

The old cliché that history is written by the victor is no more apparent than in the popular history of the American War of Independence 1775 to 1783. The American victory generally ensured that the actions and characters of celebrated patriots became favourably ensconced in American folklore, whilst the reputations of their adversaries suffered. Apart from Benedict Arnold, Lieutenant-Colonel Banastre Tarleton became the most vilified British officer to emerge from the war. His reputation as a ruthless murderer of soldiers and civilians has been a lasting myth, fostered by contemporary patriotic propaganda and selective history-making by American historians. Though treated considerably less harshly by British academics, the successes of Tarleton and his colleagues became overshadowed by the embarrassment of losing the colonies in a war that had divided support in Britain. However, under close scrutiny, his infamous reputation is clearly based on unfounded accusations and suspect evidence. In reality, Tarleton proved himself to be the most successful commander of light cavalry of either army during the conflict.<sup>1</sup> A more balanced analysis of his performance during the war and of specific actions undertaken by him exposes the perpetual myths surrounding this controversial officer and will assist in ensuring that he is more fairly judged by history.

A better understanding of Tarleton can be gained through knowledge of his earlier life. He was born on 21 August 1754 into a prosperous middle-class Liverpool family. His father, John Tarleton, a wealthy merchant who had made his fortune in the West Indian sugar trade, as well as slavery, later became the mayor of

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<sup>1</sup> Rene Chartrand, *American War of Independence Commanders* (Oxford, 2003), p. 41

Liverpool in 1764.<sup>2</sup> Little is known of Banastre's childhood except that he was a dutiful son and followed his father's wishes by entering Oxford University in 1771 to study law.<sup>3</sup> His studies were hindered by his fondness for liquor, women and gambling, which ensured that he quickly squandered the £5,000 inheritance that his father had provided for him upon his death in 1773.<sup>4</sup> Perhaps in an effort to provide her son with a more solid direction in life, his mother, Jane Tarleton, purchased Banastre a cornetcy in the prestigious 1<sup>st</sup> Dragoon Guards cavalry regiment in April 1775. His biographer, Robert D. Bass, claims that military life agreed with the young Tarleton and that he was energetic in his study of military affairs and practice of cavalry tactics and drill.<sup>5</sup> The rebellion in the North American colonies that erupted the same month that Tarleton entered the army provided the ambitious 21 year-old with an opportunity to gain valuable experience and excitement that was not available in the heavy cavalry regiments that were to remain in Britain. Thus, Tarleton successfully applied for leave from his regiment and eagerly volunteered for service in the colonies, sailing for America with the troops under Lord Cornwallis in late December 1775.<sup>6</sup>

Tarleton took advantage of the opportunities that the rebellion provided to ensure his very rapid rise to field rank in a remarkably short period. On his arrival in the colonies in early 1776, he held the lowest cavalry officer rank of cornet. However, by August 1778 he had attained field rank through his promotion to

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<sup>2</sup> Anthony J. Scotti, Jr., *Brutal Virtue: The Myth and Reality of Banastre Tarleton* (Bowie, Maryland, 2002), pp. 14-15

<sup>3</sup> Ibid.

<sup>4</sup> Robert D. Bass, *The Green Dragoon: The Lives of Banastre Tarleton and Mary Robinson* (Orangeburg, South Carolina, 1973), p. 14

<sup>5</sup> Ibid., p. 15

<sup>6</sup> Scotti, p. 15

lieutenant-colonel of the newly formed British Legion after its original commanding officer, Lord Cathcart, was promoted to the position of quartermaster general.<sup>7</sup> The Legion was a provincial unit combining light cavalry and infantry, and recruited from Americans loyal to the Crown and rebel deserters. Although this was only a local promotion and did not equate to substantive rank in the regular army, such rapid advancement was extraordinary in a period when it took an average of 21 years for lieutenant-colonels to attain that rank from first being commissioned.<sup>8</sup> However, the escalation of the rebellion and the immediate increase of regiments posted to the colonies in 1776 led to a substantial increase in the resignations of serving officers. In that year 16 percent of the officer corps resigned compared to 9 percent in 1775.<sup>9</sup> As much as 75 percent of these resignations came from officers whose regiments were ordered to America or were already serving there.<sup>10</sup> Although most resignations were from lieutenants and ensigns, 10 percent of senior officers also resigned, leading to an unusually large exodus of majors and lieutenant-colonels from the army.<sup>11</sup> Officers, such as Lord Hugh Percy, were less willing to remain on active service in America during the rebellion, compared to service during the Seven Year War. This has been attributed to many refusing to fight against other fellow Britons, which was how the colonials were considered at the time.<sup>12</sup> Such attitudes,

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<sup>7</sup> Mark M. Boatner III, *Encyclopedia of the American Revolution*, 3<sup>rd</sup>. Edition (Mechanicsburg, Pennsylvania, 1994), pp. 189-190

<sup>8</sup> J.A. Houlding, *Fit For Service: The Training of the British Army 1715-1795* (Oxford, 1981), pp. 109-110

<sup>9</sup> Ira D. Gruber, 'For King and Country: The Limits of Loyalty of British Officers in the War for American Independence', in *Limits of Loyalty*, ed. Edgar Denton III (Waterloo, Ontario, 1979), pp. 31-34

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Robin May, *The British Army in North America 1777-1783* (London, 1974), p. 12

coupled with the raising of new regular and provincial regiments, ensured there was an abundance of vacancies that an ambitious young officer like Tarleton could fill.

Patronage of influential senior officers ensured Tarleton gained rapid advancement in the army. He first gained their notice when, leading a troop of the 16<sup>th</sup> Light Dragoons, he captured American general Charles Lee at White's Tavern, New Jersey in December 1776. This was significant in that not only was Lee George Washington's second-in-command, but ironically he had been the previous commanding officer of the 16<sup>th</sup> Light Dragoons when serving in the British army.<sup>13</sup> As a result of Lee's capture and displays of valour in operations near Princeton and Trenton, New Jersey, as well as actions in General Howe's Philadelphia campaign in early 1777, Tarleton received a brevet promotion to captain. This was most unusual in that he completely bypassed the rank of lieutenant.<sup>14</sup> His promotion was on the recommendations of his immediate commanding officer, Lieutenant-Colonel Harcourt, and General Sir William Erskine, the officer-in-command of British cavalry in the colonies.<sup>15</sup> Erskine was so impressed with Tarleton that he made him his brigade-major, an administrative position that was usually held by the most senior captain of a brigade.<sup>16</sup>

Recognition for outstanding valour gained Tarleton further influential patronage that accelerated his promotion. Family influence assisted him in gaining a non-purchase regular captaincy when the city of Liverpool raised the 79th Foot

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<sup>13</sup> Bass, p. 34

<sup>14</sup> Scotti, pp. 16-17

<sup>15</sup> Boatner, p. 1086

<sup>16</sup> Ibid.

Regiment in January 1778.<sup>17</sup> During times of war proprietors of regiments, that is those who paid for their establishment, were entitled to select or nominate officers who ‘possessed merit and deserved advancement’.<sup>18</sup> By this time Tarleton’s zealous actions had been widely reported in England and no doubt his election to captain of the first company was in recognition of this, coupled with the standing his family held in the city.<sup>19</sup> This proved significant in that he needed confirmation of regular rank to establish his future career prospects in the army. He could not rely on valour alone to reach senior rank and needed patronage to confirm his provincial promotions. The officer purchase system operated by the British army in the eighteenth century could hinder the rise of many promising young officers due to the advantage that money provided.<sup>20</sup> Tarleton was certainly in this position, as his constant gambling debts ensured he could never afford the £1,500 for the purchase of a lieutenancy in a cavalry regiment in 1776, let alone the £2,700 price of a captaincy.<sup>21</sup> Ultimately, it was the patronage he received from influential senior commanders, General Sir Henry Clinton and General Lord Cornwallis that ensured he rose to permanent senior rank and had the opportunity of independent command.

Tarleton possessed the qualities required of a successful light cavalry commander. In all the recorded actions that he took part in during the rebellion, he proved himself to be bold, brave, decisive, and always sought to maintain the initiative. Bass claims that although Sir William Howe and Sir Henry Clinton, the commanders-in- chief of the British forces in America, had been attracted by

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<sup>17</sup> Ibid., 1087

<sup>18</sup> Houlding, pp. 103-107

<sup>19</sup> Scotti, p. 18

<sup>20</sup> Houlding, pp. 100-103

<sup>21</sup> May, p. 14

Tarleton's 'elegant manners and his ready speech, ... it was his undenied courage, his daring leadership and his intuitive grasp of cavalry tactics that endeared him both to Sir William Erskine and Lord Cornwallis'.<sup>22</sup> The southern campaign in the Carolinas provided him with the best opportunity to prove his capabilities, with the open country more suitable for cavalry actions than the northern states. His first notable engagement as the commander of the British Legion was at the decisive action at Monck's Corner, near Charleston, South Carolina on 13 April 1780 (refer to appendix 1). He personally led a 'hell-for-leather' charge during a surprise night attack against a superior rebel force that was defending the tenuous American lines of communication to the beleaguered city.<sup>23</sup> Not only did this encounter lead to the capture of the state capital by the British, but Tarleton, with the loss of only three wounded men, had also captured 400 fully equipped horses that he desperately needed to replace those lost on the voyage south from New York.<sup>24</sup> This permitted him to bring his command to full strength and play a significant role in the campaign.

He had the ability to exploit opportunities that either fate or his enemy provided. Tarleton was well versed in cavalry tactics and had aptitude to press home any advantage. His pursuit of Colonel Buford's force of Continental regular infantry after the capture of Charleston, resulting in the controversial but highly successful action at Waxsaws, is the best example of this. In the brief, but accurate report that Tarleton submitted to Cornwallis after the engagement, he claims to have marched

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<sup>22</sup> Bass, p. 48

<sup>23</sup> Hugh Bicheno, *Rebels & Redcoats: The American Revolutionary War* (London, 2004), p. 173

<sup>24</sup> *Ibid.*

105 miles in 54 hours to catch Buford's superior force and destroy it.<sup>25</sup> This was an incredible feat at the time, taking into consideration that Buford had a ten-day lead and there appeared to be little chance that Tarleton could prevent his escape.<sup>26</sup> The victory was also remarkable when considering the physical drain on men and horses sustained in such a determined ride. His determination to intercept and defeat the last remaining regular rebel force in South Carolina ensured that the British forces could quickly reestablish control of the colony. Lord Cornwallis, then British commander of the campaign, was so impressed by Tarleton that he recommended him to Sir Henry Clinton: 'I can only add the highest encomiums on the conduct of Lieutenant Colonel Tarleton. It will give me the most sensible satisfaction to hear that your Excellency has been able to obtain for him some distinguished mark of his Majesty's favours'.<sup>27</sup> In his letter Cornwallis was showing his appreciation of Tarleton's achievement by attempting to obtain for him the regular rank of lieutenant-colonel. Although this initially proved unsuccessful, his continued confidence in him and persistent commendations eventually ensured Tarleton achieved substantive rank.

Tarleton's proven ability as a commander of light troops has seldom been questioned. Daring and fearless, he quickly became the *beau sabreur* of the British army and made the British Legion a most effective fighting unit.<sup>28</sup> He led from the front and would not ask anything of his men that he would not do himself. And although he drove his men hard to gain advantages over the enemy, he was adored

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<sup>25</sup> Banastre Tarleton, *A History of the Campaigns of 1780 and 1781 in the Southern Provinces of North America* (London, 1787), p. 83

<sup>26</sup> Bicheno, p. 175

<sup>27</sup> Charles Ross (ed.), *Correspondence of Charles, First Marquis Cornwallis*, Vol. 1 (London, 1859), p. 44

<sup>28</sup> Chartrand, p. 41

by, and maintained the confidence of his men, most of whom were older than him.<sup>29</sup> His capacity to understand strategic goals led to Tarleton driving his men and horses beyond their normal limits, usually resulting in the surprise and destruction of his pursued foe. Once he had his prey in sight, his usual tactic was to immediately order a charge against the enemy before they had sufficient time to form a proper defence.<sup>30</sup> This course of action became his trademark, leading him to be feared and respected, even by senior American commanders.<sup>31</sup> Lieutenant-Colonel Henry Lee, commander of 'Lee's Legion', was one such adversary who, although critical of Tarleton's actions at Waxhaws, acknowledged his ability as a leader of light cavalry. In his memoirs he recorded that Tarleton was 'More distinguished for course and activity than for management and address, his mode of operation was to overtake and fight', and that he would 'press forward with his usual zeal and celerity'.<sup>32</sup> American historian, John Buchanan, who is a noted critic of Tarleton, concedes that he was a very able cavalry commander, being brave, vigorous, bold, swift of movement, alert for opportunities, a driver of men and horse on the march, whilst relentless in the pursuit of his enemy.<sup>33</sup> Buchanan further claims: 'That he had grave defects of character cannot take from him his brilliant exploits on behalf of King and Country'.<sup>34</sup>

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<sup>29</sup>Scotti, p. 234

<sup>30</sup> John Buchanan, *The Road to Guilford Courthouse: The American Revolution in the Carolinas* (New York, 1997), p. 62

<sup>31</sup> John Graves Simcoe, *Lieutenant Colonel Simcoe's Military Journal*, Reprinted 1962, Toronto (London, 1784), pp. 41-44

<sup>32</sup> Robert E. Lee (ed.), *The Revolutionary Memoirs of General Henry Lee*, Unabridged copy of the 3<sup>rd</sup> edition, New York, 1869 (New York, 1998), p. 164

<sup>33</sup> Buchanan, p. 62

<sup>34</sup> Ibid.

Tarleton's record of military success during the southern campaign confirms him as an outstanding leader of light troops. Such successes could not have been possible without a strong sense of self-confidence, which he appears to have displayed in all his actions. This self-assurance, bordering on over-confidence, may be attributed to his youth, but certainly contributed to his defeat of numerically superior forces. Monck's Corner was his first notable victory and established a pattern that he was to maintain, involving a swift approach, sudden appearance, and immediate assault with sabres and the bayonet.<sup>35</sup> Tarleton used the same tactics to rout an American cavalry force at Lenud's Ferry, near Charlestown, on 6 May 1780, where he inflicted 41 casualties and captured 67 rebels for the loss of only two of his own troopers.<sup>36</sup> His subsequent pursuit of Buford's command led to his most decisive, but notorious victory at Waxhaws on 29 May, where with a combined force of only 200 dragoons and mounted infantry, Tarleton defeated a superior force of over 400 Continental infantry.<sup>37</sup> However, in his history of the campaign, Tarleton modestly attributes the victory more to the decisions taken by Buford than to his own ability: 'The complete success of this attack may, in great measure, be ascribed to the mistakes committed by the American commander....Colonel Buford...committed a material error in ordering the infantry to retain their fire till the British dragoons were quite close: which when given, had little effect either upon the minds or bodies of the assailants, in comparison with the execution that might be expected from successive fire of platoon or divisions, commenced at a distance of

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<sup>35</sup> Ibid.

<sup>36</sup> Bicheno, p. 174

<sup>37</sup> Boatner, p. 1174

three or four hundred paces'.<sup>38</sup> Waxhaws was arguably Tarleton's most celebrated action amongst the numerous battles, skirmishes and pursuits that he either successfully led or was involved in during the campaign, such as Camden, Fishing Creek, Tarrant's Tavern, Guilford Courthouse and the raid on Charlottesville, Virginia. It was this encounter that led the British press to promote him to hero status, with American historians, such as William Cumming and Hugh Rankin acknowledging that prior to his clash with Daniel Morgan, Tarleton's victories 'came in devastating succession'.<sup>39</sup>

Tarleton suffered only one serious reverse in his military career. His humiliating defeat at the Battle of Cowpens on 17 January 1781 by the experienced Patriot general, Daniel Morgan, led to the virtual destruction of his independent command and permanently tarnished his reputation (refer to appendix 2). Of the 1,000 men of the combined force of Legion cavalry, light infantry and artillery that he led into battle that day, over 100 were killed and 800, including 200 wounded, were taken prisoner.<sup>40</sup> This was compounded by the loss of two 3 pound cannon and 35 wagons of supplies.<sup>41</sup> Coupled with the annihilation of Major Patrick Ferguson's force of 1,000 Loyalists at King's Mountain in October 1780, the loss of Tarleton's command had serious consequences for the outcome of the campaign. Cornwallis was now deprived of a substantial number of light troops that he relied on to secure his flanks and provide vital intelligence of rebel movements. They were also needed

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<sup>38</sup> Tarleton, p. 30

<sup>39</sup> William P. Cumming & Hugh Rankin, *The Fate of the Nation: The American Revolution through Contemporary Eyes* (London, 1975), p. 256

<sup>40</sup> Christopher Hibbert, *Redcoats and Rebels: The War for America 1770-1781* (London & New York, 2001), p. 302

<sup>41</sup> *Ibid.*

to maintain a sizeable effective fighting force to engage the numerically superior army that the Americans were able to field. Despite this devastating setback, Cornwallis still maintained his confidence in his cavalry commander telling Tarleton himself on 30 January: 'You have forfeited no part of my esteem as an officer by the unfortunate event of the action of the 17<sup>th</sup>. The means you used to bring the enemy to action were able and masterly, and must ever do you honour. Your disposition was unexceptional, the total misbehaviour of the troops could alone have deprived you of the glory which was so justly your due'.<sup>42</sup> Many others did not share his Lordship's view.

Tarleton suffered much criticism regarding his actions as an independent field commander at Cowpens, mostly from fellow officers within the British army. Many long serving and experienced officers resented the extraordinary rapid string of promotions of the 26-year-old lieutenant-colonel who had superseded the long established and accepted purchase system, even though officer vacancies were more numerous during wartime due to casualties from battle. Some felt aggrieved that this had prevented the promotion of themselves and other more deserving and experienced men.<sup>43</sup> Others were simply envious of Tarleton's record of success and the favouritism he received from Lord Cornwallis, and were spitefully happy to see him fall from grace.<sup>44</sup> Charles Stedman, the civilian commissary for Cornwallis is one example: 'During the whole period of the war no other action reflected so much dishonour upon the British arms...Colonel Tarleton acquired power without any extraordinary degree of merit, and upon most occasions exercised it without

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<sup>42</sup> Tarleton, p. 252

<sup>43</sup> Buchanan, p. 327

<sup>44</sup> Scotti, pp. 99-100

discretion'.<sup>45</sup> However, his greatest detractors were officers who were under his command during the battle and suffered the most from his defeat. Major Archibald McArthur was the commander of the 1st battalion of the 71<sup>st</sup> Foot that was decimated, surrounded and captured during the action. He summed up the opinion of most officers within his unit when he claimed that he had been an officer before Tarleton was born and that the best troops in the service were put under 'that boy' to be 'sacrificed'.<sup>46</sup>

The most public criticism came from another officer from the same unit. Lieutenant Roderick MacKenzie published a series of disparaging letters in 1787 in direct response to Tarleton's *History of the Southern Campaign*. Entitled *Strictures on Lieutenant-Colonel Tarleton's History of the Campaigns of 1780 and 1781, in the Southern Provinces of North America*, MacKenzie attempted to remove any blame for the defeat on his regiment, claiming Tarleton was entirely at fault.<sup>47</sup> His letters heavily criticized Tarleton for over-emphasizing his role in any successes, whilst failing to give due credit to others: 'others certainly merited attention, and his neglect, in not particularizing the officers who were sacrificed immediately under his own eye at Cowpens, is still more unpardonable'.<sup>48</sup> The letters were originally published in London in the *Morning Post* and anonymously signed as 'An Officer on that Service'.<sup>49</sup> In a letter to Lord Rawdon from whom Mackenzie was attempting to gain patronage for his subsequent book, he claimed that the sole purpose was to

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<sup>45</sup> Bass, p. 105

<sup>46</sup> Buchanan, p. 327

<sup>47</sup> Roderick MacKenzie, *Strictures on Lieutenant-Colonel Tarleton's History of the Campaigns of 1780 and 1781 in the Southern Provinces of North America* (London, 1787), p. 27

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

‘detect error and render...justice to many of the first characters in the British army...who served during the late war in America – one only excepted’.<sup>50</sup> However, MacKenzie then came under heavy criticism himself, when Tarleton’s second-in-command, the Honourable Major George Hanger, wrote *An Address to the Army in Reply to Strictures by Roderick MacKenzie on Tarleton’s History of the Campaigns of 1780 and 1781*. He argued that the *Strictures* were ‘unfair, uncandid, and unsupported by military knowledge’.<sup>51</sup> Although the credibility of Hanger’s defence of Tarleton is heavily biased due to their friendship, Lawrence Babits in his book, *A Devil of a Whipping: The Battle of Cowpens*, correctly asserts that due to MacKenzie’s hatred of Tarleton, his commentary is only valuable to a limited extent regarding the battle. Further, he was an eye witness to only one area of the field.<sup>52</sup>

Most of the criticism of Tarleton’s defeat at Cowpens is unjust. Assertions that his impetuosity led him to blindly attack the rebels in a strong defensive position confirmed the thoughts of many British officers who claimed to have believed all along that he lacked the military maturity to command anything but a partisan raid or a cavalry charge.<sup>53</sup> However, such accusations lacked foundation. With rapid marches he had zealously pursued Morgan, driving him to the Broad River and forcing him to engage in battle, as instructed by Cornwallis.<sup>54</sup> He had correctly made use of the Legion cavalry to gather intelligence through careful reconnaissance and

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<sup>50</sup> Ibid., p. iv

<sup>51</sup> George Hanger (the Hon.), *An Address to the Army in Reply to Strictures by Roderick MacKenzie on Tarleton’s History of the Campaigns of 1780 and 1781* (London, 1789), p. iii

<sup>52</sup> Lawrence E. Babits, *A Devil of a Whipping: The Battle of Cowpens* (Chapel Hill & London, 1998), p. xv

<sup>53</sup> Boatner, p. 1088

<sup>54</sup> Tarleton, pp. 246-247

the capture of rebel stragglers, whilst utilizing the knowledge of local Loyalists to ascertain the terrain and strength of his adversary's forces.<sup>55</sup> The deployment of his troops was theoretically sound, with Tarleton placing his light dragoons in advance to engage with the rebel skirmishers. Once in contact, he brought up his own light infantry to deal with the American militia, who typically broke and ran when faced by regular British infantry.<sup>56</sup> He then advanced his infantry battalions in the standard linear formation, supported by artillery in the centre and cavalry to protect his flanks. Unfortunately, Tarleton made the fateful decision to place only 50 light dragoons on each flank, keeping 200 in reserve to take advantage of any breakthrough (refer to Appendix 2).<sup>57</sup> This proved a fatal mistake and was a major cause of his defeat.

Although heavily criticized for this deployment, his decision is understandable. In *A History of the British Army*, Sir John Fortescue argued that the best option for Tarleton was to attack: 'Morgan's situation with an impassible river in his rear certainly invited attack, and the flanking movement whereby Tarleton strove to snatch victory was well and boldly conceived....Tarleton deserves no blame, for the fortunes of war were his enemy'.<sup>58</sup> There were a number of bogs and springs on the battlefield that were swollen by recent rain, as well as wooded hills that restricted movement, making much of the ground unsuitable for cavalry.<sup>59</sup> It also made it difficult to conduct any outflanking movements, although the British

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<sup>55</sup> Babits, pp. 52-53

<sup>56</sup> Daniel Marsden, *The American Revolution 1774-1783* (Oxford, 2002), p. 80

<sup>57</sup> William Seymour, *The Price of Folly: British Blunders in the War of American Independence* (London & Washington, 1995), p. 190

<sup>58</sup> Sir John Fortescue, *A History of the British Army*, Vol. 3 (London, 1911), p. 363

<sup>59</sup> Babits, p. 65

did manage to turn the Continental right flank.<sup>60</sup> It was these same geographical features that inhibited the British infantry line from fully extending, leading to confusion when several battalions became disordered at crucial stages of the battle. The undulating ground proved a further hindrance in that Tarleton was unable to see the American troops, especially the rebel cavalry, beyond the immediate front line, making it hard for him to plan an advance.<sup>61</sup> Arguably, such matters are unintended consequences of fighting an action on ground not of ones choosing. However, when taking into consideration the constant successes Tarleton had achieved using such tactics prior to Cowpens, the decisions he made that day correctly followed contemporary military logic.

Tarleton was beaten at Cowpens because he was out-generaled.<sup>62</sup> It was the unusual tactics employed by Daniel Morgan that led to the American victory. He ingeniously used a series of three collapsing defensive lines that included skirmishers, militia, state troops and Continentals to cause confusion amongst the British troops and draw them into a psychological trap.<sup>63</sup> The night before the battle he boosted the morale of his various militia units, which were typically unsteady when facing British bayonets. Morgan appealed to their sense of family ties and bravery, asking them to provide three shots at the enemy before retiring behind the Continental battalions.<sup>64</sup> This proved crucial in that once the militia did retire during the battle, they uncharacteristically reformed in the woods flanking the British

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<sup>60</sup> Ibid., p. 158

<sup>61</sup> Ibid., p. 81

<sup>62</sup> Buchanan, p. 327

<sup>63</sup> Babits, p. 152

<sup>64</sup> Hibbert, pp. 229-300

advance and provided telling enfilading fire.<sup>65</sup> The use of riflemen in the forward skirmish line led to many British officers becoming casualties to their accuracy early in the battle, thus promoting confusion and indecision amongst the regular battalions.<sup>66</sup>

Babits argues that Morgan had set a mental trap for Tarleton, believing that the British troops would anticipate victory at every line, only to encounter a stronger line after exerting themselves.<sup>67</sup> A calculated *ruse de guerre* finally broke the British line when Morgan ordered his Continental troops to feint a retreat, luring Tarleton's infantry into a disorderly charge.<sup>68</sup> He then had the Continentals turn and fire into the pursuing troops who were shocked by the unexpected actions of the rebels. The resulting heavy casualties and reduced leadership within the battalions broke the British morale leading to a confused retreat. Tarleton's force finally disintegrated when the rebel cavalry, under Colonel William Washington, surrounded and captured the majority of the 71<sup>st</sup> Foot, who up until that point had been successfully turning the American right flank.<sup>69</sup> Washington's troops played a significant part in Morgan's victory in that through superior numbers he was able to counter-attack and destroy both of Tarleton's smaller mounted units who were not only seriously threatening the American lines, but were also protecting Tarleton's flanks. Once they had been eliminated, Washington was able to get behind the British infantry, who were left unprotected, and prevented their escape. Morgan's victory was confirmed when the reserve of British Legion cavalry, who with a 2-1 superiority

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<sup>65</sup> Boatner, p. 299

<sup>66</sup> Babits, p. 87

<sup>67</sup> Ibid., p. 152

<sup>68</sup> Ibid.

<sup>69</sup> Tarleton, p. 217

over the American cavalry could have destroyed Washington's force and saved the infantry, refused to follow Tarleton in a charge on the American cavalry in an attempt to turn the course of the battle.<sup>70</sup> They fled the field, leaving Tarleton to courageously lead an unsuccessful 'forlorn hope' of a few officers and only 40 troopers of the 17<sup>th</sup> Light Dragoons that failed to prevent the capture of his entire infantry force.<sup>71</sup>

Tarleton ably salvaged his reputation as an effective leader of light cavalry after the disaster of Cowpens. Immediately following his defeat he offered his resignation to Cornwallis, which was rejected. At this time Cornwallis laid no blame on Tarleton, claiming that the reverse was due to uncharacteristic determination of the rebels on the day and the desertion of the Legion cavalry.<sup>72</sup> This was confirmed in his correspondence to Lord George Germain in April 1781, three months after the battle when Tarleton had been effective in leading the British advance into North Carolina. His admiration and confidence in Tarleton was still obvious: 'I was much disappointed to find that his Majesty did not think Lieutenant Colonel Tarleton's services deserved to be rewarded with the rank of Lieutenant Colonel in the army, and it would give me most sensible mortification if it should now be withheld from him. He was once, it is true, unfortunate, but the affair of 17<sup>th</sup> of January must be classed among the extraordinary events of war, as his disposition and conduct of the action were as unexceptionable as his previous manoeuvres were able to force General Morgan to fight'.<sup>73</sup> His effectiveness in the pursuit and victories over

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<sup>70</sup> Bicheno, p. 204

<sup>71</sup> Philip Katcher, *The American Provincial Corps 1775-1784* (Oxford, 1973), p. 25

<sup>72</sup> Ross, p. 90

<sup>73</sup> *Ibid.*

American forces in the numerous minor skirmishes after Cowpens, and actions up to, and including Guilford Courthouse, coupled with aggressive operations in Virginia confirmed him as the most outstanding commander of cavalry during the whole war. Unfortunately, it was his unpopular criticism of Cornwallis in his *History of the Campaigns of 1780 and 1781* in 1787 that led to further aspersions cast upon his own military reputation. In a letter to the Bishop of Lichfield in December 1787, Cornwallis, in his own defence, placed blame on Tarleton for Ferguson's defeat at Kings Mountain due to his refusal to ride to his aid.<sup>74</sup> However, at the time Tarleton was still recovering from a near fatal attack of yellow fever and his refusal, which was out of character, is understandable in that he claimed to be too weak to ride.<sup>75</sup>

Tarleton first gained notoriety amongst Americans from his reported actions at Waxhaws on 29 May 1780.<sup>76</sup> His pursuit, defeat and capture of Buford's Continental infantry brought Tarleton to the attention of both the British and American public, with opposite reactions. In Britain he was celebrated as a national hero who was seen as a gallant defender of the interests of King and Country by defeating rebellious traitors, whilst he became much maligned by the Patriots for being the 'butcher' of surrendering soldiers.<sup>77</sup> Prior to Waxhaws he was only known to Americans as an obscure commander of a Tory cavalry force that had played an insignificant part in the war up until the capture of Charleston. However, after Waxhaws he quickly became demonized throughout the colonies through the use by Americans of the infamous term 'Tarleton's quarter', which the rebels used when

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<sup>74</sup> Ibid, p. 59

<sup>75</sup> Ibid.

<sup>76</sup> Bicheno, p. 175

<sup>77</sup> Boatner, p. 1089

refusing to accept the surrender of Crown forces, especially Loyalists.<sup>78</sup> American historian, Anthony J. Scotti, in his book *Brutal Virtue: The Myth and Reality of Banastre Tarleton*, points out that the Americans viewed Tarleton with hatred and condemnation, with his name becoming synonymous with inhumanity and cruelty.<sup>79</sup> However, a close analysis of his actions during the battle does not support this reputation.

The evidence used by Americans to create the myth surrounding Tarleton's 'massacre' at Waxhaws is limited and lacks credibility. The Patriot version of events is mainly based on the written evidence of Colonel Abraham Buford and his regimental surgeon, Doctor Robert Brownfield. Both claimed that Tarleton refused to accept the surrender of the Continentals, which was signified by the raising of a white flag.<sup>80</sup> Brownfield's recollection of events that day is the most descriptive and emotive account of the very few written testimonies provided by Americans who witnessed the action. Comments depicting Tarleton and his men as charging 'with the horrid yells of infuriated demons' and 'Tarleton with his cruel myrmidons' creating a 'scene of indiscriminate carnage never surpassed by the ruthless atrocities of the most barbarous savages' provided the colonial public with an image of the Legion commander as the Devil personified.<sup>81</sup> This was reinforced by Brownfield claiming that for fifteen minutes after every patriot was prostrate on the ground, the British plunged their bayonets into every American that exhibited any signs of life.<sup>82</sup>

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<sup>78</sup> Ibid.

<sup>79</sup> Scotti, p. 92

<sup>80</sup> James Piecuch, 'Massacre or Myth? Banastre Tarleton at the Waxhaws, May 29, 1780', *Southern Campaigns of the American Revolution*, 1:2 (2004), pp. 4-8

<sup>81</sup> Henry Steele Commager & Richard B. Morris (eds.), *The Spirit of Seventy-Six: The Story of the American Revolution as told by Participants* (New York, 1983), pp. 1111-1112

<sup>82</sup> Ibid.

However, a close examination of the facts raises serious doubt regarding the American version of events that created the myth regarding Tarleton.

American historians have ignored the inconsistencies and contradictions that have emerged from the recorded American eye-witness statements. It has generally been accepted that the casualties sustained by the Patriot force that day was 113 killed, 150 wounded, and 53 taken prisoner.<sup>83</sup> The number of deaths was confirmed by burials conducted by Reverend Jacob Carnes, who recorded that the 84 who died on the day of the battle were interned in a mass grave, while the 25 who died the following day were buried in a smaller grave 300 yards from the first grave.<sup>84</sup> Buford claimed in his official report that at the time he made his escape from the field many of his men ‘were killed after they had lain down their arms’.<sup>85</sup> Clearly, the number of unwounded prisoners taken by the British, coupled with the fact that all the wounded were paroled and that Tarleton arranged for British surgeons to attend to them, is hardly consistent and puts serious doubt into the claims that every Patriot was systematically bayoneted whilst lying on the ground.<sup>86</sup> Brownfield also alleges the murder of prisoners, but only cites one particular incident where wounds were inflicted after the fighting had ceased. This concerned Captain John Stokes, who was lying on the ground after receiving injuries during the battle and was asked by a passing British soldier if he wanted quarter. At this point Stokes refused, demanding ‘finish me off as soon as possible’.<sup>87</sup> The soldier complied by bayoneting

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<sup>83</sup> Christopher Ward, *The War of the Revolution* (New York, 1952), p. 706

<sup>84</sup> Louise Pettus, ‘Monuments at Buford’s Battle’, *Southern Campaigns of the American Revolution*, 1:2 (2004), p. 9

<sup>85</sup> Piecuch, pp. 4-8

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

him twice, but neither wound proved fatal, with Stokes requesting another soldier to do the same. Again, these wounds failed to dispatch the officer, who later recovered from his injuries. James Picuch claims that if Stokes' experience was true, then the incident was not a murderous attack, but rather an attempt by a seriously injured soldier to end his suffering.<sup>88</sup> The only reliable corroborating evidence concerning Buford's claim that Americans were killed while attempting to surrender comes from Tarleton. He stated that some rebel casualties could be attributed to 'a vindictive asperity not easily restrained' that occurred when Legion dragoons had believed their commander had been killed at the time his horse was shot from under him.<sup>89</sup>

The inconsistent American evidence surrounding their attempts to surrender adds to the confusion and doubt regarding the accusations of killing of capitulating Patriots. Buford, Brownfield and Henry Bowyer, Buford's adjutant, had conflicting versions of events concerning who the bearer of the white flag was and what happened when it was presented. Bowyer claims that he was ordered by Buford to carry the flag to Tarleton and that he attempted to do so only after protesting that such an order would see him exposed to the fire of both the Americans and British who were 'hotly engaged' at the time.<sup>90</sup> He further states that when he was nearing Tarleton, the Loyalist commander's horse was shot and fell, pinning the rider beneath it. Bowyer claims that an enraged Tarleton then shouted, 'Cut the damned rebel down', which necessitated Bowyer making his escape.<sup>91</sup> Buford reported that

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<sup>88</sup> Ibid.

<sup>89</sup> Tarleton, p. 31

<sup>90</sup> Picuch, pp. 4-8

<sup>91</sup> Ibid.

his offer to surrender had been rudely rejected, but according to Bowyer he never had the opportunity to speak with Tarleton or even return to Buford with an answer.<sup>92</sup> Buford claims to have only ever sent one flag of truce, but Brownfield, writing more than forty years after the incident, stated that an Ensign Cruit carried the flag and implied, though not directly stating, that he was instantly cut down by Tarleton himself when trying to advance with it.<sup>93</sup> He claimed that this incident provided Tarleton with an opportunity ‘to gratify that thirst for blood which marked his character in every conjuncture’.<sup>94</sup> However, Cruit survived the battle, leaving no known record of the part he was supposed to have played in the controversial action.

A close examination of this evidence questions its credibility. James Piecuch convincingly argues that Bowyer’s evidence is so contrary to others that it is almost worthless.<sup>95</sup> Bowyer could not have hesitated to pass through the firing lines as there was no exchange of volleys between the adversaries.<sup>96</sup> The Americans only managed to fire one organized volley before British cavalry was amongst them, whilst the account of Major Charles Cochrane, Tarleton’s second-in-command, indicates that the British charged with the sword and bayonet, without firing a shot.<sup>97</sup> Brownfield’s account, which is the most complete statement alleging a massacre and not published until 1821, is inconsistent with Buford’s version of events and other known facts.<sup>98</sup> Brownfield claimed that a flag of truce never reached the British line,

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<sup>92</sup> Scotti, p. 176

<sup>93</sup> Commager, pp. 1111-1112

<sup>94</sup> Ibid.

<sup>95</sup> Piecuch, pp. 4-8

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

<sup>98</sup> Buchanan, p. 84

with Buford stating that the flag was rejected.<sup>99</sup> They have conflicting stories concerning Tarleton's earlier demand for surrender, with Brownfield claiming Buford called a council of officers to discuss their options, whilst Buford stated that he consulted with his subordinates only after refusing Tarleton's demands.<sup>100</sup> They also differ over the timing of Tarleton's attack, with Brownfield claiming the British charged soon after the refusal, while Buford reported that there was a delay of two and a half hours from the summons to surrender and the attack.<sup>101</sup> Clearly, these inconsistencies promote confusion on any attempt to ascertain what really happened, but more importantly, it makes it near impossible to determine the time difference between when the Americans formally attempted to surrender, when resistance ceased and when the killing stopped.

There is no credible supporting evidence to sustain the claim that Tarleton deliberately ordered or allowed a massacre of American troops at Waxhaws. The high casualty rate of the Continentals compared to the minimal casualties sustained by the British is typical and consistent with those suffered in similar actions, such as Albuera in the Napoleonic war in Spain, where cavalry gets amongst disordered infantry. In this case, the British force was only exposed to one ineffective volley of musketry that allowed the mounted soldiers to break and out-flank the single rebel line, ensuring that the Americans became surrounded and unable to reform.<sup>102</sup> Once in melee, the cavalry had added advantage over the infantry in that they used their height from the horses to slash their swords down upon the Americans who were

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<sup>99</sup> Commager, pp. 1111-1112

<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> Hibbert, p. 271

now reliant on the bayonet for defence, not having any opportunity to reload their muskets. There is no record of any orders given by Tarleton, either written or verbal, that suggest he wanted his troops to partake in the indiscriminate killing of rebel soldiers once the fighting had ceased.<sup>103</sup> Piecuch argues that he cannot be held directly responsible, stating that Tarleton's admission of his troops' vindictiveness indicates an effort by him to restrain it.<sup>104</sup>

However, if he was guilty of failing to restrain his men once it was obvious the Americans were surrendering, as he admits in his *History*, then this too is understandable. Cavalry charging a formed line of infantry had to suffer the effects of mass musketry before they could retaliate by closing with the foe and making use of their swords. This usually resulted in initial heavy casualties to the mounted troops whilst charging, with the infantry suffering heavily if the cavalry attack was successful.<sup>105</sup> The ferocity of the attackers unleashed on the defenders in such instances was generally accepted as a consequence of war, and was likened to the sacking of fortified towns and castles in Europe by besieging forces if they were forced to sustain high casualties in mounting an attack when the defenders refused to capitulate.<sup>106</sup> Also, under the accepted rules of eighteenth century warfare any force that had been called upon to surrender and rejected the demand, forfeited any rights to quarter in any resulting combat.<sup>107</sup> The vehemence of the British Legionnaires against the rebels must have certainly played a part in their actions that day,

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<sup>103</sup> Piecuch, pp. 4-8

<sup>104</sup> Ibid.

<sup>105</sup> Christopher Duffy, *The Military Experience in the Age of Reason* (Ware, Hertfordshire, 1998), p. 215

<sup>106</sup> Ibid., p. 293

<sup>107</sup> Emer de Vattel, *The Law of Nations or Principles of the Law of Nature Applied to the Conduct and Affairs of Nations and Sovereigns*, New Edition by Joseph Chitty (London, 1834), p. 351

considering that many Loyalists had suffered considerably at the hands of the Americans and that this was an opportunity to vent their frustrations and vengeance upon those whom they considered traitors. Scotti claims that some unnecessary killing of Continentals who were attempting to surrender continued because of the anguish of many of Tarleton's men who believed he had been killed at the time his horse was shot.<sup>108</sup>

The actions of Buford most certainly attributed to the high American casualty rate. His first mistake was in his reply to Tarleton's terms of surrender. Buford sealed the fate of his troops when he rejected the proposals and indicated the Americans would fight to the death by writing, 'I...shall defend myself to the last extremity'.<sup>109</sup> Although this was perceived as a patriotic reply, his troops were facing certain defeat due to low morale, exhaustion and an inability to escape the pursuit of the British mounted force.<sup>110</sup> Initially believing that he was only facing a small force of dismounted dragoons, Buford formed his infantry in a single line of defence, allowing his artillery and supply wagons to escape.<sup>111</sup> His greatest mistake was a tactical one where he ordered his troops to hold their fire until the British were nearly upon them.<sup>112</sup> This seriously reduced his chances of repelling the attack and ensured that the British only had to sustain one volley before getting amongst their enemy. Once the American line was broken, all organization disappeared, with the confusion of battle leading to some Patriots fleeing while others continued to

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<sup>108</sup> Scotti, pp. 176-177

<sup>109</sup> Tarleton, p. 79

<sup>110</sup> Bicheno, p. 175

<sup>111</sup> Ibid., p. 176

<sup>112</sup> Tarleton, p. 31

resist.<sup>113</sup> His attempts to capitulate by sending an officer forward with the flag of truce whilst his soldiers were continuing to fire their muskets could only add to the confusion for both sides.<sup>114</sup> He further added chaos to the situation by deserting his men and riding from the field at a time when direction and leadership were required to promote a concerted surrender to prevent unnecessary casualties.<sup>115</sup>

Tarleton's personal actions at Waxhaws were credible through him following military protocol of that time. His written demand for Buford's surrender showed his honourable intention, in that the proposed terms followed those of the recent American capitulation of Charleston. The articles were generous, stipulating that all officers were to be paroled, allowing them to return to their homes until formally exchanged with British paroled officers of the same rank.<sup>116</sup> They were also allowed to retain their private baggage, horses and side arms. All Continental soldiers were to be incarcerated until exchanged, receiving the same provisions as British troops, whilst militiamen were to be paroled to their homes until formally exchanged.<sup>117</sup> Buford was also to cede all arms, artillery, ammunition, horse, wagons and provisions upon his surrender.<sup>118</sup> If Tarleton had the murderous intentions that are alleged in American popular history, he would most certainly have immediately attacked Buford's troops while they were in column-of-march instead of allowing the Americans time to form a defensive line. The fact that he ordered an attack immediately after receiving Buford's rejection of the terms was purely a tactical

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<sup>113</sup> Buchanan, p. 105

<sup>114</sup> Piecuch, pp. 4-8

<sup>115</sup> Ibid.

<sup>116</sup> Tarleton, p. 78

<sup>117</sup> Ibid.

<sup>118</sup> Ibid.

measure to prevent the Americans from constructing a more solid defence, thus promoting a greater chance of a British victory.

American historical mythology has condemned Tarleton for the part he played at Waxhaws. Tarleton's biographer, Robert Bass, who relied heavily on previous American historians, erroneously wrote in his 1957 book, *The Green Dragoon: The Lives of Banastre Tarleton and Mary Robinson*, that the Legion commander raced towards Ensign Cruit as he was raising a white flag and sabred him, and that it was only after this that Tarleton's horse was shot, pinning him to the ground.<sup>119</sup> This myth has been continually reinforced to the American public in recent publications and documentaries, such as the television series *The Revolutionary War*, produced by The Learning Channel in 1995 and shown on the Discovery Channel. It asserted that Tarleton personally cut down the Continental officer who was carrying a flag of truce, that his actions and those of his men were barbaric, and that his name became synonymous with cruelty.<sup>120</sup> However, the lack of credible evidence suggests that this claim is a fabrication resulting from patriotic propaganda. Understandably, neither Tarleton nor Major Cochrane provide any record concerning who, if anybody, attacked an American flag bearer. More importantly, none of the surviving Patriot officers, such as Buford, Brownfield, Bowyer, Stokes or Cruit, directly state that it was Tarleton who did the deed, although Brownfield does imply it.<sup>121</sup> In fact, Scotti alleges that Bass has only strengthened the myth by introducing anachronistic terminology, such as 'Bloody Tarleton', 'Bloody Ban', and 'The Green Dragoon' that are not to be found in

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<sup>119</sup> Bass, p. 79

<sup>120</sup> Carol L. Fleischer (director), *The Revolutionary War*, Vol. 2, Tape 1 (Bethesda, Maryland, 1995)

<sup>121</sup> Piecuch, pp. 4-8

contemporary records or even used by nineteenth century American historians.<sup>122</sup>

Ironically, General William Moultrie, one of South Carolina's most celebrated Patriots and contemporary adversary of Tarleton, in his memoirs placed no criticism on Tarleton, stating that there was no intentional massacre at Waxhaws and that the disproportionate casualties was a result of the superiority of cavalry over infantry.<sup>123</sup>

Tarleton's reputation for being ruthless was accurate. By his own admission, and supported by documentary evidence of his fellow officers and adversaries, he was relentless in the pursuit of his enemies, arguably reckless with the lives of his own troops when attacking numerically superior forces, and merciless in the destruction of personal property if he believed that it was used to support rebellion.<sup>124</sup> An example of this was his pursuit of the Patriot partisan, Francis Marion, who operated along the Santee River in South Carolina and was a continual threat to the British lines of communication. During this unsuccessful chase in August 1780, Tarleton ordered the destruction of numerous plantations owned by known militant colonials and sympathizers whom he believed were providing sustenance and shelter to the partisans.<sup>125</sup> On occasions he hanged Continental regulars and militiamen who were found in breach of their parole conditions. Although heavily criticized by modern American historians for the use of terror, his actions must be viewed in the context of the period. Tarleton was an ambitious loyal officer of the Crown and as such he considered the rebellious colonials to be traitors to the king. The accepted protocol of the eighteenth century was that any rebel not in

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<sup>122</sup> Scotti, pp. 103-104

<sup>123</sup> Piecuch, pp. 4-8

<sup>124</sup> Tarleton, p. 27

<sup>125</sup> *Ibid.*, pp. 173-175

uniform and deserters found under arms against their king were liable to suffer a traitor's death by hanging.<sup>126</sup> Likewise, any person who took up arms in breach of their parole and was recaptured could expect capital punishment.<sup>127</sup> According to Emer de Vattel in his eighteenth century work, *The Law of Nations*, pillaging of the countryside or ravaging by fire was not a violation of the rules of war recognized and accepted by states and sovereigns.<sup>128</sup> According to this code: 'A state... has a right to weaken her enemy, in order to render him incapable of supporting his unjust violence' and 'has the right to deprive him of the means of resistance'.<sup>129</sup> This would indicate that Tarleton, as an agent of the king, was acting lawfully in the defence of his sovereign. Critical historians have also tended to ignore substantial evidence that suggest he was respectful of private citizens and their property, such as hanging his own men for looting and his order not to damage Thomas Jefferson's estate, Monticello, during his raid to capture the governor of Virginia in June 1781.<sup>130</sup>

A more balanced depiction of Tarleton's activities in the Southern campaign emerges when compared to the actions of his adversaries. The American Revolution was in reality the first civil war in North America, with the emotive and divisive nature of such a conflict leading to numerous atrocities being committed by both sides. This was particularly so in the southern states from the very beginning of the conflict where communities became polarized into Loyalist and Patriot factions, with vigilante militias from both sides taking advantage of opportunities to violently

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<sup>126</sup> Vattel, p. 298

<sup>127</sup> Ibid.

<sup>128</sup> Ibid., p. 370

<sup>129</sup> Ibid., p. 366

<sup>130</sup> Hibbert, p. 314

settle old feuds with neighbours.<sup>131</sup> By the time the British army began operations in Georgia and South Carolina in 1779 and 1780, increasing animosity in the backcountry ensured that indiscriminate hangings and the burning of homes, by Americans against fellow Americans, were a regular occurrence.<sup>132</sup> This helps to nullify the arguments of those historians who claim that Patriot excesses in the south were only committed in direct retaliation to those committed by Tarleton at Waxhaws.

Numerous celebrated American Patriot leaders, especially those in the south, committed worse outrages that are well-documented and on a greater scale than those attributed to Tarleton. General Thomas Sumter openly promoted atrocities against southern Tories through a policy known as ‘Sumter’s Law’.<sup>133</sup> In an effort to recruit Patriot militia, he encouraged the random hanging of Loyalists, promising that their land and property would be distributed amongst his men.<sup>134</sup> This led to the deaths of hundreds of innocent men, women and children, whose only crime was to remain loyal to the Crown.<sup>135</sup> Likewise, Tory militiamen captured by Sumter received little mercy. Colonel William Davie admitted killing British prisoners at Rocky Mount, South Carolina, because he was unable to carry them off, while William Washington killed 160 Loyalists and took only 35 prisoners at Hammond’s Store, South Carolina, claiming retaliation for Tarleton’s actions.<sup>136</sup> The actions of the ‘Over-the-Mountain Men’ against Major Patrick Ferguson’s Loyalist militia at

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<sup>131</sup> Babits, pp. 2-3

<sup>132</sup> Ibid.

<sup>133</sup> Boatner, pp. 1077-1079

<sup>134</sup> Ibid.

<sup>135</sup> Ibid.

<sup>136</sup> Commager, pp. 1122-1123

King's Mountain in October 1780 can be compared to Waxhaws in that the confusion of battle led to many Loyalists being shot after they had raised a white flag of truce.<sup>137</sup> The difference however, was that once their surrender had been accepted and their muskets taken, nine of them were callously murdered by vengeful Patriots a day after the battle.<sup>138</sup> Another encounter that compares to the disproportionate casualties suffered at Waxhaws is the clash at the Haw River, North Carolina in February 1781, between the 25-year-old Colonel Henry 'Light Horse Harry' Lee's Legion and the 300 men of Pyle's North Carolina Loyalist militia. The militia officers mistakenly believed Lee's green-coated dragoons to be the British Legion and allowed them to approach ensuring Lee had the element of surprise when he attacked them.<sup>139</sup> The Loyalists were unable to form any defence, and according to Lee, who lost no men in the encounter: 'The conflict was quickly decided, and bloody on one side only. Ninety of the Royalists were killed, and most of the survivors wounded'.<sup>140</sup> Unlike Tarleton, Lee chose not to offer any chance of surrender that may have prevented the unnecessary huge loss of life, admitting that 'in some parts of the line the cry of mercy was heard...but no expostulation could be admitted in a conjuncture so critical'.<sup>141</sup> Major George Rogers Clarke is another notable patriotic hero who is praised by American historians for liberating the strategically important frontier forts on the Mississippi River in 1779. However, he personally dispatched with a hatchet six captured Indians allied to the British in view

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<sup>137</sup> Buchanan, p. 233

<sup>138</sup> Bicheno, p. 195

<sup>139</sup> Boatner, pp. 494-495

<sup>140</sup> Lee, p. 258

<sup>141</sup> Ibid.

of the garrison of Vincennes to encourage the surrender of the post.<sup>142</sup> In comparison, there is no credible evidence that indicates Tarleton ever allowed the unlawful killing of prisoners or civilians. By justifying the actions of the above whilst vilifying Tarleton, many American historians are guilty of hypocrisy, or at the very least patriotic myth-making.

Patriotic propaganda led to Tarleton becoming demonized in American historiography. The disproportionate casualties at Waxhaws gave credence to Buford's claim that the British Legion commander had either ordered or allowed his men to 'butcher' prisoners.<sup>143</sup> Under the accepted voluntary laws of nations, as well as the international code of officers and gentlemen, the killing of an enemy who has capitulated was considered unlawful and odious.<sup>144</sup> Thus, Tarleton's alleged dishonourable behaviour provided American propagandists with a timely example of British injustice. This was used to help recruitment of soldiers and raise patriotic fervour during a critical period of the war when the Continental forces had been decisively defeated in the south and support for the cause was waning.<sup>145</sup> The term 'Tarleton's Quarter' became a propaganda catch-cry in encouraging colonials to swell the ranks of the numerous Patriot militias and partisan forces raised to supplement the meager Continental troops available to defend the South.<sup>146</sup> The myth of the Waxhaw Massacre became a defence for Americans who had carried out atrocities on a greater scale and more frequently than those attributed to Tarleton. The Patriots had based their aspirations for independence from Britain on their

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<sup>142</sup> Fleischer, *The Revolutionary War*, Vol. 1, Tape 2

<sup>143</sup> Piecuch, pp. 4-8

<sup>144</sup> Vattel, pp. 369-370

<sup>145</sup> Piecuch, pp. 4-8

<sup>146</sup> Scotti, p. 122

supposed superior virtue, founded on Christian values.<sup>147</sup> However, Tarleton provided them with the necessary justification for seeking vengeance through heinous acts of violence that they claimed to detest.<sup>148</sup> Over time, the historiography of the ‘glorious cause’ has distorted realities, ensuring all American Patriots, except Benedict Arnold, are seen as heroes, whilst the British and Loyalists, and especially Tarleton, are labeled as villains.<sup>149</sup> This is epitomized in the popular Hollywood movie *The Patriot* that was produced in 2000 and is loosely based on Francis Marion and Tarleton. The numerous historical inaccuracies of this film, such as the villain Colonel William Tavington (Tarleton) and his Green Dragoons burning civilians in a church only strengthen the myth surrounding Tarleton and add to the common misconceptions of American history.<sup>150</sup>

There is no doubt that Banastre Tarleton has been a victim of patriotic fervor that has distorted American historiography and popular culture concerning the Revolution. For over 200 years he has been vilified by historians for committing atrocities that would today be labeled as war crimes. However, close analysis of his actions indicate that this is a misconception that should be exposed. An examination of the recorded evidence surrounding the ‘massacre’ at Waxhaws fails to support the perpetual myth regarding Tarleton’s cruelty that has plagued his reputation. His list of military successes, compared to his single serious defeat and the actions of his adversaries, confirm him as the most effective leader of light cavalry during the war. In an effort to gain a better understanding of the realities of the conflict and the part

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<sup>147</sup> Ibid., p. 130

<sup>148</sup> Ibid., p. 142

<sup>149</sup> Piecuch, pp. 4-8

<sup>150</sup> Richard Holmes, *Redcoat: The British Soldier in the Age of Horse and Musket* (London, 2001), p. 226

Tarleton played in it, he deserves to be judged by comparison to the same standards and actions as his American counterparts have been. This would not be an effort to portray the latter as villains, but to provide a fair and accurate account of events and individuals who were participants in a cruel war of recriminations and reprisals. By failing to do so, historians are not only illicitly distorting history, but are unjustifiably condemning the name 'Tarleton' to remain in infamy.