, particularly when rumors circulated that Congress might stop cash remittances, too.⁴⁴

Aggressive merchant-lenders like John Norton & Sons or Cuninghame & Co found in the Association a chance to collect large debts. Norton had roughly £40,000 to collect. He did not collect all, and in September 1775 decided he was better off exiting Virginia trade. “Were times to alter . . . I shou’d not be fond of ingaging too much in that branch of Business,” he wrote. Examining a “List of Ballances due to us in Virginia,” he lamented, “they are not diminished so much as might be expected” by tobacco exports. And yet they were more diminished than they would have been if the trade by which those balances accumulated had continued as usual. Cuninghame & Co did not recover all, either, and in 1784 still had £94,000 to collect. Cuninghame sent at least six vessels to Virginia to take on tobacco in the summer of 1775 and chastised his factors for “not making extensive [enough] purchases of tobacco.” Glasgow traders estimated their collective unrecovered debt at £1.3 million, though this may have been a self-servingly high number. Still, partial collection pared losses, and Norton and Cuninghame could sell their tobacco in Britain at a profit, while leaving

due 5/8. March
VIIH Mss 2 M9237a1
 74
 Virginia Feby 28th 1776
 Exchange for £1919. 1. 9
 Sixty days sight of this my second bill of Exchange my first
 and third of the same tenor and date not paid pay to Mr. Jas. W. Cun-
 ingshame and Comp^y in Glasgow or their order the sum of One
 thousand nine hundred and nineteen pounds one Shilling and nine
 pence Sterling for value in Sterling here received at time
 make payment and please it to account of
 To
 Mr. Wm. Cuningshame
 Merch^t
 Glasgow
 Your hum^{ble} Servant
 R. Munford

Robert Munford's bill of exchange, dated 28 February 1776, paid £1919 1s 9d to the Glasgow firm William Cuninghame & Co, demonstrating the continued financial ties between Virginia and Britain after promulgation of the Continental Association in 1774. (*Virginia Museum of History & Culture, Mss2 M9237a1*)

their claims for outstanding debt undiminished (some of which was collected in the 1790s). T. M. Devine's study of Glasgow tobacco merchants argues that "boom prices for tobacco probably more than compensated most merchants for their outstanding American debt." Certainly, compared to 1777, when Virginia law allowed debt to be paid in rapidly depreciating currency and prevented British subjects from bringing suit, buying tobacco in 1775 turned out to be a great deal.⁴⁵

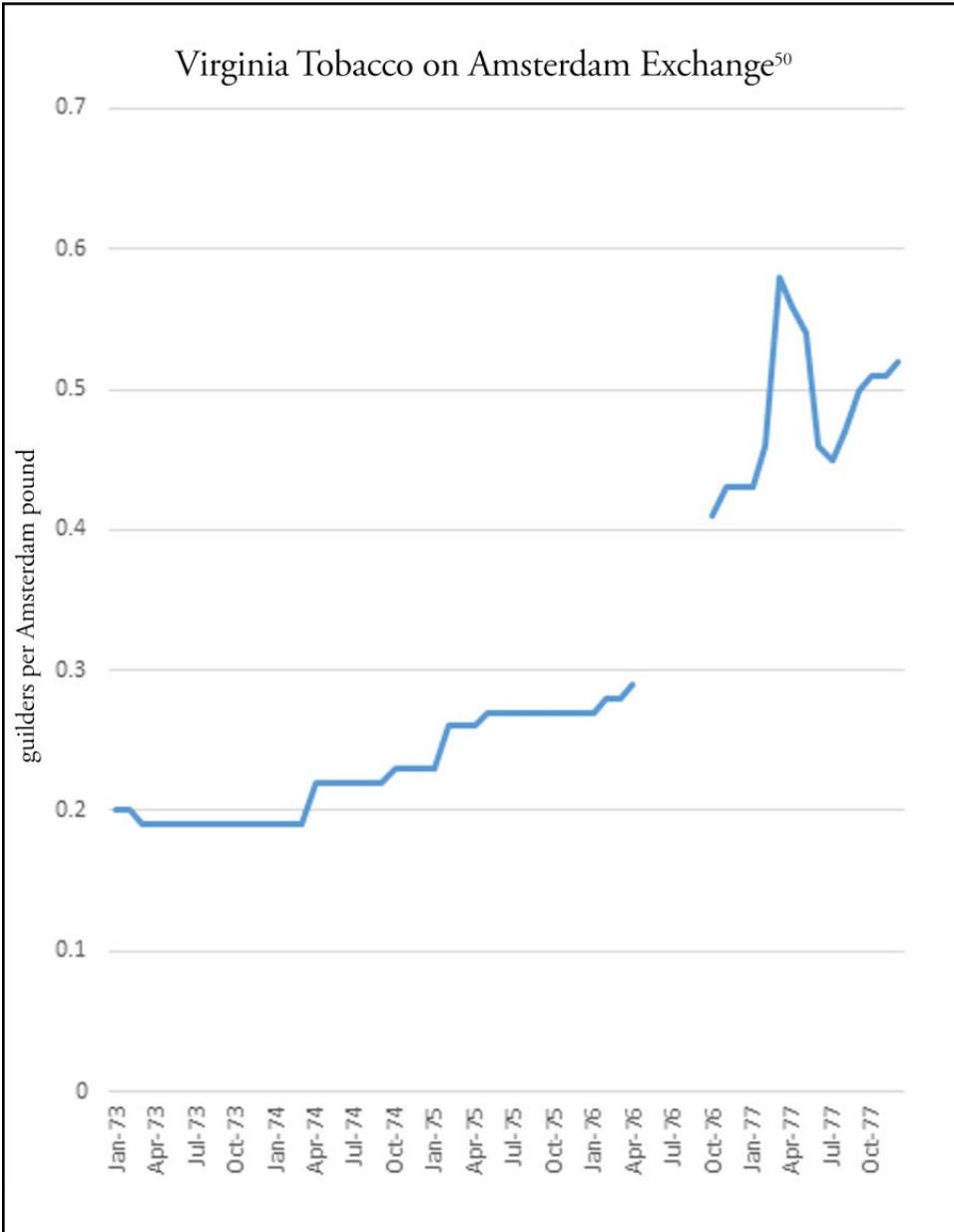
Despite contrasting mindsets, cautious Campbell and Fleming and aggressive Cuninghame and Norton pursued broadly similar strategies: they stopped issuing new loans and tried to collect on outstanding ones, ultimately taking as much in goods, bills of exchange, and money as they could get. Cuninghame's and Norton's correspondence are as full, in 1774 and 1775, of remittances as Fleming's; none turned down cash or tobacco. The main difference was in whether a merchant took in tobacco solely as a way to collect debts, or whether he engaged in further speculation, a business that was nonpartisan. Even Tory merchants like Samuel Inglis speculated in tobacco,

buying up everything in Nansemond in early 1775 before Cuninghame's factors could get to it. Britons all and not a Patriot among them, Cuninghame, Norton, Campbell, and Fleming complied with the Association out of self-interest.⁴⁶

Merchants paid for tobacco by crediting it against planters' debts, but sometimes they bought it "for money." The shortage of circulating currency made this difficult for individual merchants (though, across the economy planters who received cash likely paid it out again to other merchants). Money was "exceedingly scarce in Virginia," James Robinson reported. He suspected that, as a result of the Association, planters would keep their tobacco in the warehouses, demanding high cash prices, despite their being "in general so very considerably in debt." Merchants paid cash when they had to, but, when selling imported goods (permitted until March 1, 1775) countered by demanding payment in tobacco.⁴⁷

The shortage of Virginia currency increased the value of Virginia pounds against sterling. One hundred pounds sterling bought 135 Virginia pounds at the November 1774 merchants' meeting, but only 115 by June 1775. Strengthening Virginia money did not clearly benefit merchants or planters at the other's expense. If tobacco paid off sterling loans, falling sterling meant that merchants got more debt paid off. On the other hand, merchants who bought tobacco with Virginia money paid more (in sterling) for it, and planters' sales of tobacco on consignment in Britain yielded sterling that converted poorly back to Virginia money. The collapse of Virginia and continental money beginning in late 1776 meant this window of strong Virginia money was brief.⁴⁸

TOBACCO PRICES ROSE CONSIDERABLY between 1773 and 1777 (and beyond), providing the reflationary cycle merchants and planters needed. Although British price currents are hard to come by, prices of Virginia tobacco on the Amsterdam exchange are revealing. Between January 1774 and December 1775, when the last exports leaving Virginia in September 1775 reached market, tobacco prices in Amsterdam jumped 42 percent, from 0.19 to 0.27 guilders per Amsterdam pound. It was in the 93 percent increase in tobacco prices from 0.27 to 0.52 guilders per Amsterdam pound in 1776 and 1777, however, where the real money was to be made.⁴⁹



Market participants, as always, did not forecast prices well. Yet even early price rises, such as the 21 percent jump in the Dutch price from 0.19 to 0.23 guilders per Amsterdam pound over the course of 1774, were welcome for merchants and planters scarred by years of low prices. The tobacco market of early 1774 had been “very disagreeable” wrote Duncan Campbell. The “situation the Tobacco Markets were in” meant he could sell Virginia planters’ tobacco only at low prices. Reynolds found he had lost money on each hogshead of tobacco sold in London. Rising prices in the second half of the year gave him hope that he could recover. Roger Jones also hoped the tobacco he sent to London would “get to a good Market” in 1774 and “make amends for the exceeding low price” he had received previously.⁵¹

According to Thomas Jett, a “violent frost” “destroyed” a “great part” of the tobacco planted in May 1774 and limited that year’s harvest. Campbell agreed the frost would give the market “a favourable turn.” Merchants agreed that the 1774 crop “will be a very short one,” and that, because of the Association, tobacco curing would stop after 1775, and so prices rose further.⁵²

In response to the Association, merchants bought up tobacco and drove up prices further. “Tob[acco] is now very scarce & dear,” Fleming wrote in October. “Tobacco is looking up here,” wrote William Carr. The Association also raised prices of wheat and, by early 1775, tar. Some commodities, like beeswax and beaver skins, were simply “not to be had.” But the Chesapeake’s prominence in the tobacco market enabled Virginia merchants to pass tobacco prices on to Europe in a way they could not with other commodities, for which Europeans had a broader range of alternative suppliers. This made price increases for goods besides tobacco brief. Woolsey and Salmon saw the price of Baltimore flour fall nearly 40 percent between October 1774 and September 1775. “Embargo, 9/10,” they explained in their ledger. Meanwhile, tobacco prices still skyrocketed.⁵³

What did rising tobacco prices mean? Fleming thought the prices of late 1774 dauntingly high, complaining, “Planters so saucy now they’ll have their price or not pay their debts” at all (a backhanded way of saying that when they did sell high, they paid off debt). Others saw an opportunity. Fleming’s high price was another merchant’s rising one. Buyers are never happy to buy at a price peak, but they can be happy to buy high if they think

they are buying in a rising market and can sell higher later. “[I]f Americans will persevere” in nonexport, tobacco would continue to rise, thought William Lee in London. Hearing of the tragedy of the *Peggy Stewart*, Lee wrote the destroyed vessel’s owner, Anthony Stewart, recommending he “by all means . . . purchase immediately 1000 or 1500” hogsheads of tobacco, “by which you will make a fortune. You will say, perhaps, where is the money to do this? I will tell you”—he should draw a bill on Lee for it and consign the tobacco to him for sale. Lee’s offer was risky. If prices fell, Stewart would likely be ruined and Lee unpaid. But Lee wanted more tobacco to speculate in. Other agents were already “purchasing all they can lay their hands on.” Do not shy away from rising prices—as Campbell and Fleming had—wrote Lee. “The price should not be the least obstacle; give what others do without hesitation,” he wrote Stewart, “provided you are clear of the firmness &c., of the Americans, on which head your judgment may be directed by observing what quantity of tobacco is planted.” It is unclear whether Stewart, a budding Loyalist, ever pursued the budding Patriot Lee’s offer, though Lee hoped to send a vessel to collect Virginia tobacco in early 1775. In 1775, Lee worried that London was facing a tobacco shortage. Rumor was the French tobacco monopoly had bought 6,000 hogsheads in Glasgow. While “[w]e have here” only 4,500 hogsheads left.⁵⁴

Eventually, even the bullish Lee grew concerned. Thinking Virginia tobacco prices might reach 25/ or 30/, he worried that such prices were fraught with “much risk” unless they could be certain of a decent price in London, “which I doubt much of, as a great deal will undoubtedly be grown in Europe the next summer.” (Tobacco grew on the Rhine, French Flanders, and elsewhere, but European tobacco often needed to be blended with Chesapeake for sale.) Despite the possibility of other suppliers, the main risk was political. As Campbell explained, “Our Tobacco Markets have some time since taken a sudden and unexpected favourable turn owing . . . to buyers on a speculation of the continuance of the unhappy disputes between the Colonies and mother Country.” As soon as the colonial disputes were “accommodated,” however, prices could fall. Campbell tried to call the top of the market in April 1775, noting that London tobacco prices had already “dropt” a bit and that the speculators had “glutted” foreign markets.⁵⁵

Campbell was right. If the colonists gave up their Association or if Parliament repealed the Coercive Acts, prices would fall. This was the risk for tobacco buyers in spring 1775. Fearing this, Virginian Harry Piper stopped buying up tobacco ahead of a vessel's arrival. Better to wait until it reached Virginia, lest it bring news of repeal of the Coercive Acts with it.⁵⁶

But accommodation never happened. News of armed combat pushed prices up further, although rumors of “the ports being shut up”—either by the Royal Navy or by an early imposition of nonexport by Congress—prevented a large rise. Thomas Adams wrote to Britain in April 1775, worrying, “your Men of War are to line our Coast to prevent our Trading elsewhere.” “We were Apprehensive” Congress would stop exports any day, Moses Robertson wrote. Only the reassurance offered by Speaker Peyton Randolph on his return to Williamsburg in May 1775 “relieved our Anxiety.” Exports “Will be Open” until 10 September. Assured “there is no probability” of ports shutting, Cuninghame & Co bought more tobacco. One agent wrote, “I make no doubt of our purchase being as large as we imagined.”⁵⁷

Prices rose again. One Virginian thought the tobacco he shipped to Britain that summer would get “a very good price” because “a Reconciliation, (by Concessions from your Parliamt.) is not likely to happen.” In August, Archibald Ritchie expected “higher sales for [tobacco] than I ever had, for depend on it there will not be one Ounce shipt after the 10th next month until these unhappy disputes between Great Britain & the Colonys are settled.” William Lee thought the London price would “rise” in the six months after colonial exports ceased, “as there is not the most distant appearance of the American affairs being amicably or justly settled by the pres[en]t administration.” Lee took advantage of this, selling Virginia tobacco in London as late as April 1776. By this point, Lee was as much a political agent for the colonies in London as a commercial agent for Virginia tobacco. Nonexport was favorable to both roles.⁵⁸

As prices jumped, some tobacco holders stayed for the next rally. Harry Piper found smallholders “will not part with their Tobo” for any price he was willing to offer. William Reynolds reported “Tobo is scarce” and the price had risen “very rapidly,” with factors for firms like Cuninghame & Co “buying all they can at the high price of 27/6.” Selling tobacco in Virginia—and locking in the price—appealed to many planters who might have

shipped to Britain on consignment in the past. The “very high Price of Tobo Has Induced many of Your Friends” to sell for cash, Moses Robertson explained to John Norton, rather than ship on consignment. Nevertheless, Robertson eventually got some. Piper finally bought from William Carr, who only sold at 20/ on condition Piper give him an additional 5/ “if prices rise” further. Reynolds thought, “This price is very high,” but he could not “get it lower, indeed, he was very indifferent about selling at that price, & says he would rather Ship” it on consignment to London. “I should still have Postponed purchasing but I find the Tob[acc]o is almost all sold.” Gustavus Brown Wallace reported from Glasgow that tobacco was “high at present and it is thought will sell much higher next year,” a sentiment which must have given Cuninghame confidence he could sell. One factor in this leg of the rally was the June 1775 merchant meeting, which met in the second half of the month, providing new exchange rates and a venue for tobacco holders to sell—many of whom had been holding out for the highest possible price.⁵⁹

As much as tensions and war increased tobacco prices, many market participants wanted calm. William Reynolds hoped “matters will be accommodated” in 1774 before the Association took effect. “The disturbance arising on your side of the water makes every trader here uneasy,” Duncan Campbell wrote that summer. “I wish sincerely some speedy and Conciliating measures may take place let them come from what quarter they may.” After news of war, Virginian William Clayton wrote, “I hope in God the Affair will in some short Time be settled that Business may again go on in its Old way to the Satisfaction of both Countrys.” Virginia merchants did not love the Association. They preferred peace and unencumbered trade. But the above sentiments left unstated a distasteful truth: if conflict was unavoidable, they stood to do better with the Association than without it. Conservatives in particular found their hearts and wallets pulled in conflicting directions. The Association was a least-bad alternative, especially for merchants who conceived of the matter not as *whether* trade would stop in 1774, but *what kind of* cessation of trade it would be. Just as some merchants joined the committees that enforced the Association in 1775 to alleviate its worst effects, so they signed the Association in 1774 because it was better than any alternative.⁶⁰

Tobacco exports were massive in 1775—some of the largest in Virginia history, capping five years of bumper exports. To carry it off, every bit of shipping counted. Vessel space previously used to store staves and hoops was given over to tobacco. In nearby Annapolis, customs records show more vessels departing in June 1775 than June 1774—with arrivals in June 1775 coming either in ballast or with Association-compliant foreign Caribbean imports so as to take advantage of ongoing Chesapeake tobacco exports.⁶¹

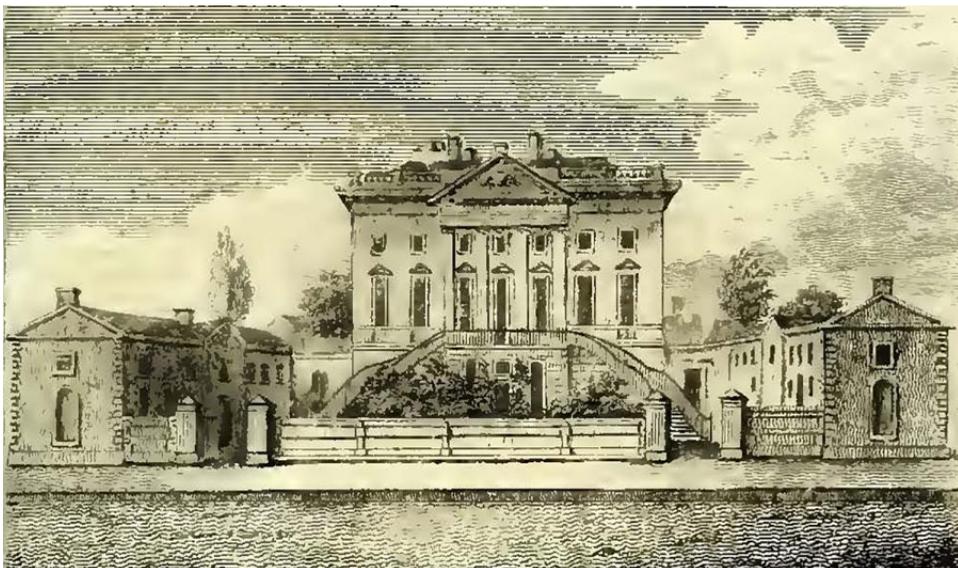
Voluminous exports now occurred in the context of rising prices. The prospect of no tobacco exports in 1776 kept 1775 prices high. This was driven by the Association's ban on tobacco exports after September 1775, by Parliaments' Prohibitory Act, which banned all Virginia trade in 1776, and by the limited amount of tobacco planted in 1775 (available for export in 1776).

The riskiest strategy for merchants was wholesale violation of the Association, which some Norfolk-area merchants attempted in the brief window between Governor Dunmore's victory at Kemp's Landing and his defeat at Great Bridge (November–December 1775). John Brown sent staves to Jamaica and ordered new imports "by the first opportunity." Robert Shedden thought merchants would import again. "Depend upon it," he wrote to Glasgow, "You will never have such another opportunity to make money by dry-goods in this country . . . bring as many as you can get credit for"—as much as £20,000 worth. Andrew Sprowle recommended importing if the vessel were "protected by man of war." These men gambled that, without Associational price controls, they could raise prices on imports to engross the remaining Virginia tobacco. This was an aggressive gamble on British military success. The subsequent Patriot burning of Norfolk and seizure of Loyal merchants' property settled it. By contrast, merchants who ceased imports and focused on tobacco collection in 1775 could make themselves seem presentable to whomever won the war.⁶²

Mixed evidence suggests reduced, but still notable, tobacco planting in 1775. Richard Randolph promised his lenders that he was "endeavouring as much as ever for a Crop of Tobacco" in 1775 in hopes nonexport would be called off. Moses Robertson reported the "fine Prospect for Another Crop on the Ground (if it should please God an Accomodation Shoud take place)." Robert Donald thought small planters were "making great preparations for

another Crop of Tobacco.” The Virginia Association had “recommend[ed] it to the inhabitants of this colony to refrain from the cultivation of tobacco” in 1775, a provision that helped push up prices, though James Robinson thought the crop was “as much as usual. . . . Some of the principal gentlemen . . . may decline raising tobacco,” but most still planted. On the other hand, Harry Piper pointed to the general “want of [tobacco] Plants.” Even “if the Acts should be Repealed, or by any other means the Trade be continued, we shall have so little Planted,” tobacco prices would remain high. William Wilkinson agreed the “inhabitants have given out the planting of Tobo.”⁶³

Still-larger tobacco price gains occurred in 1776 and 1777, accruing to speculators, or to planters who sold in 1776. Despite record exports in 1775, some tobacco remained for export in 1776. Moses Robertson reported, “There will be I think from what I have Seen at the Warehouses much old Tobo. left in the Country,” in 1776. To this one can add the 1775 plantings. The war, the Prohibitory Act, and independence meant the only way this tobacco could reach Britain would be as (perhaps collusive) prizes. And so, Virginia shipped tobacco to France (the ultimate destination of most of the tobacco Virginia had previously sent to Britain) beginning in 1775 and the Netherlands by 1777 via scattered public and private shippers, profiting merchant middlemen. One cargo reaching France had been traded in Santo Domingo, another was transshipped through Philadelphia. One cargo making Nantes in 1777 was sent by the State of Virginia. Firms in Britain might still profit in 1776. Cuninghame & Co could release tobacco bought in 1775 on the market in 1776 and 1777 as prices rose. Firms that did so realized, according to Devine, “massive windfall gains.” Virginians who consigned tobacco to John Norton or William Lee and saw it sold in 1776 may have come out ahead, too. But British-based merchants were left out of the new tobacco trade with Continental Europe. Meanwhile, rising prices and the difficulties of wartime trade continued to link the purses of many American-based merchants and planters—if they could get cargoes to market, both would profit. By supporting merchants as lenders in 1774, the Association, quite unintentionally, made it more likely they would aid the Revolution as smugglers in 1776.⁶⁴



William Cuninghame of Lainshaw (1731–1799), a tobacco “lord,” was the major owner in Cuninghame & Co. He began building this Glasgow mansion in 1777, suggesting nonexportation did not overly impair his profits. The structure subsequently housed the Glasgow branch of the Royal Bank of Scotland, depicted here. The double front staircases were added at this time, otherwise the exterior remained largely as it was in Cuninghame’s time. It later housed Glasgow’s Royal Exchange and now houses Glasgow’s Gallery of Modern Art. (*Glasgow Delineated in Its Institutions, Manufactures, and Commerce with a Map of the City . . . [Glasgow, Scot., 1827]*)

THE EVENTS OF NOVEMBER 1774 benefited planters and merchants. But what was the November gathering? Was the November 1774 meeting of delegates a convention? It certainly used the language of conventions. Peyton Randolph, speaker of the House of Burgesses, served as “Moderator,” and burgesses “assembled” as “Delegates of the People of Virginia.” This mirrored the August convention at which Randolph was “moderator” for “delegates of the freeholders of Virginia” and the March 1775 convention when Randolph was “president” of assembled “delegates.”⁶⁵

“Delegate” vaguely implied attendance at a legislature, a convention, or perhaps something else. To call someone a “delegate” was to not call him a burgess, echoing the indeterminate role of continental congressmen (also “delegates”). “Convention” was another fluid term—often interchanged

with “congress.” The conventions of 1774–75 were protean and undefined. Attendees jumped between conventions and legislative sessions. “Convention” evoked parliaments that assembled without the Crown calling them: notably the English Convention Parliaments of 1660 and 1689. These extraordinary assemblies restored Charles II and deposed James II, restoring balance between Parliament and the Crown. The English conventions of 1660 and 1689, unlike the colonial conventions and congresses of the 1770s, did not create long-running shadow governments contesting legitimacy. After their constitutional duty was completed, they yielded to normal parliamentary activity. This is a useful way to think of the 1774 meetings—supplements, not replacements, for the House of Burgesses. The unofficial nature of such meetings makes pinning down what counts as a convention tricky. “Convention” at its most literal, like “congress,” “assembly,” or “meeting,” just meant a gathering. If a convention was an unsanctioned gathering of legislators, then the November 1774 meeting was exactly that.⁶⁶

The meeting of delegates seemed like the un-sat assembly session. Parker even mistakenly thought the “Assembly met” in November 1774. The York committee termed the gathering a “Meeting of several Members of the House of Burgesses”—not a legislative session, but not quite something else. The Gloucester County committee wrote similarly. Both waited for “the Determination of the Meeting” at Williamsburg before acting against Norton’s tea—suggesting the meeting was authoritative. That meeting also met the condition set by the August convention for future conventions: that either Randolph or Nicholas convene it.⁶⁷

One could argue the November meeting was not a “proper” convention. It published no minutes and never called itself a convention (though neither did the August 1774 convention). The March 1775 convention approved the acts of the First Continental Congress, suggesting that the November meeting had not (or was not substantial enough to do so). Richard Henry Lee did not think the November meeting constituted a convention. “Hitherto we have had no Colony Congress,” he wrote John Adams in February 1775. His language—“hitherto”—suggested he did not consider the August gathering a convention, either, though historians do. In November 1774, legislators had come for a meeting of the House of

Burgesses, and only when denied this did they carry on as a meeting of delegates. They had not *intended* to form a convention, and notice of a convention had not been given in advance.⁶⁸

An analogy to the *other* protean gathering of legislators in 1774 is instructive. On 26 May 1774, Dunmore dissolved the House of Burgesses. Delegates relocated to the Raleigh Tavern where, on the twenty-seventh, eighty-nine out of the 103 men who had just served as burgesses signed an "Association." This document recommended an intercolonial Congress but, out of "tender regard for the interests of our fellow subjects, the merchants, and manufacturers of Great Britain," no boycott. Then on the thirtieth, responding to news from the Boston and Philadelphia committees, Randolph gathered twenty-five attendees still in the Williamsburg area. They asked the full body of delegates to return to town on 1 August to reconsider a boycott. Scholars have long been aware of the May events. We consider these events "meetings," not "conventions," but in terms of Revolutionary history and governance, we grant that they were as significant as the conventions.⁶⁹

Whether or not we should consider it a convention, the November meeting was as significant as one. It asserted power. It implemented the Association, an act of Revolutionary governance. It secured merchant signatures, sending merchants home with permission to export tobacco because they had signed and published the merchants' claims in the *Virginia Gazette*. Local Patriots could then ask other merchants to join the document advertised in the *Gazette*, from which rival merchants benefited. Delegates also debated Norton's case for two days. Not intervening in the York and Gloucester committees' tea party shielded delegates from direct involvement in criminal acts, sent the message that favored men would not be exempted, and encouraged merchants to sign the Association. What seemed like inaction regarding Norton was, in effect, a decision to let the York and Gloucester committees proceed. The meeting also ensured Warwick and Wallace were dealt with regularly and left open the options of a return to regular legislative order or a consolidation of revolutionary power in later conventions. Different conventions had distinct roles in Revolutionary Virginia. So did the November meeting, which focused Patriot efforts on an economic response to Parliament.⁷⁰

The main reason November 1774 is overlooked is tradition. There are five canonical conventions in Virginia Revolutionary history, in August 1774, March 1775, July–August 1775, December 1775, and May–July 1776, a chronology set in 1904. W. F. Dunaway referred to the “Convention of August 1, 1774,” which by 1907 was renamed the “first Virginia Convention,” with the conventions soon ordered First through Fifth. This canon and these ordinal numbers were twentieth-century impositions. The August convention did not consider itself first: in August delegates *returned* to Williamsburg after their May meeting. Nor did the March 1775 gathering call itself “second.” The March gathering called itself “*a* convention,” disambiguated by date. The five-convention framework has prevented us from seeing colony-wide Revolutionary gatherings *between* these dates. The term “convention” may also mislead modern readers into expecting a specific sort of meeting, whereas the natures of the May, August, and November gatherings in 1774 were undefined and protean, even to participants. This befits a revolution. We therefore need a more plastic sense of what meetings mattered than the rigid five-convention framework allows.⁷¹

The absence of frontier delegates enabled this focus on trade. Frontier radicals did not prioritize commercial boycotts. None of the early 1775 resolves from the western counties of Fincastle, Botetourt, Augusta, or Pittsylvania specifically mentioned nonexport. Nor did the Fort Gower Resolves, made by some of Dunmore’s frontier militia officers. Frontier Patriots did not temporize; Fincastle’s committee promised to “strictly and invariably adhere” to Congress’s resolutions and defend their privileges “at the expense of our lives.” The Botetourt committee was willing to give “life” in combat for “LIBERTY.” Such claims resonated with Patrick Henry’s (perhaps apocryphal) cry for “liberty or death.” But in less market-oriented settlements, a militia was a better political tool than a boycott.⁷²

Frontier delegates were an important bloc: of the ten delegates from Augusta, Botetourt, Fincastle, Hampshire, and Pittsylvania, nine missed the August and November 1774 meetings because of Dunmore’s War. The counties sent delegates to a March 1775 convention that voted to raise a militia by a narrow 65–60 majority. Western delegates provided a majority for raising a militia over those wanting to limit action to boycotts. It was Tidewater Patriots who preferred to give nonimport and nonexport time to

work, lest militias undermine the boycott, and frontier delegates' absence in August and November 1774 had unintentionally facilitated this. Yet, Congress's delay of nonexport to September 1775 meant that it had done little harm to merchants in Britain by the March 1775 convention, which coincided with rising militancy across the colony. It is unlikely that the frontier delegates would have opposed boycotts had they been at Williamsburg in November 1774. But they might have emphasized other things, and been less tolerant of delayed nonexportation, which, though blunting the boycott's economic effect in Britain, maintained a broad political unity among Virginia elites—merchant-lender and planter-debtor alike. If you have a hammer, every problem is a nail. For the western delegates, the militia was their hammer; for planters, the boycott was.⁷³

NOT EVERY MERCHANT BENEFITED from the Association, but some did, or at least might have mitigated losses. Delayed nonexport, coupled with court closures and nonimport, aided debt collection and inflated asset prices. The meeting of November 1774 pursued a trade- rather than a combat-centric response to the imperial crisis, one that, in its effects on imperial policy, was quickly eclipsed by the war in 1775, even as the delayed nonexport provision had yet to take effect. Measured by its effect on imperial policy, or the British elections of 1774, the Association was a failure. But as a way to ensure a "common cause" among Virginian elites it was a success. The Association's ability to suit both planter-debtor and merchant-lender economic interests via delayed nonexport was crucial. Whether or not the November 1774 meeting was a "convention," it fulfilled the function of one.⁷⁴

NOTES

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1. T. H. Breen, “Baubles of Britain’: The American and Consumer Revolutions of the Eighteenth Century,” *Past & Present* 119 (1988): 73–104; T. H. Breen, *The Marketplace of Revolution: How Consumer Politics Shaped American Independence* (New York, 2004). Economics touches upon many studies of the Revolution in Virginia, but studies that focused on merchants include Arthur M. Schlesinger, *The Colonial Merchants and the American Revolution, 1763–1776* (1918; New York, 1957); Emory G. Evans, “Planter Indebtedness and the Coming of the Revolution in Virginia,” *William and Mary Quarterly* (cited hereafter as *WMQ*) 19, ser. 3 (1962): 511–33; Jacob M. Price, *Capital and Credit in British Overseas Trade: The View from the Chesapeake, 1770–1776* (Cambridge, Mass., 1980); T. H. Breen, *Tobacco Culture: The Mentality of the Great Tidewater Planters on the Eve of Revolution* (Princeton, N.J., 1985); Bruce A. Ragsdale, *A Planters’ Republic: The Search for Economic Independence in Revolutionary Virginia* (Madison, Wisc., 1996); and Holton, *Forced Founders*. T. M. Devine argues that Glaswegian firms benefited from the Continental Association and American Revolution in *The Tobacco Lords: A Study of the Tobacco Merchants of Glasgow and Their Trading Activities, c. 1740–90* (Edinburgh, Scot., 1975), 109–47.
2. William Lee’s suggestion to his brother, Congressman Richard Henry Lee, that merchants were “your enemies” but could be turned “thro’ [self-]interest to take an active part in your favor . . . by stopping both exports and imports,” may have envisioned the Association as a way to coerce merchants or a way for planters to align interests with them (William Lee to Richard Henry Lee, 10 Sept. 1774, in Worthington C. Ford, ed., *Letters of William Lee: Sheriff and Alderman of London, Commercial Agent of the Continental Congress in France, and Minister to the Courts of Vienna and Berlin, 1766–1783* (3 vols.; Brooklyn, 1891), 1:96).
3. The tendency to see planter frugality in the Association, but not merchant income, is common. For one example, see Albert H. Tillson, Jr., *Accommodating Revolutions: Virginia’s Northern Neck in an Era of Transformations, 1760–1810* (Charlottesville, Va., 2010), 185–89.
4. *Virginia Gazette* (Purdie & Dixon), 3 Nov. 1774 and 10 Nov. 1774 (the authorial voice of these *Gazette* quotations is unclear); James H. Soltow, “The Role of Williamsburg in the Virginia Economy, 1750–1775,” *WMQ* 15, ser. 3 (1958): 469–70; James H. Soltow, *The Economic Role of Williamsburg* (Charlottesville, Va., 1956), 8–9; *Virginia Gazette* (Purdie & Dixon), 30 June 1774. Merchant meetings initially gathered in January, April, July, and October before settling on April and late October. Court sat in April, June, October, and December. The assembly met at roughly the same time. On calling but not seating the burgesses, see James R. Fichter, “The Mystery of the ‘Alternative of Williams-Burg,’” *Journal of the American Revolution*, <https://allthingsliberty.com/2019/04/the-mystery-of-the-alternative-of-williams-burg/> (accessed 18 Mar. 2022) and John Pendleton Kennedy, *Journals of the House of Burgesses of Virginia, 1773–1776: Including the Records of the Committee of Correspondence* (Richmond, Va., 1905), 165–68. Dunmore secured a treaty on 19 October 1774 and was en route to Williamsburg, reaching the town on 4 December (Reuben

Gold Thwaites and Louise Phelps Kellogg, eds., *Documentary History of Dunmore's War, 1774; Compiled from the Draper Manuscripts in the Library of the Wisconsin Historical Society* . . . [Madison, Wisc., 1905], 307n24). Parts of this story are put together in David John Mays, *Edmund Pendleton 1721–1803: A Biography* (2 vols.; Cambridge, Mass., 1952), 1:297; Dale Benson, “Wealth and Power in Virginia, 1774–1776: A Study of the Organization of Revolt” (Ph.D. diss., University of Maine, 1970), 164–66; Thomas M. Costa, “Economic Development and Political Authority: Norfolk, Virginia Merchant-Magistrates, 1736–1800” (Ph.D. diss., College of William & Mary, 1991), 227–28; Ragsdale, *A Planters' Republic*, 228; and Fichter, “Alternative of Williams-Burg.”

5. Paul H. Smith and Ronald M. Gephart, eds., *Letters of Delegates to Congress, 1774–1789* (26 vols.; Washington, D.C., 1976–2000), 1:245 (cited hereafter as *LDC*). Pendleton and Henry seem to have left Philadelphia on 22 October, reaching Williamsburg on the twenty-eighth. Randolph, Bland, and Harrison followed two days later (*Virginia Gazette* [Purdie & Dixon], 27 Oct. 1774 [item dated 28 Oct.]; Mays, *Edmund Pendleton*, 1:297). Whether Henry simply traveled with Pendleton or participated at Williamsburg is unclear. Henry was involved in the Hanover County committee by 12 November. Biographers have assumed nothing happened in Williamsburg (William Wirt Henry, ed., *Patrick Henry: Life, Correspondence, and Speeches* [3 vols.; New York, 1891], 2:249–50; Robert Chester Daetweiler, *Richard Bland and the Origins of the Revolution in Virginia* [Yorktown, Va., 1981], 51; Howard W. Smith, *Benjamin Harrison and the American Revolution* [Williamsburg, Va., 1978], 28). Richard Henry Lee's whereabouts are unclear (*Lee Family Digital Archive*, <https://leefamilyarchive.org/family-papers/letters/letters-1700-1800> [accessed 6 Apr. 2022]; James Curtis Ballagh, ed., *The Letters of Richard Henry Lee, 1762–1794* [2 vols.; New York: Macmillan, 1911–14], 1:126). *Virginia Gazette* (Purdie & Dixon), 3 Nov. 1774; *Virginia Gazette* (Pinckney), 4 Nov. 1774; Robert Chester Daetweiler, “Richard Bland: Conservator of Self-Government in Eighteenth-Century Virginia” (Ph.D. diss., University of Washington, 1968), 235; Mays, *Edmund Pendleton*, 1:296. The Association's appearance in the *Gazette* preceded the arrival of the official Philadelphia printing.

6. Fichter, “Alternative of Williams-Burg”; Robert L. Scribner et al, eds., *Revolutionary Virginia: The Road to Independence* (7 vols.; Charlottesville, Va., 1973–83), 2:164n1 (cited hereafter as *RevVa*). A Nansemond committeeman followed merchants Anthony Warwick and Michael Wallace to Williamsburg. This was probably Benjamin Baker or Lemuel Riddick (the Nansemond burgesses), who would have had reason to go anyway (Kennedy, *Journals of the House of Burgesses*, 67). It is impossible to confirm most legislators' location, as papers for most do not survive. Having “heard nothing of the Governors return,” Washington thought the chances of the assembly's sitting “doubtful” and stayed home, but he knew Randolph, Bland, and Harrison would represent Congress in his stead (George Washington to John Tayloe, 31 Oct. 1774, in W. W. Abbot et al, eds., *Papers of George Washington: Colonial Series* [10 vols.; Charlottesville, Va., 1982–95], 10:175).

7. *Virginia Gazette* (Purdie & Dixon), 15 Dec. 1774; James Parker to Charles Steuart, 27 Nov. 1774, Charles Steuart Papers, Misc. Reel 3703 f 287, Library of Virginia, Richmond (cited hereafter as *LVA*); *Virginia Gazette* (Purdie & Dixon), 24 Nov. 1774; *RevVa*, 2:163–64. Writing as “A Real Associator,” Nicholas mentioned addressing two “Meetings of the Delegates” on the York tea. These have been interpreted as the York and Gloucester committees, but Nicholas referred to county committees as county committees. “Meetings of the Delegates” referred to the legislators assembled at Williamsburg. Nicholas also abstained from voting, which made sense in the Williamsburg meeting, not the county meetings, from which he would not need to abstain. Nicholas spoke up for two “Gentlemen,” probably Warwick and Wallace (see below), further plac-

ing this at Williamsburg. The dates of these meetings must be between the tea's arrival on 4 November (Frances Norton Mason, ed., *John Norton and Sons: Merchants of London and Virginia* . . . [1937; Newton Abbott, Eng., 1968], 368) and its destruction on the seventh.

8. Glenn F. Williams, *Dunmore's War: The Last Conflict of America's Colonial Era* (Yardley, Pa., 2017), 244; Kennedy, *Journals of the House of Burgesses*, 166–68; James Parker to Charles Steuart, 1 Nov. 1774 addendum to 26 Oct. 1774, Charles Steuart Papers, f274. William Allason spotted Foy on the road between Falmouth and Williamsburg sometime between 29 October and 11 November (William Allason to Thomas B. Martin, 14 Nov. 1774, Letterbook, 1770–1789, reel 389, 331–32, William Allason Records, 1722–1847, LVA). Foy left for England in late June 1775 (Jon Kukla, *Patrick Henry: Champion of Liberty* [New York, 2017], 186).

9. *Virginia Gazette* (Pinkney), 10 Nov. 1774; James Corbett David, *Dunmore's New World* (Charlottesville, Va., 2013), 84–89; *Virginia Gazette* (Purdie & Dixon), 10 Nov. 1774. News announcing the battle was datelined Culpeper, Virginia, 8 November.

10. William Allason to Thomas B. Martin, 14 Nov. 1774, William Allason Letterbook, 1770–1789, 331–32, LVA; William Allason to Andrew Sprowle, 11 Nov. 1774, *ibid.*, 331; William Allason to Archibald Ritchie, 23 Nov. 1774, *ibid.*, 334; D. R. Anderson, “Important Letters from the Papers of William Allason, Merchant, of Falmouth, Virginia” *Richmond College Historical Papers* 2 (June 1917): 146; Soltow, *Economic Role*, 8–9, 132–35; *Virginia Gazette* (Rind), 26 Nov. 1772; *Virginia Gazette* (Purdie & Dixon), 26 Nov. 1772. Robinson grumbled, “We are again dupes to an obligation which . . . is not paid much regard” (T. M. Devine, ed., *A Scottish Firm in Virginia, 1767–1777: W. Cuninghame and Co.* [Edinburgh, Scot., 1984], 164); *Virginia Gazette* (Purdie & Dixon), 30 June 1774; Mays, *Edmund Pendleton*, 1:351n3. The *Gazette's* count appears in *Virginia Gazette* (Purdie & Dixon), 10 Nov. 1774.

11. Thomas Irving to Neil Jamieson & Co, 3 Nov. 1774, Papers of Neil Jamieson, Library of Congress, Washington, D.C. (cited hereafter as LC); Henry Fleming to Fisher & Bragg, 17 Nov. 1774, British Records Relating to America in Microform, Papers of Henry Fleming, 1772–1795, in the Cumbria Record Office Carlisle (microfilm; Yorkshire, Eng.) (cited hereafter as PHF); Charles Yates Letterbook, 1773–1783, 110–12, in Papers of Robert Carter, 1722–1783, University of Virginia Special Collections (cited hereafter as UVA); William Allason to Archibald Ritchie, 11 Nov. 1774, William Allason Letterbook, 1770–1789, 330; Costa, “Economic development,” 227; James Parker to Charles Steuart, 27 Nov. 1774, Charles Steuart Papers, f287; Catherine S. Crary, *The Price of Loyalty: Tory Writings from the Revolutionary Era* (New York, 1973), 58; Devine, ed., *Scottish Firm*, 166; *Virginia Gazette* (Purdie), 29 Dec. 1775. Robinson and Henderson were Cuninghame factors (Devine, ed., *Scottish Firm*, 164, 168). Sprowle had led the merchant meeting since its formation, including during the 1770 boycott (Kennedy, *Journals of the House of Burgesses*, xxvi–xxxi). “The Association in Williamsburg, in 1770,” *Virginia Historical Register and Literary Note Book* 3 (Jan 1850): 22. Sprowle was later caught ordering goods from Britain. *Virginia Gazette* (Purdie), 22, 29 Dec. 1775. By 1776 he was denounced as a Tory, his goods seized, and home destroyed (Charles Lee to Virginia Committee of Safety, 4 May 1776, Virginia Committee of Safety, *General Correspondence 1775–1776*, Misc. Reel 620, LVA). Seeking to recover property, his widow later claimed he had been a Patriot. Julian P. Boyd et al., eds., *The Papers of Thomas Jefferson* (43 vols.; Princeton, N.J., 1950–), 8:243–44, 259–60, 329–30, 364. No Norton was at the meeting of merchants, nor was John Prentis, because they were involved with the tea at York. *Virginia Gazette* (Purdie & Dixon), 15 Dec. 1774.

12. Mason, ed., *John Norton and Sons*, 371; Jacob M. Price, “Introduction,” PHF; Charles Yates Letterbook, 110–12; William Allason to Thomas B. Martin, 10 Oct. 1774, William Allason

Letterbooks, 1757–1793, reel 1371, William Allason Records, 1722–1847, LVA.

13. Costa, “Economic Development,” 227; Henry Fleming to Fisher & Bragg, 17 Nov. 1774, PHF; James Parker to Charles Steuart, 27 Nov. 1774, Charles Steuart Papers, f287; *Virginia Gazette* (Purdie & Dixon), 15 Dec. 1774; James Parker to Charles Steuart, 27 Nov. 1774, Charles Steuart Papers, f287; James Parker to Charles Steuart, 6 Dec. 1774, Charles Steuart Papers, f291; James Parker to Charles Steuart, 27 Nov. 1774, Charles Steuart Papers, f288; George Washington to Richard Henry Lee, 9 Aug. 1774, Papers of the Lee Family, 1750–1809, UVA. Inglis relayed what he saw to his father-in-law, William Aitchison, who described this to his business partner, James Parker. Parker wrote to Charles Steuart. Usually, Parker is cited. Costa cites Aitchison’s description. One of Robert Carter Nicholas’s sons, a comptroller of customs, denounced Warwick and Wallace as well. The son was probably George Nicholas (Jeffrey A. Zemler, *A Family for the Time: Robert Carter Nicholas, George Nicholas, and the Critical First Decades of the United States* [Mechanicsburg, PA, 2020], 21). For the Association as a political organizing campaign, see David Ammerman, *In the Common Cause: American Response to the Coercive Acts of 1774* (Charlottesville, Va., 1974). For the Association and the emergence of congressional power, see Jerrilyn Greene Marston, *King and Congress: The Transfer of Political Legitimacy, 1774–1776* (Princeton, N.J., 1987). On coercion, Benjamin H. Irvin, “Tar, Feathers, and the Enemies of American Liberties, 1768–1776,” *The New England Quarterly* 76 (2003): 197–238; Barbara Clark Smith, *The Freedoms We Lost: Consent and Resistance in Revolutionary America* (New York, 2010).

14. James Parker to Charles Steuart, 2 Aug. 1770, as cited in Soltow, *Economic Role*, 138; Fairfax Harrison, *The Virginia Carys* (New York, 1919), 92.

15. Gloucester even denied Norton tobacco on future shipments, “Until satisfactory Concessions are made” (*RevVa*, 2:163–66). Robert Carter Nicholas and William Reynolds attempted to defend Norton, but failed. Ragsdale, *Planters’ Republic*, 224–25; *Virginia Gazette* (Purdie & Dixon), 8 Dec. 1774, supplement 15 Dec. 1774; Mason, ed., *Norton and Sons*, 368. Though the county resolves were only published in the *Virginia Gazette* (Purdie & Dixon) on 24 Nov. 1774, the Gloucester and York County committees determined to stop Norton from loading tea on 7 and 9 November, respectively.

16. Henry Fleming to Fisher & Bragg, 17 Nov. 1774, PHF; Henry Fleming to Samuel Martin, 1 Oct. 1774, PHF; James Parker to Charles Steuart, 27 Nov. and 28 Dec. 1774, Steuart Papers, f301, 287; Charles Yates to Gale Fearon & Co., Dec. 2, 1774, Charles Yates Letterbook, 121. By June 1775, Moses Robertson thought the *Virginia* affair had “blown Over” (Mason, ed., *Norton and Sons*, 380–81). The Virginia Association served as a model for the Continental Association. It banned imports beginning November 1774 and exports beginning August 1775, a month earlier than the Continental Association. Merchants may have wanted to wait and see how the Continental Association turned out before signing either document.

17. *Virginia Gazette* (Purdie & Dixon), 10 Nov. 1774; Fichter, “Alternative of Williams-Burg.”

18. George M. Curtis III, “The Role of the Courts in the Making of the Revolution in Virginia,” in James Kirby Martin, ed., *The Human Dimensions of Nation Making: Essays on Colonial and Revolutionary America* (Madison, Wisc., 1976), 123.

19. Evans, “Planter Indebtedness,” 528; William Reynolds to Samuel Rogers, 12 July 1774, and William Reynolds to George F. Norton, 18 Aug. 1774, William Reynolds Letterbook, 1771–1779, William Reynolds Papers, 1771–1796, LOC; Henry Fleming to Fisher & Bragg, 2 and 28 Jan. 1775, PHF; Thomas Jett to John Backhouse, 21 Dec. 1774, Jerdone Family Papers, series 6, box 16, Swem Library, College of William & Mary.

20. Henry Fleming to Fischer & Bragg, 17 Nov. 1774, PHF; Charles Yates to John Lewthwaite, 5 Dec. 1774, Charles Yates Letterbook, 123.

21. William Reynolds to George Norton, 3 Jun. 1774, Reynolds Letterbook; Henry Fleming to Fisher & Bragg, 22 Mar. 1775, PHF; William Allason to Robert Allason, 8 Dec. 1774, Allason Letterbook, 1770–1789, 335; William Reynolds to John Norton, n.d. [between 18 Aug. and 9 Oct. 1774], Reynolds Letterbook.

22. Mays, *Edmund Pendleton*, 1:246; Holton, *Forced Founders*, 118–19.

23. William Waller Hening, *The Statutes at Large: Being a Collection of All the Laws of Virginia, from the First Session of the Legislature, in the year 1619 . . .* (13 vols.; Richmond, 1809–23), 6:328; Mays, *Edmund Pendleton*, 1:244–45; A. G. Roeber, *Faithful Magistrates and Republican Lawyers: Creators of Virginia Legal Culture, 1680–1810* (Chapel Hill, N.C., 1981), 160; Thomas Adams to Thomas Hill, 22 June 1774, Thomas Adams Papers, Virginia Historical Society, Richmond (cited hereafter as VHS). The county courts remained open for nondebt matters. The General Court also had appellate jurisdiction over county courts. Borrowers did use the General Court’s languor to delay. Roger Atkinson warned Samuel Pleasants, “It may be many years before you can recover a Debt in ye General Court. You will Succeed much sooner in ye County” (Roger Atkinson to Samuel Pleasants, 20 Mar. 1774, Letterbook of Roger Atkinson, 1769–1776, Account Books and Papers of the Atkinson Family, UVA). The General Court was so backlogged that some common law cases open in 1767 were unresolved in 1774 (Frank L. Dewey, “William and Mary Bicentennial Commemoration: New Light on the General Court of Colonial Virginia,” *William & Mary Law Review* 21, no. 1 (1979), 4, 10).

24. Edmund Pendleton to Ralph Wormeley, 28 July 1774, Papers of Ralph Wormeley, 1773–1802, UVA; Jonathan H. Poston, “Ralph Wormeley V of Rosegill: A Deposed Virginia Aristocrat, 1774–1781,” (M.A. diss., College of William & Mary, 1979), 36–37.

25. John J. Reardon, *Edmund Randolph: A Biography* (New York, 1974), 15; John M. Hemphill II, “Edmund Randolph Assumes Thomas Jefferson’s Practice,” *Virginia Magazine of History and Biography* (cited hereafter as *VMHB*) 67 (1959): 170–71. Why Jefferson gave up his practice is unknown. He resigned on 11 August 1774. He had cases through the spring 1774 session of the court (“Memorandum Books, 1774,” National Archives, *Founders Online*, <https://founders.archives.gov/documents/Jefferson/02-01-02-0008> [accessed 18 Apr. 2022]). Jefferson later said that the Revolution ended his career as a lawyer (Dumas Malone, *Jefferson the Virginian* [Boston, 1948], 192–93).

26. Mays, *Edmund Pendleton*, 1:343n96 (Mays cites *Virginia Gazette* [Rind], 8 Sept. 1774); Holton, *Forced Founders* 117, 119n31; *Virginia Gazette* (Pinkney), 13 Oct. 1774; Thomas Adams to Thomas Hill, n.d. [17 Nov 1774?], Thomas Adams Papers (emphasis added in quotation); Governor Dunmore to Lord Dartmouth, 24 Dec. 1774, in K. G. Davies, ed., *Documents of the American Revolution, 1770–1773* (21 vols.; Shannon, Irl., 1972–81), 8:266 (emphasis added in quotation). Malone suggests Mercer quit in 1773, but his appearance in 1774 would nevertheless have caused the strikers difficulty (Malone, *Jefferson the Virginian*, 123–24). Richard Bland argued before the General Court, but his activity was so minor that, though he was among the Virginia delegates to Philadelphia, he was not counted among the “principal counsel” absent (Dewey, “New Light on the General Court,” 3–4). A lack of attorneys was especially problematic for a court where some judges lacked legal education (Hugh F. Rankin, “The General Court of Colonial Virginia: Its Jurisdiction and Personnel,” *VMHB* 70 [1962]: 145). The common practice of each side hiring two attorneys meant that Pendleton’s and Henry’s prolific practices touched on many, perhaps most,

cases before the court.

27. Charles Yates to John Duncan, 11 Oct. 1774, Charles Yates Letterbook, 109–12. Yates was in Williamsburg between 5 and 12 November 1774 (William Carr to James Russell, 10 Dec. 1774, Letters from William Carr to James Russell, 1774, LVA).

28. Charles Yates to John Hardy, ? Dec. 1774, Charles Yates Letterbook, 111–12; Henry Fleming to Fischer & Bragg, 17 Nov. 1774, PHF.

29. Thomas Adams to Thomas Hill, 22 June 1774, Thomas Adams Papers; William Reynolds to George Norton, 3 June 1774, Reynolds Letterbook; Charles Yates to John Hardy, ? Dec. 1774, Charles Yates Letterbook, 111–12; “The Proceedings of the Convention of Delegates for the Counties and Corporations in the Colony of Virginia Held at Richmond Town, in the County of Henrico, on the 20th of March 1775” (Williamsburg, 1775), 10; Thomas Adams to Robert Withers, 6 Apr. 1775, Thomas Adams Papers. The convention’s language echoed the notice in the *Virginia Gazette* from the previous year.

30. Henry Fleming to Samuel Martin, 1 Oct. 1774, PHF; CUST 17/2, 25, 29, and CUST 17/3, 22, 32, British National Archives, Kew, England; Schlesinger, *Colonial Merchants*; James R. Fichter, “Tea’s Party: The Revolutionary Politics of a Consumer Good, 1773–1776” (Ithaca, N.Y.), chap. 5 (forthcoming).

31. Evans, “Planter Indebtedness” 521, 530–31; William Anderson to John Norton & Sons, 17 Aug. 1775, John Norton and Sons Papers, Colonial Williamsburg Foundation; William Reynolds to John Norton, 6 Aug. 1774, Reynolds Letterbook; William Duval to John Norton, 3 Aug. 1775, John Norton and Sons Papers, folder 102.

32. James Parker to Charles Steuart, 26 Oct. 1774, Steuart Papers, f274.

33. Emory Evans, *Thomas Nelson of Yorktown: Revolutionary Virginian* (Charlottesville, 1975); Edith E. B. Thomson, “A Scottish Merchant in Falmouth in the Eighteenth Century,” *VMHB* 39 (1931): 110; Sarah Pearsall, *Atlantic Families: Lives and Letters in the Later Eighteenth Century* (New York, 2009), 153; Samuel M. Rosenblatt, “Merchant-Planter Relations in the Tobacco Consignment Trade: John Norton and Robert Carter Nicholas,” *VMHB* 72 (1964): 455; Breen, *Tobacco Culture*, xxvii, 31, 203. Breen was not aware of the events of November 1774.

34. “The Articles of Association,” Yale Law School, *The Avalon Project: Documents in Law, History, and Diplomacy*, https://avalon.law.yale.edu/18th_century/contcong_10-20-74.asp (accessed 18 Apr. 2022); Mira Wilkins, *The History of Foreign Investment in the United States to 1914* (Cambridge, Mass., 1989), 40. British traders returned to Virginia after the war and “engross the greatest share of our trade,” Patrick Henry lamented to Thomas Jefferson in 1785 (Devine, *Tobacco Lords*, 162). Presumably, these merchants accomplished this by, as before, extending loans. Indeed, the French Revolution, and the collapse of the French tobacco monopoly, may have done more to hurt British intermediaries in America than the American Revolution.

35. Ragsdale, *Planters’ Republic*, 213; Abbot et al, eds., *Papers of George Washington: Colonial Series*, 10:96, 116; Devine, *Tobacco Lords*, 87, 104.

36. Duncan Campbell to Thomas Dorsey, n.d. [1775], Duncan Campbell Letterbooks (microfilm; Marlborough, Eng.), 385; Duncan Campbell to John Dickson, 17 Nov. 1774, *ibid.*, 346; Jane Sheppard, “Publisher’s Note,” *ibid.*; Henry Fleming to Samuel Martin, 1 Oct. 1774, PHF. Campbell exited Virginia trade and clung to his business in convicts. He oversaw the Thames prison hulks after 1776 and later supplied prisoners to the First, Second and Third Fleets, making him a founding father of Australia.

37. William Reynolds to George F. Norton, 18 Aug. 1774, Reynolds Letterbook; Charles Yates to Gale Fearon & Co., 2 Dec. 1774, Charles Yates Letterbook, 120. The Jerdones were among many who stopped importing (Thomas Jett to William Perkins, 10 Dec. 1774, Jerdone Papers, series 6, box 16).
38. Holton, *Forced Founders*, 113, 120; Devine, ed., *Scottish Firm*, 188; Devine, *Tobacco Lords*, 82.
39. Edward Miles Riley, ed., *The Journal of John Harrower: An Indentured Servant in the Colony of Virginia, 1773–1776* (New York, 1963), 75; William Reynolds to George F. Norton, 18 Aug. 1774, and William Reynolds to John Norton, 6 Aug. 1774, Reynolds Letterbook; Harry Piper to Samuel Martin, 26 Oct. 1774, Harry Piper Letterbook, 1767–1776, 307; Items Relating to Alexandria, VA, Mss 2981-a v.1., UVA; John Likly to James Robinson, 23 May 1775, Cuninghame & Co Papers, 1753–1863, VHS.
40. Henry Fleming to Fisher & Bragg, 17 Nov. 1774, PHF; Gustavus Brown Wallace to Michael Wallace, 15 May 1775, Papers of the Wallace Family 1750–1888, MSS 38-150, box 1, UVA.
41. Evans, “Planter Indebtedness,” 525.
42. Ibid., 522; Samuel M. Rosenblatt, “The Significance of Credit in the Tobacco Consignment Trade: A Study of John Norton and Sons, 1768–1775,” *WMQ* 19, ser. 3 (1962): 385.
43. William Allason to Robert Allason, 8 Dec. 1774, Allason Letter Book, 1770–1789, 335; Henry Fleming to Fisher & Bragg, 17 Nov. 1774, PHF; Thomas J. Wertenbaker, *Norfolk: Historic Southern Port* (1931; Durham, N.C., 1962), 51. Harry Piper wanted a taste of the tobacco market, but he recommended his correspondents send only one vessel (Harry Piper to Dixon and Littledale, 6 June 1775, Piper Letterbook, 334–35). Fleming recorded £3,700, which was not repaid to him by the 1790s (Jacob M. Price, “Introduction,” PHF).
44. Henry Fleming to Turners & Woodcock, 16 Jan. 1775, PHF; Evans, “Planter Indebtedness,” 518; Henry Fleming to Fisher & Bragg, 17 Nov. 1774, PHF; “Remittance,” *Oxford English Dictionary Online*, <https://www.oed.com/> (cited hereafter as *OED*). As Campbell wrote from London, “If remittances from America are to be withheld it will I must own be inconvenient for me to extend my advances [loans] from hence” (Duncan Campbell to William Brookingbrough, 15 July 1774, Campbell Letterbooks, 288). As it turned out, remittances continued even after non-exportation took effect. Planter, burgess, and Patriot Robert Munford remitted £1,919 to Cuninghame & Co in February 1776 with a bill of exchange (Robert Munford to William Cuninghame & Co of Glasgow, Bill of Exchange, VMHC).
45. Mason, *Norton & Sons*, 387–89; Devine, ed., *Scottish Firm*, 188, 196; Evans, “Planter Indebtedness,” 512; Devine, *Tobacco Lords*, 114–19 (quotation 119). Norton went as far as to buy up the debts and assets of Perkins, Buchanan, and Brown in late 1774 for 5,400 Virginia pounds (Thomas Jett to unknown, 10 Dec. 1774, Jerdone Papers, series 6, box 16). Debts outstanding to Cuninghame appear to include Virginia and Maryland (Evans, “Planter Indebtedness,” 518). Cuninghame & Co brought their 1773 account back to Virginia in 1798, seeking to recover in court twenty-five-year-old debts (William Cuninghame & Co, 1770–1798, misc. reel 4237, LVA). Debt suits resumed in 1783 (Roerber, *Faithful Magistrates*, 171, 177). After the war, if British merchant-lenders lost property in Virginia, they could claim lost colonial assets with the British government’s American Loyalist Claims Commission (which paid out roughly a third of claim values), pursue debtors in court, and, after 1795, seek compensation from the U.S. government via article six of Jay’s Treaty. They could also, after 1789, sue in federal court (Devine, *Tobacco Lords*,

157–89).

46. Devine, ed., *Scottish Firm*, 175.

47. Ibid., 167, 178, 181; Robinson to Cuninghame, 8 Jan. 1775, *ibid.*, 170. Planters saw pre-March 1775 tobacco sales as a way to fund new purchases as well settle old debts.

48. Devine, ed., *Scottish Firm*, 165, 181, 201; Soltow, *Economic Role*, 117; John J. McCusker, *How Much Is That in Real Money? A Historical Commodity Price Index for Use as a Deflator of Money Values in the Economy of the United States* (Worcester, Mass., 2001), 70. The high price of tobacco in Virginia and the “lowness of Exchange” discouraged some. William Reynolds worried that sterling sales of tobacco in Britain would convert poorly back to Virginia currency (William Reynolds to Farrel & Jones, 10 July 1775, Reynolds Letterbook).

49. Most tobacco sent to Britain was reexported to Europe, making the Amsterdam exchange particularly important. For Dutch prices here and below, see N. W. Posthumus, *Nederlandsche Prijsgeschiedenis* (Leiden, Neth., 1943); Rutgers University, *Medieval and Early Modern Data Bank*, http://www2.scc.rutgers.edu/memdb/search_form_postpr.php (accessed 18 Apr. 2022). Prices would remain high throughout the war, fluctuating from 0.46 to 0.76 guilders per Amsterdam pound between 1778 and 1782, before collapsing to 0.33 in 1783 and back to the mid-to-low 0.20s thereafter. The Amsterdam pound weighed 494 grams, compared to the 453-gram English pound.

50. “Virginia Tabaksbladen” in Posthumus, *Nederlandsche Prijsgeschiedenis*.

51. Duncan Campbell to Charles Grimes, 15 July 1774, and Duncan Campbell to John Tayloe, 15 July 1774, Campbell Letterbooks, 285–86; William Reynolds to George F. Norton, 3 June and 9 Oct. 1774, Reynolds Letterbook; Jones to Mr. Molle, ? July 1774, Roger Jones Family Papers, LOC.

52. Thomas Jett to Samuel Gist, 6 May 1774, Jerdone Papers, series 6, box 16; Duncan Campbell to John Tayloe, 15 July 1774, Campbell Letterbooks, 285; Thomas Jett to Samuel Gist, 28 Aug. 1774, and Thomas Jett to Robert Maxwell, 28 Aug. 1774, Jerdone Papers, series 6, box 16.

53. Henry Fleming to Samuel Martin, 1 Oct. 1774, PHF; William Carr to James Russell, 10 Dec. 1774, Russell Papers; Henry Fleming to Fisher & Bragg, 17 Nov. 1774, and 10 Mar. 1775, PHF; Victor S. Clark, *History of Manufactures in the United States, 1607–1860* (Washington, D.C., 1916), 598–99, citing Woolsey and Salmon, *Mercantile Letter Book, 1774–1784*, LOC. “Virginia” tobacco was the only North American commodity to be specifically identified by place of origin in Posthumus’s price study. The flour price fell from 16s 6d per hundredweight in October 1774 to 10s 6d in September 1775. Though mid-Atlantic and European flour prices moved together, at least roughly, throughout 1773 and the first half of 1774, North American prices began to diverge starkly from their European counterparts by 1775. For New York and Philadelphia prices, see Arthur Harrison Cole, *Wholesale Commodity Prices in the United States, 1700–1861: Statistical Supplement* (Cambridge, Mass., 1938), 66–71.

54. Henry Fleming to Fisher & Bragg, 17 Nov. 1774, PHF; William Lee to Anthony Stewart, 5 Jan. 1775, in Ford, ed., *Letters of William Lee*, 1:107–8; William Lee to John Ballendine & Co, 6 Mar. 1775, in Ford, ed., *Letters of William Lee*, 1:145–46; William Lee to Francis Lightfoot Lee, 25 Feb. 1775, in Ford, ed., *Letters of William Lee*, 1:125. This short-term loan issued in London to buy tobacco should be differentiated from the multiyear loans issued in Virginia to finance the sale of goods.

55. William Lee to John Ballendine & Co, 6 Mar. 1775, in Ford, ed., *Letters of William Lee*,

1:145–46; Jacob M. Price, *France and the Chesapeake: A History of the French Tobacco Monopoly, 1674–1791, and of Its Relationship to the British and American Tobacco Trades* (Ann Arbor, Mich., 1973), 485–90, 494–95, 719–20; Duncan Campbell to Burgess Ball, 10 Apr. 1775, Campbell Letterbooks, 371–72; Duncan Campbell to John Tayloe, 10 Apr. 1775, Campbell Letterbooks, 377–78.

56. Harry Piper to Dixon and Littledale, 7 Apr. 1775, Piper Letterbook, 327.

57. John Likly to James Robinson, 23 May 1775, Cuninghame & Co Papers; Harry Piper to Dixon and Littledale, 10 May 1775, Piper Letterbook, 331; Thomas Adams to Robert Withers, 6 Apr. 1775, Thomas Adams Papers; Moses Robertson to John Norton & Sons, 12 Jun. 1775, in Mason, ed., *Norton and Sons*, 380–81, 386–87; John J. Reardon, *Peyton Randolph, 1721–1775: One Who Presided* (Durham, N.C., 1982), 62; Kennedy, ed., *Journals of the House of Burgesses*, 171; John Likly to James Robinson, 23 May 1775, Cuninghame & Co Papers. Parliament banned Virginia exports effective January 1776. The earlier Trade Act, effective 20 July 1775, limited Virginia's trade to Ireland, Great Britain, and the British West Indies.

58. Jonathan Hart to John Norton and Son, 16 Aug. 1775, in Mason, ed., *Norton and Sons*, 384–85; Archibald Richie to John Norton and Son, 16 Aug. 1775, in *ibid.*, 385–86; William Lee to John Andrew Meyer, 1 Sept. 1775, and William Lee to William Hicks, 9 Sept. 1775, William Lee Letterbooks, 1769–1795, MSS 882, UVA; William Lee Letterbooks, *passim*; Edmund Jennings Lee, *Lees of Virginia, 1642–1892: Biographical and Genealogical Sketches of the Descendants of Colonel Richard Lee*, 237–38; Ford, ed., *Letters of William Lee*, 1:204.

59. Harry Piper to Dixon and Littledale, 10 May 1775, Piper Letterbook, 332; William Reynolds to John Norton and Sons, 16 May 1775, Reynolds Letterbook; Mason, ed., *Norton and Sons*, 380–82; Harry Piper to Dixon and Littledale, 6 Jun 1775, Piper Letterbook, 334–35; Gustavus Brown Wallace to Michael Wallace, 15 May 1775, Papers of the Wallace Family; Devine, ed., *Scottish Firm*, 195, 201–2.

60. William Reynolds to George F. Norton, 18 Aug. 1774, Reynolds Letterbooks; Duncan Campbell to Richard Nicholas Colden, 4 Aug. 1774, Campbell Letterbooks, 291–92; William Clayton to John Norton, 2 Jun. 1775, Norton and Sons Papers, folder 102.

61. Holton, *Forced Founder*, 127; Jacob M. Price, *Capital and Credit in British Overseas Trade: The View from the Chesapeake, 1770–1776* (Cambridge, Mass., 1980), 162; Port of Entry Book, SE 71-1 pdf, 220, 228–29, 304, 314–15, Maryland State Archives; Devine, *Tobacco Lords*, 108.

62. John Brown to William Brown, 21 Nov. 1775, in *Virginia Gazette* (Purdie), 29 Dec. 1775; Robert Shedden to J. Shedden, 20 Nov. 1775, in *Virginia Gazette* (Purdie), 22 Dec. 1775; *Virginia Gazette* (Purdie), 29 Dec. 1775.

63. Evans, “Planter Indebtedness,” 532; Mason, ed., *Norton and Sons*, 381–82; Robert Donald to Patrick Hunter, 18 Apr. 1775, in Mays, *Edmund Pendleton*, 2:354n; “The Association of the Virginia Convention; August 1–6, 1774,” *Avalon Project*, https://avalon.law.yale.edu/18th_century/assoc_of_va_conv_1774.asp (accessed 18 Apr. 2022); James Robinson to William Cuninghame & Co., 31 Mar. 1775, in Devine, ed., *Scottish Firm*, 177; Harry Piper to Dixon and Littledale, 6 Jun. 1775, Piper Letterbook, 334–35; William Wilkinson to John Norton, 10 Jun. 1775, Norton and Sons Papers, folder 102. The Continental Association had no such provision.

64. Mason, ed., *Norton and Sons*, 381–82; Price, *France and the Chesapeake*, 681, 717; Marion M. A. Huibrechts, “Swampin’ Guns and Stabbing Irons: The Austrian Netherlands, Liege Arms and the American Revolution (1770–1783)” (Ph.D. diss., Katholieke Universiteit Leuven, Belgium,

2009), 232–33, 235; Elizabeth Miles Nuxoll, *Congress and the Munitions Merchants. The Secret Committee of Trade during the American Revolution, 1775–1777* (New York, 1985), 135; Price, *France and the Chesapeake*, 705–7, 714–15; Ford, ed., *Letters of William Lee*, 1:216–19; Devine, *Tobacco Lords*, 111. By contrast, Lee worried there was no old tobacco left to ship out (William Lee to John Ballendine & Co, 6 Mar. 1775, in Ford, ed., *Letters of William Lee*, 1:145–46). Congress's Secret Committee contracted in early 1777 to sell 5,000 hogsheads of tobacco to the French farmers-general with partial payment in advance. It struggled to fill the contract. It was hard to provide tobacco at a previously agreed price when rising prices for tobacco, insurance, and shipping allowed others to bid more for supplies. The Chesapeake also suffered from a shortage of shipping, because many of the vessels that had previously loaded tobacco had been British-owned. On the war years generally, see Price, *France and the Chesapeake*, 681–727. Price indicates some exports to Britain may have continued as collusive prizes.

65. *Virginia Gazette* (Purdie & Dixon), 10 Nov. 1774; “Association of the Virginia Convention”; “Proceedings of the Convention,” 1, 5. The Virginia Committee of Correspondence (set up by the House of Burgesses) termed the August convention as a “Meeting” of the “Delegates from the different Counties in this Colony, composed of the Representatives of the People” (Kennedy, *Journals of the House of Burgesses of Virginia*, 140).

66. Kennedy, *Journals of the House of Burgesses of Virginia*, 190–91; Smith, *Benjamin Harrison*, 32; McDonnell, *Politics of War*, 44n40. The use of “delegate” in 1776, as in “House of Delegates,” may have derived from the term’s protean usage in 1774, although neighboring Maryland had a House of Delegates in the colonial era. “Convention,” *OED* (definition 5a). “Congress” was also a contested term.

67. James Parker to Charles Steuart, 27 Nov. 1774, Steuart Papers, f287 (emphasis added); *RevVa*, 2:163–64. The August convention allowed the moderator to reconvene the “several delegates of this colony at such time and place as he may judge proper” (“Association of the Virginia Convention”).

68. Daetweiler, *Richard Bland*, 51; “Proceedings of the Convention,” 6; Richard Henry Lee to Samuel Adams, 4 Feb. 1775, in Ballagh, ed., *Letters of Richard Henry Lee*, 1:127. The only document emanating from the August convention was its announcement of the Virginia Association in *Virginia Gazette* (Purdie & Dixon), 11 Aug. 1774. When Hezekiah Niles republished the Virginia Association in 1822, he did not mention a “convention,” either (Hezekiah Niles, *Principles and Acts of the Revolution in America* . . . [n.p., 1822], 198). Dunaway added the term, “convention” (see note 71).

69. *RevVa*, 1:97–102.

70. Michael A. McDonnell, “Popular Mobilization and Political Culture in Revolutionary Virginia: The Failure of the Minutemen and the Revolution from Below,” *Journal of American History* 85 (1998): 946–81.

71. W. F. Dunaway, Jr., “The Virginia Conventions of the Revolution,” *Virginia Law Register* 10 (1904): 567–86 (quotation on 570); “Williamsburg—The Old Colonial Capital,” *WMQ* 16, ser. 1 (1907): 41, 43; “Proceedings of the Convention.” For use of the standard convention framework, see McDonnell, *Politics of War*, 44n40.

72. Fincastle County Committee, 20 Jan. 1775, *Virginia Gazette* (Purdie), 10 Feb. 1775, in *Revolutionary Virginia*, 2:254–56; “The Freeholders of Botetourt,” *Virginia Gazette* (Dixon & Hunter), 11 Mar. 1775; Thad Tate, “The Fincastle Resolutions: Southwest Virginia’s

Commitment,” *Journal of the Roanoke Valley Historical Society* 9, no. 2 (1975): 25. William Christian, Fincastle delegate to the March 1775 convention, and militia commander at Point Pleasant, had married Henry’s sister and may have communicated with him.

73. Tate, “Fincastle Resolutions,” 24; Thwaites and Kellogg, eds., *Documentary History of Dunmore’s War*, 430; Albert H. Tillson, Jr., *Gentry and Common Folk: Political Culture on a Virginia Frontier, 1740–1789* (Lexington, Ky., 1991), 79; Thomas Speed, *The Political Club, Danville, Kentucky, 1786–1790* (Louisville, 1894), 57; Jim Glanville, “The Fincastle Resolutions” *Smithfield Review* 14 (2010): 69–119; James Parker to Charles Steuart, 6 Apr. 1775, in Steuart Papers as reprinted in “Letters from Virginia 1774–1781,” *The Magazine of History with Notes and Queries* 3 (Jan.–June 1906): 158; Smith, *Benjamin Harrison*, 29; *RevVa*, 1:220–21; *At a Convention of Delegates for the Counties and Corporations in the Colony of Virginia at the Town of Richmond*, 1–5. Augusta’s Samuel McDowell was one such absentee. Of the frontier delegates to the March 1775 convention, only James Mercer is known to have attended the August 1774 convention.

74. Evans, “Planter Indebtedness,” 532; Ammerman, *Common Cause*; Robert Parkinson, *In the Common Cause: Creating Race and Nation in the American Revolution* (Chapel Hill, N.C., 2016).