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LOUISA COUNTY AND THE VIRGINIA CONVENTION OF 1788

by Ransom B. True
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Just before the framers of the U. S. Constitution finished their work they passed the following:

Resolved,

That the . . . Constitution be laid before the United States in Congress assembled, and that it is the Opinion of this Convention that it should afterwards be submitted to a Convention of Delegates, chosen in each State by the People thereof, under the Recommendation of its Legislature, for their Assent and Ratification . . .¹

The United States in Congress assembled, better known as the Confederation Congress, quickly followed the Convention's advice and sent official copies of the Constitution to the governors of the thirteen states. In Richmond, Governor Randolph received the official copy and forwarded it to the General Assembly during the first week in October, 1787. In a letter to the Speaker of the House of Delegates, Randolph noted that he did not approve of the Constitution and gave his reasons for his disapproval.² Despite the Governor's disapproval, the Assembly unanimously voted to call a Convention to meet in Richmond the first Monday of June, 1788, by passing the enabling legislation on October 25, 1787.³ This legislation provided for a convention of 168 delegates (two from each county and one each from the cities of Richmond and Norfolk). The normal property qualifications for delegates were removed because the Assemblymen felt that "any citizen being a freeholder of this Commonwealth ought to be eligible to a seat in the Convention . . ." Elections were scheduled for March and April, 1788. Any free white male owning fifty or more acres in a county or twenty-five or more acres in a town was eligible to vote for delegates.⁴

¹Max Farrand (ed.), *The Records of the Federal Convention of 1787*, (New Haven: Yale University Press, 1937), Revised Edition, II, 665.

²*Ibid.*, III, 123-127.

³Virginia General Assembly, House of Delegates, *Journal of the House of Delegates, 1785-1790*, (Richmond: Thomas W. Welch, 1828), 15.

⁴William W. Hening (ed.), *The Statutes at Large: Being a Collection of All the Laws of Virginia from . . . 1619*, (Richmond: R & W. G. Bartow, 1809-1828), XII, 462-463. Virginia General Assembly. House of Delegates, *op. cit.*, 15

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Our Assembly was sitting at the time of [the Constitution's] appearance and [Patrick] Henry was among the first opposers. His influence has occasioned many of the assemblymen to declare against it; they have carried his objections and prejudices with them to their counties where they have spread them . . . generally. . .⁵

wrote Richard Morris, later one of the candidates for delegate to the Convention from Louisa County. Patrick Henry's quick opposition to the Constitution, together with Washington's known support of it, quickly polarized feelings in Virginia. This served to increase interest in the Constitution's fate among politically conscious men everywhere. One of these men was Garritt Minor, a wealthy planter from Louisa. He asked his brother-in-law, Richard Terrell, who was returning to Kentucky, to report on opinion elsewhere in Virginia. On December 6, 1787, Terrell wrote Minor and reported that:

The people on this side of the [Blue] Ridge are divided upon the Constitution, but I think a majority are inclined to adopt it. The Presbyterian ministers are very active for and against it, insomuch as they harrangue publicly upon it, in my opinion beyond the limits of their office.⁶

Of course most people were more concerned with their daily lives than with the Constitution and letters to and from Louisa County persons in the years 1787 and 1788 reflected this fact. Most letters dealt with the weather—it was the coldest and snowiest winter in years—farming, buying merchandise and selling crops, sickness and health and the myriad of family and business affairs. Some letters dealt with court matters, probating wills, settling estates, buying and selling land and especially instigating and following suits in the Louisa County Court which handled nearly 675 suits for debt in the year 1787 alone.⁷

Despite the dominance of daily routine in the lives of most people of Louisa County, the Constitution aroused considerable interest, more than any other political event in the 1780's. People began to take sides, and sentiment in the county appeared to be nearly evenly divided between those favoring ratification and those opposed to it.

⁵Richard Morris, *Rough Copy of a Letter to James Maury*, February 11, 1788, in Morris Papers, University of Virginia Library.

⁶*Richard Terrell to Garritt Minor*, December 6, 1787, in Watson Papers in University of Virginia Library.

⁷See letters in the Morris Papers and Watson Papers in the University of Virginia Library and in the Overton Papers in the William and Mary College Library. Louisa County, *Court Records 1785-1788*, 189-338.

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Richard Morris wrote, "There are great divisions on this subject among our wisest people and of course among the subordinate ranks. The good and honest people are very generally in favor of it, but we have so many rascals that I am fearful it may be rejected."⁸ To forestall this possibility, Morris offered himself as a candidate for one of the delegates to the Convention from Louisa County. Other men who favored the ratification of the Constitution agreed to support him. Together with Major William Overton Callis, he ran as a Federalist, a candidate pledged to vote for ratification of the Constitution. Opposed to them were Colonel Nelson Anderson, a relative newcomer to Louisa County and Colonel William White who had been one of the Assemblymen from Louisa for most of the 1780's. Anderson and White, of course, were opposed to the ratification of the Constitution and were known as Anti-Federalists.

Richard Morris

The first candidate, a Federalist favoring ratification of the Constitution, was Richard Morris. He was born in Hanover County around 1736, the youngest son of Sylvanus Morris and the grandson of William Morris of Hanover County. Both his father and grandfather had streaks of strong independence and both were wealthy in their own right. Consequently when both died in 1746, Richard and his older brother William inherited sizeable estates.⁹

Richard was brought up in Hanover County and may have fought as a young officer in the French and Indian War under George Washington.¹⁰ In 1769 he first appeared actively in Hanover County as deputy sheriff, parish treasurer and moneylender.¹¹ At the time of the Revolution he had a large estate in Hanover County (he ultimately sold an 881-acre plantation there).¹² In Louisa County he

⁸ Richard Morris, *op. cit.*

⁹ John B. Dabney, *The Morris Family*, typescript in the Morris Papers, written about 1850.

¹⁰ A. C. Quisenberry, "Virginia Towns in the French and Indian Wars" in *Virginia Magazine of History and Biography*, I, 278. George Washington, "A List of Officers Entitled to Land Under the Proclamation of Governor Dinwiddie. . ." in *Virginia Magazine of History and Biography*, V, 561.

¹¹ Richard Morris, *Miscellaneous Receipts February-June, 1769; Sundry Receipts as Deputy Sheriff in 1769, 1770; Miscellaneous Receipts, 1769, 1770* all in Morris Papers.

¹² Richard Morris, *Receipts, 1774; Court for Hanover County May 2, 1774; John Boswell, John Boswell's Order to Pay for Runaway May 7, 1773* all in Morris Papers.

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had the makings of a large plantation at Green Springs where he had a two-story house thirty-six by thirty-four feet with a cellar under all of it, a kitchen and laundry each twenty by sixteen feet, a dairy and smokehouse fourteen feet square each, a barn and stable sixty by thirty-six with two floors as well as an office house, a henhouse and a quaker oven.¹³ Somewhat before this he married Mary Overton, the daughter of William and Jemima Harris Overton, who bore him eleven children.¹⁴

When the Revolutionary War broke out, Morris was named to the Hanover Committee of Safety.¹⁵ Shortly thereafter he became Assistant Paymaster for the first, second, seventh and eighth Virginia Regiments at Williamsburg.¹⁶ At one point he paid the Hanover Volunteers £250 out of his own pocket when the colony refused to pay them.¹⁷ In 1777 he was Assistant Commissary for the Virginia troops.¹⁸ From 1778 to 1780 he was Commissary for the Commonwealth of Virginia responsible for procuring pork, beef and flour for the Virginia regiments in the Continental Army.¹⁹ He resigned in 1780 and in December moved to Green Springs in Louisa County.²⁰ After an urgent call by Governor Thomas Nelson, he returned to his post as Commissary during the siege at Yorktown.²¹

After the Revolutionary War, Morris returned to Louisa to take up

¹³ Richard Morris, *Plat of Green Springs Land, May 5, 1774* in Morris Papers.

¹⁴ Malcolm H. Harris, *History of Louisa County*, (Richmond: The Dietz Press, 1936), 393. John B. Dabney, *op. cit.*

¹⁵ Charles Washington Coleman, "The County Committees of 1774-5 in Virginia" in *The William and Mary Quarterly*, First Series, V, 103. Eugenia G. Glazebrook and Preston G. Glazebrook, *Virginia Migrations Hanover County 1753-1850*, (Richmond: Virginia State Library, 1943), I, iii.

¹⁶ Richard Morris, *Receipts, July 5, 1776* in Morris Papers.

¹⁷ Richard Morris, *Receipts, January, 1776* in Morris Papers.

¹⁸ *Richard Morris to Reuben Lindsey*, May 27, 1778 and June 17, 1778 in Dabney Papers in Virginia Historical Society.

¹⁹ Richard Morris, *Receipts, 1778; Receipts, 1780; Richard Morris From Joseph Morton*, July 8, 1778 all in Patton Family Papers in Virginia Historical Society. Thomas Jefferson, Governor of Virginia, *Commissary Provision Law* in Dabney Papers.

²⁰ Richard Morris, *Deed From Richard Morris to John Morton*, January 20, 1781 in Morris Papers. This deed refers to him as "late of Hanover County."

²¹ "Governor Nelson to Col. Richard Morris, September 26, 1781" in H. R. Mellwaine (ed.), *Official Letters of the Governors of Virginia*, (Richmond: Virginia State Library, 1926-1929), III, 70.

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planting in earnest. He added to his lands at Green Springs, bought numerous slaves, rented another plantation and loaned out money at interest.²² Times being what they were, he was frequently a plaintiff in debt suits in the Louisa County Court.²³ In 1787 he started acting as a factor for his lifelong friend James Maury of Liverpool, England.²⁴ Morris had supported Maury in college at William and Mary before the Revolution and continued to befriend him even when Maury became a Loyalist during the War.²⁵

In 1788 when Morris ran for election as delegate to the Convention he was one of the wealthiest men in the County. In that year he paid taxes on 1,789 acres of land assessed at £1,339, twenty-eight slaves (out of the fifty that he owned), nineteen horses and sixty cattle.²⁶ His landholdings made him the twentieth largest landowner and the eighth wealthiest in the county. He was also the seventh largest slaveowner. In addition he held an 881-acre plantation in Hanover County assessed at £323 as well as the plantation he rented.²⁷ In addition he owned two of the fifty stills in the county with a capacity of fifteen and seventy-seven gallons respectively.²⁸

Morris is recorded as a harsh and cynical man, with good common sense, intolerant of the weaknesses and eccentricities of others and tenacious to the point of stubbornness.²⁹ He was eminently successful financially and was one of the first persons in Louisa to turn from tobacco to wheat farming, shipping some 320 bushels to Fredericksburg in 1794.³⁰ About ~~1880~~ *1800* he left Louisa County for

²² *Louisa County Deed Book F*, 187. Richard Morris, *Receipts 1784-1785*; James Overton, *Note of James Overton to Richard Morris*, 1784; Richard Morris, *Agreement between John Weston and Richard Morris*, 1784 all in Morris papers.

²³ *Louisa County, Court Records, 1785-1787, passim.*

²⁴ Richard Morris, *Rough Copy of a Letter to James Maury*, February 11, 1788 in Morris Papers.

²⁵ Richard Morris, *Receipts, 1774*; *Rough Copy of a Letter to James Maury*, February 11, 1788 both in Morris Papers.

²⁶ *Louisa County Land Tax Book*, 1788. *Louisa County Property Tax Book*, 1787, 1788.

²⁷ *Hanover County Land Tax Book*, 1788.

²⁸ Samuel Overton, *List of Stills* in Overton Papers in William and Mary College Library.

²⁹ John B. Dabney, *op. cit.*, 15.

³⁰ Richard Morris, *Receipts, 1794* in Morris Papers.

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Louisville, Kentucky, where he lived most of the rest of his life.³¹ He came back to Louisa in the spring and summer of 1821 then returned to Louisville where he died August 20, 1821, a very wealthy man.³²

Nelson Anderson

The second candidate was Colonel Nelson Anderson who ran as an Anti-Federalist pledged to vote against ratification of the Constitution. Probably born in Hanover County about 1735, he was the grandson of John and Sarah (Waddy) Anderson of Hanover County. He was known as Nelson Anderson, Jr. until 1786 when Major Nelson Anderson died. Possibly Major Anderson was Nelson's father, but probably he was his uncle.³³ He was definitely related to the large Louisa County Anderson family, most of whom were probably his first or second cousins. He became related to more Louisa County people when he married Frances, the daughter of Thomas and Ann (Mills) Jackson, who lived on Cub Creek. She bore him at least five children who lived to maturity.³⁴

Anderson grew up in Hanover County and owned land there from the 1760's on.³⁵ In 1774 he signed a petition to have commissioners appointed to survey land in the Chickahominy Swamp.³⁶ Seventeen years later he sold this land, nearly 450 acres, to his son Alexander Anderson. At the same time he sold some lots in Hanover town to William Anderson, Aiskew Berkett and William Fowke who were merchants and partners in London.³⁷

Anderson was a member of the Hanover Committee of Safety in 1775 and served as a Captain in the Hanover Militia in the

³¹Harris, *op. cit.*, 393B.

³²Richard Morris, *Will in Watson Papers. D. C. Turill to Dr. James Morris*, August 20, 1821 in Morris Papers. *Louisa County Will Book 6*, 270-273.

³³William Pope Anderson, *Anderson-Overton, A Continuation of Anderson Family Records . . .*, (Cincinnati: Charitable Relief Association, 1945), 82.

³⁴William Pope Anderson, *The Early Descendants of William Overton and Elizabeth Waters of Virginia and Allied Families*, (N.P.: By the Author, 1938), 42-46. *Bedford County Will Book 5*, 213-216. *Louisa County Will Book 3*, 611.

³⁵Anderson, *op. cit.* 13-21.

³⁶"Virginia Legislative Papers" in *Virginia Magazine of History and Biography*, XIII, 37.

³⁷S. O. Southall, "Records of Hanover County," in *William and Mary Quarterly*, First Series, XXI, 43, 45.

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Revolution.³⁸ In 1778 he purchased 410 acres on Long Creek in Louisa County for £400.³⁹ He continued to live in Hanover County for a few more years, representing it in the Assembly during the 1781-1782 session.⁴⁰ After the War, he took a trip to Kentucky where he surveyed some land in Lincoln County.⁴¹ He decided not to stay but did decide to move from Hanover to Louisa in 1784 where he purchased 550 acres of undeveloped land.⁴²

In Louisa records Anderson is seldom mentioned other than as a plaintiff or witness in a few law suits. However he must have been prominent as he was one of eight men who were "Recommended to His Excellency the Governor and Council as proper persons to act as Magistrates in this County" in September, 1787.⁴³

In 1788 when he ran for delegate he was taxed upon 296 acres of land assessed for seventy-one pounds.⁴⁴ This made him the 307th largest and the 239th wealthiest landowner out of 797 in the county that year. He also had fifteen slaves, six horses (two of which he had just purchased) and twenty-two cattle.⁴⁵ His slaves made him about the seventieth largest slaveowner in the county out of about 350. In addition to this property in Louisa, he owned 210 acres in Hanover County assessed at £191 and about 450 acres in New Kent County.⁴⁶

After the election Anderson continued to be active in politics and ran for Assemblyman in 1794 but lost to Charles Yancey and George Johnson.⁴⁷ In 1798 he moved to Bedford County where he died in 1820, a modestly wealthy planter.⁴⁸

³⁸ Charles Washington Coleman, *loc. cit.*, 104. John Hastings Gwathmey, *Historical Register of Virginians in the Revolution; Soldiers, Sailors, Marines, 1775-1783*, (Richmond: The Dietz Press, 1938), 25.

³⁹ *Louisa County Deed Book E.*, 314.

⁴⁰ R. S. Thomas, "Public Officers, 1781" in *Virginia Magazine of History and Biography*, V, 217.

⁴¹ *Louisa County Deed Book I*, 395.

⁴² *Louisa County Deed Book H*, 369.

⁴³ *Louisa County Minute Book 1784-1787*, 90.

⁴⁴ *Louisa County Land Tax Book*, 1788.

⁴⁵ *Louisa County Property Tax Book*, 1787, 1788.

⁴⁶ *Hanover County Land Tax Book*, 1788. *New Kent County Land Tax Book*, 1788.

⁴⁷ *Louisa County Election Poll, 1794*.

⁴⁸ *Bedford County Will Book 5*, 213-216, 223-224.

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William White

The third candidate, also an Anti-Federalist and opposed to ratification of the Constitution, was Colonel William White. Unfortunately there were at least five different men named William White in Louisa County during the 1780's. Consequently it is difficult to separate one from the other with certainty.⁴⁹

Colonel William White, who was definitely the candidate, may have come from Hanover County. He must have patented or inherited his land, as no deeds are recorded in which he purchased the land where he lived. He was undoubtedly in Louisa prior to 1770 since he was one of three securities for the bonds of Nathaniel Pope who had just been appointed Sheriff. Apparently he was worth a considerable amount as the bonds were for £1,000, £500, £1,000 respectively.⁵⁰ The following year he was appointed a Justice of the Peace by Governor Dunmore.⁵¹ During this time he was still connected with Hanover County, since he was executor for John Williamson and sold Louisa land in that capacity in 1772.⁵²

When the Revolutionary War broke out, White was appointed to the Committee of Safety in May, 1775, and reappointed the following December.⁵³ When independence was declared in 1776 he was quickly reappointed one of the Justices of the Peace, then known as Commonwealth Justices. The following year he was ordered by the County Court to issue part of the county's ration of

⁴⁹These are the five William Whites. (1) Colonel William White is the subject of this sketch. (2) William White, Sr. purchased land in 1744 when he was already a resident of Louisa. He purchased more land in 1761 and died in 1787. His will is signed with an "X" and mentions his son William White, Jr. and his wife Susannah among others. (3) William White, Jr., son of William White, Sr., married Catherine Chapman (known as Cate or Catey), and was a land speculator in Louisa property. He also served as Deputy Sheriff in 1781-1782. (4) William White married Ann and may have been the son of William White, Jr. (5) William White who married Mary may have been the son of John White, and grandson of William White, Sr., or possibly of Colonel William White. Besides these five, a William White from Louisa County was killed in the battle of Brandywine Creek in 1778.

⁵⁰*Louisa County Deed Book D½*, 275,276.

⁵¹Harris, *op cit.*, 19.

⁵²*Louisa County Deed Book D½*, 344.

⁵³Coleman, *loc. cit.*, 106.

⁵⁴Harris, *op. cit.*, 21.

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salt.⁵⁵ On June 8, 1778, after producing a Commission signed by Governor Patrick Henry, he was sworn in as the highest ranking officer of the Louisa Militia, the County Lieutenant.⁵⁶ Although the militia was on active duty throughout much of the Revolution and although White probably had at least two to three hundred men under him, his position was not unduly demanding.⁵⁷ Despite this, White was not a particularly good military leader. He was severely reprimanded for an incident in 1783 by Governor Harrison who wrote to him:

I can not help reminding you on this Occasion of your unofficer like behavior in not securing Mr. McCauley [a British subject] and sending him to this place agreeable to my Proclamation without waiting for other Orders [Be] assured I will never more overlook a like neglect of duty.⁵⁸

Unfortunately for White, he also lost the accounts of the funds entrusted to his care. In a petition he states "the vouchers were destroyed by being hid in the woods when the enemy was in Louisa during the rain and . . . the petitioner was attending the Assembly then meeting in Staunton."⁵⁹

White had the most experience in the Assembly of all the candidates. He was first elected in 1781 and served in all the sessions through 1787 except for one session in 1782 and the 1783/1784 session.⁶⁰ As a member of the Assembly he tended to vote with the Southside Bloc and supported Patrick Henry. He voted against the amendment to give the Confederation Congress greater powers in 1784 and for the postponement of taxes in 1785. He voted to sell the glebe lands of the Established Church for the public treasury, but only when there was no resident minister. He abstained apparently from all votes pertaining to the enforcement of the Peace Treaty of

⁵⁵ *Louisa County Order Book 1774-1782*, 46.

⁵⁶ Garritt Minor, *List of Militia Officers Qualified Since the Revolution in Louisa County* [1784] in Watson Papers.

⁵⁷ *Garritt Minor to William White*, January 30, 1779; *William White to Garritt Minor*, February 21, 1779, both in Watson Papers. See also other documents pertaining to the Louisa Militia kept by Captain Garritt Minor in Watson Papers.

⁵⁸ "Governor Benjamin Harrison to the Commanding Officer of Louisa County - In Council January 14, 1783," in McIlwaine (ed.), *op cit.*, III, 431.

⁵⁹ Harris, *op. cit.*, 68.

⁶⁰ Earl G. Swem and John W. Williams, *A Register of the General Assembly of Virginia 1776-1918 and of the Constitutional Conventions*. (Richmond: Virginia Superintendent of Public Printing, 1918), 445.

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1783 with Great Britain.⁶¹ While a delegate White seems to have been in and around Richmond frequently but not always at the sessions.⁶² He was conscious of his constituents as he wrote to Garritt Minor concerning an issue of the day, "[It] does not agree with my opinion all things considered, but [I] would be glad to have the sense of my constituents which is the rule of my conduct as far as I can know it."⁶³ A few other letters from White to Minor which have survived give an indication that White sensed that he and Minor did not agree politically. Consequently he wrote to Minor to keep his political fences mended.

Throughout the 1780's White was active in Louisa County, sitting frequently on the Louisa County Court and on the Courts of Oyer and Terminer to try offenses involving slaves. He was guardian to an orphan's estate, executive of another, plaintiff in a debt suit and commissioner "to take a list of property in the third hundred" of the county.⁶⁴ Unfortunately White also had experience in debt suits from the defendant's side. In 1788 he was sued for seven pounds tenpence in specie (gold or silver coin) by David Ross the famous Richmond merchant. White's debt had been outstanding since January, 1786.⁶⁵

On July 18, 1787, White married Mrs. Elizabeth White of Hanover County and apparently began to spend more time there than in Louisa.⁶⁶ Whether he actually purchased the 283-acre plantation for which he was taxed in 1787, or whether he merely assumed his wife's property is not known. However, he was apparently living there by the winter of 1787-1788.⁶⁷

In 1788 when White was a candidate for delegate he still had his Louisa plantation at the junction of Deep Creek and the South Anna River. It was 274 acres and was assessed for £228.⁶⁸ This made him

⁶¹Jackson Turner Main, "Sections and Politics in Virginia 1781-1787" in *William and Mary Quarterly*, Third Series, XII, 96-112. Virginia General Assembly. House of Delegates, *op. cit.*, 41, 46, 52, 71.

⁶²Main, *loc. cit.*, 96-112.

⁶³*William White to Garritt Minor*, May 13, 1782 in Watson Papers.

⁶⁴*Louisa County Court Records*, 1785-1788, 1787-1791 *passim*.

⁶⁵*Louisa County Court Records*, 1787-1791, 33.

⁶⁶*Virginia Gazette*, July 19, 1787.

⁶⁷*Hanover County Land Tax Book*, 1787. *Louisa County Court Records*, 1785-1788, 232.

⁶⁸*Louisa County Land Tax Book*, 1788.

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the 321st largest and the eighty-third wealthiest landowner in the county. In 1787 he had ten slaves more than twelve years old, which made him about the county's one hundredth largest slaveowner. He also had five horses and twenty-four cattle.⁶⁹ In 1788, however, White was taxed only on his land so apparently he had moved his slaves, horses and cattle to his Hanover plantation by then.

After the Convention, White moved permanently to Hanover County where he died two years later in the summer of 1790. His executors, Elisha White, John White and his widow Elizabeth sold his plantation in Louisa in 1794 for £356.⁷⁰

William Overton Callis

Major William O. Callis, the fourth candidate, was a Federalist pledged to vote for the ratification of the Constitution. He was born in Louisa County in March, 1757, the son of William and Mary (Cosby) Callis.⁷¹ Virtually nothing is known about his father but his mother's family was respected and numerous in Louisa County. His maternal grandmother was Nancy Overton of the Louisa and Hanover County family.⁷²

Young William attended a classical school taught by Parson John Todd, a Presbyterian divine fresh from Princeton.⁷³ Whether Parson Todd instilled an awareness of the value of books in him, or whether he obtained it later is not known, but Callis' inventory at death contained about seventy-five books.⁷⁴ He read Shakespeare, Fielding, and other English writers as well as English history. His library thus showed a marked preference for English writers, something unusual in interior Virginia at the time.

Callis served as Quartermaster Sergeant of the Louisa Militia in 1776, then joined the Fourth Virginia Regiment Continental Line as an Ensign.⁷⁵ He arrived in New York in time to take part in the

⁶⁹*Louisa County Property Tax Book*, 1787, 1788.

⁷⁰*Louisa County Deed Book I*, 44.

⁷¹Harris, *op cit.*, 303A. Hugh Blair Grigsby, "The History of the Virginia Federal Convention of 1788, with an Account of the Eminent Virginians of that Era Who Were Members of the Body," in *Virginia Historical Society Collections*, New Series, X, 379.

⁷²Harris, *op. cit.*, 396.

⁷³Harris, *op. cit.*, 235.

⁷⁴*Louisa County Will Book 5*, 577-578.

⁷⁵Harris, *op. cit.*, 54. Gwathmey, *op. cit.*, 122.

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battle of Brooklyn Heights and was a part of Washington's Army through the retreat from New York and across New Jersey.⁷⁶ Promoted to Second Lieutenant on January 12, 1777, he was wounded in the battle of Monmouth in 1778 and forced to resign shortly thereafter.⁷⁷ To recover his health, he went to the West Indies in early 1779 where he remained through June, 1780.⁷⁸ He returned home, took command of the state militia in December, 1780, served as an aide to General Weeden in the Portsmouth area, and was present at the siege and capitulation of Yorktown.⁷⁹

After this Callis "return[ed] to an interior part of the country, out of the way of public communication . . . [and] the Resolutions of Congress. . ."⁸⁰ He married Elizabeth Martha Winston who was nine years his junior.⁸¹ She was the daughter of John and Alice (Bickerton) Winston of Hanover County.⁸²

Callis purchased a plantation, Cool Springs, of 660 acres from Thomas Poindexter near the present crossroads of Cuckoo in the eastern part of the county.⁸³ Here he settled down and lived the life of an ambitious Virginia planter. He knew both James Madison and Thomas Jefferson by 1784 although not particularly well.⁸⁴ He apparently was an admirer of George Washington and was a member of the Society of the Cincinnati.⁸⁵ During this time he paid his debts

⁷⁶ James Minor to Captain Garritt Minor, September 29, 1776 in Watson Papers.

⁷⁷ Gwathmey, *op. cit.*, 122.

⁷⁸ W. O. Callis to James Madison, October 29, 1791 in microfilm of the Madison Papers in University of Virginia Library. This letter contains a resume of Callis' military career which he was providing Madison to substantiate a claim for back pay.

⁷⁹ "Col. W. O. Callis to Brig. Gen. G. Weeden April 1, 1781" in H. W. Palmer (ed.), *Calendar of the State Papers and Other Manuscripts*, (Richmond: State of Virginia, 1881), II, 1.

⁸⁰ W. O. Callis to James Madison, October 29, 1791 in microfilm of Madison Papers.

⁸¹ Harris, *op. cit.*, 303A.

⁸² J. Hall Pleasants, "The Lovelace Family and Its Connections" in *Virginia Magazine of History and Biography*, XXIX, 370.

⁸³ *Louisa County Deed Book F*, 93-94, 493.

⁸⁴ W. O. Callis to James Madison, August 9, 1784 in microfilm of the Madison Papers. This letter contains a message from Jefferson to Madison about the education of Jefferson's nephews.

⁸⁵ "Virginia Society of the Cincinnati" in *Virginia Magazine of History and Biography*, VI, 23.

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on time and either was not a creditor or was a most judicious one since he was not in any suits in the Louisa County Court. As a matter of fact, other than witnessing a will, Callis was nearly anonymous to the records.⁸⁶

In 1788 when Callis ran for delegate to the Convention he owned 1,000 acres of land, assessed at £414.⁸⁷ This made him the fiftieth largest and fifty-seventh wealthiest landowner in the county, which put him in the top ten percent on both counts. He was not as large a slaveowner, his fifteen slaves ranking him seventieth in this respect and in the top fifteen percent of persons owning slaves. He also owned five horses and fifteen cattle.⁸⁸

In the spring of 1788, Callis' wife died leaving him with two infant children.⁸⁹ After the Convention Callis became one of Louisa County's regular representatives in the Assembly.⁹⁰ He was elected Presidential Elector from his district in 1792 and became an important representative of the Jeffersonian Party.⁹¹ He continued to buy land in Louisa County and soon opened his ordinary which became a well-known local tavern.⁹² He retired from state politics about 1800 and became very active in Louisa affairs, serving as Sheriff in 1805-1806 and on numerous commissions.⁹³ He married a second time in 1790. Ann Price, who was only fifteen at the time, became his wife. He died in 1814, a relatively young and wealthy man.⁹⁴

The Election of March 10, 1788

The election in Louisa was one of the first elections in the state

⁸⁶Mrs. J. E. Warren, "Tompkins Family" in *William and Mary Quarterly*, Second Series, X, 237.

⁸⁷*Louisa County Land Tax Book*, 1788.

⁸⁸*Louisa County Property Tax Book*, 1787, 1788.

⁸⁹Harris, *op. cit.*, 303A.

⁹⁰Swen and Williams, *op. cit.*, 385.

⁹¹*W. O. Callis to James Madison*, November 19, 1792 in microfilm of the Madison Papers.

⁹²*Louisa County General Index To Deeds, Grantee*, I, 70. *Louisa County General Index to Deeds, Grantor*, I, 70. *Louisa County Property Tax Book*, 1785. *Louisa County, Executions Returned in the Year*. . . .

⁹³*Louisa County Court Order Book, 1803-1806, passim*.

⁹⁴*Louisa County Will Book 5*, 489-490.

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and probably the closest. It was also the longest, since it was not concluded until the Convention itself finally voted on June 21, 1788, to seat William White instead of Richard Morris.⁹⁵

The election began in the usual manner when a clerk prepared the poll, which was several sheets of paper ruled into as many columns as there were candidates. At the top of each column the clerk would write the name of one of the candidates. When this was done the clerk would set the poll on a table or desk (outside on the courthouse lawn if the weather were pleasant, inside the courthouse if not), then sit or stand behind the table and await the Sheriff's announcement. When everything was ready, the Sheriff would declare the poll was open and the election commenced. Then the voter would approach the clerk and announce his choice or choices in full view of all the candidates, their supporters and the spectators. The clerk would record the vote(s) by writing the voter's name in the appropriate column or columns. When the Sheriff felt that all the voters had had sufficient opportunity to vote, he announced the poll was closed and the election was over.

Of course any person's right to vote was subject to challenge on the spot, usually on the grounds that he did not own sufficient land to qualify. Common practice in Louisa, as elsewhere, was to disregard these challenges and permit any householder known to reside in the county to vote. Most sustained challenges seem to have been made against adult sons who did not have legal title to land and who resided with their fathers.⁹⁶

The Louisa election was held on March 10, 1788, a good day weatherwise, neither rainy nor snowy.⁹⁷ It was also the opening of the March Court Sessions, the year's most important, although only four cases were heard that morning.⁹⁸ However, about four hundred voters came to town, doubtlessly bringing their families. Probably the socializing, conversation, business and good times were more

⁹⁵ Virginia Convention of 1788, *Journal of the Convention of Virginia Held in the City of Richmond on the First Monday in June in the Year of Our Lord One Thousand Seven Hundred and Eighty Eight* in Virginia State Library, 25.

⁹⁶ The best and most delightful account of eighteenth century election practice is Charles S. Sydnor, *Gentlemen Freeholders*, (Chapel Hill: University of North Carolina Press, 1952) from which the above account is summarized. *Louisa County Election Polls*.

⁹⁷ William Cabell, Sr., *Diary 1783-1795*, 131, in Virginia State Library.

⁹⁸ *Louisa County Court Records*, 1787-1791, 30-31.

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important to most people than the election itself. For the candidates however, the election was of paramount importance. Morris, Callis and White had all been in the election for Assemblymen the preceeding year. In that election James Dabney had polled 332 votes, White 289, Callis 266 and Morris thirty-seven. Interestingly enough, although Dabney, White and Callis had not voted for themselves, none of them had voted for Morris.⁹⁹

The election this year was a different story. It was extremely close. With 249 votes cast (about sixty percent) the vote stood Callis 125 votes, Anderson 124, White and Morris 122. Quickly the election changed again and Callis had 134, White 133, Anderson 132 and Morris 131. Then it almost evened up. Callis, White and Anderson were tied with 136 votes each with Morris only four votes behind.¹⁰⁰

It was constantly nip and tuck. Twenty votes later (ten voters), Callis had 142, White 141, Anderson 140 and Morris 137. From this point Callis began to increase his narrow lead, and Anderson and Morris fell slightly behind, although it was still very close. When nearly eighty percent of the votes had been cast Callis had a lead of three votes over White, five over Anderson and ten over Morris. The final results showed Callis winning followed by White with 199 votes, Morris with 195 and Anderson behind Morris.¹⁰¹

The election of Callis and White showed some interesting points about Louisa and the Constitution. The most notable was the seeming paradox of sending a known Federalist and a known Anti-Federalist to the Convention.¹⁰² However a brief analysis of the single surviving sheet from the poll brings to light some other points about Louisa.

The surviving poll sheet shows the 140 votes of seventy persons, or slightly less than twenty percent of the total. The sheet shows that these seventy persons distributed their votes according to the following table:

⁹⁹ *Louisa County Election Poll April 25, 1787.*

¹⁰⁰ *Louisa County Election Poll, March 10, 1788.*

¹⁰¹ *Louisa County Election Poll, March 10, 1788. Virginia Convention of 1788, op cit., 20, 24. The final figures for Callis and Anderson are not available.*

¹⁰² *Virginia Centennial or the Winchester Mercury, (Winchester, Virginia), April 2, 1778.*

TABLE I
Votes for Convention Delegates
Louisa County, 1788

Table I	Morris	Anderson	White
Anderson	0	xxx	xxx
White	1	31	xxx
Callis	29	3	6

Thus six persons voted for both Callis and White, thirty-one persons voted for White and Anderson, one person voted for White and Morris, etc.

The figures in the table suggest three conclusions. First, the great majority (85%) of the voters linked the positions on the ratification of the Constitution with the men running, and voted their own feelings on the issue. Second, the real sentiment of the voters was almost perfectly divided on the Constitution. Third, the small percentage of voters who voted for personalities and not issues actually decided the election.

An examination of the landholdings of the voters showed no significant difference between the Anderson-White votes and the Morris-Callis ones. However, some fourteen voters out of the seventy had no taxable landholdings either in 1787 or 1788. Of these, eleven voted for Callis, nine for Morris, five for White and three for Anderson. Two men were successfully challenged before their votes were allowed to stand, Richard Pollett who wanted to vote for Anderson and White, and James Matthews who wanted to vote for Morris and Callis. One man, William Bibb, either immediately changed his mind or else was recorded wrong as he was credited with two votes while a third one was crossed out.

When the election was over, Sheriff Thomas Johnson certified that William Overton Callis and William White were duly elected and qualified to sit in the Convention.¹⁰³ The four hundred or so voters who represented about fifty-five percent of the eligible voters, and about forty percent of the free white males above twenty-one, believed that the election was finished. In early May, however, Garritt Minor began to investigate the qualifications of several of White's voters.¹⁰⁴

When the Convention met, Morris presented a petition to be

¹⁰³ Thomas Johnson, *Election Certificate* in Virginia State Library.

¹⁰⁴ Virginia Convention of 1788, *op. cit.*, 20.

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seated on the grounds that some of the men who voted for White were not eligible to vote.¹⁰⁵ The Convention referred the petition to the Committee on Privileges and Elections which recommended that the election be investigated and that both parties be required to produce evidence in their favor within two weeks.¹⁰⁶

White must not have considered the election in doubt, at least at first, as he took no action.¹⁰⁷ The Committee accepted Morris' list of contested votes and issued a blank subpoena to Nelson Anderson, Waddy Thompson, Charles Yancey and Thomas Johnson, or any three of them, to be Commissioners to examine the persons objected to and to accept testimony concerning their right to vote. Captain William Smith appeared as White's agent and protested the legality of the subpoena, but the Commissioners felt that he did not give them satisfactory reasons for stopping the proceedings. Consequently, they took testimony on June 16, 1788, and sent a report back to the Committee on Privileges and Elections in Richmond.¹⁰⁸

The Committee reconvened upon receiving the Commissioners' report, reviewed the evidence, called upon persons to give evidence, and introduced the Land Roll. White was now concerned and requested use of the Land Roll to prove the disqualification of several of Morris' votes and to present *viva voce* testimony in his favor.¹⁰⁹ The Committee refused his request because the time limit for introducing new evidence had expired. Furthermore, Morris refused to waive the time limit and White's only alternative was to appeal to the Convention which he did. In light of the evidence, the Committee recommended on June 21 that Richard Morris be permitted to take his seat, and that White be expelled.¹¹⁰

The Convention did not concur with the Committee's recommendation and ordered that White be permitted to produce evidence in his favor. Two members were added to the Committee, both of whom were Anti-Federalists. Someone then made a motion "that the Committee of Privileges and Elections be discharged from further

¹⁰⁵ Virginia Convention of 1788, *op cit.*, 3.

¹⁰⁶ *Ibid.*, 2. Virginia Convention of 1788. Committee on Privileges and Elections, *Report*, June 7, 1788 in Virginia State Library.

¹⁰⁷ Virginia Convention of 1788, *op cit.*, 23.

¹⁰⁸ Commissioners Between Morris and White, *Report*, June 16, 1788 in Virginia State Library.

¹⁰⁹ Virginia Convention of 1788, *op cit.*, 23.

¹¹⁰ *Ibid.*, 24.

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proceedings on the petition of Richard Morris, and that the petitioner have leave to withdraw the same."¹¹¹ Thus White was finally confirmed to his seat.

With the final seating of White, the delegates from Louisa were fully established. Four days later, on June 25, 1788, they voted as expected, White voting against ratification and Callis for it. With the vote the debate ended over ratification, both in Virginia and in Louisa. The role of Louisa County in the Convention, then, was not to produce the giants like Madison, Henry and Washington, but to reflect fairly the real divisions among the people over this vital issue. It was an important role.

¹¹¹Ibid., 25.

VOUCHER FOR A TEACHER'S SALARY

No. 86

STATE SCHOOL FUND. \$26

Public Schools, Cuckoc District, Louisa County,

Apr 11th 1884

The Treasurer of Louisa County

Will pay to Alice L. Davis or order

Twenty Six DOLLARS

for Salary as teacher No 11th for 5th Month

By order of the Board of School Trustees.

R. W. Wolfolk Clerk. J. H. Justice Chairman