This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

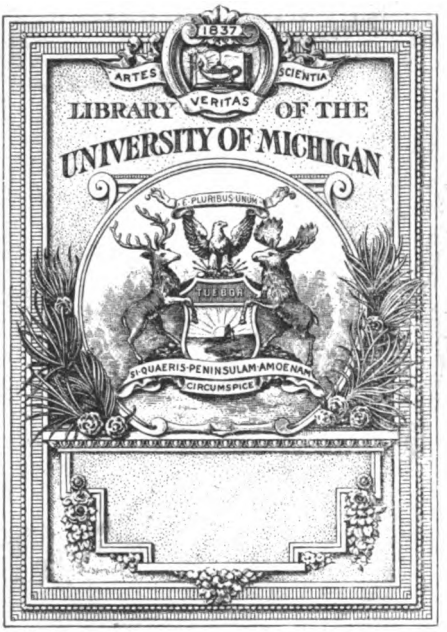
About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

Collections of the Virginia Historical Society

Virginia Historical Society

Digitized by Google



Digitized by Google

F
221
.V78
1888

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

Volume VII

Digitized by Google

Digitized by Google

COLLECTIONS

OF THE

Virginia Historical Society.

New Series.

VOL. VII.

Digitized by Google

WM. ELLIS JONES,
PRINTER,
RICHMOND, VA.

Digitized by Google

ABSTRACT

OF THE

PROCEEDINGS OF THE

Virginia Company of London,

1619—1624,

PREPARED FROM THE

RECORDS IN THE LIBRARY OF CONGRESS

BY

CONWAY ROBINSON,

AND EDITED WITH AN

INTRODUCTION AND NOTES

BY

R. A. BROCK,
Corresponding Secretary and Librarian of the Society.

VOL. I.

RICHMOND, VIRGINIA.
PUBLISHED BY THE SOCIETY.
MDCCCLXXXVIII.

Digitized by Google

Digitized by Google

INTRODUCTION.

The essential value of the Proceedings of the Virginia Company of London, towards a due knowledge of the planting of the first of the American Commonwealths, is patent. Although highly useful excerpts from them have been presented by the zealous and indefatigable investigator, Rev. Edward D. Neill, D. D., in his publications illustrative of the early history of Virginia, it is believed that the abstracts now offered will prove an acceptable aggrandizement of his labors, and inasmuch as they were prepared by a scholar of singular discernment—the late eminent jurist, Conway Robinson, whose professional works are held in prime authority and as of enduring worth—it may be hoped, with confidence, that they are comprehensive as to all desirable details.

The Virginia Historical Society is greatly indebted to Mr. Robinson for a signal devotion to its interests, which only ceased with his life. He was one of its founders, on December 29th, 1831 ; its first treasurer ; from 1835 until his removal to Washington, D. C., in 1869, a member of its "Standing," or Executive Committee, serving for a greater portion of the period as chairman, and subsequently and continuously as vice-president of the Society.

The abstracts, it is thought, were made by Mr. Robinson in or about the year 1856. They were recently generously presented to the Society by his widow.

The history of the preservation of a contemporaneous copy of the original records is thus given :

"In one of the old mansions of rural Chelsea, which tradition says was the home of Sir Thomas More, the warm friend of

Digitized by Google

Erasmus and author of the political romance of Utopia, there dwelt, in 1624, Sir John Danvers, a prominent member of the Virginia Company, who had married the gentle and comely widow Herbert, already the mother of ten children, two of whom were George, the holy poet, and Edward, the philosophic deist. After the King resolved to annul the charter of the Company, an attempt was made by their opponents to obtain the records. The Secretary of the Company, Collingwood, probably under the direction of Deputy Nicholas Ferrar, visited Sir John Danvers, and mentioned that three London merchants had lately called upon him to obtain information. A clerk of Collingwood was immediately secured as copyist, and, to preclude discovery, was locked up in a room of Danvers' house, while he transcribed the minutes.

"After the transactions were copied on folio paper, to prevent interpolation, each page was carefully compared with the originals by Collingwood and then subscribed 'Con. Collingwood,' when Danvers took them to the President of the Company, Henry Wriothesley, Earl of Southampton. The Earl was highly gratified in the possession of a duplicate copy of the Company's transactions, and expressed it by throwing his arms around the neck of Sir John, and then turning to his brother, said: 'Let them be kept at my house at Tichfield; they are the evidences of my honor, and I value them more than the evidences of my lands.'

"During the same year Southampton died, and Thomas, his son, was heir and successor to the title; became Lord High Treasurer of England, and lived until 1667. Shortly after the death of the latter, William Byrd, of Virginia, the father[a] of the

---

a This was Colonel William Byrd, Auditor and Receiver-General of the colony, the first of the family, name and title in Virginia. In a MS. letter-book of his, covering the period January, 1683,—August 3, 1691, in the Collections of the Virginia Historical Society, there is a hiatus in his correspondence between "ffeb'y ye 12th, 1686," and "April ye 16th, 1688," dating letters, both addressed to "Messrs. John Thomas and Company, in Barbadoes." In that of the last date, he remarks, by way of beginning: "Last yeare when I was goeing out of the country I wrote to you." It may then be assumed that the year of acquisition was 1687, when, also, Byrd was entrusted with and brought to the colony, a broad-seal, appointed for the colony by James II, but which

Digitized by Google

Honorable William Byrd, of 'Westover,' purchased the manuscript records from the Earl for sixty guineas.

Rev. William Stith, who subsequently became President of William and Mary College, while living at the glebe at Varina,[b] on James river, the old settlement of Sir Thomas Dale, better known, since the civil war, as Dutch Gap, obtained these records from the Byrd library at "Westover"; and most of the material of his *History of Virginia*, completed in 1746, was drawn therefrom.

---

it appears was never used. (See Note, *post* 154, and further as to the seals of Virginia, it may be here noted, that John Esten Cooke, in an article in the *Magazine of American History*, August, 1883, page 88, gives an account of an alleged seal of the Virginia Company, representing "an Indian being helped up from a crouching posture by Britannia, with the motto 'Resurges.'" Several years previous to the publication by Cooke, a pencil drawing of this design was sent to the present editor by his friend Christopher J. Cleborne, M. D., Medical Inspector United States Navy, who had obtained it in New Orleans, La. It was probably a design submitted for the great or broad seal of the colony, subsequent to the dissolution of the Company. The insignia mentioned in the note above referred to, was also used in gilt decoration on the backs of Bibles and Prayer-Books provided for the colonial churches. The editor has seen a number of such examples. For a history of the State seal, see Report by Col. Sherwin McRae to Governor Wm. E. Cameron, February 25, 1884, House Documents, No. XI). Soon after the death of the third Colonel William Byrd, of Virginia (born 6th September, 1728; died 1st January, 1777), his library, the formation of which was commenced by his grandfather, and which by continuous accessions included 3,625 volumes, in various departments of science and *belles-lettres*—was sent by his widow, *née* Mary Willing, of Philadelphia, to that city and was there sold at auction. The editor possesses a *verbatim* copy of the original catalogue, from which it appears that many of the books could never have been taken beyond the limits of Virginia. A portion of the library must have been sold in Virginia, or many of the books had been loaned out, as they have frequently appeared with the book plate of the second Col. Wm. Byrd, in sales of books made at auction in Richmond, Virginia.

b So called because the lands in the section produced a tobacco nearly resembling the Spanish Varinas Stith was rector of Henrico parish, the glebe of which was at Varina from 18th July, 1736 to 1st October, 1752. Varina was formerly the county seat of Henrico, and its records were kept there until the invasion of the traitor, Arnold, in October, 1781, when they were removed to Richmond. Varina was the point at which Confederate and Federal prisoners were exchanged during the late war between the States of our Union.

Digitized by Google

Stith's brother-in-law, Peyton Randolph, became the first President of the Continental Congress, and while visiting a friend at his seat near Philadelphia, in October, 1775, suddenly died. When his library was sold, it was purchased by Thomas Jefferson,[c] and among the books were the manuscript records of the Virginia Company, which had been used by Stith. The United States having purchased the books of President Jefferson, these manuscripts are now preserved in the Library of Congress. They are bound in two volumes, folio, and contain the Company's transactions from 28th April, 1619, until 7th June, 1624. The first volume contains 354 pages, and concludes with this statement:

"Memorand re, that wee, Edward Waterhouse and Edward Collingwood, secretaries of the Companies for Virginia and the Sumer Islands, have examined and compared the booke going before, conteyning one hundred seventy-seven leaues, from page 1 to page 354, with the originall booke of courts itself. And doe finde this booke to be a true and p'fect copie of the said originall courte booke, sauing that there is wanting in the copie of court of the 20th May, 1620, and the beginning of the qr.-court held 22d; but as farre as is here entered in, this copie doth truly agree with the originall itself.

"And to every page, I, Edward Collingwood, haue sett my hand, and both of us do hereby testifie, as above, that it is a true copie.

"ED. WATERHOUSE, *Secrt.*
"ED. COLLINGWOOD, *Secrt.*

"Jan. 28, 1623 [1624, N. S.]"

The second volume contains 387 pages, and is concluded with the following note:

---

c While these two volumes were yet in his possession, Mr. Jefferson, in a letter to Colonel Hugh P. Taylor, dated 4th October, 1823, says that the volumes came to him with the library of Colonel Richard Bland, which Mr. Jefferson had purchased, Colonel Bland having borrowed them from the "Westover" Library and never returned them.—*Narrative and Critical History of America*, Volume III, page 158, citing H. A. Washington's edition of *Jefferson's Writings*, Volume III, page 312. The delinquent borrower was Colonel Richard Bland, of "Jordan's," characterized as "the Antiquary," because of his intimate knowledge of the early history of Virginia and its muniments.

Digitized by Google

"*Memorand.*—That wee, Edward Collingwood, Secretary of the Company for Virginia, and Thomas Collett, of the Middle Temple, gentleman, have perused, compared and examined this present booke, beginninge att page 1, att a Preparative Court held for Virginia the 20th of May, 1622, and endinge at this present page 387, att a Preparative Court held the 7th of June, 1624. And wee doe finde that this coppie doth perfectlie agree with the originall books of the Court to the Company, in all things, saue, that in page 371, the grannt of 800 acres to Mr. Maurice Berkley is not entered, and saue that in page 358 we wanted the Lord's letter to Mr. Deputy Ferrer, so that we could not compare itt, and likewise sauing that in page 348, wee wanted the Gouernor and Counsell's letter from Virginia, in w'ch respects, I, Edward Collingwood have not sett my hand severally to each confirmacõn, that they agree truly with the Originalls. And in witness and confirmacõn that this booke is a true coppy of the Virginia Courts, wee have hereunder joyntly sett our hands the 19th day of June, 1624.

"THOMAS COLLETT,[d]
"EDWARD COLLINGWOOD, *Secr.*"

Judgment against the Virginia Company had been pronounced only three days before the last note was written by that Lord Chief-Justice Ley, called by John Milton the "old man eloquent," in a sonnet to the Judge's daughter—"Honour'd Margaret."

On the 15th of July, the King ordered all their papers to be given to a commission, which afterwards met weekly, at the house of Sir Thomas Smith.

The entries in the minutes were damaging to the reputation of Smith and others of the commission, and it is presumed that no great effort was made to preserve the originals. Repeated searches have been made for them in England, but they have not been discovered.[e]

A manuscript volume containing a duplicate set of the records of the Virginia Company (transcripts made in Virginia some one hundred and fifty years ago), with other curious historical matter entered by their last eccentric individual owner,

d Thomas Collett was a nephew of John and Nicholas Ferrar.

e Preface to Neill's *Virginia Company of London*, pages i-v.

Digitized by Google

were deposited with the late Conway Robinson, then, and as chairman of the "Standing Committee" of the Virginia Historical Society, by Judge William Leigh, one of the executors of John Randolph, of Roanoke, in whose library they were found after his death, in 1833, where they were inspected by the late Hugh Blair Grigsby, LL.D., later the president of the Virginia Historical Society, before the dispersion of the library at a later period. This manuscript was examined by Charles Deane, LL.D., in Richmond in April, 1872, just after he had inspected the Byrd-Stith-Jefferson copy in Washington. It was then, with other papers, the property of the Virginia Historical Society, in the custody of James Alfred Jones, Esq., a prominent lawyer and a friend of Mr. Robinson, who had entrusted them to Mr. Jones for safe-keeping. When Mr. Robinson removed to Washington, he deposited it, with other matter, his personal belongings, in a vault of one of the banks of Richmond, and had promised to deliver it to the editor, as the representative of the Society, when convenient opportunity presented itself for separating the documents. This opportunity, it is presumed, did not offer in Mr. Robinson's subsequent somewhat brief visits to Richmond, and he died without having delivered the manuscript. Singularly, inquiry at the several banks of the city has failed to elicit information as to the place of deposit, nor has the manuscript been found among the books and papers of Mr. Robinson in Washington, although diligent search has been made by his family in response to a request made his son, Captain Leigh Robinson.

The desirability of the publication of the records of the Virginia Company was first publicly urged by the accomplished scholar, the late John Wingate Thornton, in a paper in the *Historical Magazine*, February, 1858, page 33 (then edited by the veteran antiquarian, John Ward Dean), and in a pamphlet, *The First Records of Anglo-American Colonization*, Boston, 1859.

In May, 1868, Rev. Edward D. Neill, D. D., who had used these records while working on his *Terra Mariæ*, memorialized Congress, explaining their value, and offering without compensation, to edit the MS., under the direction of the Librarian of Congress. Being thwarted in his original purpose, Dr. Neill made the records the basis of a *History of the Virginia Company* of London, 1869, which, somewhat changed, appeared in an English edition as *Eng-*

Digitized by Google

lish Colonization in America in the Seventeenth Century. Two unavailing efforts have been made with Congress by the Virginia Historical Society, since that of Dr. Neill, for the publication of the records ; the first to be at the cost of the Government and the latter, under the auspices and at the cost of the Society.

Besides the Proceedings of the Company,[f] there are also in the Library of Congress a large folio manuscript volume containing the Company and the colony, with other papers, from the year 1621 to 1625, and a smaller folio, also in manuscript, but prepared at a later period, containing copies of early papers. Use of all of these volumes has been made by Rev. E. D. Neill, D. D., in his *History of the Virginia Company of London*, and his *Virginia Vetusta, During the Reign of James I*, Albany, N. Y., 1885. Dr. Neill's *Virginia Carolorum: The Colony under the Rule of Charles the First and Second, A. D. 1625—A. D. 1685*, Albany, N. Y., 1887, also contains illustrative matter of an earlier period.[g]

It may not be deemed inappropriate or unwelcome that the present opportunity be made available to attempt a somewhat comprehensive enumeration of the chief sources of the continued history of Virginia.

The *Narrative and Critical History of America* (Justin Winsor, editor, Boston), Volume III, includes the following substantial and succinct papers: *Sir Walter Raleigh; The Settlements at Roanoke and Voyages to Guiana*, by William Wirt Henry (Chapter IV, pages 105–126), and *Virginia, 1606–1689*, by R. A. Brock, Chapter V, pages 127–168, each with a *Critical Essay on the Sources of Information.* The latter Essay, which was essentially enriched with the erudition of Mr. Winsor, will form the basis of this presentation. The license, it is hoped, will be excused in the object desired.

"There is abundant evidence, as instanced by Mr. Deane, in a paper in the *Boston Daily Advertiser*, July 31, 1877, that the name of Virginia commemorates Elizabeth, the virgin Queen of

---

f The *Orders and Constitutions ordained by the Treasurer, Covnseil and Companie of Virginia for the better gouerning of said Companie*, is reprinted in Force's *Tracts*, Volume III.

g Dr. Neill has published numerous notes on Early Virginia History in the *New England Historical and Genealogical Register*, and many pamphlets touching on the subject.

Digitized by Google

England. Mr. Deane's paper was in answer to a fanciful belief expressed by Mr. C. W. Tuttle in *Notes and Queries*, 1877, that the Indian name Wingina, mentioned by Hakluyt, may have suggested the appellation. The early patents are given in Purchas (abstract of the first), Volume IV, pages 1683–84; Stith; *Hening's Statutes*, Volume I; Hazard's Historical Collections, Volume I, pages 50, 58, 72; *Popham Memorial* (the first), Appendix A, and Poor's Gorges Appendix. There is a paper by Littleton Waller Tazewell on the "Limits of Virginia under the Charters" in Maxwell's *Virginia Historical Register*, Volume I, page 12. These bounds were relied on for Virginia's claims at a later day to the Northwest Territory. See also H. B. Adams' "Maryland's Influence in Founding a National Commonwealth," in *Maryland Historical Publication Fund*, No. 11; also Lucas's *Charters of the Old English Colonies*, London, 1850. Ridpath's United States, page 86, gives a convenient map of the grants by the English crown, from 1606 to 1732. Mr. Deane has discussed the matter of forms used in issuing letters-patent in *Massachusetts Historical Society Proceedings*, Volume XI, page 166.

The earliest printed account of the settlement at Jamestown, covering the interval April 26, 1607—June 2, 1608, is entitled: *A True Relation of such Occurrences and Accidents of noate as hath Happened in Virginia since the first planting of that Collony, which is now resident in the South part thereof till the last returne from thence. Written by Captaine Smith, Coronell of the said Collony, to a worshipfull friend of his in England.* Small quarto, black letter, London, 1608.[h]

---

h The editor of the tract, "J. H.," in his preface, says: "Some of the books were printed under the name of Thomas Watson, by whose occasion I know not, unlesse it were the ouerrashnesse or mistakinge of the workmen." The words, "by a gentleman," got, also, through ignorance of the real authorship, into the titles of some copies as author, there being four varieties of titles. It is sometimes quoted by Purchas (for instance) by the running head-line, *Newes from Virginia* Mr. Deane edited an edition of it at Boston in 1866. An earlier very inaccurate reprint was made in the *Southern Literary Messenger*, February, 1845, from the New York Historical Society's copy. Mr. Deane suggests that the reason Smith omitted this tract in his *Generall Historie*, substituting for it the *Map of Virginia*, is to be found in the greater ease with which the narratives of others, in the latter tracts, would take on the story of Pocahontas, which his own words in the *True Relation* might forbid.

Digitized by Google

The second contemporary account appears in *Purchas His Pilgrims*, Vol. IV, pp. 1685–1690, published in 1625, and is entitled, "Obseruations gathered out of a Discourse of the Plantations of the Southerne Colonie in Virginia by the English, 1606, written by that Honorable Gentleman, Master George Percy."[i]

The narrative gives in minute detail the incidents of the first voyage and of the movements of the colonists after their arrival at Cape Henry until their landing, on the 14th of May, at Jamestown. It is to be regretted that a meagre abridgment only of so valuable a narrative should have been preserved by Purchas, who assigns, as a reason for the omissions he made in it, that the "rest is more fully set down in Cap. Smith's Relations." The third account of the period, "Newport's Discoveries in Virginia," was published, for the first time, in 1860, in *Archæologia Americana*, Vol. IV, pp. 40–65. It consists of three papers, the most extended of which is entitled, "A Relatyon of the Discovery of our river, from James Forte into the Maine; made by Captain Christopher Newport, and sincerely written and observed by a Gentleman of the Colony." This "Relatyon" is principally confined to an account of the voyage from Jamestown up the river to the "Falls," at which Richmond is now situated, and back again to Jamestown, beginning May 21 and ending June 21, the day before Newport sailed for England. The second paper, of four pages, is entitled, "The Description of the new-discovered river and country of Virginia, with the likelyhood of ensuing riches by England's ayd and industry." The remaining paper, of only a little more than two pages, is "A brief description of the People." These papers were printed from copies made under the direction of the Hon. George Bancroft, LL.D., from

---

i A portrait of "Captaine George Percy," copied in 1853, by Herbert L. Smith, from the original at Lyon House, the seat of the Duke of Northumberland, at the instance of Conway Robinson, Esq., then visiting England, is among the valuable collection of portraits of the Virginia Historical Society at Richmond. Its frame, of carved British oak, was a present to the Society from William Twopenny, Esq., of London, the solicitor of the Duke of Northumberland. Percy (born September 4, 1586, died unmarried in March, 1632,) was "a gentleman of honor and resolution." He had served with distinction in the wars of the Low Countries, and his soldierly qualities were evinced in the colony as well as his administrative ability as the successor of John Smith.

Digitized by Google

the originals in the English State Paper Office, and were edited by the Rev. Edward Everett Hale.[j]

The next account to be noted, "A Discourse of Virginia," by Edward Maria Wingfield, the first president of the colony, was also printed, for the first time, in *Archæologia Americana*, Vol. IV, pp. 67–163, from a copy of the original manuscript in the Lambeth Library, edited by Charles Deane, LL.D., who also printed it separately. The narrative begins with the sailing of Newport for England, June 22, 1607, and ends May 21, 1608, on the author's arrival in England. The final six pages are devoted by Wingfield to a defence of himself from charges of unfaithfulness in duty, on which he had been deposed from the presidency and excluded from the council. The narrative was cited, for the first time, by Purchas in the margin of the second edition of his *Pilgrimage*, 1614, pp. 757–768. He also refers to what is probably another writing, "M. Wingfield's Notes," in the margin of page 1706, of Vol. IV, of *Pilgrims*. Dr. Deane reasonably conjectures that the narrative of Wingfield, as originally written, was more comprehensive, and that a portion of it has been lost.[k] Chapter I of Neill's *English Colonization in America* is devoted to Wingfield.

Another narrative of the period:

A Relation of Virginia, written by Henry Spelman, "the third son of the Antiquary," and who came to the colony in 1609, was privately printed in 1872 at London for James Frothingham

---

j The author of the "Relatyon," etc., was identified by the late Hon. William Green, LL.D., of Richmond, Virginia, as Captain Gabriel Archer. Newport's connection with the colony is particularly sketched in Neill's *Virginia and Virginiaola*, 1878. Neill describes the MS., which is in the Record Office, as "a fair and accurate description of the first Virginia explorations." Mr. Hale later made some additions to his original notes (*American Antiquity Society Proceedings*, October 21, 1864), where some supplemental notes, by Mr. Deane, will also be found as to the origin of the name Newport News as connected with Captain Newport. See also Hugh Blair Grigsby, LL.D., in Massachusetts Historical Proceedings, Vol. X, page 23; and *Historical Magazine*, Vol. III, page 347.

k Preface to Deane's *True Relation*, page xxxiii. Wingfield's *Discourse* was first brought to the attention of students in 1845 by the citations from the original MS. at Lambeth, made by Anderson in his *History of the Church of England in the Colonies*.

Digitized by Google

Hunnewell, Esq., of Charlestown, Mass., from the original manuscript.[l]

Spelman, who was a boy when he first came to Virginia, lived for some time with the Indians, became afterwards an interpreter for the colony, and was killed by the savages in 1622 or 1623.

In 1609 there were four tracts printed in London, illustrative of the progress of the new colony:

1. *Saules Prohibition staid, a reproof to those that traduce Virginia.*

2. William Symondes' *Sermon* before the London Company, April 25, 1609.[m]

3. *Nova Britannia: Offeringe most excellent Fruites by planting in Virginia.*[n]

4. *A Good Speed to Virginia.* The dedicator is R. G., who, "neither in person nor purse," is able to be a "partaker in the business."[o]

In 1610 appeared the following:

1. W. Crashaw's *Sermon* before Lord Delaware on his leaving for Virginia, February 21, 1609.

2. *A true and sincere declaration of the purpose and ends of the plantation begun in Virginia.*[p]

3. *A true declaration of the estate of the colonie in Virginia.*[q]

4. The mishaps of the first voyage and the wreck at Bermuda were celebrated in a little poem by R. Rich, one of the Com-

---

l The MS. was bought at Dawson Turner's sale in 1859 by Lilly, the bookseller, who announced that he would print an edition of fifty copies (Deane's ed. *True Relation*, p. xxxv; *Historical Magazine*, July, 1861, p. 224; *Aspinwall Papers*, Vol. I, p. 21, note). It was only partly put in type, and the MS. remained in the printer's hands ten years, when Mr. Henry Stevens bought it for Mr. Hunnewell, who caused a small edition (two hundred copies) to be printed privately at the Chiswick Press.

m Brinley Catalogue, No. 3,800.

n This was reprinted in Force's *Tracts*, Vol. I, and by Sabin, edited by F. L. Hawks, D. D, New York, 1867.

o Sabin, Vol. VII, p 323; Rich (1832), £1 8s.; Ouvry sale, 1882, No. 1, 582, a copy with the autograph "W. Raleigh, Turr., London." Reprinted by Neill in his *Virginia Vetusta*.

p There is a copy in Harvard College Library (Rich, 1832, No. 121, £1 8s.) It was an official document of the Company.

q Another official publication. A copy is in Harvard College Library (Rich, 1832, No. 122, £2 2s.) It is reprinted in Force's *Tracts*, Vol. III.

Digitized by Google

pany, called *Newes from Virginia—The Lost Flocke Triumphant, etc.*[r]

William Strachey was not an actual observer of events in the colony earlier than May 23, 1610, when he first reached Jamestown. The incidents of his letter, July 15, 1610, giving an account of the wreck at Bermuda and subsequent events (Purchas, Vol. IV, p. 1734), must, so far as antecedent Virginia events go, have been derived from others.[s]

In 1612 Strachey edited a collection of *Lawes Divine* of the colony.[t]

There are two MS. copies of his *Historie of Travaile into Virginia Britannia;* expressing the *Cosmographic and Comodities of the Country, together with the Manners and Customes of the People*—one preserved in the British Museum among the Sloane collection, and the other is among the Ashmolean MSS. at Oxford. They vary in no important respect. The former was the copy used by R. H. Major in editing it for the Hakluyt Society in 1849. His copy was dedicated to Sir Thomas Bacon.

In 1611 Lord Delaware's little Relation appeared in London.[u]

---

r But one copy is now known to exist, which is at present in the Huth collection (*Catalogue*, Vol. IV, 1247), having formerly belonged to Lord Charlemont's Library at Dublin, where Halliwell found it in 1864, bound up with other tracts. The volume escaped the fire in London which destroyed the greater part of the Charlemont collection in 1865, and at the sale that year brought £63. In the same year Halliwell privately reprinted it (ten copies). Winsor's *Halliwelliana*, p. 25; Alibone's *Dictionary of Authors*, Vol. II, p. 1788. In 1874 it was again privately reprinted (twenty-five copies) in London. It once more re-appeared, in 1878, in Neill's *Virginia and Virginiola*, and again, in 1885, in his *Virginia Vetusta*. Consult further Lefroy's *History of Bermuda*.

s Tyler's *American Literature*, Vol. I, p. 42. Malone wrote a book to prove that this description by Strachey suggested to Shakespeare the plot of the *Tempest*—a view controverted in a tract on the *Tempest* by Joseph Hunter.

t Reprinted in Force's *Tracts*, Vol. III, No. 2. The dedication is given in the *New England Historical and Genealogical Register*, 1866, p. 36.

u There is a copy in the Lenox Library; it was reprinted (fifty copies) in 1859, and again by Mr. Griswold (twenty copies) in 1868. A letter of Lord Delaware, July 7, 1610, from the Harleian MSS., is printed in the Hakluyt Society's Edition of Strachey. p. xxiii.

Digitized by Google

In 1612 the Virginia Company, to thwart the evil intentions of the enemies of the colony, printed by authority a second part of *Nova Britannia*, called *The New Life in Virginia.* Its authorship is assigned to Robert Johnson.[v]

In 1612, the little quarto volume, commonly referred to as the *Oxford Tract*, was printed, with the following title: *A Map of Virginia, With a Description of the Country, the Commodities, People, Government and Religion, Written by Captaine Smith, Sometimes Governour of the Countrey. Whereunto is annexed the Proceedings of those Colonies since their first departure from England, with the discoveries, Orations, and relations of the Salvages, and the accidents that befell them in all their Iournies and discoveries. Taken faithfully as they were written out of the writings of Doctor Russell, Tho. Stvdley, Anas Todkill, Ieffra Abot, Richard Wiffin, Will. Phettiplace, Nathaniel Powell, Richard Potts. And the relations of divers other intelligent observers there present then, and now many of them in England, by W. S. At Oxford. Printed by Joseph Barnes, 1612.*

As the title indicates, the tract consists of two parts. The first, written, as Smith says in the *Generall Historie*, "with his owne hand," is a topographical description of the country, embracing climate, soil and productions, with a full account of the native inhabitants, and has only occasional reference to the proceedings of the colony at Jamestown. The second part of the Oxford Tract has a separate title-page as follows: "The Proceedings of the English Colonie in Virginia since their first beginning from England, in the year 1606 till this present, 1612, with all their accidents that befell them in their iournies and Discoveries. Also the Salvages, discourses, orations, and relations of the Bordering Neighbours, and how they became subject to the English. Vnfolding even the fundamentall causes from whence haue sprang so many miseries to the vndertakers and scandals to the businesse; taken faithfully as they were written out of the writings of Thomas Studley, the first provart maister, Anas Todkill, Walter

[v] There is a copy in Harvard College Library. A very fine copy in the Stevens sale (1811, *Catalogue*, No. 1612) was afterwards held by Quaritch at £25. Ffty years ago Rich (*Catalogue*, 1832, No. 131), priced a copy at £2 2s. (See Sabin, Vol. XIII, p. 249.) It was reprinted in Force's *Tracts*, Vol. I, No. 7, and 2 *Massachusetts Historical Collections*, Vol. VIII.

Digitized by Google

Russell, Doctor of Phisicke, Nathaniel Powell, William Phettiface, Richard Wyffin, Thomas Abbay, Tho. Hops, Rich. Potts, and the labours of divers other diligent observers that were residents in Virginia. And pervsed and confirmed by divers now resident in England that were actors in this business. By W. S. At Oxford. Printed by Joseph Barnes. 1612."[w]

Alexander Whitaker's *Good Newes from Virginia* was printed in 1613. He was minister of Henrico Parish, and had been in the country two years. The preface is by W. Crashawe, the divine.[x] Ralph Hamor, the younger, "late secretary of that colony," printed in London, in 1615, his *True Discourse of the Present State of Virginia*, bringing the story down to June 18, 1614. It contains an account of the christening of Pocahontas and her marriage to John Rolfe. It was reprinted in 1860,[y] at Albany (200 copies) for Charles Gorham Barney, of Richmond, from an original copy formerly in the library of the Virginia Historical Society. Rolfe's *Relation of Virginia*, a MS. now in the British Museum, was abbreviated in the edition of 1617 of Purchas's

---

w A further account of this tract is given in *Narrative and Critical History of America*, Vol. III, page 167, "Editorial Notes" on "Maps of Virginia or the Chesapeake," which should be duly consulted. Of Smith's *Generall Historie* another discriminate note is given by Mr. Winsor in the same volume, pages 211-212. Of the "Works of Captain John Smith, 1608-1631," with illustrative documents, edited by Edward Arber, "English Scholars' Library" No. 16, Birmingham, 1884, notice will be taken on a subsequent page.

x Consult Tyler, *American Literature*, Vol. I, page 46; Neill, *Virginia Company*, page 78; Rich. (1832) No. 135. It is priced at £2, 2s. Mr. Neill has told the story of Whitaker and others in his *Notes on the Virginia Colonial Clergy*, Philadelphia, 1877. Whitaker was drowned in James river in 1616.

y The original edition is in the Lenox Library and the Deane collection; and copies at public sale in America have brought $150 and $170 (Field, *Indian Bibliography*, Nos 642-3, where he cites it as one of the earliest accounts of the Indians of Virginia, Sabin, Vol. VIII, page 46) A German translation was published at Hanau as Part XIII of the *Hulsius Voyages*, in 1617 (containing more than was afterwards included in De Bry's Latin), and there were two issues of it the same year, with slight variations. The map is copied from Smith's *New England*, not from his *Virginia*. *Carter-Brown Catalogue*, Vol. I, page 491. *Lenox Contributions* (Hulsius), page 15. In 1619, De Bry gave it in Latin as Part X of his *Great Voyages*, having given it in German the year before. *Carter-Brown Catalogue*, Vol. I, pages 348, 368.

Digitized by Google

Pilgrimage, and was printed at length in the *Southern Literary Messenger*, 1839, and in the *Virginia Historical Register*, Vol. I, page 102. (See also Neill's *Virginia Company*, Chapter VI, and his *Virginia Vetusta*, Chapter XV.)

There are various other early-printed tracts besides those already mentioned, reprinted by Force, which are necessary to a careful study of Virginia history.[z]

There are in the Early Virginian Bibliography a few titles on the efforts made to induce the cultivation of silk-worms. The King addressed a letter to the Earl of Southampton, with a review of Bonoeil's treatise on the making of silk, and this was

---

z Some of them follow in chronological order:

Norwood's *Voyage to Virginia*, 1649; Force's *Tracts*, Vol. III; *Virginia Historical Register*, Vol. II, p. 121.

Perfect Description of Virginia, 1649; Force's *Tracts*, Vol. II; *Virginia Historical Register*, Vol. II, p. 60; original edition in Harvard College Library; priced by Rich in 1832, £1 10s.; by Quaritch in 1879, £20.

William Bullock's *Virginia Impartially Examined*, London, 1649; Force's *Tracts*, Vol. III. The original is now scarce. Rich in 1832 (*Catalogue*. No. 271) quotes it at £1 10s. (it is now worth $75). Sabin, Vol. III, 9145; Ternaux, 685; Brinley, 3725.

Extract from a Manuscript Collection of Annals Relative to Virginia, Force's *Tracts*, Vol. II.

A Short Collection of the most Remarkable Passages from the Originall to the Dissolution of the Virginia Company, London, 1651; there are copies in the Library of Congress and in that of Harvard College.

The Articles of Surrender to the Commonwealth, March 12th, 1651; *Mercurius Politicus*, May 20–27, 1652; *Virginia Historical Register*, Vol. II, p. 182.

Virginia's Cure; or, An Advisive Narrative Concerning Virginia; Discovering the True Ground of that Church's Unhappiness, by R. G., 1662. Force's *Tracts*, Vol. III. The original is in Harvard College Library.

Sir William Berkeley's *Discourse and View of Virginia*, 1663; Sabin's *Dictionary*, Vol. II, 4889

Nathaniel Shrigley's *True Relation of Virginia and Maryland*, 1669, Force's *Tracts*, Vol. V.

John Lederer's *Discoveries in Three Marches from Virginia*, 1669, 1670, London, 1672, with a map of the country traversed. It was "collected out of the Latin by Sir William Talbot, Baronet." There is a copy in Harvard College Library. *Griswold Catalogue*, 422; *Huth Catalogue*, Vol. III, 829.

Digitized by Google

published by the Company in 1622. (*Harvard College Library MS. Catalogue; Brinley Catalogue*, No. 3760.) The Company also published, in 1629, *Observations * * * of Fit Rooms to Keepe Silk-Wormes in;* and as late as 1655, Hartlib's *Reformed Virginia Silk-Worm*, indicated continued interest in the subject. This last is reprinted in Force's *Tracts*, Vol. III, No. 13, and the originals of this and the preceding are in Harvard College Library. Sabin's *Dictionary*, Vol. VIII, page 321. See also *Dosse's Agriculture*, London, 1759.

Of considerable importance among the papers transmitted to our time is the collection which had in large part belonged to Chalmers, and been used by him in his *Political Annals;* when, passing to Colonel William Aspinwall, they were by him printed in the *Massachusetts Historical Collections*, 4th Series, Vols. IX and X, with numerous notes, particularly concerning the earlier ones, beginning in 1617, in which the careers of Gates, Pory[aa] and Argall are followed. Dr. Deane, *True Relation*, page 14, quotes as in Mr. Bancroft's hands a copy from a paper in the English State-Paper Office, entitled "A Breife Declaration of the Plantation of Virginia during the first twelve years when Sir Thomas Smyth was Governor of the Companie [1606–1619], and downe to the present tyme [1624], by the Ancient Planters now remaining alive in Virginia." Mr. W. Noël Sainsbury, in his *Calendar of State Papers, Colonial Series*, 1860, etc., has opened new stores of early Virginian, as well as of Anglo-American history, between 1574 and 1660. The work of the Public Record Office has been well supplemented by the *Reports of the Historical Commission*, which has examined the stores of historical documents contained in private depositaries in Great Britain. Their third Report of 1872 and the appendix of their eighth Report are particularly rich in Virginian early history, covering documents belonging to the Duke of Manchester. The *Index* to the Catalogue of MSS. in the British Museum discloses others. In 1860 the State of Virginia sent Colonel Angus W. McDonald to London to search for papers and maps elucidating the question of the Virginia bounds with Maryland, Tennessee and North

---

aa John Pory's lively account of excursions among the Indians is given in Smith's *Generall Historie*. Neill, *New England Historical and Genealogical Register*, 1875, p. 296, thinks that George Ruggles was the author of several of the early tracts in Force's *Tracts*. See Neill's *Virginia Company*, p. 362.

Digitized by Google

Carolina, which resulted in the accumulation of much documentary material, and a report to the Governor in March, 1861—Document 39 (1861)—which was printed. See *Historical Magazine*, Vol. IX, page 13. Matters of historical interest will be found in other of the documents of this boundary contest: Document 40, January 9, 1860; Senate Document, Report of Commissioners, January 17, 1872, with eleven maps, including Smith's; Final Report, 1874; Senate Document No. 21, being reprints in 1874 of Reports of January 9, 1860, and March 9, 1861; House Document No. 6, communication of the Governor, Januuary 9, 1877. There were also publications by the State of Maryland relating to the contest.[bb]

In 1874 there was published, as a State Senate Document, *Colonial Records of Virginia*, 4to, which contains the proceedings of the first Assembly, convened in 1619 at Jamestown,[cc] with other early papers, and an Introduction and Notes by the late Thomas H. Wynne.[dd] Attention was first called in America to these proceedings by the late Conway Robinson, Esq. (who had inspected the original manuscript in the State-Paper Office, London), in a Report made as chairman of the Executive Committee of the Virginia Historical Society, at a meeting of the Society held at Richmond, December 15, 1853, and published in the *Virginia Historical Reporter*, Vol. I, page 7. They were first published in the *Collections* of the New York Historical Society, 1857, with an Introduction by George Bancroft.[ee]

---

bb The history of the dividing line (1728) between Virginia and North Carolina is found in William Byrd's *Westover MSS*, printed in Petersburg in 1841, and reprinted with other papers from the original MSS., by Thomas H. Wynne, in two volumes, small 4to, in 1869. Albany: J. Munsell & Sons. It shows how successive royal patents diminished the patent rights of Virginia. See *Virginia Historical Register*, Vols. I and IV, 77; Williamson's *North Carolina* Appendix.

cc A copy of this portion of the *Records*, collated with the original by Mr. Sainsbury, is in the library of the present editor. The other papers in the volume of 1874 included a list of the living and dead in 1623; a Brief Declaration of the Plantation during the first twelve years (already mentioned); the Census of 1634, etc.

dd A sketch of his life, by R. A. Brock, was published in the *Evening News*, Richmond, March 20, 1875.

ee The Report of the Speaker of this Assembly to the Company in England was also printed in the *New York Historical Collections* in 1857. See also on these proceedings the *Antiquary*, London, July, 1881.

Digitized by Google

Abstracts from the English State-Paper Office have been furnished the State Library of Virginia by W. Noël Sainsbury to December 30, 1730. There are various papers on the *personnel* of the colony in the list of passengers for Virginia in 1655, which Mr. H. G. Somerby printed in the *New England Historical and Genealogical Register*, Vol. II, pp. 111, 211, 268; Vol. III, pp. 184, 388; Vol. IV, pp. 61, 189, 261; Vol. V, pp. 61, 343, and Vol. XV, p. 142; and in the collection of such documents, mostly before published, which are conveniently grouped in Hotten's *Original Lists* (1600, 1700), London, 1874 and 1881; and in S. G. Drake's *Researches Among the British Archives*, 1860. The *Genealogical Gleanings in England*, by Henry F. Waters, with occasional annotations by R. A. Brock, the publication of which was commenced in the *Register* in 1883, and is continued, contain much information relating to Virginia families. The *Gleanings* was reprinted, Vol. I, part I, in 1885, and the several issues to No. 20 have been reprinted since.

The Virginia Company published three lists of the venturers and emigrants in 1619, and in 1620 a similar enumeration in a *Declaration of the State of the Colonie.*[ff] This was dated June 24th; another brief *Declaration* bears date September 20, 1620. A list of ships arriving in Jamestown, 1607–1624, is given by Neill in the *New England Historical and Genealogical Register*, 1876, page 415.

Neill has published various studies of the census of 1624 in the *New England Historical and Genealogical Register* for 1877, pp. 147, 265, 393.[gg]

---

ff There is a printed copy in Harvard College Library; Rich (1832), No. 133, £2, 2s.; Brinley, Nos. 3739–40. It was reprinted in Force's *Tracts*, Vol. III, No. 5. Dr. Deane, *True Relation*, p. xli, examines the conflicting accounts as to the number of persons constituting the first emigration.

gg The vexed question as to how far the convict class made part of the early comers to Virginia is discussed in Jones's edition Hakluyt's *Divers Voyages*, p. 10; *Index to Remembrancia*, 1519–1664, with citations in *Massachusetts Historical Society Proceedings*, Vol. XVII, p. 297; *Aspinwall Papers*, Vol. I, p. 1, note; E. D. Neill, *English Colonization in North America*, p. 271, and his "Virginia as a Penal Colony," in *Historical Magazine*, May, 1869. It is also noticed by R. A. Brock in his Chapter, "Virginia, 1606–1689," before cited. His conclusion is: Undue stress has been laid by many writers upon the transportation

Digitized by Google

A comprehensive account of the early Walloon emigration to Virginia is given in *Les Colonies Anglais de 1574 a 1660 d' apres Les State Papers et Episode de l'emigration Belge en Virginie, par J. Felsenhart, Docteur en Philosophie et Lettres*, Gand, 1867. The *History of the Huguenot Emigration to America*, by Charles W. Baird, D. D., two volumes, New York, 1885, is also an important work of reference.

The most trustworthy source of information as to those who became planters and founders of families, is afforded by the Virginia records of land patents, which are continuous from 1620, and are no less valuable for topographical than for genealogical reference.[hh]

---

of "convicts" to the colony. Such formed but a small proportion of the population, and it is believed that the offence of a majority of them was of a political nature. Be it as it may, all dangerous or debasing effects of their presence was effectually guarded against by rigorous enactments. The vile among them met the fate of the vicious, while the simply unfortunate, who were industrious, throve and became good citizens. It is clearly indicated that the aristocratic element of the colony preponderated. The under stratum of society, formed by the "survival of the fittest" of the "indentured servant" and the "convict" classes, as they improved in worldly circumstances, rose to the surface and took their places socially and politically among the more favored class. The Virginia planter was essentially a transplanted Englishman in tastes and convictions, and emulated the social amenities and the culture of the mother country. This is shown by the preservation of books to this day in the several departments of literature which are identified—by ownership in inscribed name and date—with the homes of the Virginia planter of the seventeenth century, many of which have fallen under the personal inspection of the present writer, who has a number of examples in his own library. A little later private libraries were numerous in Virginia, and in value, extent, and variety of subject embraced, the exhibit will contrast favorably with that of any of the English colonies in America. Armorial book-plates were more numerously in use from examples than in any of the remaining colonies. "It would be wholly wrong, however, to suppose that immigrants of this sort were a controlling element," says Lodge in his *English Colonies*, 66, and this is now the general opinion.

hh The *New Series of the Collections of the Virginia Historical Society*, six volumes, 1882–1887, particularly Vol. V.; *Huguenot Emigration to Virginia*, 1886; Bishop Meade's *Old Churches and Families of Virginia*, two volumes, 8vo., 1855; Slaughter's *History of Bristol Parish*, Dinwiddie county (1st ed., 1846, 2d, 1879); *History of St. George's Parish*, Spotsylvania county, 1847, and *St. Mark's Parish*, Culpeper county, 1877; Brock's *Vestry Book Henrico Parish*, 1874;

Digitized by Google

The manuscript materials of the history of Virginia have ever been subject to casualty in the various dangerous and destructive forms of removal, fire and war. The first capital, Jamestown, was several times the scene of violence and conflagration. The colonial archives were exposed to accident when the seat of government was removed to Williamsburg; and finally when, in 1779, the latter was abandoned for the growing town of Richmond, they were again disturbed and removed hastily to the last-named place. It is probable that at the destruction by fire of the buildings of William and Mary College, in 1705, many valuable manuscripts were lost which had been left in them when the royal Governors ceased to hold sessions of the Council within her walls, and when other government functionaries no longer performed their duties there. Many doubtless suffered the consequences of Arnold's invasion in 1781, upon whose approach the contents of the public offices at Richmond were hastily tumbled into wagons and hurried off to distant counties. The crowning and fell period of universal destruction to archives and private papers was, however, that of our late unhappy war between the States, when seats of justice, sanctuaries and private dwellings alike were subjected to fire and pillage. The most serious loss sustained was at the burning of the State Court-House at Richmond, incidental on the evacuation fire of April 3, 1865, when were consumed almost the entire records of the old General Court from the year 1619, or thereabouts, together with those of many of the county courts (which had been brought thither to guard against the accidents of the war), and a greater part of the records of the State Court of Appeals. Of the records of the General Court, a fragment of a volume covering the period April 4, 1670, to March 16, 1676, is in the Collections of the Virginia Historical Society, and another fragment—February 21, 1678, to October, 1692—is in the archives of Henrico County Court at Richmond. In the State Library are preserved the Journals of the General Assembly from 1691 to 1744, with occasional interruptions;[ii] of the Council, 1705, 1721-34, 1776-9,

G. D. Scull's *The Evelyns in America, 1608-1805, Kent Island*, Oxford, Eng., 1881; The *Goode Genealogy*, S. Brown Goode, and the files of the Richmond *Standard*, 1878–1882, G. Watson James and R. A. Brock, editors, may be referred to for purposes of genealogical investigations.

ii There are also printed Journals of the House of Burgesses 1752-8, 1761-5, and of the Assembly from 1776, inclusive. Others of these

Digitized by Google

1782–3; of the Committee of Safety, June 5, July 5, 1776, and the Journal of the Commissioners of the Virginia Navy, 1776–1779;[jj] the correspondence of the Committee of Safety; the documents of the House of Delegates from 1774, including Executive communications (inclosing correspondence), petitions, rough bills and resolutions; and masses of inedited Executive correspondence and other documents.[kk]

There is a transcript from the original in the State Department, Albany, New York, Vol. VI of Records, generously made by B. Fernow, Esq., of "Papers concerning a difference between Gov. Francis Nicholson and some of the Council, also concerning William and Mary College, 1691–1705," and a MS. History of Virginia to 1783, by Edmund Randolph, in the Collections of the Virginia Historical Society.[ll]

Of the records of the several counties, the great majority of those of an early period, it is certain have been destroyed. Information as to the preservation of the following has been received by the present writer: York (originally Charles River), from 1633; Northampton (old Accomac), continuous from 1634; Surry, a volume commencing in 1652; Rappahannock, from

---

Journals in the possession of Mrs. Cynthia B. T. Coleman, granddaughter of St. George Tucker, Williamsburg, Va., should be secured for the State Library.

jj Dr. William P. Palmer published in the *Southern Literary Messenger*, Vol. XXIV, *The Virginia Navy in the Revolution*. See also the *Virginia Historical Register*, Vol. I, pp. 76, 127, 185; Vol. II, pp. 146, 211; Vol. III, p. 178; Vol. VI, p. 162, and a serial in the Richmond *Daily Times*, January-April, 1888.

kk The offices of the Land Registry, the Treasurer and the Auditors also contain valuable files. In the former are the rosters of Virginia forces who served in the wars of the Revolution, and of 1812.

ll Justin Winsor, in Chapter IV, *Narrative and Critical History of America*, quotes in note, from the *Canadian Antiquarian*, Vol. IV, page 76, "An old MS concerning the government of the English plantations in America, supposed to have been written by a Virginian in 1699—Mr. [James] Blaire, or B. Harrison." See also on Blair, E. D. Neill, *Virginia Colonial Clergy*, page 403. In April, 1707, Benj. Harrison petitioned the Council of Virginia for permission to make extracts from the records, and had made collections with a view of writing a history of Virginia, but most of them have been destroyed by the fire that burnt William and Mary College."

Digitized by Google

1656; Essex, from 1692; Charles City, a single volume from January 4, 1650, to February 3, 1655, inclusive; Henrico, a deed-book, 1697–1704, and with interruptions, records and order-books, to 1774—all classes of records unbroken from October, 1787, and also a large mass of unrecorded documents; Hanover, two folio deed-books, 1732–34.[mm]

In elucidation of the social life and commerce of the period—the three decades of the seventeenth century—the following may be referred to: Letters of Colonel William Fitzhugh, of Suffolk county, a lawyer and planter, May 15, 1679–April 29, 1699; Letters of Colonel William Byrd, of the "Falls," James River, planter, and Auditor and Receiver-General of the Colony, January, 1683–August 3, 1691—in the Collections of the Virginia Historical Society, in which are also many other MSS. and loose papers generally illustrative of the history of Virginia, among them: The *Minutes of the Phi-Beta Kappa Society*, secretly organized by the students of William and Mary College, December 5, 1775, the membership of which included many prominent patriots of the Revolution; *The Minutes of the Virginia Branch of the Order of Cincinnati*, organized by surviving veterans of the Revolution to perpetuate its memories; *Papers of the Ludwell and Lee Families*—1638–1870—Philip Ludwell, Secretary of the Colony—General Robert E. Lee, with intermediate link of historic lineage; *Papers of the Adams, Cocke and Massie Families*—1670–1830, including documents relating to Vine-Planting, by Phillip Mazzie, and to the American Revolution; *Orderly Books of the Revolution.*

The following parish records are valuable sources of early genealogic information: Registers of Charles River Parish, York county—births, 1648–1800, deaths, 1665–1787;[nn] Vestry Books (some with partial registers) of Christ Church Parish, Middlesex county, 1663–1767; Petsoe Parish, Gloucester county, from June 14, 1677; Kingston Parish, Mathews county, 1750–1796; St. Peters' Parish, New Kent county, 1686–1784; Frederick Parish, Frederick county, 1764–1818; Fredericksville Parish, Louisa

---

mm Abstracts of the Records of Henrico county, and of York county, 1633–1700, made by W. G. Stanard, are in the State Library.

nn A transcript is in the possession of the family of the late Conway Robinson, Washington, D. C.

Digitized by Google

county, 1742–1787; Hanover Parish, King George county, 1779–1796; Cumberland Parish, Lunenburg county, 1747–1791; Blissland Parish, 1722–1786; Upper Nansemond Parish, Nansemond county, 1744–1793; Antrim Parish, Halifax county, 1752–1770; St. Mark's Parish, Culpeper county, 1730–1785; Dettingen Parish, Prince William county, 1747–1802; Christ Church, Lancaster county, 1739–1797; Shelburn Parish, Loudoun county, 1771–1805; Stratton-Major Parish, 1729–1783: St. Paul's Parish, Hanover county, 1720–1785; Truro Parish, Fairfax county from 1762; Bristol Parish, Dinwiddie county—in the library of the Theological Seminary, Alexandria, Virginia; Sussex Register—in the Collections of the Virginia Historical Society; Parish Register, Goochland county, kept by Rev. Wm. Douglas, who was an early tutor of Thomas Jefferson, 1750–1778—now in the possession of his great-grandson, Robert Walker Lewis, Richmond, Virginia; Vestry Book, St. Anne's Parish, Albemarle county, 1772–1808—in the possession of the present editor, who has also five folio volumes, of his own gleanings, regarding Virginia families, history, topography, antiquities, etc. There is also, in the library of the Theological Seminary, a volume of correspondence on Church and other matters, 1766–1775, and transcripts from the Lambeth MSS., 1650–1766.[oo]

Of the papers in the State archives at Richmond, six volumes, quarto, have been published as *Calendar of State Papers and other Manuscripts, preserved in the Capitol at Richmond*, at first edited by Dr. William P. Palmer, and later by Colonel Sherwin McRae—Vol. I, 1652, in 1875; Vol. VI, 1793, in 1886, and a seventh volume is now in press, bringing the period covered down to 1800. Of the career of Captain John Smith, it may be remembered that Fuller, in the earliest printed biography of Smith, contained in his *Worthies of England*, says of him: "It soundeth much to the diminution of his deeds, that he alone is the herald to publish and proclaim them." Dr. Charles Deane first pointed out in 1860, in a note to his edition of Wingfield's *Discourse*, that the story of Pocahontas's saving Smith's life from the infuriated Powhatan, which Smith interpolates in his

---

oo Rev. Philip Slaughter, D. D., Mitchell's Station, Culpeper county, Virginia, historiographer of the Protestant Episcopal Diocese of Virginia, may be consulted as to these.

Digitized by Google

Generall Historie, was at variance with Smith's earlier recitals in the tracts of which that book was composed when they had been issued contemporaneous with the events of which he was treating some years earlier, and that the inference was that Smith's natural propensity for embellishment, as well as a desire to feed the interest which had been incited in Pocahontas when she visited England, was the real source of the story. Dr. Deane still further enlarged upon this view in a note to his edition (page 28) of Smith's *Relation* in 1866.[pp]

It has an important bearing on the question, that Hamor, who says so much of Pocahontas, makes no allusion to such a striking service. The substantial correctness of Smith's later story is contended for by Wyndham Robertson in the *Historical Magazine*, October, 1869; by William Wirt Henry in *Potter's American Monthly*, 1875, and a general protest is vaguely rendered by

---

pp This iconoclastic view was also sustained by Dr. E. D. Neill in Chapter V of his *Virginia Company in London*, 1869, which was also printed separately, and in Chapter IV of his *English Colonization in America*. He goes further than Dr. Deane, and, following implicitly Strachey's statement of an earlier marriage for Pocahontas, he impugns other characters than Smith's, and repeats the imputations in his *Virginia and Virginiola*, page 20; in his *Virginia Vetusta*, 1885, Chapter II, and in his *Virginia Carolorum*, 1886, pages 84, 85, and as to John Rolfe in the last work, pages 19, 59, 194, 195. There is a paper on the marriage of Pocahontas, by Wyndham Robertson, in the *Virginia Historical Reporter*, Volume II, Part I (1860), page 67. Consult further Field's *Indian Bibliography*, page 383. See Neill's view pushed to an extreme in *Historical Magazine*, Volume XVII, page 144, and in his *Virginia Carolorum*, as above. A writer in the *Virginia Historical Register*, Volume IV, page 37, undertook to show that Kokoum and Rolfe were the same. Matthew S. Henry, in a letter dated Philadelphia, September 11, 1857, written to Dr. William P. Palmer, then Corresponding Secretary of the Virginia Historical Society, gives us the Lenni Lenape signification of Kokoom or Kokoum as "'to come from somewhere else,' as we would say, 'a foreigner.'" John Esten Cooke, in his *My Lady Pokahontas*, Boston, 1885, preserves all the glamour as romantically presented of her career, and Wyndham Robertson, in his *Pocahontas and her Descendants*, Richmond, 1887, yields naught of his original sentimental view, and includes also quite a full biographical sketch of John Rolfe. Dr. Deane, in an article, *Pocahontas and Captain Smith*, in the *Magazine of American History*, May, 1885, pages 493-4, crystalizes his original conclusions in logical deduction.

Digitized by Google

Stevens in his *Historical Collections*, page 102, whilst Edward Arber, in his *Captain John Smith's Works*, 1884, Introduction, page x,[qq] pleasantly and complacently insists that "Smith, of Virginia, without Pocahontas, would be like William Tell without the apple story, * * that narrow escape formed but a mere incident in a life which, till then and for some time afterwards, was simply replete with similar desperate hazards of all kinds. If he were now living, he would, we think, say that too much had been made of that Pocahontas matter. * * As an actual fact, Smith took no particular notice of this short, sudden jeopardy and his fortunate escape (having been daily carrying his life in his hand for year's past with an Englishman's usual delight in perils and adventures), until, in the *Generall Historie* of 1624, he felt himself bound to do so in order to give, in its completeness, the whole story of the James river colony. To have dwelt upon it

---

qq English Scholars' Library, No. 16, Captain John Smith's, President of Virginia, and Admiral of New England, Works, 1608-1631, 1 Montague Road, Birmingham, 10th June, 1884, the contents of which include:

1606. The London Virginia Company, Instructions, etc.
22 June, 1607. R. Tindall Gunner, Letter to Prince Henry.
22 June, 1607. A Relatyon, etc.
18 Aug. 1607. Dudley Carleton, Letter to John Chamberlain.
? 1607. The Hon. George Percy, Narrative.
? 1607. Edward Maria Wingfield, Discourse.
7 July, 1608. J. Chamberlain, Letter to Dudley Carleton.
23 Jan. 1609. J. Chamberlain, Letter to Dudley Carleton.
31 Aug. 1609. Captain Gabriel Archer, Letter announcing arrival of the Third Supply.
4 Oct. 1609. Captain John Ratcliff, Letter to the Earl of Salisbury.
15 Dec. 1609. The Earl of Southampton, Letter to the Earl of Salisbury.
? 1613. Captain Henry Spelman, Relation of Virginia.
? 1618. Captain John Smith, Letter to Lord Bacon.

Bibliography—including J. Lenox, C. Deane, J. Winsor—The Ten States of Smith's *New England Map*.

Mrs. Herbert Jones' Description of the original painting of Pocahontas.

John Smith's *True Relation*, June-Aug., 1608. *A Map of Virginia*, 1612. *A Description of New England*, June, 1616; *New England's Trials*, December, 1620; *Generall Historie*, July, 1624; *An Accidence for Young Seamen*, October, 1626; *True Travels, &c.* [August, 1629], 1630; *Advertisements for the Unexperienced Planters of New England* [October, 1630,] 1631; *The Last Will and the Epitaph of*, [21 June, 1631].

Digitized by Google

in his earlier books, would have been thought, at the time, an exhibition of personal vanity in making too much of one out of many narrow escapes, his first five works not being intended so much as records of personal adventures as wholly consecrated to the advocacy and history of English colonization and fishing on the North American coasts."

The file of the Richmond *Dispatch*, for 1877, contains various contributions on the early governors of the colony of Virginia by Edward D. Neill, William Wirt Henry, and R. A. Brock, in which the claims of Smith's narrative to consideration are discussed. Charles Dudley Warner, in *A Study of the Life and Writings of John Smith*, 1881, treats the subject humorously and with sceptical levity.

William Wirt Henry was the champion of Smith, a second time in an address, *The Early Settlement at Jamestown, with Particular Reference to the late Attacks upon Captain John Smith, Pocahontas and John Rolfe*, delivered before the annual meeting of the Virginia Historical Society, held February 24, 1882, and published with the Proceedings of the Society. John Ashton, in his "*Adventures and Discourses of Captain John Smith*, newly ordered," and John Esten Cooke, in his *Virginia, a History of the People*, 1883, give full credence to Smith and the Pocahontas episode. Mr. Deane's views are, however, cogently supported by Henry Adams (*North American Review*, January, 1867, and *Chapter of Erie*, and other *Essays*, page 192), and by Henry Cabot Lodge (*English Colonies in America*, page 6). Mr. Bancroft allowed for a while the original story to stand, with a bare reference to Dr. Deane's note (*History of the United States*, 1864, Volume I, page 152); but in his Centenary Edition, (1879, Volume I, page 102), he abandoned the former assertion, without expressing judgment. Gay, in his *Popular History of the United States*, Volume I, page 283, recites the story of Pocahontas under color of late investigations.

Alexander Brown has contributed several articles, published in the Richmond *Dispatch* in April and May, 1882, in which he controverts the views of William Wirt Henry, not only as to the truth of the story of the rescue, but as to the general veracity of Smith as a historian, taking a more absolute position in this respect than any previous writer had done.

Pocahontas is thought to have died at Gravesend just as she

Digitized by Google

was about re-embarking for America, March 21, 1617; and the entry on the records of St. George's Church in that place—which speaks of a "lady Virginia born," and has been supposed to refer to her—puts her burial, March 21, 1617.[rr]

For the tracing of Pocahontas's descendants through the Bollings—Robert Bolling having married Jane Rolfe, the daughter of Thomas Rolfe, the son of Powhatan's daughter, see Wynne's Historical Documents, Vol. IV, entitled *A Memoir of a Portion of the Bolling Family*, Richmond, 1868 (fifty copies printed), which contains photographs of the portraits of the Bollings, Randolphs and others, and *Pocahontas and her Descendants*, by Wyndham Robertson, cited in a preceding note.[ss]

There is an engraving of Pocahontas by Simon De Passe,[tt]

---

rr See Maxwell's *Virginia Historical Register*, Vol. II, p. 189. The parish register of Gravesend records that this burial was "in the chancel." Its relevancy has been questioned by the Rev. Patrick G. Robert, of St. Louis, Mo., in the Richmond *Dispatch* of September 10, 1881, and by Mr. J. M. Sinyanki, of London, in the Richmond *Standard* of November 12, 1881, both of whom claim upon tradition that the interment was in a corner of the churchyard.

The story of Pocahontas is still likely to be told with all the old embellishments. See Professor Schele de Vere's *Romance of American History*, 1872, Chapter III. A piece of sculpture in the Capitol at Washington depicts the apochryphal scene. William Gilmore Simms urges her career as the subject for historical painting (*Verses and Reviews*). She figures in more than one historical romance: J. Davis's *First Settlers of Virginia*, New York, 1805-6, and again, Philadelphia, 1817, with the more definite title of *Captain Smith and the Princess Pocahontas;* Samuel Hopkins, *Youth of the Old Dominion.* There are other works of fiction, prose and verse, bearing on Pocahontas and her father, by Seba Smith, L. H. Sigourney, M. W. Mosby, R. D. Owens, O. P. Hillar, etc.

ss It is claimed in America that the descendants of Pocahontas are limited to those springing from the marriage of Robert Bolling with Jane, daughter of Thomas Rolfe, but it has been alleged that the latter left a son, Anthony, in England, whose daughter, Hannah, married Sir Thomas Leigh, of County Kent, and that their descendants of that and of the additional highly respectable names of Bennet and Spencer are quite numerous. See Deduction in the *Richmond Standard*, January 21, 1882.

tt Simon De Passe was an artist whose family came from the Low Countries, and numbered several engravers among its members. He was born at Utrecht in 1591, and practiced in England about ten years,

Digitized by Google

which perhaps belongs to but seldom found in Smith's *Generall Historie*.[uu] The original painting is said to have belonged to Henry Rolfe, of Narford, a brother of John, the husband of Pocahontas. It is now the property of Mr. Hastings Elwin, of Gorleston, by Great Yarmouth, England, who thus derived it: "The last Mr. Peter Elwin who lived at the family seat, Booton Hall, near Aylsham, in Norfolk, and who was born in 1730, and died in 1798, was a descendant of the daughter and heiress of Anthony Rolfe, of Tuttington. She had married an Elwin, and had brought the Tuttington estate into the Elwin family. It was in consequence of this connection between the Rolfes and Elwins that a portrait of Pocahontas was presented to the said Mr. Peter Elwin, of Booton Hall, by a lady, Madame Zuchelli. This is mentioned in his note-book, the entry (undated) being in his own handwriting: 'Pocahontas, given to me by Madame Zuchelli.' As Mr. Elwin habitually added the name of the painter in his memoranda of the many pictures in his possession, and omitted to do so in this instance, it is probable that the lady was ignorant of it. No memorandum was left by Mr. Elwin of the previous owners of the portrait, but he possessed the knowledge (as is remembered by his grandson from the testimony of Mrs. Peter Elwin, who survived her husband thirty-two years, dying April, 1830, aged eighty-five years,) that the picture was what it professed to be, namely, a painting of the time of James I, and an authentic representation from life of Pocahontas. The picture itself, which is finely painted, bears every token of genuineness,

---

commencing in the year 1613, the date of his earliest work. He was not a painter, but engraved the portraits, chiefly from Nicholas Hilliard, of many distinguished persons; among them James I, Henry, Prince of Wales, the Earl of Somerset, and the Duke of Buckingham.

uu Its place is sometimes supplied by a *fac-simile* engraved for Wm. Richardson's *Granger's Portraits*, 1792–96. The original Matoaca or Pocahontas picture was neither in the Brinley, Medlicott, nor the Menzies copies, and is not in the Harvard College, Dowse, Deane, or in most of the known copies. The Crowninshield copy (*Catalogue*, No. 992,) had the original plate; and that copy, after going to England, came back to America as the property of Dr. Charles G. Barney, of Richmond, Virginia, and at the sale of his library in New York in 1870 it brought $247.50; but it is understood that it returned to his own shelves. The Carter-Brown (1632) edition, the Barlow large-paper copy, and one copy at least in the Lenox Library have it.

Digitized by Google

both as to the assumed period of execution and as to its direct delineation of the living features of the sitter. It is the undoubted original of De Passe's engraving, but is without any signature. The artist can only be conjectured; he was probably one of that group of painters in oils, employed in the days of Elizabeth and the first two Stuarts, whose works are of recognized excellence, and who rank next and nearest to the three or four of exalted genius, as Zucchero, Jansen and Vandyck. Such an one was Nicola Locker, who painted an oval portrait of Dr. King, Bishop of London—the Bishop who was the friend of Pocahontas, and in whose palace she was as visitor. * * * The dimensions of the picture are two feet six inches and a half by two feet one inch. A painted oval incloses the portrait. The painting of the face, and of the details of the dress, is clear and finished, and shows great delicacy and beauty of execution.

"The whole effect of the colouring is rich, mellow and deep-toned, with the indescribable quality shed over it which time alone can give. The portrait is slightly smaller than life, the face stamped unmistakably with the Indian type, and denoting intelligence and thoughtfulness, with much dignity, both in its expression and in the carriage of the head. She looks at once royal in birth and in nature. The features are handsome and well-formed, the lips bright red, the skin dark, smooth and vellum-like, with a suspicion of a copper tint. The eyes are remarkable; prolonged at the corners, more meditative than brilliant, like still pools rather than flashing water. Their colour is a rich, decided, undeniable brown, with very blue tints on the white eye-balls. The eye-brows are straight and black, the short hair by the ear throws out a glistening pearl ear-ring. The deep lace ruff, rising behind, defines sharply the shape of the face, which shows the high cheek-bones and the outline narrowing abruptly below them, so characteristic of her race. The hat she wears on her head, and which, in the print, has a grotesque appearance, sinks unnoticed into the scarcely less dark background, while the richly-chased broad golden band round it, gives the effect of a coronet, and is in happy combination with the colouring of the face. She wears a mantle of red brocaded velvet, much ornamented with gold; the underdress dark, buttoned with gold buttons.

"A small taper hand holds a fan of three white ostrich feathers. Around the portrait are the words, 'Matoaka Rebecka filia

Digitized by Google

potentiss, Princ: Powhatani, Imp. Virginae' ; on a space beneath, 'Matoaks als Rebecka, daughter to the mighty prince, Powhatani Emperour of Attanoughkomouck als Virginia, converted and baptized in the Christian faith, and wife to the worsh'll Mr Thos. Rolff.'[vv] Close under the figure, within the oval, is written, 'Ætatio suae, 21 Ao., 1616.' ''[ww]

Ryland Randolph procured from England two portraits—alleged, one to be of John Rolfe and the other of Pocahontas, which were hung in the hall of his seat at Turkey Island. He died in 1784. At the sale of his effects in March, 1784, these pictures were purchased by Thomas Bolling, of "Cobbs," at a cost of 26s. for the two. William Bolling, son of the last named, inherited "Cobbs," but sold it, and removed to his estate, "Bolling Hall," or "Bolling Island," in Goochland county. He removed all of the family portraits save that alleged to be of Pocahontas. It remained there until the early part of 1830, "a panel picture let into the wainscot." William Murray Robinson, in a communication to the Richmond *Enquirer*, dated Petersburg, September 3, 1830, stated that the original portrait was then in his possession [having been taken by his father, Dr. Thomas Robinson,] by consent of Mr. Edward Lynch, the then owner of "Cobbs." It had been copied by Robert M. Sully, of Richmond, who, with others, placed credence in its authenticity as a portrait. This, William Bolling denied in the *Enquirer*, stating that neither his father nor himself ever valued the picture, which represented "a female of sallow complexion with a head of thick curled hair," but that his father perceived some resemblance of features between the portrait of the male [Rolfe] and that of his grandfather, John Bolling. There was quite a flourishing puff of Robert M. Sully in the newspapers of August, 1830, announcing his determination to fix himself in Philadelphia with examples of

---

vv The entry at Gravesend gives the name as "Thomas Wrolfe."

ww Sandringham, Past and Present, with some historic memorials of the Norfolk coast, by Mrs. Herbert Jones (12mo., London, 1883) pp. 297–303. The portrait has been photographed by Mrs. Jones, and, thus reproduced, forms the frontispiece to *Pocahontas and Her Descendants*, before cited. "There exists at Heacham Hall, Norfolk, the seat of the Rolfe's, a portrait thought to be of Henry, the son of Pocahontas. This is the painting mentioned, by error, in *Massachusetts Historical Society Proceedings*, Vol. XIII, page 245, as of Pocahontas."

Digitized by Google

his handicraft, among them the copy of the portrait of Pocahontas.[xx]

The communications in the *Enquirer*, of August and September, 1830, as to Sully's copy of the portrait, became rather acrimonious. By many it seems to have been regarded as a veritable portrait. It was reproduced in McKinney and Hall's *Indian Tribes of North America*, 1844, Vol. III, page 64. The late Hugh Blair Grigsby stated that the original panel picture was finally destroyed in a contest which grew out of a dispute whether, when the house was sold, the panel went with it or could be reserved.

Among the communications published in the *Enquirer*, was one from David Meade Randolph, stating that he had been informed by an English correspondent that the portraits of Pocahontas, and Rolfe were copied for Ryland Randolph from originals in Warwickshire, and whilst he was there.

Robert M. Sully painted another ideal portrait of Pocahontas, which is among the Collections of the Virginia Historical Society. There is also one, in beautifully bright colors, by the uncle of Robert M. Sully, Thomas Sully, who states of it: "The portrait I painted, and presented to the Historical Society of Virginia, was copied, in part, from the portrait of Pocahontas in the 'Indian Gallery,' published by Daniel Rice and Z. Clark. In my opinion, the copy by my nephew is best entitled to authenticity."

The late Charles Campbell, author of a *History of Virginia*, stated that the original, at "Cobbs," being much defaced, Sully was allowed to take it, "clean it and alter the features and complexion to his own fancy."

The present writer was informed, by the late Hon. John Robertson, of Richmond, that the panel picture represented a "stout blonde English woman." Thomas Sully's delineation preserves the fullness of bust, but the size of the head is disproportionate, and the features more nearly those of a Spanish senorita, the complexion being dark, the hair and the eyes black, the former straight and falling loosely about the shoulders.

---

xx The fate of this copy is in some doubt. Rev. Thomas V. Robinson, of New York city, supposes it to have passed in some manner into the possession of Dr. James Beale, late of Richmond, who for a time placed it (or an alleged portrait of Pocahontas) on deposit in the State Library of Virginia.

Digitized by Google

The female, however, has a pearl necklace around her neck and holds a feather fan in one hand, which is shapely.

The other ideal by Robert M. Sully, in the possession of the Virginia Historical Society, is gypsy in feature and willowy or serpentine in form.

Of the massacre at Falling Creek, March 22, 1622, the Virginia Company printed in Edward Waterhouse's *Declaration of the State of the Colony and Affairs in Virginia*, a contemporary account.[yy] Dr. Neill has made the transaction the subject of special consideration in the *Magazine of American History*, Vol. I, page 222, and in his *Letter to N. G. Taylor* in 1868, and has printed a considerable part of Waterhouse's account in his *Virginia Company*, page 317, *et seq.*

The massacre is also incidentally mentioned by the present writer in a paper, "Early Iron-Manufacture in Virginia, 1619–1776," in the Richmond *Standard*, February 8, 1879 (reprinted in the *Proceedings of the United States National Museum*, 1885, pages 77–80); and by James M. Swank, in "Statistics of the Iron and Steel Production of the United States," compiled for the Tenth Census, which may also be referred to for information as to that industry in the colony of Virginia.

An examination of the story of Claiborne's Rebellion is made in *Narrative and Critical History of America*, Vol. III, pages 517–563. See also "Captain Richard Ingle, the Maryland 'Pirate and Rebel,' 1642–1653, by Edward Ingle, A. B., 1884, Fund Publication No. 19, Maryland Historical Society." Respecting Bacon's Rebellion, the fullest of the contemporary printed accounts is that of T. M. on "The Beginning, Progress and Conclusion of Bacon's Rebellion," which is printed in Force's *Tracts*, Vol. I, No. 8.[zz] Equally important is a MS. "Narrative

---

yy There is a copy in Harvard College Library; Rich (1832), p. 165, priced it at £2, 2s.

zz Force copied from the Richmond *Enquirer* of September, 1804, where Jefferson had printed it from a copy in his possession. Another copy was followed in the *Virginia Evangelical and Literary Magazine* in 1820, which is the source from which it was again printed in the *Virginia Historical Register*, Vol. III, pp. 61, 121. There are also articles on the Cromwellian period, in the *Register*, Vol. II, p. 46, and in the *Southern Literary Messenger*, Vol. I, p. 11, by Henry St. George Tucker.

Digitized by Google

of the Indian and Civil Wars in Virginia," now somewhat defective, which was found among the papers of Captain Nathaniel Burwell, and lent to the Massachusetts Historical Society, and printed carelessly in their *Collections* in 1814, Vol. XI, and copied thence by Force in his *Tracts*, Vol. I, No. 2, in 1836. The MS. was again collected in 1866, and reprinted accurately in the Society's *Proceedings*, Vol. IX, page 299, when the original was surrendered to the Virginia Historical Society (*Proceedings*, Vol. IX, pages 244–298; Vol. X, page 135). Tyler, *American Literature*, Vol. I, page 80, assigns its authorship to one Cotton, of Aquia Creek, whose wife is said to be the writer of "An Account of our Late Troubles in Virginia," which was first printed in the Richmond *Enquirer*, September 12, 1804, and again in Force's *Tracts*, Vol. I, No. 9. The popular spreading of the news in England of the downfall of the rebellion was helped by a little tract, *Strange news from Virginia*, of which there is a copy in Harvard College Library. There is in the British Museum, Sir William Berkeley's list of those executed under that Governor's retaliatory measures, which has been printed in Force's *Tracts*, Vol. I, No. 10. There are also in the British Museum other MS. documents of great interest pertaining to the rebellion, and of which copies have been recently furnished the Virginia State Library by Edward Eggleston. These include a Proclamation by Governor Berkeley, May 10, 1676; Letter of Nathaniel Bacon, May 20th; Description of the fight with the Indians; Appeal of Volunteers; Declaration of the people; Mrs. Bacon's letter, September, 1676, detailing the atrocities of the Indians; Mrs. Byrd's Relation; Bacon's account, June 18, 1676; Giles Bland's letter to Mr. Povey; Remonstrance by several counties—a vigorous plea; and Declaration of the People concerning the adherence with Nathaniel Bacon, Major-General commanding.

Other original documents may be found in Hening's *Statutes at Large*, Vol. II; in the appendix to Burk's *History of Virginia;* and in the *Aspinwall Papers*, Vol. I, pages 162, 189, published in the *Massachusetts Historical Collections*. *An Historical Account of Some Memorable Actions, particularly in Virginia*, etc., by Sir Thomas Grantham, Knight (London, 1716,) was reprinted in *fac-simile*, with an introduction by the present writer (Carlton McCarthy & Co., Richmond, 1882).

Digitized by Google

The fragment of the records of the General Court of Virginia, cited as being in the Collections of the Virginia Historical Society, contains details of the trial of the participants in the rebellion not included in Hening, and the abstracts from the English State-Paper Office, furnished by Mr. Sainsbury to the State Library of Virginia, give unpublished details. Extracts from the same source are in the library of the present writer. There are various papers in the early volumes of the *Historical Magazine*. See April, 1867, for a contemporary letter. Massachusetts Bay proclaimed the insurgents rebels.[aaa]

The earliest *History of Virginia* after John Smith's[bbb] was an anonymous one published in London in 1705, with De Bry's pictures reduced by Gribelin. When it was translated into French, and published two years later (1707), both at Amsterdam and Orleans (Paris), the former issue assigned the authorship to D. S., which has been interpreted D. Stevens, and so it remained in other editions, some only title editions, printed at Amsterdam in 1712, 1716 and 1718, though the later date may be doubtful (Sabin, Vol. II, 5112). The true author, a native of Virginia, and a colonial official, had in the meanwhile died there in 1716. This was Robert Beverley. The book is concisely written, and is not without raciness and crispness; but its merits are perhaps a little overestimated in Tyler's *American Literature*, Vol. II, page 264. His considerate judgment of the Indians is not, however, less striking than praiseworthy. For the period following the Restoration he may be considered the most useful, though he

---

aaa See *New England Historical and Genealogical Register*, 1861, p. 320, and Massachusetts Archives, Colonial, Vol. I, p. 475; *Democratic Review*, Vol. VII, pp. 243, 453. For the later historians, see Bancroft's *History of the United States*, Vol. II, Chapter XIV, Centenary edition, Vol. I, Chapter XX; Gay's *Popular History of the United States*, Vol. II, p. 296; and the Memoir of Bacon by William Ware, in Spark's *American Biography*, Vol. XIII. Articles of peace were signed by John West and the native kings May 29, 1677 (*Brinley Catalogue*, 5484). Mrs. Aphra Behn made the events rather distantly the subject of a drama, *The Widdow Ranter;* and in our day St. George Tucker based his novel of *Hansford* upon them. See Sabin, Vol. II, 4372. *Hansford* has been reprinted, the copyright having expired, by a New York publisher under the new and misleading title *The Devoted Bride*.

bbb Reprinted at Richmond, Va., in 1819 by Rev. John Holt Rice, D. D., with the Travels and Adventures, plates and maps, two volumes, 8vo.

Digitized by Google

is not independent of a partisan sympathy. "*The Present State of Virginia*, giving a particular and short account of Indian, English and Negro Inhabitants of that Colony, showing their Religion, Manners, Government, Trade, Way of Living, &c., with a Description of the Country, * * * by Hugh Jones, A. M., Chaplain to the Honorable Assembly, and lately Minister of Jamestown, &c., in Virginia," London, 1724 (reprinted by Joseph Sabin, 1865), as may be inferred from the title, is a useful reference.[ccc] Sir William Keith's *History of Virginia* was undertaken, at the instance of the Society for the Encouragement of Learning, as the beginning of a series of books on the English plantations; but no others followed. It was published in 1738, with two maps,—one of America, the other of Virginia,—and he depended almost entirely on Beverley, and brings the story down to 1723.[ddd] Forty years after Beverley, the early history of the colony was again told, but only down to 1624, by the Rev. William Stith, then rector of Henrico Parish; being, however, at the time of his death (1755) the president of William and Mary College. He seems to have been discouraged from continuing his narrative, because the "generous and public spirited" gentlemen of Virginia were unwilling to pay the increased cost of putting into his Appendix the early documents, which give a chief value to his book to-day. He had the use of the Collingwood transcript of the records of the Virginia Company. His book, *History of the First Discovery and Settlement of Virginia*, was published at Williamsburg in 1747, and there are variations in copies to puzzle the bibliographer.[eee] Stith's

ccc In 1722 the book was reissued in London, revised and enlarged, as the author had left it, and the edition is now worth £10 10s. It was again reprinted in 1855 (J. W. Randolph & Co., Richmond, Va.), edited by Charles Campbell (Sabin, Vol. II; Brinley, 3719; Muller, 1877, No. 318, etc.)

ddd Thomas Hollis wrote in the copy of Keith which he sent to Harvard College in 1768, "*The Society*, the glorious Society, *instituted in London for promoting Learning*, having existed but a little while, through scrubness of the times, no other than Part I of this history was published, and it is very scarce."

eee Some claim to be printed in London in 1753; the copy in Harvard College Library is of this 1753 reprint. See *Historical Magazine*, Vol. I, p. 59, and Vol. II, p. 61 (where it is asserted that only the title is of

Digitized by Google

diffuseness and lack of literary skill have not prevented his becoming a high authority with later writers, notwithstanding that he implicitly trusts and even praises the honesty of Smith.[fff]

The somewhat inexact *History of Virginia* by John Daly Burk has some of the traits of expansive utterance which might be expected from an expatriated Irishman who had been implicated in political hazards, and who was yet to fall in a duel in 1808.[ggg] This book, which was published in three volumes at Petersburg (1804–5), was dedicated to Jefferson. A fourth volume, by Skelton Jones and Louis Hue Girardin, was added in 1886; but as the edition was in large part destroyed by a fire, it is rarely found with the other three.[hhh] Burk used the copy of the Virginia Company records, which had belonged to John Randolph, as well as some collections made by Hickman (which Randolph had made when it was his intention to write on Virginia history), and Colonel William Byrd's Journal.

The name of Campbell is twice associated with the history of Virginia. John Wilson Campbell published in 1813, at Petersburg, a meagre and unimportant *History of Virginia*, coming down to 1781. The best known, however, is the work of Charles Campbell, his son, who, in 1847, at Richmond, published a well written *Introduction to the History of Virginia*, and in 1860, at Philadelphia, a completed *History of the Colony and Ancient Dominion of Virginia*, coming down to 1783—a book written before John Smith was called a romancer. Some apology may be made for any urged defectiveness in arrangement of his mate-

---

new make), and the bibliographical note which Sabin added to his reprint of Stith in 1865, where he describes these varieties. There is a collection in the *Brinley Catalogue*, No. 3796, not agreeing with either. Consult further *Historical Magazine*, Vol. II, p. 184, and *North American Review*, October, 1866, p. 605.

fff Adams, *Manual of Historical Literature*, 557; *Historical Magazine*, Vol. I, p. 27; Field, *Indian Bibliography*, &c., Vol. I, p. 502; Tyler, *American Literature*, Vol. II, p. 280; Allibone, *Dictionary of Authors*, Vol. II, p. 2264; Article by William Green, in *Southern Literary Messenger*, September, 1863.

ggg See Charles Campbell's Memoir of John Daly Burk, 1868.

hhh Sabin, Vol. III, p. 273. The first three volumes are sometimes met with imprint dated 1822, which is presumed to be simply a new title page, as it could have been scarcely profitable to reprint the work.

Digitized by Google

rials, in that the work, originally more comprehensive, had hastily to be abbreviated in part to reduce it to the compass of a single volume. Campbell was enthusiastic and conscientious, and his zealous devotion rescued much valuable data which otherwise would have perished.[iii] The most comprehensive *History of Virginia* is that of Robert R. Howison, Vol. I, coming down to 1763, being published at Philadelphia in 1846, and Vol. II, ending in 1847, being published at Richmond the next year. He is a pleasing writer, but is warped by his prejudices, and sacrifices fact to rhetoric, although he makes an imposing display of references: Force's *Archives*, nine volumes; Kercheval's *History of the Valley of Virginia*, 1st edition, 12mo., Woodstock, Va., 1833; 2d, 8vo., 1852. To these sources of reference may be added: The *Evangelical and Literary Magazine*, edited at Richmond, by Rev. John Holt Rice, D. D., eleven volumes, 1818–1828; the *Southern Literary Messenger*, Richmond, 1834–1864; William H. Brockenbrough's *Outline of the History of Virginia* to 1834; Martin's *Gazetteer*, 1835; Howe's *Historical Collections of Virginia*, Charleston, 1856: John Lewis Peyton's *History of Augusta County*, Staunton, 1882; *Biographical Sketches of the Executives of Virginia*, 1606–1885, by R. A. Brock, in *Hardesty's Encyclopædia;* Cooke's *Virginia*, 1883, and Joseph A. Waddell's *Annals of Augusta County*, 1st edition, 1887; 2d, 1888.

The *Annual Reports of the Canadian Archives* for several years past, by Douglas Brymner, archivist, Ottawa, present valuable sources of reference as to documents of the seventeenth and eighteenth centuries.

Virginia Local Institutions—The Land System; Hundred; Parish; County; Town—by Edward Ingle. *Johns Hopkins University Studies in Historical and Political Science*, Third Series, Nos. II, III, 1885, is a carefully considered monograph. *Popular Government in Virginia*, 1606–1776, is comprehensively presented by Charles H. Tuckerman in an article in the *Magazine of American History*, June, 1888.

---

iii A Biographical Sketch of Charles Campbell, by R. A. Brock, was published in the Richmond *Dispatch*, September 11, 1876, and republished, with portrait, but somewhat abbreviated, in *Potter's American Monthly*, December, 1876.

Digitized by Google

For lists of members of the Council[jjj] and of the Assembly of Virginia, colonial and State, the Virginia Almanacs, of which there is an incomplete serial from 1759 in the Library of the Virginia Historical Society, and some additional yearly issues in the State Library of Virginia, are the chief, and, in most of instances, the only, sources of reference.

The several files of the *Virginia Gazette*, first issued at Williamsburg, Virginia, August 6, 1736, and latterly at Richmond, are replete with data invaluable to the historian. It is deeply to be regretted that no collective, complete files are known to exist.[kkk] Issues of the following periods are preserved in Richmond:

In the Library of the Virginia Historical Society—

September 3, 1736—June 25, 1739.
March 7, 1766—December 18, 1766.
January 8, 1768—December 28, 1769.
January 6, 1774—December 29, 1774.
January 7, 1775—December 30, 1775.
December 20, 1775—June 20, 1778 (not consecutive).
February 21, 1774—December 20, 1786.

Owned by William C. Mayo—

The year 1765.

In the State Library of Virginia—

January 7, 1768—December 29, 1768.
January 2, 1772—December 29, 1774.
January 15, 1776—December 27, 1776.
January 4, 1787—December 30, 1789.
January 1, 1802—December 19, 1809.

Respecting the religious history of the colony, besides the general historians, there have been several special treatments. Dr. Neill has written upon the Puritan affinities in *Hours at Home*, November, 1867, and on Thomas Harrison and the Virginia Puritans in his *English Colonization*, where is also a chapter on the Planting of the Church of England. Patrick Copland's Sermon, *Virginia's God be Thanked*, was preached before the

---

jjj A partial list of the colonial members of the Council is given in the Richmond *Standard*, September 11, 1880

kkk The writer has been informed that Colonel T. D. Bruce, editor of the *Turf, Field and Farm*, New York, has files of the *Virginia Gazette*.

Digitized by Google

Company in London, April 18, 1622, a copy of which is in Harvard College Library. Consult further Dr. Neill's Memoir of Rev. Patrick Copland, New York, 1871, page 52, and his *English Colonization*, page 104. Further see Hawkes's Contributions to the *Ecclesiastical History of the United States*, "Virginia," 1836; Hening's *Statutes; Papers Relating to the History of the Church in Virginia*, 1650–1770, by William Stevens Perry, 1870; Notes on the Virginia Colonial Clergy in the *Episcopal Recorder*, and reprinted separately by E. D. Neill, 1877; Savage's Winthrop's *History of New England;* Anderson's *Church of England in the Colonies*, 1856; and *History of the American Episcopal Church*, 1587–1883, by W. S. Perry, three volumes, royal 8vo., Boston, 1885.

For lists of the clergy, 1607–1883, see *Digest of the Proceedings of the Conventions and Councils in the Diocese of Virginia*, by T. G. Dashiell, D. D., Richmond, 1883. The present writer has also in his possession the Records of the Monthly Meeting of Henrico County, June 10, 1699–1797, which he hopes to use in a history of the Society of Friends in Virginia. He has also earlier isolated records, and a partial register of births, marriages and deaths of those of the faith of the Society in Henrico and Hanover counties in the eighteenth century.

For an account of early manufactures in Virginia, see Bishop's *History of American Manufactures*, 1866. For a view of the early agriculture, see a paper by the present writer on the *History of Tobacco in Virginia from its Settlement to 1790; Statistics, Agriculture and Commerce*, prepared for the Tenth Census; *History of Agriculture in Virginia*, by N. F. Cabell, 1857; the *Farmer's Register*, 1833–42; *Transactions of the State Agricultural Society of Virginia*, 1855; "Virginia Colonial Money and Tobacco's Part Therein," by W. L. Royall, in *Virginia Law Journal*, August, 1877; "Husbandry in Colony Times," by Edward Eggleston, *Century Magazine*, December, 1883, and the files of the *Southern Planter*. For a view of slavery in the colony, see Bancroft, Chapter V; O'Callaghan's *Voyages of the Slaves;* Wilson's *Rise and Fall of the Slave Power;* Cobb's *Inquiry;* "Prefatory Note" to "The Fourth Charter of the Royal African Company, September 27, 1672, in *Virginia Historical Collections*, Vol. VI, "Connection of Massachusetts with the Slave Trade," by Charles Deane, LL.D., in *Proceedings American Antiquarian Society*, October 21, 1886, pages 191–222 (reprinted);

Digitized by Google

the Address of Thomas Nelson Page, D. L., "The Old South," delivered before the Alumni Association of Washington and Lee University, June 14, 1887, and printed in the *Southern Collegian*, June, 1887; "The Old and the New South," Baccalaureate Address, by John Randolph Tucker, before the South Carolina College Commencement, 1887, Columbia, 1887; George W. Williams's *History of the Negro Race in America from 1619 to 1886;* and the works of Cabell, Fitzhugh, Fletcher, Hammond, Ross, Stringfellow, and general histories.

For essential materials toward a history of the late war, 1861-5, and Virginia's part therein, consult the *Southern Historical Society Papers*, fifteen volumes, 1876–1887.[lll]

Like his English ancestor, the colonial Virginian was devoted to horse-racing. The history of a people should depict them in every-day life as well as in polity and in war, as their social customs are potent factors in their political characteristics. Their recreations should therefore have consideration. John S. Skinner's *American Turf Register*, a monthly, commenced September, 1829, and continued until 1843—fourteen volumes—is quite comprehensive in its presentation of the Virginian in his sports in forest, field and stream.

The *Proceedings of the Grand Lodge of Masons of Virginia*, 1778–1822, with Introduction by John Dove, Grand Secretary, gives an account of the origin of Masonry in Virginia from 1733, and of its progress. Vol. I, published at Richmond in 1874.[mmm]

---

lll R. A. Brock, present secretary and editor.

mmm The oldest Masonic Lodge in Richmond is Richmond Lodge, No. 10, chartered December 28, 1780. A history of the lodge by R. A. Brock, its historiographer, is in preparation. The corner-stone of the State Capitol (August 18, 1785), that of the Masons' Hall (October 12, 1785, the oldest building standing erected for Masonic purposes in America), and of many other public buildings, have been laid by Lodge No. 10. Among its membership may be enumerated Grand Masters Alex. Montgomery, Edmund Randolph, John Marshall, Thomas Matthews, Samuel Jones and Sydney S. Baxter; Grand Secretaries L. Wood, W. Waddell, John Burke, Basil Wood, Nathaniel W. Price, John G. Williams and John Dove. It has also been numerously represented in the remaining offices severally of the Grand Lodge, and has held on its rolls a host of Revolutionary heroes (including Lafayette), four Governors of Virginia—John Tyler, Sr., Edmund Randolph, Thomas Mann Randolph and George William Smith—besides many others distinguished in the annals of Virginia and in the councils of the nation.

Digitized by Google

Since the printing of page xxvii, the writer has received from Rev. Philip Slaughter, D. D., the following additional list of parish records: *New Kent County*, Blissland Parish, vestry-book, 1724–1780; *Nansemond County*, Lower Parish; *Mathews County*, Kingston Parish, vestry-book, 1674–1796; register, 1753–1778; *Norfolk County*, Elizabeth River Parish, vestry-book, 1749–1761; *Isle of Wight County*, vestry-book, 1721–1769; *King William County*, Stratton-Major Parish, vestry-book, 1664 to ——; *Fairfax County*, Truro Parish, vestry-book, 1730–1786; Fairfax Parish (Alexandria), vestry-book, 1765 to ——; *Sussex County*, Albemarle Parish, vestry-book, 1742–1786; register, 1738; *Henrico County*, vestry-book, 1730–1888; register; *Goochland County*, St. James' Southam Parish, vestry-book, 1745; St. James' Northam Parish, vestry-book, 1749–1791; *Halifax County*, Antrim Parish, vestry-book, 1753-1817; *Culpeper County*, St. Mark's Parish, vestry-book, 1730–1783; register, 1794–1796; *Spotsylvania County*, St. George's Parish, vestry-book, 1720–1780; *Amherst County*, Amherst Parish, vestry-book, 1745–1785; *Brunswick County*, St. Andrew's Parish; *Richmond County*, Lunenburg Parish, vestry-book.

The Virginia Historical Society was organized December 29, 1831, as the Historical and Philosophical Society of Virginia, with the following officers:

President, John Marshall; Vice-President, John Floyd; Corresponding Secretary, John Bacon Clopton; Recording Secretary, James E. Heath, and Treasurer, Conway Robinson. There was also an "Executive" or "Standing" Committee, of which Benj. Watkins Leigh was appointed chairman.

The Society was reorganized in December, 1847, under the name of the Virginia Historical Society, with William C. Rives as President.

Its publications have been as follows:

Collections of the Virginia Historical and Philosophical Society, Vol. I, containing preface, giving an account of the origin of the Society, its first meeting in 1831, Constitution of the Society, an address delivered before the first annual meeting by Jonathan P. Cushing, A. M., president of Hampden Sidney College; Memoir of Indian Wars, by Colonel Scott, of Greenbrier county, Va.; Record of Grace Sherwood's Trial for Witchcraft in Princess Anne county, Va., in 1705; list of donations,

Digitized by Google

and a list of officers and members of the Society, p. 87, 1833, 12mo.

The *Virginia Historical Register*, a journal issued quarterly during the years 1848–'49, '50, '51, '52, '53, each volume averaging 235 pages, 12mo.

[This magazine contains the proceedings of the annual meetings during those six years, and a large amount of historical materials, the greater portion of which is not to be found in any other publication.]

An Account of Discoveries in the West until 1519, and of Voyages to and Along the Atlantic Coast of North America from 1520 to 1573, by Conway Robinson, chairman Executive Committee, pp. xv and 491, 1848, 8vo.

An Address on the Life, &c., of Hon. Benj. W. Leigh, by W. H. Macfarland, p. 12, 1851, 12mo.

The Virginia Constitution of 1776, an address by H. A. Washington, p. 50, 1851, 12mo.

The *Virginia Historical Reporter*, Vol. I, containing the proceedings of the seventh annual meeting, and an address on the Virginia Convention of 1829–'30, by Hugh Blair Grigsby, p. 116, 1854, 12mo.

The same. Vol. I, Part II, containing proceedings of the eighth annual meeting, and *Observations on the History of Virginia*, an address delivered by Hon. R. M. T. Hunter, p. 48, 1855, 12mo.

Also, the address of Mr. Hunter without the proceedings.

The same. Vol. I, Part III, containing proceedings of the ninth annual meeting, and *Sketches of the Political Issues and Controversies of the Revolution*, an address by Professor Holcombe, of the University of Virginia, p. 63, 1836, 12mo.

Also, the address without the proceedings.

The same. Vol. II, Part I, with proceedings of the tenth, eleventh and twelfth annual meetings, an *Address on the Virginia Colony*, by Professor George F. Holmes, of the University of Virginia, and a paper read before the Society, by Wyndham Robertson, on the *Date of the Marriage of Pocahontas*, p. 87, 1860, 12mo.

Washington's Private Diaries, edited by Benjamin J. Lossing, p. 247, 1861, 8vo.

Letters of Thomas Nelson, Jr., 4to, 1874.

Digitized by Google

The New Series of the Collections of the Society, edited by R. A Brock, and printed in editions of 1,000 copies, 8vo., is as follows :

The Official Letters of Alexander Spotswood, Lieutenant-Governor of Virginia, 1710–1722, with his portrait, autograph and arms.

Vol. I (Vol. I, Collections), 1882. Vol. II (Vol. II, Collections), issued in 1885.

The Official Records of Robert Dinwiddie, Lieutenant-Governor of Virginia, 1751–1758.

Vol. I (Vol. III, Collections), with portrait of W. W. Corcoran, Esq., *fac-simile* of his letter presenting the MS. to the Society, and a cut of the mace of Norfolk, Va.—1883. Vol. II (Vol. IV, Collections), with full index, portrait of Governor Dinwiddie, his autograph and arms; and the Map of Virginia, etc., which accompanied Jefferson's Notes on Virginia, (edition of 1787)—1884.

Proceedings of the Society at the annual meeting, February 24, 1882, with the address of W. W. Henry on "The Early Settlement of Virginia," 1882.

Documents Relating to the Huguenot Settlement in Virginia (Vol. V, Collections):

Lists of three shiploads of emigrants in 1700, with subscriptions towards the expenses of transportation and settlement, and elucidatory documents. Register of settlers at, and of births, deaths, etc., in, Manakin-Town, Virginia, 1710–1754, translated from the original French. Genealogies of the Dupuy, Trabue, Maury, Fontaine and other families.

Miscellaneous Papers, 1672–1865 (Vol. VI, Collections), comprising Charter of the Royal African Company, 1672, with Historical Introduction as to the past relation of Virginia to Slavery; Gilmer Papers, 1775–8; Orderly Book, 1776; Career of the Iron-Clad "Virginia," or "Merrimac," 1862; Memorial of Johnson's Island Prison, 1862–4, etc., with view of the prison—1887.

An adequate history of Virginia is to be greatly desired, and while it is true that much precious material therefor has lamentably perished, it is believed that the original record is still not wanting for such a representation of the past of the State as would at once be more intelligible as to the motives which occasioned events, and justly convincing in the recital of them.

Digitized by Google

Digitized by Google

ABSTRACT OF PROCEEDINGS

OF THE

Virginia Company of London.

The annual records of the Treasurer and Company (of which we have copies in this country) commence with the proceedings of a quarter-court held at Sir Thomas Smith's house, in Philpot Lane, the 28th of April, 1619, when were present Right Honorable—

The Earl of Southampton,[1]	Sir Nathaniel Rich,
The Earl of Warwick,[2]	Sir John Wolstenholme,

[1] Henry Wriothesley, third Earl of Southampton, K. G., was educated at Trinity Hall, Cambridge, and succeeded to the title on his father's death in 1581; was an intimate friend of the Earl of Essex, who made him General of Horse in Ireland; having united in that Earl's insurrection, he was sent to the Tower in 1598, but was released upon the accession of James I; was soon after made a Knight of the Garter and Captain of the Isle of Wight; member of the Privy Council, 1619; his freedom of speech in the House of Lords placed him under restraint after 1621; colonel of one of the four regiments sent for the defence of the Palatinates, 1624; and there, after having lost his son, Lord Wriothesley, his own life was sacrificed, he dying at Bergen ap Zoom 10th November, 1624. He was a patron of Shakespeare, and one of the contributors to the expedition, under Captain Bartholomew Gosnold, in the Concord in 1602.

[2] Robert Rich, second Earl of Warwick, obtained considerable celebrity during the Civil Wars, when he was Admiral for the Long Parliament, and was much in the confidence of Cromwell. He died 29th May, 1659.

Digitized by Google

The Lord Cavendish,[3]	Sir John Dauers,
The Lord Pagett,[4]	Sir John Merrick,
General Cecill,	Sir Dudley Digges,[7]
Sir Thomas Smith, Knight, Treasurer,[5]	Sir Nicholas Tufton,
Sir Edwin Sandis,[6]	Sir Samuel Sandis,
	Sir Henry Ranisford,

[3] Thomas, Lord Cavendish.

[4] William, Lord Pagett.

[5] Sir Thomas Smith, or Smyth, second son of Sir Thomas Smith, of Osterhanger, Kent, was an eminent merchant of London, and chief of the assignees of the patents of Sir Walter Raleigh; first President and Treasurer of the Council of the Virginia Company; Farmer of the Customs under Queen Elizabeth. On 30th January, 1618 (O. S.), his elegant residence at Deptford was burned. His London house was in Philpot Lane, Langborne Ward. His portrait is given in *Granger's Biographical History of England*, I, facing page 77. His eldest son, Sir John, married Isabel, daughter of Robert Rich, Earl of Warwick. Another son married an illegitimate daughter of Charles Blount, Lord Mountjoy. His nephew was created Viscount Strangford.

[6] Sir Edwin Sandis, or Sandys, son of Archbishop Edwin Sandys, was born in Warwickshire, March, 1561; educated at Corpus Christi College, Oxford, where Hooker was his tutor; obtained a fellowship, 1576; collated to a prebend in the Church of York, though not in orders. On obtaining his Master's degree he went abroad, and while in Paris wrote a tract entitled "Europæ Speculum," which being printed surreptitiously in 1605, he published an amended edition in 1629, with additions, under the title of "Europæ Speculum; or a View and Survey of Religion in the Western Parts of the World;" resigned his prebend, 1602; knighted, 1603, by James I, who employed him in several important affairs. He was subsequently imprisoned for opposition to the Court; died October, 1629; founded a metaphysical lecture at Oxford; was succeeded as Treasurer by his brother, George Sandys—born 1577—who came to Virginia, and completed on the banks of James river a translation of the "Metamorphoses of Ovid," the first English book prepared in America, and which was published in London, 1621. He also published an account of his travels in Constantinople and Greece.

[7] Sir Dudley Digges (eldest son of Thomas Digges, mathematician, and his wife Anne, daughter of Sir Warham St. Leger, Knight, and grandson of Leonard Digges, able mathematician, born at Digges' Court, parish of Bashan; died 1573;) was born 1583; B. A. of Oxford, 1601; for a time traveled, and was knighted; led a retired life till 1618, when he was sent by James I Ambassador to Russia; commissioned in 1620 with Sir Maurice Abbott to go to Holland to obtain restitution of goods taken by the Dutch from some Englishmen in the East

Digitized by Google

Sir Robert Wayneman,	Mr. William Greenwell,
Sir Thomas Cheeke,	Mr. William Bell,
Sir William Russel,	Mr. Humphry Handford,
Sir Thomas Wilford,	Mr. Richard Rogers,
Mr. Alderman Johnson,	Mr. John Farrar,
Mr. Morrice Abbott,[8]	Mr. Clitheroe,
Mr. Thomas Gibbs,	Mr. Caning,[9]
Mr. Thomas Stiles,	Mr. Ditchfield.[10]

On this day the treasurer (Sir *Thomas Smith*) "desired the court to proceed to the choice of their officers, signifying that for these twelve years he hath willingly spent his labour and endeavours for the support thereof; and being now appointed by the King a commissioner of his navy, he could not give such good attendance as he therein desired; requesting the court to shew him so much favour, as now to dispense with him, and to elect some worthy man in his place, for he has resolved to relinquish it, and therefore desired that two requests might be granted

Indies; member of the third Parliament of Charles I, 1628; Master of Rolls 20th April, 1636; died 8th March, 1639; married Mary, daughter and co-heiress of Sir Thomas Kemp, of Olanligh in Kent. Issue: i. Thomas; ii. John; iii. Dudley, born 1612; B. A., Oxford, 1632; M. A. 1635; poet, linguist and statesman; died 1st October, 1643. His fourth son, Edward, born 1620, was appointed a member of the Council of the Colony of Virginia 22d November, 1654, and was elected by the Assembly Governor 30th March, 1655, to succeed Richard Bennett; served until 13th March, 1658, when he was sent to England as one of the agents of the colony; married Elizabeth Bray, and died 16th March, 1675. In the epitaph upon his tomb, at the family seat, "Bellefield," distant eight miles from Williamsburg, Virginia, he is described as "a gentleman of most considerable parts and ingenuity, and the only promoter of the silk manufacture in this colonie, and in every thing else a pattern worthy of all pious imitation." He left issue, six sons and seven daughters, whose blood now intermingles in that of the best esteemed families of Virginia and the Southern States. Several of his sons were prominent in the affairs of the colony, one of them, Dudley, being long a member of the Council, as was also his grandson, Cole Digges.

[8] Maurice Abbott, brother of George Abbott, Archbishop of Canterbury, and a wealthy merchant, was knighted in 1620, and commissioned with Sir Dudley Digges to go to Russia. See preceding note.

[9] William Canning.

[10] Edward Ditchfield, salter.

Digitized by Google

him for all his service done unto them, First, that he might have their good report according as he hath deserved: and secondly that his account might be with all speed audited, that before he dyed, he might see the same cleared, and receive his *Quietus est* under the Company's seal. Which the court finding his resolution to be settled, and that he would not stand in election; they proceeded according to the last standing order now read, to make choice of their Treasurer. Sir Edwin Sandis, Sir John Wolstenholme and Mr. Alderman Johnson being nominated and accordingly balloted for, the lot fell to Sir Edwin Sandis to be their Treasurer, he having 59 balls, Sir John Wolstenholme 23 and Alderman Johnson 18, whereupon his oath was administered.

"Upon the absence of Sir Thomas Smith, the court was moved by Sir Edwin Sandis, now Treasurer, that in consideration of the great trouble mixed often with much sorrow which Sir Thomas Smith had endured, during the term of twelve years past from the very infancy of the plantation to this present, and had now surrendered up his place at such time as (by the blessing of God) there was hopes that the action might proceed and prosper if it were follow'd with care and industry requisite for so great at business: that, therefore, in some sort according to their abilities it were fitting to express their thankfulness for his good endeavours in confering twenty shares upon; which being put to the question, it was agreed he should have twenty great shares and was confirmed unto him by a general erection of hands."

The chief business of this meeting was the making appointments for the ensuing year. Mr. John Ferrar was elected deputy. The committees and auditors were chosen also.

Weekly meetings were afterwards regularly held. The following entries on the 12th of May give information as to the pecuniary condition of the company at that time:

"Mr. Treasurer intimated to the court, that whereas Sir Thomas Smith, at the resigning up his place, should report that there was £4,000 for the new Treasurer to enter upon, he now signifieth that it was true if the lotteries were dissolved and the account given up, but in the *interim* there resteth but one thousand pounds in cash, the rest in stock in the hands of him that hath the managing of the business, and out of this there is debts to pay, and which shortly will be due to pay the sum of £3,700, vizt., old debts of ten years old £1,800, and at the return of the

Digitized by Google

ships Sir George Yeardley[11] went in, and the other wherein the children was transported will amount to £1,148, as also £700 which is owing to the collection money, which by warrant hath being issued out for the use of the Company; and therefore it was put to the question whether the stock remaining shou'd go or not to the payment of the Company's debts, which was by erection of hands allowed it should. And further agreed that the remainder should be employed either in sending men to the public land to raise benefit that ways, or in transporting cattle, which hereafter may seem fittest.

"And forasmuch as there is now remaining in the hands of Gabriel Barbor much old plate, which if the lotteries were finished, the Company thereby should sustain great loss; it was therefore now ordered (unless some can give instant information of any particular abuse) that the same shall continue to be drawn out till the last of November next ensuing and then to cease and determine.

"Captain Brewster's[12] appeal delivered into court touching the

---

[11] Captain George Yeardley, as President of the Colonial Council, was left by Sir Thomas Dale as his deputy in the government of Virginia upon the departure of the latter for England in April, 1616. Yeardley was superseded by Captain Samuel Argall, 15th May, 1617, and returned to England. Upon the intelligence of the death of Lord De La Warr, Yeardley, who was knighted on the occasion, was appointed to succeed him. He arrived in the colony 19th April, 1619, and assumed the government. July 30, following, the first Legislative Assembly ever held in America was convened at Jamestown. Yeardley was superseded 18th November, 1621, by Sir Francis Wyatt, but resumed the government 17th May, 1626. He died in November following. During his administration many important improvements were made, and the power, population and prosperity of the colony much enhanced. He is reported in January, 1622, as having built a wind-mill, the first erected in America. He left a widow, Lady Temperance, and two sons, Francis and Argall, the first of whom remarkably instanced individual enterprise, effecting, in 1654, discoveries in North Carolina, and purchasing from the natives, at a cost of £300, "three great rivers and all such others as they should like Southerly," which country he took possession of in the name of the Commonwealth. There are descendants of Sir George Yeardley of his name in the United States, but none such, it is believed, in Virginia.

[12] Among the adventurers' names appended to the Company's charter, dated 23d May, 1609, are those of William Brewster, and Edward, his son. His father, whose name he bore, had been postmaster at Scrooby, and soon after the death of the former, he was appointed to the same

Digitized by Google

proceedings of Captain Argall against him at the arrival of the supplies in Virginia referred to Mr. Treasurer and Mr. Deputy to be by them delivered into the next court and the next quarter-court to hear the appeal."

On the 26th of May, 1619, the following order was taken in regard to the college:

"It was by Mr. Treasurer propounded to the court as a thing most worthy to be taken into consideration both for the glory of God and honour of the Company, that forasmuch as the King, in his most gracious favour, hath granted his letters to the several bishops of this kingdom for the collecting of monies to erect and build a college in Virginia, for the training and bringing up of infidels' children to the true knowledge of God and understanding of righteousness. And considering what public notice may be taken in order to sett forward the action, especially of all those which have contributed to the same, that therefore to begin that pious work there is already towards it £1,500 or thereabouts, whereof remaining in cash £800, the rest is to be answered out of the stock of the General Company for so much which they borrowed, besides the likelihood of more to come in; for Mr. Treasurer having some conference with the Bishop of Litchfield, he hath not heard of any collection that hath been for that business in his Diocess; but promiseth when he hath a warrant thereunto, he will with all diligence further the enterprise; whereupon he conceived it the fittest, that as yet they should not build the college, but rather forbear a while, and begin first with the means they have to provide and settle an annual revenue, and out of that to begin the erection of the said college. And for the performance hereof, also moved that a certain piece of land be laid out at Henrico, being the place formerly resolved, of which should be call'd the college land, and for the planting of the

---

position, which he held until non-conformity led him, in 1609, to go to Holland. Edward was employed by Lord Delaware, and was banished from Virginia by Argall. In August, 1619, Secretary Naunton, referring to the father, subsequently Elder of New Plymouth, writes: "Brewster, frightened back into the Low Countries, his son has conformed and comes to Church." Edward Brewster remained in London. His name appears among members present at meetings of the Virginia Company in 1623–'24. He and Henry, in 1635, were booksellers near the north door of St. Paul's, and at a later period he was treasurer of the Stationers' Company.—*Neill's Virginia Company*, pages 41, 187.

Digitized by Google

same send presently fifty good persons to be seated thereon, and to occupy the same according to order, and to have half the benefit of their labour, and the other half to go in setting forward the work, and for maintenance of the tutors and scholars; he therefore propounded that a ship might be provided against the beginning of August, to carry those fifty men with their provisions, as also to send fifty persons more to the common land, which may raise a stock for paying of duties there, and defraying the Company's charge here, and to send provision of victuals with them for a year. And for the defraying the charge hereof did also propound the means; first for the college there was money in cash, and besides it may save the joint stock the sending out a ship this year, which for 4*d* a pound they will bring from thence all their tobacco which may arise to five hundred pounds besides money that may come in otherwise to help to bear the charge of the voyage, which proposition was well liked, but the time and season not allowed of all; and by some objected, that the General Plantation shou'd receive much wrong if more men were sent over so suddenly, before those that are already gone have procured wherewithall to subsist, as also being a matter of great consequence it did more properly belong to the deciding of a quarter-court; but the former reasons being answer'd, and being further alledged if it were till then prolonged, the time wou'd be past for their provisions of beef, beer, and meat; whereupon, after long arguing or disputing thereof, it was agreed to be put to the question; which being propounded whether a ship shou'd be set out to carry men for these two good uses, and be set out at the public charge (vizt.), with fifty passengers for the college land, and fifty for the common land, it was by general consent and erection of hands allow'd and confirmed."

The next quarter-court was held at Mr. Ferrar's house in Sethe's Lane the 9th of June, 1619, and was well attended. There were present the Right Honorable—

The Lord Cavendish,	Henry, Earl of Southampton,
The Lord Pagett,	Robert, Earl of Warwick,
General Cecill,	Sir William Throckmorton,
Mr. Treasurer,	Sir Nathaniel Rich,[13]

[13] Robert Rich, of Standon, Essex, married Elizabeth, daughter of Sir Thomas Dutton, and had two sons, Robert and Nathaniel. John Dut-

Digitized by Google

Captain Bargrave,[19]
Captain Tucker,[20]
Captain John Bingham,
Captain Brewster,
Captain Whitner,
Captain Nathaniel Butler,[21]
Mr. William Palmer,
Mr. Wheatley,
Mr. Shepherd,
Mr. Cranmer,
Mr. Boothley,
Mr. Buckeridge,
Mr. Berlslock.

"On this day the order of the 26th of May, touching the setting out a ship with one hundred men for the college and public land, was now again propounded by Mr. Treasurer, and, being put to the question, received the confirmation of the court. It was agreed that the ship should be ready to set out soon after the middle of July at farthest, that by the blessing of God they might arrive by the end of October, which was deemed the fittest and seasonablest time for men to do some business."

On the 14th of June, 1619, the following orders were made:

"The Gift being now returned from Virginia and having brought letters from Sir George Yeardley directed to Sir Edwin

---

laws he was to administer. He found "the market-place, streets, and other spare places in Jamestown planted in tobacco," so alluring to the colonists was the profit yielded by the weed. He enacted severe sumptuary laws, and by his arbitrary conduct rendered himself odious. He was recalled, and Sir George Yeardley appointed in his place, but before the arrival of the latter, Argall secretly stole away from the colony. Called to account for his misconduct, he was shielded from punishment by his trading partner, the Earl of Warwick. In 1620 he was a Captain in the expedition against the Algerines; was knighted by James I in 1623, and in 1625 was engaged in Cecil's expedition against the Spanish. He died in 1639. An account of his voyage from Jamestown in 1610, and his letter respecting his voyage to Virginia in 1617, are preserved in Purchas. After the death of Lord De La Warr, Argall took charge of his estate, and letters are in existence accusing him of the most flagrant and barefaced peculation.

[19] Captain John Bargrave, who came to the colony, and returning to England, left his lands in Virginia in charge of Captain John Martin.

[20] Captain William Tucker was a Burgess for "Kiccowtan" in 1619, and a member of the Council in 1627, and later.

[21] Captain Nathaniel Butler, who had been Governor of the Bermudas, was one of the Commissioners appointed by the King July 15, 1624, to take charge of the affairs of the colony of Virginia.

Digitized by Google

Sandis, intimating the sore voyage they had, being going thither from the 19th of January to the 19th of April following, in which time there died fourteen landmen and three seamen, as also that two children were born at sea and dyed, and at his there arrival, finding the plantation to be in a great scarcity for want of corn, desired the Company to bear with him, if for this year he something neglected the planting of tobacco, and follow the sowing of corn, whereby the next year he hopes, by the blessing of God, to raise such a cropp thereof that the said plantation shall have no great cause to complain in hast of want. Other private business Mr. Treasurer acquainted the court was specify'd in his letters, which is first to receive the advice of the Council, and by their directions to reveal it to the court.

"It was moved by Mr. Treasurer that the ground committee shou'd forthwith meet for the setting out this ship and furnishing of her with good people to be sent to the college and publick land, which hitherto by defect thereof the plantation hath been much wronged: which, if the court would put them in trust for the providing of such, they would entreat the gentlemen, both of city and country, to help them therewith, which motion the court commended and have desired Mr. Treasurer's assistance therein.

"It was moved by Mr. Treasurer that court would take into consideration to appoint a committee of choice gentlemen, and other of his Majesty's council for Virginia, concerning the college, being a weighty business, and so great, that an account of their proceedings therein must be given to the state. Upon which the court, upon deliberate consideration, have recommended the care thereof unto the Right Worshipful Sir Dudley Diggs, Sir John Dauers, Sir Nathaniel Rich, Sir John Wolstenholme, Mr. Deputy Ferrar, Mr. Dr. Anthony, and Mr. Dr. Gulson, to meet at such time as Mr. Treasurer shall give order thereunto."

The committee so appointed delivered in on the 24th of June, 1619, their proceedings, which were as follows:

A note of what kind of men are most fit to be sent to Virginia in the next intended voyage of transporting one hundred men.

A minister to be entertained at the yearly allowance of forty pounds, and to have fifty acres of land for him and his heirs forever.

To be allowed his transportation and his man's at the company's charge and ten pounds imprest to furnish himself withal.

Digitized by Google

A captain thought fit to be considered of to take the charge of such people as are to be planted on the college land.

All the people at this first sending, except some few to be sent as well for planting the college as the public land, to be single men, unmarried.

A warrant to be made and directed to Sir Thomas Smith for the payment of the collection money to Sir Edwin Sandis, Treasurer, and that Dr. Gulstone should be entreated to present unto my Lord's Grace of Canterbury such letters to be signed for the speedy paying the monies from every Diocess, which yet remain unpaid.

The several sorts of tradesmen and others for the college land:

Smiths,	Potters,
Carpenters,	Husbandmen,
Bricklayers,	Brickmakers,

Turners.

Mr. Wroth was now added to the committee.

On the 7th of July, 1619, the magazine ship being returned from Virginia, and a packet of writings received from Abraham Persey,[22] the cape merchant, but not any letter yet received from Sir George Yeardley, the governor, the same was now presented to this court, wherein the packet was contained a general letter to the adventurers; an invoice of the goods now come home; a bill of lading; a certificate of the misdemeanors of one Showell who was sent to assist the cape merchant; a note of such goods as the country standeth in need of; an invoice of the goods which were laden by the George, 1617; an account of the same goods; two bills of exchange to Sir John Wolstenholme, and a note of money which the mariners oweth to the said adventurers.

The general letter being now read, it was moved by Mr. Treasurer that two points especially therein might be taken into consideration.

Whether it be convenient that liberty be given to the cape merchant according as he desireth to charter and sell the com-

---

[22] Abraham Piersey was a member of the Council of Virginia in 1624. His will dated 1st March, 1626 (O. S.), is given in *Neill's Virginia Carolorum*, pages 404–6. His wife, Frances, daughters, Elizabeth and Mary, sister, Judith Smithson, and brother, John Piersey, are mentioned.

Digitized by Google

modities as he can, and as is usual in free trading: as also liberty to the inhabitants there to barter and sell their commodities.

That as he writeth he is overcharged with abundance of needless commodities, and wanteth ploughs and other necessaries, which he hath often writ for, that it might be thought of how to be remedyed.

On the 13th the following order was taken:

"Forasmuch as the collector for tobacco refuseth to deliver the tobacco now come home unless the Company will pay twelve pence custom upon every pound weight, which is double above the book of rates, the same being but six pence, and also being freed by his Majesty's letters patents of impost and custom, saving five per cent., it is now agreed that a petition shall be drawn to the Lords, commissioners of the treasury, and have desired my Lord of Warwick, Sir Nathaniel Rich, Mr. Alderman Johnson, and Mr. Brooke, to attend their lordships upon Friday next, in the afternoon, for the clearing of the same.

At the setting of the court, on the 21st of July, there was presented to the treasurer by an unknown hand a letter from one desiring "to remain unknown and unsought after," who expressed gratification at the beginning given to the foundation of the college in Virginia, and desired an acceptance of these things:

A communion cup with the cover and case.

A luncher plate for the bread.

A carpet of crimson velvet.

A linen damask table-cloth.

Sir John Wolstenholme moved the court in the behalf of Martin's Hundred, that in consideration of the loss they have sustained by the Guift, which they set out, that they might have shares in Virginia for every 12-10-00 they have therein spent, which, if the court would please to grant, it would encourage them to sett out fifty men more in convenient time, which he desired might be put to the question.

To the which, reply was made by Sir Edwin Sandis, Treasurer, that having been privately acquainted with this motion, and having thoroughly weighed it, he could not give way unto for four reasons:

First, it was contrary to his Majesty's letters patents.

Secondly, it was repugnant to the standing orders of the Company.

Digitized by Google

Thirdly, it failed of the very end it aimed at, for it was not any advancement to the planting of Martin's Hundred.[23]

Fourthly, it was prejudicial, and that in a high degree, to the general plantation, and to the strength, peace and prosperity of the colony.

He began with the second reason, as being fresh in memory, and reading the orders in title of grants, he showed that all lands were to be granted either to planters in Virginia by their persons, or to adventurers by their purses, or by extraordinary merits of service. That the adventurers by their purses, were they only and their assignees, who paid in their several shares of 12-10-00 to the common treasurer for the charges of transporting men to the private lands of the adventurers, there was also allowance made to them of fifty acres the person; but no further allowance for such private expenses as were now demanded.

Then he came to the first reason, and showed that these orders were not newly devised, but taken out of the letters patents—viz: the second and third, divers passages of which he there openly read, importing that the lands in Virginia were to be divided amongst the adventurers by money or service, and the planters in person, and that he is to be reputed an adventurer by money, who payeth it into the Company's treasury, insomuch that if any man be admitted for an adventurer, and have paid in no money to the common treasury, he is to be compelled thereto by suit of law; yea, though he never subscribed to any such payment as is expressly set down in the third letters patents.

Thirdly, he shewed it was not beneficial to them of Martin's Hundred in point of advantaging their particular plantation, for the benefit grew not by a bare title to land, but by cultivating and peopling it so to reap profit; now of such land it was in every adventurers' power to have as much as he pleased without any other payment: for if an adventurer (for examples' sake) who had but one share of one hundred acres would send over twenty men to inhabit and occupy it, fewer at this day will not do it, he was, by the orders already established, to have for these twenty an

[23] So named from Captain John Martin, said to have been a brother-in-law of Sir Julius Cæsar, Master of the Rolls; one of the original Councillors in 1607; nominated July 7, 1610, as Master of the Iron-Works; Burgess for Martin-Brandon in 1619; was for a quarter of a century prominent in Virginia and England.

Digitized by Google

addition of 1,000 acres of land upon a first division, and as much more upon a second; and if then he would also people his 1,000 acres with ten score men more, he were to have another division of 10,000 acres more upon a first division and as much more upon a second division, and so forward to what extent of land himself should desire. On the other side, to enlarge a man's right to new land, and not to make use and profit of the old, were to increase a matter of opinion rather than of realty, and a shadow rather than a substance.

Lastly, he said it was prejudicial to the general plantation in many points of importance, first, in matter of strength, for those titles to great extent of land, so to keep others from it, would be a great weakening to the colony by disjoining the parts of it one so far from another, *Vis vinta fortior.*

Again it would be a great discouragement to new particular plantations, if either they must sit down of bad land, the best being all taken up before in titles, or seek a seat far off remote from help and society: besides whereas by the orders now established, men are to encrease their own lands there by transporting of people, and so by increasing the colony in strength and multitude the virtue and good intent of this order will be defeated if men may have their lands increased without such transportation and only by favour and plurality of voices in court.

Now, as this motion is prejudicial to the strength and increase of the plantation, so is it also to the peace thereof, good government and justice. It is not just that a man should be paid twice for the same thing; for the men transported they have already allowance of land 50 acres the person, whether dead or living: and the charges now spoken of was but in transporting those men: It is not just that things equal should be unequally valued: as Martin's Hundred hath been at great charge so have divers other hundreds, so have also been many particular persons; Captain Bargrave alone hath bought and set out divers ships; if, besides the persons transported, he shall have allowance of land over again for all his charges, perhaps he may take up a great part of the river: what may my Lord Lawarr do? Sir Thomas Gates and Sir Thomas Dale,[24] besides a multitude of others, who

[24] Thomas Dale, a soldier of distinction in the Low Countries, knighted by James I, in June, 1608, as Sir Thomas Dale, of Surrey; sailed with

Digitized by Google

have spent a large portion of their estates therein, and are not thought on? If all these men come in with their accounts for all their time, what a confusion and disturbance will ensue thereon? Shall we deny that to them which we allow to ourselves? Or shall we admit of their demands and set them out land accordingly? How, then, shall we proceed in examining their accounts? How may they be cleared? When would they be ended? This course is a labyrinth and has no issue.

He concluded, that he had always favoured the desires of Martin's Hundred, but for this particular he would not approve it: however, if men were not satisfied with these reasons, he would be well content that the matter might be referred to a quarter-court, unto which it did more properly belong; and that in the meantime it might be referred to the consideration of a grave committee to be indifferently chosen out of the Generality and Council.

Upon which, Sir Edward Harwood propounded that for satis-

---

the appointment of "High Marshall" from England, 17th March, 1611, and arriving at Jamestown 19th May, superseded George Percy as Governor of Virginia; received a three years' leave of absence from the States-General, which in 1614 was extended Under an extraordinary code of "Lawes, Divine, Morall and Martiall," compiled by William Strachey, Dale inaugurated vigorous measures for the government and advancement of the colony. He planted a new settlement at Henrico, remedied to some extent the pernicious system of a community of property by allotting to each settler three acres of land to be worked for his individual benefit; planted "comon gardens for hempe and flaxe and such other seedes," and conquered the Appomattox Indians, and took their town. He was superseded by Sir Thomas Gates in August, 1611, but continued to take an active part in the affairs of the colony, and on Gates's return to England in March, 1613, he resumed the government. It was under his auspices that the marriage of John Rolfe and Pocahontas was consummated, and this politic example he singularly attempted to follow himself, though he had a wife (Elizabeth, daughter of Sir Thomas Throckmorton, Knight, of Talworth, Gloucestershire, and brother of Sir William, member of the East India Company) living in England. He sent Ralph Hamor to Powhatan with a request for the younger sister of Pocahontas, a girl scarce twelve years old, but his overtures were disdainfully rejected. Dale returned to England in 1616. He was in Holland in February, 1617, and in January, 1619, was made Commodore of the East Indian fleet, and had an engagement with the Dutch near Bantam. His health gave way under the climate, and he died early in 1620.

Digitized by Google

faction and encouragement of Martin's Hundred, there might be some quantity of land bestowed upon them by way of gratuity and service, which was generally well liked, and the accomplishment thereof referred to the next quarter-court, and in the meantime the matter should be prepared by a select committee.

And whereas, the said Sir John Wolstenholme long since lent the Company at one time £300 and at another £100, and after a long time received it in again by little sums, that therefore, in consideration thereof and that he received no interest for the same, he moved that the court would recompense his kindness by giving him some land; which was now thought reasonable, if the quarter-court (as they do not doubt) shall allow thereof.

Upon some dispute of the Polonians, resident in Virginia, it was now agreed (notwithstanding any former order to the contrary) that they shall be enfranchised and made as free as any inhabitant there whatsoever. And because their skill in making pitch and tar and soap ashes shall not dye with them, it is agreed that some young men shall be put unto them to learn their skill and knowledge therein for the benefit of the country hereafter.

October the 20th, 1619, "a letter from his majesty being sent to Mr. Treasurer and council for the sending divers dissolute persons to Virginia, which Edward Zouch, Knight Marshall, will give information of; after the Council had perused, the same was brought to the board and read to the company, who, considering there was no present means of transporting them to Virginia, thought fit to reserve the full answer to his Majesty's letter till the next court, when, with the Lords and Mr. Treasurer, it might be agreed how his Majesty's commands might most speedily be effected." In the meanwhile, Sir John Dauers promised to acquaint Mr. Secretary Calvert and Sir Edward Zouch the reason that they gave not present answer to his majesty's gracious letter.

November 3d, 1619, "according to the reference in the last court, his Majesty's letter was taken into most dutiful consideration, and it was agreed with all conveniency to fulfill his majesty's command, and to send them over to be servants, which will be very acceptable to the inhabitants, as Mr. Treasurer hath understood from them, and in the meantime till they may be sent, which will be about January. Mr. Treasurer shewed that in the like case the Lord Mayor had been solicited to give order for the keeping of them in Bridewell, which was answered to be per-

Digitized by Google

formed already, and the court desired Mr. Treasurer to give his Majesty an answer by Mr. Secretary Calvert."[25]

Propositions of importance were now made by the treasurer and explained by him. They were again mentioned in a prepositive court the 15th of November, and last over before the judgment of a great and general quarter-court concerning them. Such a court was held the 17th of November, at which were present the Right Honourable—

Henry, Earl of Southampton,	Sir Ferdinand Georges,[27]
Robert, Earl of Warwick,	Sir John Dauers,
The Lord Cavendish,	Sir Henry Ranisford,
The Lord Sheffield,	Sir Thomas Wilford,
The Lord Pagett,	Sir Robert Winchfield,
Sir Edwin Sandis, Knight Treasurer,	Sir Thomas Cheeke,
	Sir Nathaniel Rich,
Sir Thomas Roe,	Sir Thomas Wroth,
Richard Tomlins,	Sir John Wolstenholme,[28]
Sir Dudley Diggs,	Dr. Matthew Sutcliffe,
Sir Francis Popham,[26]	Dr. Francis Anthony,
Sir Thomas Gates,	Dr. Theod. Gulstone,
Dr. Thomas Winstone,	Dr. Lawrence Bohun,[29]

[25] George Calvert, first Lord Baltimore, born at Stripling, Yorkshire, 1562, and educated at Trinity College, Oxford, after which he went abroad, and on his return entered into the service of Secretary Cecil, who became High Treasurer. James I made him one of the clerks of the Privy Council, and in 1619 he was appointed Secretary of State. In 1625 he was created Lord Baltimore and had a grant of land in Newfoundland; which settlement being abandoned in consequence of the ravages committed by the French, he obtained another grant in Virginia where was founded the colony of Maryland. He died 15th April, 1632.

[26] Sir Francis Popham was a patentee of New England, and a member of Parliament in 1620.

[27] Sir Ferdinando Georges, the patentee of the Plymouth Company.

[28] Sir John Wolstenholme, a prominent London merchant, who assisted in settling Kent Island in Chesapeake Bay, in 1632 built a church at Stanmore, near London, and dying, aged 77, was buried there, 25th November, 1639.

[29] Dr. Lawrence Bohun studied his profession in the Low Countries, and came to Virginia in 1610, and was made Physician-General to the colony in 1611. In March of that year Lord De La Warr, who was seriously ill, sailed from Virginia to the West Indies for his health,

Digitized by Google

Henry Reignolds,	Mr. Roberts,
August Steward,	Mr. George Smith,
Mr. Boulton,	Mr. Cranmer,
Thomas Wells,	Mr. Melinge.
Edward Brewster,	Mr. Whitley,
Mr. John Ferrar, Deputy,	Mr. Morer,
Mr. Hanford,	Mr. Ditchfield,
Mr. Clitheroe,	Mr. Edwards,
Mr. Nicholas Ferrar,[80]	Mr. Wiseman,
Mr. Henry Briggs,	Mr. Shepherd,

accompanied by Dr. Bohun. Bohun, with James Swifte and others, in February, 1619, received a grant of land for the transportation of three hundred persons to the colony. Bohun being slain in an engagement with a Spanish man-of-war, March 17, 1621, was succeeded as physician by Dr. John Pott. Of the medical predecessors of Bohun in Virginia, Dr. Thomas Wootton was Surgeon-General in 1607, and in 1608 Dr. Walter Russell is mentioned by Captain John Smith as being with him and rendering him professional service during the making of the survey of the Chesapeake Bay and the Potomac river. He attended an Indian chief who had been shot in the knee, a brother of Hassiningee, King of one of the four nations of the Mannahooks. In 1608, also, Anthony Brgnall was surgeon of the fort, and for the settlers at Jamestown and the vicinity.

[80] Nicholas Ferrar, third son of Nicholas Ferrar, (a London merchant, who was engaged in commercial enterprises with Sir Thomas and Sir Hugh Middleton, and lived in style in London, dispensing a generous hospitality, the Company meeting at his house; he also entertained Sir John Hawkins, Sir Francis Drake, Sir Walter Raleigh and others, and Mary his wife, daughter of Lawrence Wodenoth, of Cheshire, and probably a relative of Arthur Wodenoth, a member of the Company, who prepared a brief narrative of the corporation from its organization to its dissolution, which, after his death, was published in 1651,) was born 22d February, 1592, graduated B. A.; accompanied to Germany Lady Elizabeth, wife of the Palgrave; upon his return to England, through the recommendation of Sir Edwin Sandys, he was made a member of a particular committee by the Earl of Southampton, and subsequently a member of the Council, in which he succeeded his brother John as Deputy-Governor; member of Parliament in 1624. Retiring from active life to the Lordship of Little Gidding in Huntingtonshire, where his mother, his favorite sister, and her husband Collett, and forty other relatives lived, he was ordained Deacon by Archbishop Laud, and passed his remaining days in religious duties; died 2d December, 1637. He was a man of much learning and personal worth. He was a descendant of Robert Ferrar, Bishop of St. Davids, who was burned as

Digitized by Google

Mr. Canning,
Mr. Bland,
Mr. Bull,
Mr. Keightly,
Mr. Chambers,
Mr. Palmer,
Mr. Rogers,
Mr. Covell,
Mr. Boothby,
Mr. Bernard,[31]
Mr. Mansel,[32]
Mr. Berblock,
Philip Chidley, Esq.,
John Wroth,
Thomas Gibbs,
George Sandis,
Arthur Bromfield,
John Bargrave,
Captain Samuel Argoll,
Mr. Caswell,

At the request of some of the noblement present, the Treasurer now again related his propositions:

"He declared that his care and duty, running jointly for the advancement of this noble plantation, his desire carried him chiefly to the restoring the publick, which was now decayed, and the reforming of some errors, which had directed their charges and the labours of the colony to a wrong and unworthy course, and greatly to the disgrace and hurt of the plantation: For

---

a heretic 30th March, 1655. Wm. Farrar, a younger brother, born 1593, Barrister, came to Virginia in 1618; Member of the Council 1623-33; Commissioner of Henrico and Charles City counties; married Cicely, widow of Samuel Jordan, of Charles City county, who died in 1623. Farrar died before 11th June, 1637, as, on that date, two thousand acres of land in Henrico county were granted to his son and heir, William, subsequently Colonel. A daughter of the last married Walter Shipley, of Charles City county, who died before 1690. She was alive in 1700. The family has intermarried with many others of prominence in Virginia, including the Field, Jefferson, Royall, Branch and others, and is still quite numerously represented. Thomas Jefferson mentions in his will, dated 1731, his daughter, Judith Farrar.

[31] Thomas Bernard was granted 1,050 acres of land in Warwick county 16th December, 1641, and William Bernard, who was a member of the Council in Virginia in 1642, and subsequently styled Colonel, 1,200 acres in Isle of Wight the same year. He married Lucy, the widow of Lewis Burwell, of "Carter's Grove," who survived him, and married, thirdly, Philip Ludwell.

[32] Sir Robert Mansell, Treasurer of the Navy and Vice-Admiral. In 1624 he obtained a patent for the exclusive manufacture of glass, by the use of sea or pit coal, and revolutionized the glass trade. In 1638, although advanced in years, he was present at the launching of a vessel. For many years he was a director of the East India Company.

Digitized by Google

whereas, not much above three years ago, there were returned from Virginia twelve several commodities sold openly in court to the great honour of the action and encouragement of the adventurers; since that time there hath been but little returned, worth the speaking of, save tobacco and sassaphras, which the people there, wholly applying, had by this misgovernment reduced themselves into an extremity of being ready to starve (unless the magazine this last year had supplied them with corn and cattle from hence) to the stopping and great discouragement of many hundreds of people, who were providing themselves to remove to plant in Virginia. The cause of this error he would not insist upon, as loth to give offence by glance of speech to any, but for remedy thereof (besides often letters sent from the Council lately to the Governour for restraint of that immoderate following of tobacco and to cause the people to apply themselves to other and better commodities), he had also, by the advice of his Majesty's Council here, and according to one of the new orders now propounded, caused a new covenant to be drawn and to be inserted into all patents of land hereafter to be granted, that the patentees should not apply themselves wholly or chiefly to tobacco, but to other commodities specified in the said covenant, an example whereof they should see in the patent lying before them to be passed in this court to Mr. John Delbridge and his associates. Now, touching the public, he was first to present to their remembrance how, by the admirable industry of two worthy knights, Sir Thomas Gates and Sir Thomas Dale, it was set forward in a way to great perfection, whereof the former, Sir Thomas Gates, had the honour to all posterity to be the first named in his Majesty's patent of grant of Virginia, and was the first who, by his wisdom, valour and industry, accompanied with exceeding pains and patience in the midst of so many difficulties, laid a foundation of that prosperous estate of the colony, which afterward in the virtue of those beginnings did proceed. The latter, Sir Thomas Dale, building upon those foundations with great and constant severity, reclaimed almost miraculously those idle and disorded people, and reduced them to labour and an honest fashion of life, and proceeding with great zeal to the good of this Company, set up the common garden to yield them a standing revenue, placed servants upon it, as also upon other publick works for the Company's use,

Digitized by Google

established an annual rent of corn from the farmers, of tribute corn from the barbarians, together with a great flock of kine, goats, and other cattle, being the goods of the Company for the service of the publick, which hath since been the occasion of drawing so many particular plantations to seat in Virginia upon hope and promise of plenty of corn and cattle to be lent them from the publick for their ease and benefit upon their first arrival.

"But since their times, all these publick provisions having been laid waste by such means as hereafter in due time shall appear. It has been his principal care in those places, wherein it has pleased the Company to command his service, to set up the publick again, in as great or greater height than heretofore it had; the maintaining of the publick in all estates being of no less importance, even for the benefit of the private, than the root and body of a tree are to the particular branches; and therefore to present to them all in one view both what had already been done, and what yet remained to be perfected, he recalled to their remembrance, how, by their commission sent by Sir George Yeardley, they had appointed 3,000 acres of land to be set out for the Governor so to ease the Company henceforward of all charge in maintaining him; 12,000 acres of land to be the common land of the Company; vizt. 3,000 in each of the four old burroughs, 10,000 acres of land for the University, to be planted at Henrico, of which 1,000 for the college for the conversion of infidels. The next care was for the planting tenants upon these lands; in January last there went with Sir George Yeardley fifty tenants for the Governor's land, transported at the Company's and furnished at his own charge, and six he found remaining of Captain Argoll's guard; in the March afterward there were sent twenty to the Company's land by Mr. Lawne, whereof he hath delivered yet but fifteen, for want of performance to him of loan of corn and cattle; four more were sent by the Triall, and three Sir George Yeardley found in the country. In the beginning of August last, in the Bona Nova, were sent 100 persons for publick service, chosen with great care and extraordinarily furnished, whereof 50 for the Company's land and 50 for the college land, so that making deduction of some few that are dead, there were, he hoped, at this day 174 persons placed as tenants upon the publick.

"Therefore, his first proposition was, that the Company would

Digitized by Google

be pleased that these tenants for the publick might be encreased up to the number of three hundred this next spring, vizt: one hundred for the Governor's, one hundred for the Company's, and one hundred for the college land, which (if he be truly informed by those who best should know it), being rightly employed, will not yield less than the value of three thousand pounds yearly revenue for these publick Reve., and because care both hath been, and shall be taken, that divers stayed persons and of good conditions, have been and shall be sent amongst them; his second proposition was, that for their ease and commodiousness, there might be one hundred young persons to be their apprentices, in the charges whereof he hoped this honourable city would partake with the Company as they formerly had done; and because he understood that the people thither transported, though seated there in their persons for some few years, are not settled in their minds to make it their place of rest and continuance, but having gotten some wealth there, to return again into England. For the remedying of that mischief, and establishing of a perpetuity to the plantation, he advised and made it his third proposition, to send them over one hundred young maids to become wifes, that wifes, children and families might make them the less moveable and settle them, together with their posterity, in that soil.

"His next proposition was, for the manner of transporting these persons thus to make up five hundred for the publick land, wherein he advised that they should not as heretofore hire shipping for this purpose, whereof every ship at its return in bare fraught and wages emptied the cash of £800 and sometimes £1,000, but that they should, as they had already done this present year, take the opportunity of these ships trading to Newfoundland, and so to transport them at six pounds a person without after reckonings.

"A fifth proposition was for the sending of twenty heifers upon every one hundred of these tenants, threescore in the whole, which he hoped might be done, taking the opportunity of shipping in the western parts at £10 a head, £600 in the whole.

"Lastly, touching the charges, he related particularly, as formerly he had done, divers great encouragements of supply to come in; he estimated the whole charge at four thousand pounds to be done sparingly, and bountifully at £5,000; he promised not to leave the Company one penny in debt for anything in his

Digitized by Google

year to be performed; and, moreover, that he would discharge £3,000 of former debts and reckonings according to the stock left in the lotteries at his coming to this place. This done, he hoped the publick would be again well restored, a foundation laid for a future great state, the adventurers and planters well-encouraged and comforted, all manner of scandal and reproach removed, and so he would commend the action to the blessing of God. These propositions after some pause, receiving no opposition, were put to the question and received the general approbation of the court.

"Also he acquainted, that in setting forward part of his propositions now confirmed, he had to that purpose been with the lord mayor, who found him to be as willing to pleasure the Company as he desired, withal desired to have their minds in writing the Court of Aldermen and the Common Council may the better understand them, which being now ready drawn was read and allowed of, the copy of which ensueth:

"'*To the Right Honourable Sir William Cockain,*[28] *Knight Lord Mayor of the city of London, and the Right Worshipful, the Aldermen, his brethren, and the Worshipful, the Common Council of the said city:*

"'The Treasurer, Council and Company of Virginia, assembled in their great and general court the 17th of November, 1619. have taken into consideration the continual great forwardness of this honourable city in advancing the plantation of Virginia and particularly in furnishing out one hundred children this last year, which by the goodness of God there safely arrived (save such as died in the way), and are well pleased, we doubt not, for their benefit, for which your bountiful assistance we, in the name of the whole plantation, do yield unto you due and deserved thanks.

"'And forasmuch as we have now resolved to send this next spring large supplies for the strength and increasing of the colony, styled by the name of the London colony, and find that the sending of those children to be apprentices hath been very grate-

[28] A distinguished merchant; sheriff in 1609; chief of the new company of merchant adventurers, which gave King James a great banquet 22d June, 1609, at his house, and where he was then knighted; died in 1626, and the distinguished poet and divine, John Donne, preached his funeral sermon.

Digitized by Google

ful to the people; we pray your Lordship and the rest in pursuit of your so pious actions to renew your like favour and furnish us again with one hundred more for the next spring; our desire is that we may have them of twelve years old and upwards with allowance of three pounds apiece for their transportation and forty shillings apiece for their apparel, as was formerly granted; they shall be apprentices, the boys till they come to 21 years of age, the girls till the like age or till they be married, and afterwards they shall be placed as tenants upon the publick land with best conditions, where they shall have houses with stock of corn and cattle to begin with, and afterward the moiety of all increase and profit whatsoever; and so we leave this motion to your honourable and grave consideration.'

"Moreover that he hath drawn a publication which, if it were liked, desired that it might be put in print, being for the entertainment of good and sufficient labourers and husbandmen, artificial and manual trades to be set out at the time formerly specified unto the public and college land, which being read and put to the question, was ratified by erection of hands.

"After this he signified that according to the desire of the last court he had been with Mr. Secretary Calvert and delivered the Company's answer touching the transporting of men prest by his Majesty, which gave not full satisfaction, for the King's desire admitted of no delays, but forthwith to have 50 of the 100 ship't away with all speed, notwithstanding the many inconveniences which Mr. Treasurer alleged would hereby accrue unto the Company, that they could not go in less than four ships, for fear they being many together may draw more unto them and so mutiny and carry away the ships, which would stand the Company in £4,000, and they not suddenly to be gotten at this time of the year, but all not serving the turn, he told them what a pinch he was put unto and therefore desired their council and advice.

"Whereupon divers ways being thought upon and considered, the court could find no more fitter or satisfactory answer than this: that the Company would be at the charge to maintain them till there could be shipping provided, if so be they were commanded to do it; and therefore have appointed a committee of select merchants to employ their whole endeavours for the compassing of shipping with all speed possible, namely, Mr. Deputy Ferrar, Mr. Keightley, Mr. Wiseman, Mr. Cranmer, Mr. Bull,

Digitized by Google

Mr. Shepherd and Mr. Melinge, and to that end Mr. Treasurer was content the eight hundred pounds adventured by the general stock in the magazine should remain there to be employed to those uses from time to time, whereunto if they pleased there should be two hundred pounds more added out of the cash in his custody, which thousand pounds to be only for the satisfying of his Majesty's desires from time to time.

"And whereas the company of the Somer Islands doth always report of the gracious favour his Majesty extendeth to Virginia, that therefore the next quarter-court for the said islands be entreated to join for the transport of some of them to be servants upon their land; my Lord of Warwick, Sir Edwin Sandis, Mr. Ferrar, and others intending to take some of them to that purpose, for prosecuting of which it being put to the question, was generally agreed of, entreating Mr. Treasurer that to this effect he would in writing draw the answer and deliver it to Mr. Secretary Calvert to inform his Majesty.

"An extraordinary court was convened the 22d of November, 1619. Mr. Treasurer signified that this extraordinary court was to acquaint them that according to the intent of the last great court he had drawn the letter to his Majesty in the name of the Treasurer, Council and Company, and had delivered it to Mr. Secretary Calvert together with a copy thereof; but it being thought that that letter would not serve his Majesty, he thought fit to propound this and crave their further advice, that if one hundred pounds, which should have been for maintenance of these men, might be given extraordinary in gross besides the ordinary allowance of six pounds the man to any that may be found to transport them with all expedition, the Knight Marshall having promised Sir John Dauers that if they may be sent presently, he will furnish them with such persons of what quality and condition they desire. Unto which was objected that if some were found to undertake this, yet it might be this month before the ship could be dispeeded and they, during such time, must be maintained at the Company's charge, which was answered it could not be helped, his Majesty's commands must be fulfilled, therefore, being put to the question, was generally allowed of.

"Likewise he acquainted that being to go to the Council table about the Company's business, he proposed to acquaint the Lords of the tobacco detained by Mr. Jacob, notwithstanding the grant

Digitized by Google

of their patent, their letter from the Lords of the Council and the Company's offer unto him desiring to understand their further pleasure, who have agreed to make a further offer (if it may be accepted,) to leave a 20th part with him in specie, as also another 20th part for the King's custom till they tried their patent, and for the assisting of Mr. Treasurer there is now entreated my Lord of Warwick, Lord Paget, Lord Cavendish, Sir John Dauers, Sir Nathaniel Rich, Mr. John Wroth, and Mr. Cranmore.

"December the first, 1619. Before the reading of the court, Mr. Treasurer signified that two several times he had attended the Lords of his Majesty's most honourable privy council about the magazine goods, but nothing was done the first time because Mr. Jacob was thought to have been warned, but was therefore their Lordships required Mr. Treasurer to set down his mind in writing and deliver it unto them upon this day, against which time the King's learned council would be present, and Mr. Jacobb should be required to attend, which accordingly Mr. Treasurer performed and presented it this day unto their Lordships, which was the first business they took into consideration, notwithstanding the said Mr. Jacob was not present, although the messenger affirmed that he warned him, therefore, by reason of his absence, the Lords would not proceed to a final determination. But Mr. Attorney delivered his opinion clearly for the right of the Company, whereupon it was adjourned till to morrow, understanding that Mr. Jacobb will be there without fail.

"The last great general court being read, Mr. Treasurer acquainted them that Mr. John Delbridge, purposing to settle a particular colony in Virginia, desiring that for the defraying some part of his charges, the Company would admit him to fish at Cape Cod. Which request was opposed by Sir Ferdinando Gorge, alleging that he always favoured Mr. Delbridge, but in this thought himself something touched that he should sue to this Company and not rather to him as properly belonging to the north colony to give liberty for the fishing in that place, it lying within their latitude, which was answered by Mr. Treasurer that the company of the south and north plantations are the one free of the other, and the letters-patents is clear that each may fish within the other, the sea being free for both, which if the north colony abridge them of this, they would take away their means and encouragement of sending of men, unto which Sir Ferdinando

Digitized by Google

Gorges replyed that if he mistake not himself, both the Company's were limited by the patent unto which he would submit himself, for the deciding whereof it is referred unto the council who are of both Companies to examine the letters-patent to-morrow afternoon at my Lord of Southampton's and accordingly to determine the dispute.

"Mr. Deputy informed the court that Mr. Thompson having a good ship, burthen 320 tons, the committees, at their meeting, have agreed with him, if the court shall allow thereof, to give him £1,200 to transport for them into Virginia two hundred men, and for fifty tons freight of goods in the ship £100 more, in all £1,300, and to victual their men after such proportion as by a note was shewed him, Captain Tompson promising to give caution to the Company for such moneys as he shall receive before hand; and for performance of the said voyage, the said Captain Tomson was demanded when he would set out, who promised to be ready in Tilburyhope the sixth of February next, and would stay there four days to take in such as should come, and four days more at Deal, but if above ten days that then it might be lawful for him to depart, demanding of the Company £800 in hand and £500 upon certificate of the men and goods to be landed in Virginia, which he ensisting upon, Mr. Treasurer, in the behalf of the Company, made offer to give him seven hundred pounds and six hundred upon certificate as aforesaid. He being so far from exacting of the Company, that he promised that if they would lay into the ship half a tun of *aqua vitæ* for their sick men, he would forbear the present payment of the £100 in question, which the court promised to perform. Whereupon Mr. Deputy acquainted the court for accommodating all men, that if any particular adventurer would send over men to Virginia, let him give notice of the number thereof to William Webb, the husband, and pay unto him six pounds for their passage, shipping should be provided for them with the Company's men. And because himself and the committees will have more than enough to provide all things necessary and sufficient against that time of sending their people away, he desired that every one of the Company would give their helping for the furnishing them with good and able men for this voyage, and to take such care and pains as if it were for their own privacie, praying all men to take notice of this request.

Digitized by Google

"It was propounded that in consideration of some publick gifts given by sundry persons to Virginia—divers presents of church plate and other ornaments, £200 already given towards building a church, and £500 promised by another towards the educating of infidel's children—that for the honour of God and memorial of such good benefactors, a table might hang in the court with their names and gifts inserted, and the ministers of Virginia and the Somer Islands may have intelligence thereof, that for their pious works they may commend them to God in their prayers, which generally was held very fit and expedient.

"And forasmuch as by the order of this court the lotteries are now to dissolve, that therefore they would consider of some way for the defraying of future charge, or else continue them half a year longer, whereupon, finding no other means as yet to accrue unto the Company, it was ordered they should last till midsummer next, and being put to the question was confirmed by erection of hands.

"Further, Mr. Treasurer made known that he had received a very favourable letter from the Lord Archbishop of York, that if he will send more briefs there shall be new collections, as also how much the Company was beholding to the Diocess of London, my Lord Bishop having sent in a full thousand pounds.

"December the 15th, Sir Edwin Sandis, as it was ordered in the last court, repairing the next day to the Council table, presented a petition to their Lordships according as it was referred unto him in the name of the Council and Company, in which was contained the whole state of the business, Mr. Jacobb being there, it pleased their Lordships to give them most honourable audience, hearing the allegations of both sides, where Mr. Attorney-General delivered his clear opinion to the Lords, that the Company by their patent were free from imposition; and, in fine, it was ordered by their Lordships that the said Mr. Jacobb should deliver the said tobacco unto them, paying all other duties that might appertain thereunto, which was submitted to their Lordships' judgments. Therefore, he moved that the petition, together with their Lordships' order, might be entered in the court-book, which was well liked of, being as followeth:

Digitized by Google

"'*To the Right Honorable, the Lords and others of his Majesty's most honourable privy Council:*

"'The humble petition of the Treasurer, Council and Company for Virginia, humbly shew unto your Lordships, whereas the plantation of Virginia, by reason of many great difficulties, hath been and still is a matter of excessive charge to the particular adventurers, and if it please God to prosper the same so as it be brought to perfection (whereof the hope is now greater than at any time heretofore), it will be a matter not only of strength and honour; but also of great profit to his Majesty and his people; and to his Majesty particularly in his customs, unto which the negotiation established with Virginia will raise a clear and in short time a great addition, as growing by mutual traffic between the English, and English who now yearly remove thither in very great multitudes. In which, and many other important considerations, it pleased his most excellent Majesty of his princely benignity by his letters-patents, bearing date the 25th of May in the seventh year of his reign of England, etc., to grant unto the said Company freedom from custom and subsidy in Virginia for one and twenty years, and in England for a certain number of years now expired, and from all other taxes and impositions forever; 'excepting only the five pounds p. centum, due for custom upon all such goods and merchandizes as shall be brought and imported into this realm of England, or any other his Majesty's dominions, according to the ancient trade of merchants.

"'And the like grant hath been made by his Majesty to the Company of the Somer Islands by his gracious letters-patents, bearing date the 29th of June, in the thirteenth year of his reign of England, etc., save that the freedom from custom and subsidy granted to them is not yet expired, which Company of the Somer Islands are all members of the Virginia Company, and for the mutual strength of both parts are so to continue.

"'All which, notwithstanding the farmers of his Majesty's customs, by a general rate of tobacco made at 10s. the pound in regard the Spanish tobacco is worth much more, though the Virginia tobacco give not half so much, demand of your suppliants 6d. the pound for their Virginia tobacco, which they humbly desire may be rated at a just value by itself (which they shall

Digitized by Google

willingly pay) and not raised to the double by coupling it with the Spanish, which is sold ordinarily at 18s. the pound, and sometimes more.

"'They complain also to your Lordships of Mr. Jacobb, farmer of the imposts of tobacco, who, by colour of a much latter grant from his Majesty, demanded of them another 6d. the pound upon their tobacco, contrary to his Majesty's most gracious grant, and which, also, it is not possible that poor commodity can bear.

"'They humbly, therefore, offer to your Lordships' considerations: Whereas, for the support and increase of that plantation to draw on the colony more cheerfully to apply their labour, they have erected here a society of particular adventurers for traffic with them of Virginia in a joint stock for divers years, commonly called the magazine, and have contracted with the people there, as for other commodities, so particularly to give them 3s. a pound for tobacco, by virtue of which contracts a great multitude of people have lately been drawn to remove thither, and not so few as one thousand persons are providing to go and plant there in the spring approaching, that if to that 3s. be added this 12d. demanded by the farmer, together with other charges of freight, etc., it will exceed the uttermost value which at this day the tobacco can be sold for, and consequently must needs dissolve this traffic established. And they further complain to your Lordships of Mr. Jacobb, that whereas this Company, for the upholding of the said traffic, set out in September was twelve, a ship to Virginia for the bringing home the commodities, as it were the harvest of that year, whereby the people here are to be maintained with clothing and necessary implements.

"'The Company here quickened with hope of profit by traffic, and by this mutual negotiation, his Majesty's customs advanced and accordingly, in June last, their ship returned and brought home twenty thousand pounds weight of tobacco, for which, besides the merchandize bartered with them there, they are to discharge here above eight hundred pounds of bills of exchange, and upon return of their ship they brought their goods into the custom house, as they were required, that they might be weighed, and the customs answered for the same, which they were willing and ready to discharge, Mr. Jacobb, of his own authority, interrupted the weighing of their tobacco, and forbad any farther

Digitized by Google

proceedings unless that impost of 6d. a pound were also paid unto him.

"'Whereupon they, flying unto your Lordships for relief, obtained your honourable letter to Mr. Jacobb to deliver their goods, they entering into bond to pay him whatever should appear to be his due by your Lordships' judgments upon certificate from his Majesty's learned Council, and within one month after it should be determined, which order your suppliants did offer him to perform.

"'But Mr. Jacobb refusing to perform your Lordships' order, and exacting of them another bond—viz: to pay him his demand at a certain day, unless they procure in the meantime a discharge from your Lordships, which they thought unfit to undertake, being not in their power to effect, hath ever since now, for the space of four months and upwards, contrary to his Majesty's letters-patents and your Lordships' honourable letters (an example unheard of), forcibly detaining their goods to their damage at least of £2,500, partly by the impairings thereof in worth through dryness and other corruptions, and partly by the sale of price upon the store of English tobacco which hath since been made.

"'They further complain of Mr. Jacobb, that whereas the Somer Islands are yet free for two years and a half, unexpired, of every custom and subsidy, Mr. Jacobb who, standing by his officers at Plymouth, had caused 12d. a pound to be exacted for their tobacco, and bond to be entered for the payment thereof on the sixth of this month unless your Lordships shall be pleased in the meantime to discharge the same.

"'In consideration of which premises, these petitioners most humbly beseech your good Lordships that whereas they are now in treaty for the providing and setting forth of two ships immediately, the one to Virginia expressly for his Majesty's service, and the other to the Somer Islands for the necessary fortifying and securing of that place; and forasmuch as they dare not let them carry thither so unwelcome news as in the particulars before set down; and forasmuch, also, as the preparations for the transport of those one thousand persons are now all at a stand, waiting upon the success of this present business, that your Lordships, out of your accustomed favour towards this planta-

Digitized by Google

tion, and to preserve it from utter ruin now threatened by these courses, will be pleased in upholding of his Majesty's gracious grant unto them to cause their goods thus detained to be at length delivered, upon payment of such duties as of right ought to be paid.

"'And they shall always pray for your Lordships' long continuance in all prosperity.'

"The Council meeting, according to the reference in the last court, and perusing the letters-patent, grew to this conclusion, that by the license of the said Council it might be lawful for either of the said colonies to fish within the liberties the one of the other, but since some of the northern colony flying from that agreement pretend to consider better of it before they will give answer thereunto.

"However, the Council having occasion to pursue it upon the motion of Mr. Treasurer, have given license under their seal unto the society of Smith's Hundred to go a fishing, which seal was this day, in open court and by the allowance thereof, affixed unto their said license as also to a duplicate of the same.

"At this court Mr. Treasurer acquainted the Company that the day before Sir Thomas Smith's account had been brought in to the auditors, and for the speedy auditing and concluding of them it was moved by him, in the name of the auditors, who with one assent had approved thereof, that a publication might be set out in print. In the first part to set down the names in alphebetical order of every adventurer and their several sums adventured, that thereby all may take notice of their sums brought in, and be summoned to come in for their land proportionable thereunto, before the best were possessed by new adventurers and planters, which might also be a speedy increase and * * * of the plantation. And in the second part to confute such scandalous reports as have been divulged of Virginia, by the justification of the inhabitants there, which motion was generally approved by the court, referring the drawing of the said publication to Mr. Treasurer and Dr. Winstone.

"December 15, 1619. For the fifty men which are now to be sent upon command from his Majesty, it was agreed, upon the motion of Mr. Treasurer, for the appareling and furnishing them with other necessary expences, one hundred pounds shall be

Digitized by Google

allowed to be disbursed out of the cash and afterwards to be reimbursed with the rest by their masters.

"December 23d, 1619. Mr. Deputy informing the court that the Knight Marshal having been with Mr. Treasurer, gave him to understand that upon Monday morning fifty of the persons to be transported for his Majesty should be at Bridewell for the Company to make choice of such as they think for the present fit to be sent, therefore moved that some might prepare thither at 8 of the clock to meet the Knight Marshal about that business, whereupon the court have desired Mr. Dr. Winstone, Mr. Caninge, Mr. Cranmore, and Mr. Thomas Mellinge to be there at that time.

"Fifteen thousand weight of tobacco being separated from the worst, one-third part of it was allowed to be put to sale by the candle, allowing tret four in the hundred weight, to pay at six and six months, and if any of the Company buy it, to have the custom free if they export it; Mr. Thomas Mellinge bidding 3s. want a penny at the going out of the flame had it adjudged.

"An extraordinary court was convened the 8th of January, 1619–20. Mr. Treasurer signified that the cause thereof was to understand their resolutionss about a matter recommended to them by his Majesty; by reason of the master of the wards, whether the Company would farm the impost of tobacco or any part thereof at eight thousand pounds per annum, and pay 12d. pence a pound for custom of their tobacco. It having been thought convenient to raise the custom upon tobacco to that rate for that some Spanish tobacco has been sold at twenty shillings per pound, of which 12d. 6d. to be paid to the farmers of the impost, and 6d. to the farmers of the custom.

"After some disputation, it was answered that the King had granted them their patent under the broad seal, upon good grounds, to pay only five p. cent. and no more, which privilege they could not give up nor betray without great breach of duty, as also the certain hazard of the whole plantation, and this point was stood so resolutely upon that, being put to the question, it was confirmed by all the hands, no one dissenting.

"And, therefore, forasmuch as their Virginia tobacco was never yet sold in any sale that took effect at above five shillings the pound, but many times under, they could not give way to pay

Digitized by Google

more for custom than three pence upon the pound, which is full five in the hundred, yet so that if hereafter it should rise to a higher price they would willingly increase their custom to the highest of that rate.

"Yet, in regard they understand by Mr. Treasurer that his Majesty, out of love and affection to this Company, has gave order for the inhibiting the planting of English tobacco for these five years, to begin at Michaelmas next ensuing, which resteth to be proclaimed till the Company have delivered their answer, which is expected at the Council table this afternoon. In consideration thereof it is now assented to and ordered by the court that during the said five years, if the proclamation continue so long and take effect, in gratification to his Majesty for his most gracious favour to add 9d. more upon a pound, so to make it up 12d., being in full of his Majesty's demand, though not in the same form.

"And being demanded by Mr. Treasurer whether they would undertake the farm or participate thereof, the court held it inconvenient to meddle therewith in their general, forasmuch as they had neither stock nor rent yet whereby to pay it, yet because his Majesty's most gracious offer should not seem in any point to be neglected or refused, it was desired that some particular persons of the Company, and in name of the Company, tho' for their own particular use, should join for some part thereof, which was assented to; and Mr. Thomas Keightley, with some others, yielded to accept thereof for a third part, which was confirmed and so ordered by the court.

"And because this, their determination, must forthwith be presented to the Lords, the court have desired Mr. Treasurer to take the pains, and have entreated to accompany him, Mr. Thomas Gibbs, Mr. Wheatley, Mr. Bearblock, Mr. Cranmer, Mr. Keightley, Mr. Ditchfield, Mr. Wiseman, Mr. Caswell and Mr. Mellinge.

"January the 12th, 1619-20. This court was given intelligence by Mr. Treasurer that he had acquainted the Lords commissioners for the treasury, as he and some others were requested to do, touching the determination of that his Majesty recommended unto them, expressed at large in the court going before, which was that notwithstanding they altered the form of his Majesty's demand—yet they agreed in the substance—of giving 12d. a pound, viz't, three pence custom, according to

Digitized by Google

their patent, and nine pence more for five years, in consideration of the displanting English tobacco, yet the Lords took it acceptably, that, in substance, they had agreed, and, for matter of form, it should be accommodated by being passed over on both sides.

"But forasmuch as divers of the court conceiveth that unless this offer and the true meaning thereof be entered as an act in the Lords commissioners records, it will be very difficult, at the expiration of the five years, to withdraw it, but that, continuing so long, it will be expected forever as a duty due from the Company to his Majesty; for preventing of which, so near as may be, the court hath now appointed a committee to repair to the clerk of the Council, and to take care that this bargain be recorded, and to procure a copy thereof, to be entered amongst the rest of the Company's orders. And because the said clerk of the Council may better understand the Company's true meaning, they have required their secretary to copy out their last court, that the said committee may deliver it unto him. The committees are Sir John Dauers, Sir Nathaniel Rich, Mr. Thomas Keightley and Mr. Berblock, who have promised to go about it upon Friday morning next at eight of the clock.

"Mr. Treasurer and Mr. Deputy being yesterday with the Lord Mayor, reported that he informed them the city had agreed to provide one hundred children for Virginia, and to allow the Company five pounds apiece, three pounds towards their passage, and forty shillings for apparel, desiring Mr. Treasurer to deliver in writing the conditions the Company will perform, which he hath promised to do to-morrow. And further, did demand what land they should have in lieu of their transportation, who answered that they were not to have any, but after the expiration of their apprenticeships they were to be tenants to the common land; but in regard the city beareth the half charge of their transportations, he thought the court would allow them twenty-five acres apiece, of every one of them, which, for the present, his Lordship seemed to be satisfied therewith.

"Mr. Deputy acquainted this court that the committees had agreed for transporting of two hundred persons more with the owners of a ship called the London Merchant, about three hundred tons, upon the same conditions as they did formerly with Captain Tompson—namely, to pay £700 before the ship de-

Digitized by Google

parted, and £600 upon certificate of the ship's arrival in Virginia. The ship to be ready in Tilburyhope, the 20th day of February next, to take in the passengers. Mr. Treasurer and himself being demanded by the said owners to seal the charter party. The court approved of the bargain, and requested them to seal the charter party, and ordered that the court should save themselves harmless.

"January 26, 1619–20. The committee appointed by the last court to repair to the clerk of the Council for to see whether their offer to his Majesty were rightly entered, and according as Mr. Treasurer and the committee with him had signified and reported, presented now a copy procured by Mr. Treasurer's help of the record as it stands entered in the book of acts of the Lords commissioners of the treasury; but the entering of the copy into the court-book of this Company was deferred unto the conclusion of a more full and ample court, by reason that some of the Company present were of opinion that not only the patent ought to be preserved from infringement, which they confessed to be done, but likewise ought to have been strengthened, which they said, by this manner of acceptance on the Lords' parts, was not done.

"The court was informed that the committees have agreed for two ships for the transportation of cattle to Virginia for the Company, and those others which will join with the Company in the charges.

"1619–20, January 31st. The Treasurer and Mr. Deputy having had much conference with the Lord Mayor and Aldermen about the one hundred children intended to be sent, found them at the first well addicted and affected to their demands; but since, some particular persons lesser respecting (as should seem) the Company's good, have occasioned such strange demands as is not fitting for them to ask, nor can noways, by the orders of this Company, be granted, and therefore have determined to rectify the copy of their demands so far as may stand with the orders of the Company to grant, and so to return it to the court of Aldermen to-morrow, at ten of the clock, to accept thereof or no, to which purpose is desired Sir Thomas Wroth, Sir Henry Ranisford, Mr. John Wroth and Mr. Deputy.

"A great and general quarter-court was holden the second of

Digitized by Google

February, 1619–20, at which was present the Right Honourable—

William, Earl of Pembrooke,[34]	Henry, Earl of Southampton,
Robert, Earl of Warwick,	James, Viscount Doncaster,
The Lord Cavendish,	The Lord Pagett,
Sir Edwin Sandis, Knight Treasurer,	Sir Thomas Roe,
Sir Thomas Gates,	Sir Dudley Diggs,
Sir Henry Ranisforde,	Sir John Dauers,
Sir John Wolstenholme,	Sir Nathaniel Rich,
Sir Thomas Wroth,	Sir Henry Jones,
Dr. Gulstone,	Dr. Anthony,
Dr. Bohune,	Dr. Winstone,
Mr. Ferrar, Deputy,[35]	Mr. John Wroth,
Mr. Samuel Wrote,	Mr. Thomas Gibbs,
Mr. Rogers,	Captain Bargrave,
Mr. Keightly,	Mr. Broomfield,
Mr. Bamford,	Mr. James Swift,
Mr. Berblock,	Mr. Wheatley,
Mr. Cranmer,	Mr. Briggs,
Mr. Bull,	Mr. Edwards,
Mr. Woodall,	Mr. Covell,
Mr. Caswell,	Mr. Darnelly,
Mr. Moorer,	Mr. Swinhow,
Mr. Sparrow,	Mr. Roberts,
	Mr. Mellinge.

[34] William Herbert, third Earl of Pembroke, born 1580 at Wilton, Wiltshire; educated at Oxford; installed Knight of the Garter, 1604, at the same time that the Earl of Southampton was; an active member of the Virginia Company until its dissolution; Chancellor of the University of Oxford, 1626, when Broad Gate Hill was remodeled and called Pembroke College; died 1630.

[35] John Ferrar, son of Nicholas, was a merchant, and lived with his mother after she was a widow, and the Company continued to meet chiefly at Mrs. Ferrar's house. A daughter of John was christened Virginia, and became an accomplished writer. She was the authoress of a treatise on silk worms, reprinted in the *Force Historical Tracts*, and in 1651 was published: "A Mapp of Virginia, discovered to ye Hills and its latt. from 35 deg. and ½ near Florida, to 41 deg. bounds of New England. Domina. Virginia Ferrar, Collegit. And sold by J. Stephen son at ye Sunne below Ludgate. 1651." The father died in 1657, and the daughter in 1687.—*Neill's Virginia Company*, page 191.

Digitized by Google

"It was ordered also by general consent, that such captains or leaders of particular plantations that shall go there to inhabit by virtue of their grants and plant themselves, their tenants and servants in Virginia, shall have liberty, till a form of government be here settled for them, associating unto them divers of the gravest and discreetest of their companies to make orders, ordinances, and constitutions for the better ordering and directing of their servants and business, provided they be not repugnant to the laws of England.

"It was now also agreed, touching the order of the Lords commissioners, that the Company should be humble suitors unto their Lordships for some small amendment in the form thereof, Mr. Treasurer signifying that the Council of Virginia sitting within before the court, there being present all the noble Lords before set down, resolved that they could not yield to anything that might infringe their patent, which resolution was, with general demonstration of joy, embraced by the court, and therefore desired to choose a committee for that purpose, to which end was nominated the Right Honourable the Earl of Warwick, the Lord Cavendish, the Lord Pagett, Mr. Treasurer, Sir Dudley Diggs, Sir John Dauers, Sir Henry Ranisforde, Sir Nathaniel Rich, Sir Lawrence Hide, Mr. Christopher Brooke, Mr. Nicholas Hide, Mr. Deputy, Dr. Winstone, Mr. Gibbs, Mr. Keightley and Mr. Cranmer, who are desired to set down the Company's meaning in writing, and present it to the Lords, when Mr. Treasurer shall think it convenient to summon them.

"The demand of the city, read the last court, concerning the hundred children, being much distasted of this Company, being such as were repugnant to the standing orders, which could no way be dispensed with, therefore the committees have rectified and corrected the copy so far forth as may stand with the orders to admit, and have written a letter to the Lord Mayor from the chief of the Council, agreeing to send the letter and return the altered copy to-morrow morning to the court of Aldermen, requiring Sir Thomas Wroth and Mr. Gibbs to deliver them, and require their speedy resolutions, because the speedy departure of the ships will suffer no delay, this following being the true copy:

"Whereas, The number of one hundred children, whose names are hereafter mentioned, were the last spring sent and transported by the Virginia Company from the city of London

Digitized by Google

unto Virginia, and towards the charge for the transportation and appareling of the same one hundred children a collection of the sum of five hundred pounds was made of divers well and godly disposed persons, charitably minded towards the plantation in Virginia, dwelling within the city of London and suburbs thereof, and thereupon the said five hundred pounds was paid unto the said Company for the purpose aforesaid. And thereupon, for the good of the same children, and in consideration of the premises, it is fully concluded, ordered and decreed by and at a general quarter-court, this day holden by the Treasurer, Council and Company of Virginia, that every of the same children which are now living at the charges, and by the provision of the said Virginia Company, shall be educated and brought up in some good trade and profession, whereby they may be enabled to get their living, and maintain themselves when they shall attain their several ages of four-and-twenty years, or be out of their apprenticeships, which shall endure at the least seven years if they so long live.

"And further, that every of the same children—that is to say, the boys at their ages of one-and-twenty years or upwards, and the maids or girls at their age of one-and-twenty years, or day of marriage, which shall first happen, shall have freely given and allotted unto them fifty acres of land apiece in Virginia aforesaid within the limits of the English plantation, the said acres to be appointed according to the statute *de terris mesurandis* in England, and that in convenient place or places to hold in fee simple by socage tenure to every of them and their heirs forever, freely at the rent of 12d. by the year, in full of all rents or other payment or service due unto the Lord, therefore to be rendered or done.

"If the Lord Mayor, Aldermen and Common Council shall not be satisfied with the Company's reasons (who desire that some of themselves may be admitted to alledge them), that it is better for the former children to have the same conditions with these latter, the Company will let it pass for this time, yet, with this protestation, that as it is not beneficial to the children, so it is the extreme wrong and prejudice of the whole plantation.

"And whereas, also, it is intended and fully resolved that this next spring the number of one hundred children more, whose names are likewise hereafter mentioned, shall be sent and trans-

Digitized by Google

ported by the said Virginia Company out of the city of London unto Virginia aforesaid, and that towards the charge of transporting and appareling the same children, the like collection of five hundred pounds, of men godly and charitably disposed towards the said plantation, which do reside within the said city and the suburbs thereof, is to be made, and, upon collecting thereof, the same shall be paid to the Virginia Company for the purpose aforesaid: Now, therefore, for the good of the same children, and in consideration of the premises, it is fully concluded and ordered and decreed at a great and general quarter-court, this day holden by the Treasurer, Council and Company of Virginia, that the said hundred children last mentioned shall be sent at the Virginia Company's charge, and during their voyage shall have their provision sweet and good and well appareled, and all other things necessary for the voyage, and that every of the same children shall be there placed apprentices with honest and good masters—that is to say, the boys for the term of seven years or more, so as their apprenticeships may expire at their several ages of one-and-twenty years or upwards, and the maids or girls for the term of seven years, or until they shall attain their several ages of one-and-twenty years, or be married, to be by the same masters during that time educated and brought up in some good crafts, trades or husbandry, whereby they may be enabled to get their living and maintain themselves when they shall attain their several ages or be out of their apprenticeships, and during their apprenticeships shall have all things provided for them as shall be fit and requisite, as meat, drink, apparel, and other necessaries.

"And further, that at the expiration of their several apprenticeships, every of the said children shall have freely given unto them and provided for them at the said Company's charge provision of corn for victuals for one whole year, and shall also have a house ready built to dwell in, and be placed as a tenant in some convenient place upon so much land as they can manage; and shall have one cow and as much corn as he or she will plant, and forty shillings to apparel them, or apparel to that value; and shall also have convenient weapons, munition and armour for defence, and necessary implements and utensils for household, and sufficient working tools and instruments for their trades,

Digitized by Google

labour and husbandry in such sort as other tenants are provided for.

"Moreover, that every of the said children last mentioned which shall have thus served their apprenticeships, and be placed and provided for as aforesaid, shall be tied to be tenants or farmers in manner and form aforesaid for the space of seven years after their apprenticeships ended, and during that time of their labour and pains therein they shall have half of all the increase, profit and benefit that shall arise, grow and increase by the management thereof, as well the fruits of the earth, the increased of the cattle as otherwise, and the other moiety thereof, to go and remain to the owners of the land, in lieu and satisfaction of a rent to be paid for the same land so by them to be occupied, and that at the expiration of the same last seven years every of the said children to be at liberty either to continue tenants or farmers of the Company upon the same lands, if they will, at the same rates and in the manner aforesaid, or else provide for themselves elsewhere.

"And lastly, that either of the same children, at the end of the last seven years, shall have moreover five-and-twenty acres of land, to be given and allotted to them in some convenient place or places within the English plantations in Virginia aforesaid, to hold in fee simple by socage tenure to every of them and their heirs forever freely, for the rent of 6d. for every five-and-twenty acres by way of quit rent in lieu of all services in regard of the tenure; all which premises we, the said Treasurer, Council and Company, do order and decree, and faithfully promise shall be justly and truly performed towards the said children according to the true intent and meaning thereof.

After the letter the city yielded.

"A letter from an unknown person to the Treasurer was read, whereby the writer, for the converting of infidels to the faith of Christ, promised '500 pounds for the maintaining of a convenient number of young Indians, taken at the age of seven years or younger, and instructed in reading and understanding the principles of Christian religion unto the age of twelve years, and then, as occasion serveth, to be trained and brought up in some lawful trade with all humanity and gentleness unto the age of twenty-one years, and then to enjoy like liberties and privileges

Digitized by Google

with our native English in that place.' He further stated that fifty pounds more would be 'delivered into the hands of two religious persons, with security of payment, who shall once every quarter examine and certify to the Treasurer here in England the due execution of these presents, together with the names of these children thus taken, their foster-fathers and overseers.'

"February the 16th, 1619–20. Whereas, at the last court a special committee was appointed for the managing the £500 given by an unknown person for the educating of infidels' children, Mr. Treasurer signified that they have met and taken into consideration the proposition of Sir John Wolstenholme that John Pierce and his associates might have the training and bringing up of some of those children, but the said committee for divers reasons think it inconvenient, first, because they intend not to go these two or three months, and then after their arrival will be long in settling themselves, as also that the Indians are not acquainted with them, and so they may stay four or five years before they have account that any good is done.

"And for to put it into the hands of private men to bring them up at £10 a child, as was by some proposed, they should think it not so fit by reason of the casualty unto which it is subject.

"But forasmuch as divers hundreds and particular plantations are already settled there, and the Indians well acquainted with them, as namely Smith's Hundred, Martin's Hundred, Bartlet's Hundred and the like, that therefore they receive and take charge of them, by which course they shall be sure to be well nurtured, and have their due so long as these plantations shall hold, and for such of these children as we find capable of learning shall be put in the college and brought up to be scholars, and such as are not shall be put to trades, and be brought up in the fear of God and Christian religion; and being demanded how and by what lawful means they would procure them, and after keep them, that they run not to their parents or friends, and their said parents or friends steal them not away, which natural affection may enforce in the one and the other, it was answered and well allowed that a treaty and agreement be made with the King of that country concerning them, which if it so fall out at any time as is exprest, they may, by his command, be returned. Whereupon, Sir Thomas Roe promised that Bartley Hundred should take two

Digitized by Google

or three, for which their well bringing up he and Mr. Smith promised to be respondents to the Company, and because every hundred may the better consider hereof, they were licensed till Sunday in the afternoon, at which time they sit at Mr. Treasurer's, to bring in their answer how many each will have and bring those that will be respondent for them, and those that others would not take, Mr. Treasurer, in the behalf of Smith's Hundred, hath promised to take into their charge.

"Mr. Treasurer acquainted the court that he had received letters from Virginia importing the welfare of the plantation, although they have been much distempered by reason of an intemperate, not only happening unto them but amongst the Indians, requesting the Company that they would send them some physicians and apothecaries of which they stand much need of; relating also, to the great comfort of the Company and encouragement of those that shall send the plenty of corn, that God this year hath blessed them with the like never happened since the English were there planted, having had two harvest, the first being shaken with the wind produced a second, and the ground being so extraordinary fat and good that sowing Indian corn upon the stubble they likewise had a great corn crop thereof.

"February 22d, 1619–20. Forasmuch as the court, by the Governor's letter, is given to understand that the inhabitants are very desirous to have engineers sent unto them for the raising of fortifications, for which they are content among themselves to bear the charge thereof, upon which Sir Thomas Gates is entreated to write his private letters of directions both in regard of his skill herein, as also of his knowledge of the country, as also that he together with Sir Nathaniel Rich confer with General Cecill[36] therein, whose assistance in a former court touching the same business was entreated, which they have promised so to do.

"A box standing upon the table with this direction, To Sir Edwin Sandis, the faithful Treasurer for Virginia, he acquainted them that it was brought him by a man of good fashion, who

---

[36] Edward Cecil, third son of the first Earl of Exeter and grandson of the celebrated Lord Burleigh; celebrated in the wars of the Netherlands where he became marshal, lieutenant and general of the forces; raised to the peerage in 1625 and 1626 as Baron Cecil and Viscount Wimbledon; died 16th November, 1638.

Digitized by Google

would neither tell him his name nor from whence he came, but by the subscription being the same with the letter he conjectured that it might be the £550 promised therein; and it being agreed that the box should be opened, there was a bag of new gold containing the said sum of £550, whereupon Dr. Winstone, reporting what the committee held requisite for the managing thereof, and that it should be wholly in the charge of Smith's Hundred, it was desired by some that the resolution should be presented in writing to the next court, which, in regard of the Ash-Wednesday sermon, was agreed to be upon Thursday after.

"Upon good consideration of the scarcity of the ministers that is this day remaining in Virginia, having eleven burroughs and not above five ministers, Mr. Treasurer now commanded to be considered by the court the sending of one sufficient divine to each of those burroughs for the comfort of the souls of the inhabitants by preaching and expounding the Word of God unto them; and for the drawing and encouragement of such strangers thereunto, acquainted them of one hundred acres of land, according to a former order to be allotted them, which they being unable to manage alone, are unwilling to go over therefore because it may be prepared for them he would that there might be sent six men as tenants to each of the one hundred acres of glebe in the said burroughs, in doing of which a yearly maintenance will be raised unto them, of which the Company to bear the whole charge of them to be transported to the college land, the Governor's and the Company's, and for those six that shall be sent by particular hundreds, the Company, for their better provocation thereunto, shall furnish out three to each upon condition that the particular plantation make up the other three, which being put to the question, was generally well approved of, whereupon it was thought very expedient that my Lord of London should be solicited for the helping them with sufficient ministers, as also such of the Company as without favour or affection could hear of any that were sincere and devout in that calling and were desirous to go, that they would acquaint the court therewith that they may be entertained.

"Mr. Treasurer also signifying that all indentures of land, which yet have been granted to particular societies, are to come under the seal again, therefore moved that a new covenant might be inserted for their maintenance of a sufficient minister, which

Digitized by Google

being done, the country will be well planted therewith, which was well approved.

"March 2d, 1619–20. And whereas, also in the last court Sir Thomas Gates and Sir Nathanial Rich were entreated to repair to General Cecil touching the desire of the plantation to be accommodated with some engineers, at their own charges, for raising of fortifications. It pleased Sir Nathaniel Rich to report that accordingly they were with General Cecil, who found him exceeding willing and ready to assist them with his best furtherance, although for the present he knoweth not how to furnish them, they being so exceeding dear and hard to be gotten that they will not work under 5 or 6s. a day, but acquainted them of a Frenchman who hath been long in England, very skilful therein, who promised to agree with him for a certain sum of money to go over and live there, signifying of two sorts of fortifications, one for the enduring of assaults and battery, which is not as he accounts there very needful, but rather the other of chusing and taking some place of advantage, and there to make some palisadoes, which he conceiveth the fittest and for which this Frenchman is singular good.

"Mr. Treasurer signified that accidentally having some conference with the Right Honourable the Earl of Arundle,[37] it pleased his Lordship to demonstrate the exceeding much love he beareth to the action, insomuch that he could be content to come and sit amongst them. He, therefore, moved that the court would admit his Lordship into their society, which being put to the question, was joyfully embraced by general consent, and referred, according to order, to a great court for electing of his Lordship to be one of the Council.

"He also acquainted my Lord of London of the Company's intent for the sending over of ministers, and their request unto his Lordship for his good furtherance and assistance therein, together with what maintenance they had there ordained for them, which he very well approved of, promising to the utmost of his power to do what lieth in him for the good of that plantation.

---

[37] Thomas, Earl Arundel, who, with his brother-in-law, the Earl of Southampton, in 1605 fitted out Captain Weymouth for a voyage of discovery.

Digitized by Google

"Signifying also that the corporation of Smith's Hundred very well accepted of the charge of the infidels' children commended unto them by the court in regard of their good disposition to do good, but otherwise if the court shall please to take it from them they will willingly give £100; and for their resolutions, although they have not yet set them down in writing, by reason some things are yet to be considered of, they will so soon as may be perform the same and present it.

"Whereas, during the time of Sir Thomas Dale's residence in Virginia there was by his means sundry salt works set up, to the great good and benefit of the plantation, since which time they are wholly gone to wrack and let fall, insomuch that by defect thereof the inhabitants are exceedingly distempered by eating pork and other meats fresh and unseasoned; therefore it was referred to a committee to consider with all speed for the setting up again of the said salt works, that is to Sir John Dauers, Sir Nathaniel Rich, Mr. John Wroth, Mr. Dr. Winstone, and Mr. Samuel Wrote, to meet to-morrow at two of the clock, at Mr. Treasurer's house. Mr. Baldwin is desired at the same time to be there to further the said committee with his best advice.

"It was also moved by Mr. Treasurer, that forasmuch as this year there have been and are preparing to be sent to Virginia twelve hundred persons or thereabouts, whereof six hundred to the publick or other pious uses, whereby a heavier burthen will be upon Sir George Yeardley for the disposing of them all according to directions and instructions sent unto him, that therefore for his better incouragement, the Company would please to send him a present, it being no new thing, but much used by them heretofore, whereupon it was referred to the committee in the preceding order to consider and conclude what shall be sent unto him.

"As likewise that in regard a treaty is to be made with Opachankano touching the better keeping of the infidels' children, which are to be brought up in Christianity, that therefore they would authorize Sir George Yeardley to take some such thing as he shall like best out of the magazine, and present it unto him for the better attaining their ends of him, which being put to the question, was well allowed.

"March the 15th, 1619–20. The court being set, Mr. Treasurer made known that the George being returned from Virginia,

Digitized by Google

hath brought letters certifying also the great mortality which hath been in Virginia, about three hundred of the inhabitants having died this last year, and that Sir George Yeardley committeth the same error as formerly, that he directeth all his letters to the Council and not any to the Company. But for the people sent in the Bona Nova they are arrived in health, are all living, and prosper well, applying themselves with the rest according to direction in building of houses, tilling of the ground, planting silk grass; but forasmuch as the court was wholly ignorant of the state of the colony, which by the reading of these letters now come they might be informed of, therefore it was earnestly moved by divers now present, that they might be published to the court, but several of the Council thinking it inconvenient till a full number thereof had first heard it, which was accounted seven together, it was therefore deferred till the next court, and in the interim it was agreed that the Council should be desired to meet upon Friday afternoon at Mr. Treasurer's house at two of the clock, and that Captain Smith[38] and Captain Maddison[39] then attend to make known their grievances, which they pretend done unto them by Sir George Yeardley.

"Then he commended to their consideration and approbation three things of main consequence:

"1. Whereas, four ships are already dispeeded, and another which will be ready to go by the last of this month with passengers and provisions, as it was delivered and allowed in a quarter-court, held the 17th of November last, that therefore for the better care of preserving them at their landing, and nourishing those which shall be sick for preventing, so near as may be, the like mortality, and for the prosecuting of some well digested orders made in their courts, he had framed the draught of a charter, which, although this could not give final confirmation thereunto, yet, if they now approved thereof, it might be sent in this ship to be put in execution, and be confirmed in the next great general court.

"2. That which Mr. Alderman Johnson now proposed, that

---

[38] Roger Smith, subsequently General and Member of the Council of the colony of Virginia in 1621.

[39] Isaac Madison, Member of the Virginia Council in 1624.

Digitized by Google

they would take care of the ship and goods now returned, and to dispose of them for their best advantage.

"3. Of differences betwixt the northern and southern colonies.

"For the first, the draught of the said charter being extant, it was agreed should be read, which being done, was very well approved and allowed of, referring it to the quarter-court for an ample confirmation, but in the meantime agreed that the copy thereof should be sent to the Governor to put in practice.

The second being Mr. Alderman Johnson's proposition, was committed to a committee to consider of, that is to say—

Sir Thomas Smith,	Sir Thomas Wroth,
Sir John Wolstenholme,	Sir Nathaniel Rich,
Mr. Alder. Johnson,[40]	Mr. John Wroth,
Mr. Deputy,	Mr. Bull, and
Mr. Keightly,	Mr. Casewell, or so many as
Mr. Cranmore,	shall please.

dividing the business into three points:

"1. For the planting of English tobacco, that notwithstanding upon the Company's yielding to an impost, his Majesty by proclamation hath prohibited the same, yet contrary thereunto it is privately planted.

"2. For the procuring a mitigation of the imposition, which is conceived may be obtained.

"3. For the sale of goods.

"All which is referred as aforesaid, and are entreated to meet at Sir Thomas Smith's house upon Saturday morning next at eight of the clock.

"To the third, Mr. Treasurer signified that the north colony, intending to replant themselves in Virginia, had petitioned to the King and to the Lords for obtaining a new patent, which the Lords referred unto the Lord Duke and the Lord of Arundell, and the Lord of Arundell delivered it to him for to call the Council, understanding of some differences about fishing between them, and if they could not determine of it, that then to return their opinions to their Lordships, whereupon accordingly having met,

[40] Robert Johnson.

Digitized by Google

and, as formerly, disputed the business they could not conclude thereof, but desired the one from the other; that therefore according to his Lordship's command, the court would please to nominate some to give intelligence how the business betwixt them doth depend, which the court perceiving none to understand the cause so well as himself, most earnestly besought him to take the pains, which he, being very loth and unwilling, by reason of the exceeding multitude of the Company's business depending upon him, desired to be excused, but not prevailing, he was so earnestly solicited thereunto that he could not gainsay it, whereupon they associated unto him Sir John Dauers, Mr. Herbert and Mr. Keightley, to repair thither to morrow morning at 8 of the clock.

"The Treasurer further gave information of one Mr. King, that was to go with fifty persons to Virginia, there to set on foot iron works.[41]

---

[41] Iron-ore was shipped to England from the colony as early as 1608. Captain Christopher Newport sailed from Jamestown April 10th of that year with a cargo of iron-ore, sassafras, cedar posts and walnut boards, arriving in England May 20th. In the autumn of the same year he again carried iron-ore, which was smelted, and seventeen tons of metal sold to the East India Company at £4 per ton.

Works for smelting iron-ore were erected in 1619 on Falling Creek, a tributary of James river, in Chesterfield county, about seven miles below the city of Manchester, and workmen supplied for conducting them—one hundred and ten from Warwickshire and Staffordshire and forty from Sussex. Three of the master-workmen having died, a reinforcement of twenty experienced men was sent over in 1621, accompanied by John Berkeley and his son Maurice as superintendents. A mine of brown iron-ore in the neighborhood was opened, and found to yield "reasonably good iron," but the operations were brought to an abrupt termination by the Indian massacre of 22d March, 1622, when all at the works were slain except a boy and girl, who fled to the bushes for safety. Maurice Berkeley appears not to have then been at the works, as he returned to England later. Sir John Zouch, and his son John, about 1633, made a futile effort to re-establish the iron works. It was long before iron manufacture was again attempted in the colony. A writer in 1649 said that "an iron work erected would be as good as a silver mine." The exportation of iron from the colony was forbidden by an Act of the Assembly in 1662, on penalty of ten pounds of tobacco for every pound of iron exported, and the prohibition was renewed in 1682. Colonel William Byrd, the first of the name in the colony, in 1687 obtained an extensive grant of land, including the site at Falling

Digitized by Google

"March 29, 1620. Sir Nathaniel Rich reported that General Cecil now doubted about getting the Frenchman, 'but if the worst fell out that he cannot help them,' to a fit he will set down such particular instructions and directions for them to proceed as they shall easily perform it; moreover, he said he had spoken to another, who told he knew of a very sufficient man who told purpose a captain in the Low Countries, who, upon intelligence, he is sure would sell his place to serve this Company, being the thing which e'er now he himself hath desired; for which the court gave Sir Nathaniel Rich thanks, desiring that he in the Low Countries may have notice thereof, whose service they shall well esteem, and that in the mean time he would be pleased to procure according to his relation of General Cecill those directions and instructions he hath promised, that they be sent in this ship to the inhabitants to give them some point of satisfaction, which he hath promised shall be performed.

"Upon the three points referred to, a committee on the report was now made and allowed as follows:

"For tobacco, which is probably said to be planted contrary to the King's prohibition by proclamation, they now agree to entertain Henry Mansell to be an intelligencer and to give directions to proceed by acquainting a justice therewith and then bringing his name to the Council and Mr. Jacobb, which Mr. Jacobb hath promised to prosecute it, and prefer a bill against him in the Star Chamber, and so for every information justly preferred and which shall be within five miles

---

Creek, and meditated the revival of the iron works there, but it does not appear that he ever did so.

Governor Spotswood was the first to break the spell of dormancy in the iron industry by the establishment of a smelting furnace on the Rappahannock river, near the present site of Fredericksburg, and of a very complete air furnace at Massaponax, fifteen miles distant, near the site of his settlement, Germanna. The Falling Creek tract fell to the possession of Colonel Archibald Cary, some time prior to the Revolutionary war. Upon it he erected his well-known seat, "Ampthill," still standing, and new iron works on the creek. They proved so unprofitable that he abandoned his forge and converted his pond to the use of a grist-mill in 1760. The editor visited "Ampthill" and Falling Creek in May, 1876, and fixed the sites of both works by the finding of bits of furnace cinder. The first works are on the western and the later on the eastern side of the creek.

Digitized by Google

of London and proveth true, they hold it requisite, for the encouraging of him, to give him 10s., to be paid equally by the companies of Virginia and the Sumer Islands, and if he upon occasion rode farther, then the two Companies to bear his charge and reward him as they see cause, and therefore have concluded that he shall be bound unto them to do faithful service, without any connivance, upon pain of a strict penalty to be otherwise imposed upon him, and to that end it is held convenient that his continuancy herein be held *durante bene placito*.

"To the second point of mitigation of imposition:

"After some dispute Mr. Alderman Johnson and Mr. Cranmer were entreated when they rise to go to Mr. Jacobb, who had reason to respect them considering the priviledge of their patent and the manner of his grant by easing and releiving them in the taxation of tobacco, which, if he refuse to do, that then my Lord of Warwick, Sir Thomas Roe, Sir Nathaniel Rich, and others be entreated to deliver from the Company such reasons to the King for mitigation thereof as they have set down in the petition to his Majesty, considering that the business doth not concern the King's profit but Mr. Jacobb's.

"Thirdly, for the sale of goods:

"It is agreed by these committees that for the defraying of the present charge of freight, custom, and impost of tobacco, both old and new, which is come from Virginia from the magazine, shall be sold to such as will underwrite for such quantity as they shall think fitting, not under the quantity of 500 pound weight for any one man, to write upon these conditions:

"1. At the rate of 2s. 6d. the pound to pay 12d. in hand for the defraying of freight, custom, and impost, and to pay the residue the 25th of March, 1621.

"2. To take two-thirds of the old and one-third of the new, or as it shall fall out in quantity and prescription.

"3. To discount unto themselves half a capital of the first year's adventure.

"4. To give their bills to Sir Thomas Smith and Mr. Alderman Johnson, who stand engaged for those of the magazine, and they to give their several bills each to other for the use of the said magazine.

"Concerning the difference of fishing between the south and north colony, it pleased Mr. Treasurer to signify that although

Digitized by Google

he was very unwilling, by reason of the multitude of other business, yet he and the committee had intended the Lord Duke and the Lord of Arundle, and there was for the other side Sir Ferdinando George and others, where disputing the matter before their Lordships they pleased neither to allow nor disallow entirely the one part or the other, but set down and ordered as seemed fittest to their Lordships, for the obtaining a copy whereof they now appointed the secretary to repair to Sir Clement Edmunds and desire it of him in the name of the Company, and appointed him to give his clarke his fee.

"He further acquainted them of two things more to be performed for the public—the one a charter to be sent to Sir George Yeardley to be published throughout the several burroughs and hundreds that they apply not themselves wholly to tobacco, which will fail them and overthrow the general plantation, but to other staple commodities of which they have notice, which being engrossed and read, was ratified by erection of hands.

"The other that whereas an aspersion was laid upon him by some that he detaineth matter from the Company and imparteth them only to the Council, which is not true, for he hath procured more than one of the Governor's letters to the Council and theirs to him to be read openly in court, yet he saith that the Governor hath given cause of that blame by directing still his letters to the Council, which, although he hath reprehended him for it by privy letters, yet it would not be amiss that a general letter from the Company be sent him (*that he* may better understand that a general warrant of the court be sent *him*) that he may better understand his error, and hereafter write as well to the Company as to the Council, which they deem to be very necessary, whereupon they have entreated Mr. Treasurer, Mr. John Dauers, Mr. Wrote, Mr. Gibbes and Mr. Herbert to meet at Mr. Treasurer's house upon Friday morning for performance of it, and when done might be read to the court to be approved and signed.

"He also signified that Sir George Yeardley desireth of them, for the good of the colony, that a navigation might be sent up which should produce good benefit to the colony, and to that end nominateth unto them one Marmaduke Rayner, who is willing to go if they please to give him his passage, which man being also well known unto Sir Thomas Roe, he gave every good

Digitized by Google

commendation of him, whereupon it was agreed upon the terms mentioned he should be sent.

"April 23d, 1620. Mr. Treasurer reported that the committee appointed in the last court for the drawing a letter for the Company to the Governor, have met and signified the principal points of the same if the court shall allow thereof, therein mentioning of two very sufficient and able men which are to go as deputies for the Company and to take charge of two particular governments under Sir George Yeardley for ordering and managing two parts of the public land and tenants, the one for the college, and for that have dealt Mr. George Thorpe, a gentleman of his Majesty's privy chamber, and one of his Council for Virginia, who hath promised with all diligence to have exceeding care thereof; the other of like sufficiency, but yet to be nameless, to have charge of the public land and tenants set out in burroughs, which will be no otherwise chargeable to the Company than for the present allotting them of land and allowing them tenants thereunto. And whereas, Sir George Yeardley offereth to serve the Company gratis, the Company hold it not requisite to accept of his offer, but rather to dispose some part of his liberality another ways, that therefore he (as they intend to covenant with such as may succeed him) shall leave on the Governor's land as many tenants at the expiration of his government as he findeth or went with there on his entrance, or afterwards shall be sent unto him.

"And whereas, Captain Argoll, in the time of his suspension from the place of admiral, authorized Abraham Peirsey, the cape merchant, to be his deputy or vice-admiral, which he could not do till by applying he had frustrated the said suspension, therefore the Company have held it fit that the execution of that office should be referred to the Governor and Council of State, and to such under them as they shall appoint.

"And whereas, the Governor and Council there have allowed of certain fees to be due unto the secretary of his place, and have sent it him for confirmation, the committee first and now the court perusing the same, found them so oppressive that they found them intolerable, and therefore held it convenient that he should have no fees at all, but that the Company would allow them certain land and tenants, and so to live upon that, but for his clark to allow him 6d. or 4d. in the crown there set down,

Digitized by Google

which belonging to the laws of government and magistracy to be there established is referred thereto.

"And whereas, a complaint is made of the cape merchant by the planters of double and treble rates set upon the goods contrary to the adventurers' order, that therefore the Governor and Council be authorized to make him produce his writings and invoices to examine whether he hath dealt fairly or no, and return information to the Company.

"Other things of smaller consequence being likewise to be inserted, was committed to the trust of the committee to perform, and so the letter being put to the question was allowed and confirmed, agreeing that it shall be signed by the Treasurer, deputy, and committee in the behalf of the Company.

"He also signified that Mr. George Yeardley desired for his better directions the laws for government and magistracy, which although a committee was long since chosen for the same, yet for other business of main consequence they have not proceeded therewith, requesting that now when all the ships are gone and other businesses settled, they would grant him so much liberty for his refreshing as to retire himself for three or four weeks into the country, in which time he would spend his studies in collecting and framing such laws as may agree so near as may be to the laws of this realm and his Majesty's instructions, from which if he swerve in anything it shall not pass till the King have approved thereof, it being not fit that his Majesty's subjects should be governed by any other laws than by such as shall receive influence of life from his Majesty: whereupon, with many thanks for his care, his request was granted.

"April 8th, 1620. Intelligence was given that Mr. Nicholas Ferrar, the elder, being translated from this life into a better, had by his will bequeathed £300 towards the converting of infidels' children in Virginia, to be paid unto Sir Edwin Sandis and Mr. John Ferrar at such time as upon certificate from thence ten of the said infidels' children shall be placed in the college to be then disposed of by the said Sir Edwin Sandys and John Ferrar according to the true intent of his said will, and that in the mean time, till that were performed, he hath tied his executors to pay 8 p. cent. for the same unto three several honest men in Virginia (such as the said Sir Edwin Sandys and John Ferrar shall approve of,) of good life and fame, that will undertake each of

Digitized by Google

them to bring up one of the said children in the grounds of Christian religion; that is to say, £8 yearly apiece.

"An unknown person hath also given ten pounds for some uses in Virginia.

"Mr. Treasurer signified that having perused the Acts of the General Assembly, he found them in their greatest part to be very well and judiciously carried and performed, but because they are to be ratified by a great and general court, therefore he hath writ unto them that till then they cannot be confirmed, but in the mean time he moved that a select committee of choice men might be appointed to draw them into head and to ripen the business, that it might be in a readiness against the said court.

"Whereupon it was held requisite that accordingly four of the Council and four of the generality should be chosen for the effecting thereof, which being well allowed, the Council was nominated, Sir John Dauers, Mr. Thomas Gibbs, and Mr. Deputy and Mr. Broke, of the generality, Sir Thomas Wroth, Mr. Samuel Wrote, Mr. Berblock, and Mr. Cranmer, and many of the Company as please, who are entreated to meet at Mr. Treasurer's upon Wednesday seven-night, at 8 of the clock in the forenoon, and then agree when to meet and as of as they please.

"May 11, 1620. The court, taking notice from Sir William Throgmorton that one of the maids which Sir Thomas Dale brought from Virginia, a native of that country, who sometimes dwelt a servant with a mercer in Cheapside, is now very weak of a consumption at Mr. Gough's[42] in Black Friers, who hath great care and taketh great pains to comfort her, both in soul and body, whereupon for her recovery the Company are agreed to be at the charge of 20s. a week for this two months, if it please God she be not before the expiration thereof restored to health

---

[42] Rev. Wm. Gouge, D. D.; educated at Cambridge; an eminent Puritan; cousin of Rev. Alexander Whitaker, called by Bancroft the Apostle of Virginia, and was noted for active benevolence as well as scholarship and pulpit oratory. In 1643 he was a member of the celebrated Westminster Assembly of Divines, and frequently occupied the Moderator's chair. After a pastorate of forty-five years at Blackfriars, London, he died 12th December, 1653, aged seventy-nine. When offered more profitable positions he always declined, saying that "his highest ambition was to go from Blackfriars to Heaven."—*Neill's Virginia Company*, p. 103.

Digitized by Google

or die in the mean season, for the administering of physic and cordials for her health, and that the first payment begin this day seven-night, because Mr. Treasurer for this year reported his accompts were shut up, Sir William Throgmorton, out of his own private purse, for the same purpose hath promised to give 40s.; all which money is ordered to be paid to Mr. Gough thro' the good affiance the Company have of his careful managing thereof.

"Mr. Treasurer signified that the ship called the Bona Adventure, last dispeeded, came not unto the Downs till Sunday last; by reason whereof he staid out the full time granted him by the Company, during which time he hath performed the Company's business so carefully that to his remembrance he not omitted any thing committed to his trust, by reason whereof he hath not done any thing to the laws; hoping he shall be excused, considering the business for dispatch, for the ship was not to be suspended with, who to his knowledge is now out of the Downs and on her way to Virginia.

"Whereas, Sir Nathaniel Rich hath, by order of the court, had some conference two or three times with General Cecil about an engineer to be sent to Virginia, the Company hath since dealt with Sir Horatio Veer, who is also exceeding willing and ready to assist them with his best furtherance, so that by both their means they may be the better supplied.

"Touching the point of mitigation of the imposition being by a committee at Sir Thomas Smith's agreed what course to take therein, which by Mr. Alderman Johnson was absent, it was referred till his coming to the Court to understand what is done in it and of the success thereof.

"The order made by the Lord Duke and the Lord Arundle, upon reference unto them in the behalf of the south and north colonies, a copy whereof being procured, it gave not satisfaction to the one colony or the other; whereupon, for as much as the north colony hath petitioned to the King for obtaining a new patent, and therein to declare the one colony to have privilege within the other, this Company finding themselves grieved thereby, being a means to debar them from the immunities his Majesty hath freely and graciously granted them for matter of fishing. It is likewise agreed that a petition be exhibited to his Majesty from this Company for the maintenance thereof, and that some of the

Digitized by Google

lords of the Privy Council, which are of this society, be entreated to deliver it from them; for performance of which the court hath requested Mr. Treasurer, who hath assented, to see it affected.

"Whereas, it was agreed that two worthy and sufficient men should be sent as deputies from the Company to take care of two parts of the public land—viz., the college and the Company's; for the first, it is already divulged who is gone and of what worth and sufficiency; for the other, although he be not yet going, yet he is not inferior to the other, but is yet to be nameless, the thing he stands of is matter of entertainment, which will be no other charge to the Company, the allotting him land and transporting him tenants thereunto, and his being accordingly placed, the first upon the Company's land at Elizabeth City at the coming in of the river, Sir George Yeardley in the midst where the Governor's land is, and Mr. Thorpe at the up end of the college land. The public will from henceforth be preserved from the malice and private ends of any one whatsoever; whereupon, for the instituting of which, and agreeing with the second deputy for his entertainment, the court hath referred it to Sir John Dauers, Mr. Deputy, Mr. Samuel Wrote and Mr. Delbridge, who are desired to meet at Mr. Treasurer's to-morrow at two of the clock.

"The fees allowed of in Virginia by the Governor and Council there unto John Porey,[48] Secretary of the State, being disavowed by the last court, it was therefore referred to the aforesaid committee to reward his labour in another kind.

"The committees appointed for the drawind and collecting of the Acts of the General Assembly in heads, now reported that, by the final light given unto them how to proceed, they have done little therein, and therefore desired better to understand their charge, and that by reason of shortness of time some more

[48] John Pory, born 1570, and educated at Caius College, Cambridge, where he received the degree of M. A., 1610; member of the House of Commons the same year, but soon began to travel extendedly, and in 1619 became Secretary of the colony of Virginia. He returned to England in 1621, but came again to Virginia as a member of a commission of inquiry into the state of the colony, in 1623, remaining until the summer of 1624. He published a *Geographical History of Africa* in 1600, and died about 1635.

Digitized by Google

may be added unto them that the business may be divided, otherwise it will be hardly performed; whereupon was added unto the other Sir Henry Ranisforde, Mr. Herbert and Mr. Bamford, who have appointed to meet at Mr. Treasurer's on Saturday at 8 of the clock, not only to collect them into heads, but to examine, weigh them and deliver their opinions and judgments of them.

"May the 15th, 1620. Mr. Caswell signified that by some of the adventurers of the magazine who met lately at Sir Thomas Smith's, order was given that bills should be set upon the exchange for the sale of the tobacco and sassafras. Whereupon, at the times as was there exprest for the sale of it, sundry adventurers met at Sir Thomas Smith's and divers strangers, and the tobacco being divided into three sorts and put to sale by the candle, which was adjudged as followeth: the best sort of new tobacco at 2s. 10d. to William Caninge, and the two worser sorts being old tobacco to Mr. Alderman Johnson, who bid 2s. the pound for the one and 12d. the pound for the other; therefore he was to certify this court from him that if any pleased to give a farth'g more in a pound they should have it. Whereupon grew a disputation of the base price it was sold for, holding it more convenient to have it burnt than so to pass, which by computation, all charges being born, yielded not above 4d. the pound, notwithstanding at length it was agreed that the old tobacco sold to Mr. Alderman at the prices aforesaid, in regard it was old and defective, should stand, and that the new should be put into the hands of some trusty man to sell it to the utmost benefit of the adventurers, and they to be allowed some reasonable recompense for their pains, which being put to the question for approbation was ratified by erection of hands.

"The committee appointed for to consider of certain land and tenants, which the court thought fit to be granted unto Mr. John Porey, and thereby to annihilate the intolerable fees granted by the Governor and Council of State there and sent hither for ratification, reported now that having taken the same into consideration they held it requisite that for the present he have five hundred acres of land allotted for him and his successors, and twenty men to be planted thereupon, to be transported at the Company's charge, ten to be sent this year and ten next year, which hereafter may be enlarged as the Company shall see cause, which

Digitized by Google

being put to the approbation of the Court was allowed and confirmed by general consent.

"For the committee chosen for the Acts of the General Assembly, Mr. Treasurer signified that they had taken extraordinary pains therein, but for as much as they were exceeding intricate and full of labour, he in their behalf desired the court to dispense with them until the quarter-court in mid-summer term, which will be about six weeks hence, which the court, with many thanks unto the committees for their great pains, willingly assented unto it.

"There was now divers and sundry shares presented to be passed, approved by the auditors: one bill of ten shares from my Lord of Dorset to Henry Mannering, six shares to six several persons by Captain John Bargrave, one to Sir John Thornburough, one to Sir John Collet, gentleman; one to Sir Thomas Collet, gentleman; one to Thomas Masterson, and one to Augustine Lynsell, batchelor in divinity; Thomas Mellinge, one share to John Cuffee; George Piercy, four shares to Christopher Martin, and lastly, Thomas Harris to Thomas Comb, which the court satisfied and confirmed.

"At a quarter court held the 17th of May, 1620, there were present the Right Honorable—

The Earl of Southampton,	Sir John Wolstenholme, Kn't,
The Earl of Warwick,	Sir John Bingley, Knight,
The Earl of Devonshire,	Sir Edward Lawley, Kn't,
The Lord Viscount Doncaster,	Sir Thomas Tracey, Kn't,
The Lord Cavendish,	Sir William Maynard, Kn't,[a]
The Lord Pagett,	Sir Thomas Roe, Knight,
The Lord Houghton,	Sir John Merrick, Knight,
The Lord Sheffield,	Sir Robert Mansell, Kn't,
Sir Edwin Sandys, Kn't, Treasurer,	Sir Thomas Grantham, Kn't,
	Sir Henry Rainsford, Kn't,
Sir Nicholas Tufton, Knight,	Sir Dudley Diggs, Kn't,
Sir Francis Leigh, Knight,	Sir Thomas Wilford, Kn't,
Sir John Sammes, Knight,	Sir Francis Elgioke, Kn't,
Sir Robert Killegrew, Kn't,	Sir Thomas Wroth, Kn't,

[a] Created Lord Maynard of Wicklowe, in Ireland, in May, 1620, and Baron Maynard of Easton, Essex, in March, 1628; died 18th December, 1639; ancestor of Viscount Maynard, of Easton Lodge and Shern Hall.

Digitized by Google

Sir John Dauers, Knight,[45]
Sir Thomas Cheeke, Knight,
Sir William Fleetwood, Kn't,
Sir Henry Crofts, Knight,
Sir William Harrick, Kn't,
Sir Walter Earle, Knight,
John Wroth, Esq'r,
Mr. Doctor Anthony,
Edward Herbert, Esquire,
Thomas Gibbes, Esquire,
Christopher Brooke, Esquire,
Mr. Dr. Gulstone,
John Bargrave, Esquire,
George Sandis, Esquire,
Mr. Arthur Bromfield,
Mr. Edward Gibbs,
Mr. Thomas Gibs,
Mr. John Smith,
Mr. John Porter,
Mr. Richard Tomlyns,
Mr. —— Berkeley,
John Holloway,
Capt. Lawrence Maisterson,
Capt. Samuel Argoll,
Capt. Edward Brewster,
Capt. Daniel Tucker,
Capt. Ward,
Mr. Barkham,
Mr. Thomas Maisterson,
Mr. John Collet,
Mr. Edward Palavicni,
Mr. Augustin Linsele,
Mr. George Ruggle,
Mr. Thomas Wells,
Sir Lawrence Hide, Kn't,
Sir Nathaniel Rich, Kn't,
Sir Francis Kennaston, Kn't,
Sir William Russel, Kn't,
Sir Thomas Button, Kn't,
Mr. John Ferrar, Deputy,
Edward Clark, Esq'r,
Nicholas Hide, Esquire,[46]
Mr. George Swinhowe,
Christopher Earle, Esquire,
Mr. Dr. Winstone,
Samuel Wrote, Esquire,
Henry Reighnolds, Esquire,
Mr. Richard Rogers,
Mr. Thomas Keightley,
Mr. Thomas Sheppard,
Mr. Henry Briggs,
Mr. James Bearblock,
Mr. William Cranmer,
Mr. Nicholas Ferrar,
Mr. Robert Smith,
Mr. William Caminge,
Mr. Nicholas Leate,
Mr. Humphry Hanford,
Mr. Robert Bell,
Mr. Humphry Slancy,
Mr. William Leveson,
Mr. Casewell,
Mr. George Smith,
Mr. Edwards,
Mr. Whitley,
Mr. George Scot,
Mr. Edmon Scot,
Mr. Chamberlyn,

[45] Step-father of the poet, George Herbert, and later in life one of the signers of the death-warrant of Charles the First.

[46] Third son of Lawrence Hyde, of West Hatch, in Wiltshire, (grandfather of Earl Clarendon and Lord Chancellor). He was knighted in 1627, and made Lord Chief Justice of the King's Bench.

Digitized by Google

Mr. Swift,
Mr. Madison,
Mr. Palmer,
Mr. Barbor,
Mr. Fjshborn,
Mr. Covell,
Mr. Felgate,
Mr. Combes,
Mr. Piercy,
Mr. Barron,
Mr. Goodyear,
Mr. Widowes,
Mr. King,
Mr. Shipton,
Mr. Bland,
Mr. Bull,
Mr. Cletherow,
Mr. Morrice,
Mr. Price,
Mr. Stiles,
Mr. Mellinge,
Mr. Menerell,
Mr. Paulston,
Mr. Bolston,
Mr. Abdy,
Mr. Dike,
Mr. Bateman,
Mr. Monar,
Mr. Lever,
Mr. Wiseman,
Mr. Jadwin,
Mr. Chambers,
Mr. Bagwell,
Mr. Roberts,
Mr. Woodall,
Mr. Cuffe,
Mr. Collet,
Mr. Buckeridge,
Mr. Darnelly,
Mr. Ditchfield,
Mr. Sywarde,
Mr. Hackett,
Mr. Nicholls,
Mr. Martin,
Mr. Sparrowe,
Mr. Peter Arundle,
and many others.

"1620, May 17th. This day being ordained to be a great and general quarter-court by his Majesty's gracious letters patents for this Company, and being summoned by Mr. Treasurer to meet both forenoon and afternoon, according to the authority given him to the standing order of court; and accordingly meeting, there were presented five patents or pairs of indentures for land: one pair to the Society of Smith's Hundred, which at a meeting amongst themselves (in regard Sir Thomas Smith had assented to part with his interest therein, so he might have the money he had disbursed in that action) they altered the name and agreed that from thence it should be called Southampton Hundred.

"2. The second to Captain John Bargrave and his associates.

"3. The third to Captain John Ward and his associates.

"4. The fourth to John Poyns, Esq'r., and his associates.

Digitized by Google

"5. The fifth to John Berkeley, Esq'r., and his associates; all which patents and indentures being read, were well approved of, and being put to the question, received a general confirmation, agreeing that in the afternoon the legal seal for the Company should be unto them all affixed.

"In the afternoon, before they proceeded in any business, one Mr. Kirkham, agent sent from the King, presented himself to the board, and signified to the court that his Majesty, understanding of the election of their Treasurer, which they intended this day to make choice of, out of an especial care and respect he hath to that plantation, hath required him to nominate unto them four, out of which his pleasure is, the Company should make choice of one to be their Treasurer, that was Sir Thomas Smith, Sir Thomas Roe, Mr. Alderman Johnson and Mr. Maurice Abbot,[47] and no other.

"The Assembly was then 'greater by much than was in the forenoon.' Proceeding to the accustomable manner, the counts were read; after which Mr. Treasurer signified to the court the Company's former resolution for entertainment of two new officers by the name of two deputies to govern two parts of the public land in Virginia. One was Mr. George Thorpe, well known to the Company for his sufficiency, who is already gone, and have deputed him to govern the college land, with grant of 300 acres, to be perpetually belonging to that place, and ten tenants to be placed upon land. The other of the same worth now present, called Mr. Thomas Neuce,[48] touching whom it was agreed that he should take charge of the Company's land and tenants in Virginia whatsoever, and for his entertainment have ordered that he and such as shall succeed him shall in that place have 1,200 acres of land set out belonging to that office, 600 at

[47] Governor of the East India Company, one of the farmers of the customs, and sheriff, alderman, mayor and representative in Parliament in London; knighted April, 1625; died 1640.

[48] Brother of Sir William Newce, marshal of the colony. Both appear to have died in 1623. In a communication of the late Hugh Blair Grigsby, LL.D., to Charles Deane, LL.D., dated April 14, 1867, and published in the Proceedings of the Massachusetts Historical Society of that year, he offers the supposition that the point Newport News, in Virginia, now a thriving town, derived its component name from Captain Christopher Newport and Sir William Newce.

Digitized by Google

Kiquotan (now called Elizabeth City), 400 at Charles City, 100 at Henrico, 100 at James City, and for the managing of this land have further agreed that he shall have forty tenants to be placed thereupon, whereof twenty to be sent presently, and the other twenty in the two springs ensuing; all which, being now put to the question, received a general approbation of this quarter-court, who gave also to Mr. Neuce £150 towards the furnishing of himself out for that place.

"And it is also agreed upon the request of Mr. Nuce, whereas sundry gentlemen for his sake would adventure their money in this action that such money so adventured shall be wholly employed to the better peopling of that land which he hath granted unto him.

"It was agreed and confirmed at this court that Mr. Porey, the secretary, and his successors in that place, should have 500 acres of land belonging to that office and twenty tenants to be planted thereupon, whereof ten to be sent this year and ten the next year, and the Secretary there from henceforward should receive no fees for himself, and the fees to be paid his clerk for writing and other charges to be rated there by the court.

"This business being thus ordered, Mr. Treasurer, according to the standing laws of the Company, before the giving up of his place, proceeded to declare unto the court the state of the colony, together with the supplies of this year and the present state of the treasury, how both he found it and now should leave it; first then he declared that it appeared by a general letter written from the general colony and directed to this Company; that at the latter arrival of the ship, called the George, in Virginia, which was in April, 1618, the number of men, women and children was about 400, of which about 200 was most as was able to set hand to husbandry, and but one plough was going in all the country, which was the fruit of full twelve years labour, and above one hundred thousand marks expences, disbursed out of the public treasury over and above the sum of between 8,000 and 9,000 pounds debt into which the Company was brought, and besides the great expences of particular adventurers. The colony being thus weak, and the treasury utterly exhaust, it pleased divers lords, knights, gentlemen and citizens (grieved to see this great action fall to nothing) to take the matter anew in hand, and at their private charges (joining themselves into societies) to set up

Digitized by Google

divers particular plantations, whereof the first of any moment, now called Southampton's Hundred, hath had 310 persons sent unto it; the next, called Martin's Hundred, above two hundred persons, and some others in like sort, so that at the coming away of Captain Argoll at Easter, 1619, there were persons in the colony near 1,000.

"But as the private plantations began this to increase so contrarywise the estate of the public for the setting up whereof about £7,500 had been spent, grew into utter consumption, for whereas the Deputy Governor, at his arrival in that place, which was in or about May, 1617, hath left and delivered to him by his predecessor a portion of public land called the Company's garden, which yielded unto them in one year about £300 profit. Fifty-four servants employed in that same garden and in salt-works set up for the service of the colony; tenants, eighty-one yielded a yearly rent of corn and services, which rent-corn, together with the tribute corn from the barbarians, amounted to above twelve hnndred of our bushels by the year; kine, eighty; goats, eighty-eight. About two years after—viz., Easter, 1619—at the coming away of the said Deputy Governor, his whole estate of the public was gone and consumed, there being not left at that time to the Company either the land aforesaid or any tenant, servant, rent or tribute-corn, cow or salt-work, and but six goats only, without one penny yielded to the Company for their so great loss in way of accompt or restitution to this very day.

"This is also further to be known that whereas, about two or three years before there had been sent some to the Company within the compass of fourteen months eleven several commodities, they were all by this time reduced to two, namely, tobacco and sassafras, and the planting and providing of corn so utterly neglected that the dearth grew excessive, had not the same been speedily released from hence by two hundred quarters of meal sent thither at one time by the magazine, and this was the state of the colony in Virginia in Easter term, 1619, at which time he was chosen to their service in this place.

"What in this year hath been performed by this Company for the advancement of the plantation least he might fail in memory and report of the several numbers he hath reduced into writing; which he then presented and read to the court, the tenor whereof here ensueth:

Digitized by Google

"A note of the shipping men and provisions sent to Virginia by the treasurer and the Company, Anno, 1619:

"The Bona Nova of 200 tons, sent August, 1619, with 120 persons.

"The Duty of 70 tons, sent in January, 1619, with 051 persons.

The Jonathan of 350 tons, sent February, 1619, with 200 persons.

"The Tryall of 200 tons, sent February, 1619, with 040 persons and 60 kine.

"The Faulcon of 150 tons, sent February, 1619, with 036 persons, 52 kine and 4 mares.

"The Merchant, of London, of 300 tons, sent in March, 1619, with 200 persons.

"The Swan, of Barnstable, of 1,000 tons, March, 1619, with 071 persons.

"The Bona Venture of 240 tons, in April, 1620, with 153 persons.

"Besides these set out by the Treasurer and Company, there hath been set out by particular adventurers for private plantations:

"The Garland, of 250 tons, sent in June, 1619, with 45 persons, who are yet detained in the Somer Islands.

"A ship of Bristol, of 80 tons, sent in September, 1619, with 45 persons.

"There are also two ships in providing, to be gone shortly for about 300 persons more to be sent by private adventurers to Virginia:

"Sum of the persons - - - - -	1,261
"Whereof in eight ships set out by the Treasurer and Company, - . - - - -	871

"Of these there are sent for public and other pious uses these ensuing:

"Tenants for the Governor's land, and besides 50 sent the former spring, - - - - - -	080
"Tenants for the Company's land, - - -	130
"Tenants for the College land, - - - -	100
"Tenants for the ministers' glebe land, - - -	050

Digitized by Google

"Young maidens to make wives for so many of the former tenants, - - - - - -	090
"Boys to make apprentices for those tenants, - -	100
"Servants for the public, - - - - -	050
"Men sent by their labours to bear up the charge of bringing up thirty of the infidels in true religion and civility, - - - - - - -	050
"Sum of persons for the public use is, - - -	650

"The commodities which these people are directed principally to apply (next their own necessary maintenance) are these ensuing:

"Iron, for which are sent one hundred and fifty persons to set up three iron-works, proof having been made of the extraordinary goodness of that iron.

"Cordage, for which, besides hemp and flax, directions is given for planting of silk grass naturally growing in those parts in great abundance, which is approved to make the best cordage and line in the world. Of this every household is bound to set one hundred plants and the Governor himself to set five thousand.

"Pitch and tar, potashes, and soap ashes, for the making whereof the Polanders are returned to their works.

"Timber of all sorts, with masts, planks and boards for provision of shipping, and there being no good timber for all uses in any one known country whatsoever, and for the ease and increase of divers of those works, provision is sent of men and materials for the setting up of sundry sawing-mills.

"Silk, for which that country is exceeding proper, having innumerable store of mulberry-trees of the best, and some silk-worms naturally found upon them producing excellent silk, some whereof is to be seen, for the setting up of which commodity his Majesty has been graciously pleased now the second time, the former having miscarried, to bestow upon the Company plenty of silk-worm seed of his own store, being the best.[49]

"Vines, whereof the country yieldeth naturally great store of sundry sorts, which by culture will be brought to excellent per-

[49] The rearing of silk-worms was revived by Edward Digges in 1654, and in 1668 a present of silk was sent to Charles II.

Digitized by Google

fection, for the effecting whereof divers skilful vignerons are sent, with store also from hence of vine-plants of the best sort.[50]

"Salt, which works having been lately suffered to decay, are now ordered to be set up in so great plenty as not only to serve the colony for the present, but it is hoped in short time also the great fishing on those coasts.

"For the following, working and perfecting of these commodities, all provisions necessary for the present are sent in good abundance, as likewise the people that go are plentifully furnished with apparel, bedding, victuals for six months, implements both for house and labour, armour, powder, and many necessary provisions. Provision is also made for those of the colony which were there before, yet without any prejudice to the former magazine.

"There have been given to the colony this year by devout persons these gifts ensuing:

"Two persons unknown have given fair plate and rich ornaments for two communion tables, whereof one for the college, and the other for the church of Mrs. Mary Robinson's founding, who the former year by her will gave £200 towards the founding of a church in Virginia.

"Another unknown (together with a goodly letter) hath lately sent to the treasurer £550 in gold for the bringing up of children of the infidels, first in the knowledge of God and true religion, and next in fit trades whereby honestly to live.

"Mr. Nicholas Ferrar, deceased, hath by his will given £300 to the college in Virginia, to be paid when there shall be ten of the infidels' children placed in it, and in the meantime £24 by

---

[50] Before 1648 Captain William Brocas, a member of the Council of the colony, who had travelled abroad, had planted a vineyard and made most excellent wine; and before 1715 Robert Beverley, the historian, had planted a vineyard of three acres of native vines. The Palatines at Spotswood's settlement, Germanna, on the Rappahannock, and the Huguenots at Manakin-town, on James river, also engaged in vine culture. Colonel Robert Bolling, of "Chellowe," Buckingham county, about 1766, laid off there a vineyard of four acres, which he filled with varieties of foreign vines. He prepared a MS. manual on vine culture, which is in the possession of the editor. Anthony Winston, in offering his plantation "Huntington," in Buckingham county, for sale—*Virginia*

Digitized by Google

year to be distributed unto three discreet and godly men in the colony, which shall honestly bring up three of the infidels' children in Christian religion and some good course to live by.

"An unknown person sent to the Treasurer the sum of £10 for advancing the plantation.

"There have been patents granted this year for particular plantations:

1. To Mr. Wincopp.[51]
2. To Mr. Heath, Recorder of London.
3. To Doctor Bohunn.
4. To Mr. Delbridge.
5. To Mr. Tracie.
6. To Mr. Pierce.
7. To Mr. Poynte.
8. To Mr. Barksley.
9. To Southampton Hundred.
10. To Captain Bargrave.
11. To Captain Warde.

Who have undertaken to transport to Virginia great multitudes of people with store of cattle.

"After which writing being read, Mr. Treasurer proceeded to tell the court the state of his accompt, as well as for the Company's general cash as for the cash of the college; and first he saith he hath received no warrant for disbursement of their money, but such as he knew to be just and necessary; that in the book of accompts he exhibited to the court, audited and approved by five of the seven auditors, and the other two being away, he hath distinctly set down the particular reasons as well of his several receipts as of his several disbursements, the brief whereof ensueth:

Gazette, July 13, 1775—states: "At this place I made one hundred gallons of wine in 1772, and last year if it had not been for the frost I could have made five hundred or six hundred gallons, which quantity I expect to make this year." Philip Mazzie, the patriot, established a vineyard at "Colle," near "Monticello," in 1773. The place being rented during the Revolution to the Baron de Reidisel, one of the Saratoga Convention prisoners, the vineyards were destroyed by his horses.

[51] Rev. John Wincopp, brother of Rev. Dr. Samuel and of Rev. Thomas Wincopp.—*Neill's Va. Company*, page 128.

Digitized by Google

Receipts for the general cash—	£	s.	d.
Remaining of the last year, - - -	111	12	2
Old debts and duties recovered, - -	1,442	04	1
Bills of adventure, - - - -	37	10	0
Lottery money, - - - -	7,000	00	0
For passengers and freight with some cattle sold, - - - - - -	0,809	08	8
Money lent repaid, - - - -	20	00	0
Of the city for 100 children sent to Virginia, -	400	00	0
Money given, - - - -	10	00	0
Sum is - - -	£9,830	14	11

Disbursements out of the general cash—	£,	s.	d.
Old debts and duties discharged, - -	3,707	17	02
Setting out ship, men and provisions, -	6,598	00	06
Officers' wages, - - - -	0,112	10	00
Petty charges laid out by the officers, -	13	06	11
Sum is - - -	£10,431	14	07

Receipts—			
Receipts for the college, - - -	2,043	02	11½
Disbursements for the college, - -	1,477	15	5.0

"Mr. Treasurer also declared that for any business done this year he had not left the Company, to his knowledge, one penny in debt, except perhaps the remain of some charges at Plymouth, whereof the accompt was not yet come in, and excepting that which should grow due upon the freight of ships according to the contracts made with them by the court; and lastly, that he had left in stock for the lotteries twelve hundred pounds more than was left the former year.

"He proceeded then to declare that divers great sums having, by warrant, been paid by him to Mr. Deputy to be disbursed by him and the committees for furnishing men and provisions to Virginia, there was by Mr. Deputy exhibited to the court an exact account of his doing expressed in three books; whereof the first was an accompt of the particulars of all the money by him

Digitized by Google

disbursed, which has been examined and approved as well by the committees as by the auditors, as appeared under their hands.

"The second was a catalogue of all the provisions that were sent this year to Virginia set down in exact manner after the use of merchants.

"The third book containeth a catalogue of the names of all the persons sent this year at the public charge to Virginia, together with their several countries, trades and ages; he could not but very greatly commend Mr. Deputy for his fidelity, care and industry, who, neglecting his private business, had employed his whole time, together with the great help and assistance of his brethren, in performing so well his charge full of incredible trouble.

"Lastly, he concluded with his respective thanks, first to the Company in general for their love in choosing him, and then particularly to the Lords for their so frequent presence to the gracing of the court and great assistance of the business, to the officers for their faithfully joining with him in the supporting of his brethren; and again to the court in general for bearing with his unwilling errors and other natural infirmities; so delivering up his office, together with the seals, he desired the court to proceed in election of their Treasurer, according to the message lately received from his Majesty, and thereupon withdrew himself out of court.

"Upon which, this great and general court found themselves, upon a deliberate consideration of the matter, at an exceeding pinch, for if they should not do as the King had commanded they might incur suspicion of defect in point of duty, from which they protested they were and would be free; on the other side, if they should proceed according to the limits of that message, they suffered a great breach into their privilege of free election granted by his Majesty's letters-patents, which they held fit rather to lay down with all submission and duty at his Majesty's feet than to be deprived of their privilege; and thereupon, perusing the said letters-patents, after long arguing and debating it was concluded by a general erection of hands that the election might and should be adjourned to the next quarter-court, notwithstanding any order made by the Company to the contrary.

"Whereupon, forasmuch as it manifestly appeared that his

Digitized by Google

Majesty had been much misinformed of the managing of their business this last year, it was agreed, according to the opinion aforesaid, that the day of election should be put off till the next great and general court, some six weeks hence, in midsummer term, and till they understood the King's further pleasure, and in the interim they entreated the Right Honourable the Lord of Southampton, Viscount Doncaster, the Lord Cavendish, the Lord Sheffield,[52] Sir John Dauers, Sir Nicholas Tufton, Sir Lawrence Hide, Mr. Christopher Brooke, Mr. Gibbs, Mr. Herbert, Mr. Keightley, and Mr. Cranmer, to meet upon Friday morning at Southampton House to determine of an humble answer to his Majesty's message, and to deliver to him a true information, as well of the former as of this latter year's, of the business for Virginia, beseeching also that his Majesty would be pleased not to take from them the privilege of their letters-patents, but that it might be in their own choice to have free election.

"Upon which, till his Majesty's pleasure were known, Sir Edwin Sandys, after much and earnest refusal, at length, upon earnest request of the whole court, he yielded to set down in his former place, yet forbearing to receive the seals again or to put anything to the question; and other officers were likewise continued till the same time.

"It was agreed, being put to the question, that by reason of this occasion, notwithstanding any order, the business concluded of after six of the clock should this day be of force.

"May 23d, 1620. Mr. Treasurer desired that before they proceeded unto other business, he might speak a few words to the clearing and justifying himself, for whereas it is divulged that he should incense the Spanish ambassador[53] against Captain Argoll, as also against the Lord North[54] and Captain North, his brother.

---

[52] Edmund, third Baron, a celebrated commander in the reign of Elizabeth, who made him Governor of the Brill and Knight of the Garter. By James I he was appointed President of the Council for the North, and in February, 1626-7, Charles I created him Earl of Mulgrave. He died in 1646.

[53] Gondomar, the Spanish ambassador, was in high favor with James I. On the 15th of the month the King had issued a proclamation against Captain Roger North and his associates, who had secretly embarked for the Amazon.—*Neill's Virginia Company*, page 186.

[54] Dudley, Lord North, great-grandson of Sir Edward North, an emi-

Digitized by Google

He vowed and protested that he never did see the Spanish ambassador but in the streets ; neither sent or received any message to or from him ; neither letters or any other writings. Whereupon, in his behalf it was said it was impossible to be him, it being set afoot when he was in the country, but that there was so many of these aspersions that this is no wonder, and that if they had their right they deserved to receive condign punishment for rumouring such falsities.

"May 31st, 1620. Mr. Treasurer declared that at the last quarter-court for the Summer Islands, between the time of giving up of the Governor's place and the new choice of a Governor, making offer to present some matter to the consideration of that court concerning (as he conceived) the great danger of those islands, but being then stopped by some of that court from the delivery, he would reveal it to this, being a business which mainly concerneth Virginia, for so long as the same islands shall be in safety it is probable that none will attempt to surprise Virginia, but now as the case standeth, the Somer Islands is much frequented by men of war and pirates, with whom the inhabitants there are grown in great liking by reason of the commodities they bring unto them, insomuch that in a letter directed from one of their ministers directed to Sir Thomas Smith, and read in open court, the robbing of the Spaniard (as being limb of antichrist) is greatly commended, and the ship called the Treasurer, after her robbing of the Spaniard belonging to Captain Argoll, is there entertained, and divers men of war set out to the same end are there refreshed. One Kirby, also a profest pirate, as is reported, doth haunt those islands, insomuch as if there be not a strict course taken therein it will be made another Argier. Therefore, being a business of state and a matter of that consequence, those islands being the safety of Virginia as aforesaid, his conscience told him that by their oath they were bound to

---

nent lawyer of the reign of Henry VIII, and a benefactor to the College of Peterhorn at Cambridge, was born in 1581, and succeeded to the title in 1600; belonged to the court of Henry, Prince of Wales, and in the civil war under Charles I adopted the cause of Parliament. He was the author of "A Forest of Varieties, Exonerations and Privadoes or Extravagants"; died in 1666. His eldest son Dudley, Lord North, is given a place by Walpole in his "Catalogue of Royal and Noble Authors." The family has since been represented with distinction.

Digitized by Google

acquaint his Majesty's privy Council therewith to have their advice and direction therein. But forasmuch as Sir Thomas Smith is Governor of that Company, it was desired that he might be acquainted therewith, to know if it were his pleasure to make choice of some other of the Somer Islands' society to accompany them. Whereupon Mr. Casewell and Mr. George Smith were entreated to know Sir Thomas Smith's pleasure therein, and in the mean time this court have nominated Sir Edward Sackville, Sir John Dauers, Mr. Thomas Gibbs, Mr. Deputy, Dr. Winstone, Mr. Wrote, and Mr. Berblock to repair unto the Lords at such time as they know Sir Thomas Smith's resolution.

"May 31, 1620. Mr. Treasurer signified unto the court that Mr. Deputy had procured Dutch carpenters from Hamborough—men skilful for the erecting of sawing-mills, who were shortly to come for England and go to Virginia for that use and the benefit of the Company, to set up sawing-mills there, for which the Company gave him thanks, as a thing of great benefit and commodity to the colony. And appointed that the committees should be acquainted with the bargain and take order for them when they come.

"June 23d, 1620. Mr. Treasurer signified unto them that the Bona Nova, being returned from Virginia, brought very good news: that the plantation enjoyed peace, health and plenty, but by reason of his exceeding much business, having not yet perused the letters, he could report no more at present unto them, but hoped to do more hereafter.

"He also acquainted the court of a very difficult work and of great importance, which was referred to himself and Dr. Winstone, of collecting all the adventurers' names from the beginning into a book to be put in print as now determined.

"And whereas, sundry foul aspersions have been laid upon Virginia, to the disgrace thereof, and to that end it was ordered that an apology should be set out, he told them that both that and the other should come forth very shortly, in which there had been taken a great deal of pains as to them who should please to peruse it would appear.

"June 23d, 1620. Sir Edwin Sandys also moved, that whereas it is already agreed that the government of the Company's particular land is taken from Sir Yeardley, not that he held him unfit for the managing thereof, but by reason of his many other busi-

Digitized by Google

nesses, unto which place they have deputed Captain Nuse, agreeing to send 20 men with him presently for his own benefit, and 20 hereafter, as they have formerly deputed Mr. Thorpe with allowance of 10 men to govern the college land, and because the Secretary should not exact any thing from the inhabitants nor receive any fees himself, neither his clerks (but such as this court shall order); it was agreed also that he should have 10 men forthwith sent; therefore, moved that for the sending of these 40 men a ship might presently be dispatched, and that 70 more might be added unto them to make up the 130 upon the Company's land full 200 persons, there being means for the performance of it, which, although there is some difficulty to send at this time of the year by reason of victualling the ship, which yet with good care and providence may be overcome, and the passage more dangerous in respect of heat than at other times, yet for the people to come there in the beginning of winter it is very advantageous for them to proceed in their labors, and more wholesome for them to land than at other times of the year, desiring those that shall succeed him to send no base men, as also if they thought well of this that then no money be issued till it be performed, and that £2,000 might be paid unto the committees immediately from the lotteries, which being well approved without any opposition, being put to the question was generally allowed of.

"Mr. Treasurer acquainted the court that the four Dutch carpenters procured by Mr. Deputy's means for erecting of sawing-mills in Virginia are now come over for the service of the Company, and that in this next ship are fit to be shipped thither.

"June 26, 1620. Mr. Treasurer signified that according to the order upon this motion in the last court for a ship to be dispeeded upon the occasion there exprest, the general committee had met and resolved amongst themselves that out of the sixteen they would make choice of twelve, which should undertake this charge, being content themselves, if the court should so desire, to seal the charter party and to lay out so much money for that purpose as is needful, for which and amongst themselves they have made choice of Mr. Deputy to be their treasurer, and reckoning the charge to be about £2,000, they desire the order of the court to save them harmless, as in like case hath been granted to Mr. Treasurer and Mr. Deputy, and moreover, for

Digitized by Google

their better security, moved that a warrant might be made to the manager of the lotteries to advance unto them so much money when it is in his hands to be received by them and disbursed upon account, which the court well approved, and being put to the question was confirmed by erection of hands.

"The committees also reported that they had seen a ship which they well liked of as fit for that use.

"A general quarter-court was held the 28th of June, 1620, at which was present in the forenoon the Right Honourable—

The Lord Pagett,
Sir Edwin Sandys, Kn't, Treasurer,
Sir John Dauers,
Mr. Wroth,
Mr. Gibbs,
Mr. Palavicnie,
Mr. John Ferrar, Deputy,
Mr. Tomlyns,
Mr. Reynolds,
Mr. John Smith,
Mr. Oxenbridge,
Captain Nuse,
Captain Brewster,
Mr. Robert Smith,
Mr. Newporte,
Mr. Caswell,
Mr. Nicholas Ferrar,
Mr. Roberts,
Mr. Bromfield,
Mr. Berblock,
Mr. Bull,
Mr. Swinhow,
Mr. Essington,
Mr. Briggs,
Mr. Wrote,
Mr. Palmer,
Mr. Mellinge,
Mr. Cuffe,
and others.

"Upon notice from Sir George Yeardley that the councellors in Virginia must needs be supplied, the court hath now chosen Mr. Thorpe, Mr. Nuse, Mr. Pontus,[55] Mr. Tracey,[56] Mr. David Middleton, and Mr. Blewit[57] to be of the Council of State in Virginia.

"Whereas, it is agreed that a ship shall presently be sent with one hundred and twenty persons, and that a warrant should be made to the officer for payment of £2,000 to the committee for

[55] John Pountis, Vice-Admiral of Virginia; a cousin of Sir Thomas Merry; died in 1623 on his voyage to England.

[56] William Tracy. His daughter was massacred by the Indians 22d March, 1622.

[57] Bennett Blewett, or Bluett, was granted fifty acres of land in "Warrosquinocke" 15th February, 1635.

Digitized by Google

their better security, for which they are to account for; the warrant being now put to the question was ratified.

"It was agreed, upon the motion of the last court, that the standing orders shall presently be put in print and annexed to a book newly come out by order from the Council, which book shall be given to every one this afternoon.

"The most important business of the great and general quarter-court, held the 28th of June, 1620, was transacted in the afternoon. There were then present the Right Hon'ble—

Earl of Southampton,	Sir Nicholas Tufton,
Earl of Dorsett,	Sir Thomas Roe,
Earl of Warwick,	Sir Fernando Gorges,
Earl of Devonshire,	Sir Anthony Aucher,
Lord Cavendish,	Sir Nathaniel Rich,
Lord Sheffield,	Sir John Dauers,
Lord Pagett,	Sir Philip Cary,
Sir Edward Sackvill,	Sir Thomas Weynman,
Sir Edwin Sandys, Treasurer,	Sir Walter Earle,
Sir Thomas Smith,	Sir John Wolstenholme, with
Sir Dudley Diggs,	divers others.

The councellors of State in Virginia propounded in the forenoon were confirmed, and to them was now added Mr. Horwood,[88] the chief of Martin's Hundred.

"Mr. Treasurer now the second time surrendered his place.

"The Earl of Southampton acquainted this court that himself with the rest of the Lords and Gentlemen, requested thereunto by the last quarter-court, had presented their humble desires to his Majesty for the free election of their Treasurer. Whereunto his Majesty had most graciously condescended, signifying unto them that it would be pleasing unto him, they made choice of such a one as might at all times and occasions might have free access unto his Royal Person. And further declaring it was the mistaking of the messenger having not received the message im-

[88] Thomas Harwood, a member of the Council in 1620–21; member of House of Burgesses 1629–49; Speaker, 1648–49; was sent to England in 1634 by the House of Burgesses to justify their action in deposing Sir John Harvey. On arriving there he was imprisoned, but was released. Member of the Council in 1652. The name has since been prominent in Virginia.

Digitized by Google

mediately from his own royal mouth, to exclude them from the liberty of choosing any but the four nominated, whom his Majesty's intent was indeed to recommend, but not so as to barr the Company from the choice of any other.

"Whereupon, the whole court rendered to his Majesty all humble thanks, and ordered that, by writing, it should be signified unto his Majesty.

"Then Mr. Herbert delivered unto the Company, that whereas, by some distractions and dissentions in the Company, the business much suffered in the reputation and otherwise, they should now think of some person of such worth and authority as might give full remedy thereunto, which since it could not be performed by the late Treasurer, a man of that great ability and sufficiency, together with his industry and integrity as of his rank there could not be found any to pass him, there was now left no hope unless it might please some of those honourable personages then present to vouchsafe to accept of the place, who, by addition of nobility, might effect that which others by mere ability could not do.

"Which motion being exceedingly approved, the whole court immediately, with much joy and applause, nominated the Earl of Southampton with much earnestness, beseeching his Lordship, that for the redeeming of this noble plantation and Company from the ruins that seem to hang over it, he would vouchsafe to accept of the place of Treasurer.

"Which it pleased him, after some final pause, in fine to do in very noble manner out of the worthy love and affection that he bare to the plantation, and the court, in testimonial of their bounden thankfulness and of the great favour and respect they owed him, did resolve to surcrease the ballotting-box, and without nomination of any other, by erection, his Lordship was chosen Treasurer and took his oath. Which done, his Lordship desired the Company that they would all put on the same minds with which he had accepted that place.

"And the court further declared themselves that it was not their intent that his Lordship should be further bound to the performance of the business of this court than his own more weighty business did permit.

"For the place of Deputy this court nominated Mr. Ferrar, Mr. Keightley and Mr. Cranmer, who being put to the ballotting-

Digitized by Google

box, Mr. Ferrar was chosen by plurality of balls, who took his oath.

"Auditors were then chosen, amongst whom was Sir Edwin Sandys, who said that though he had been head he would be contented to be the foot for the benefit of the plantation. There were also chosen a committee secretary, husband and beadle.

"July 7th, 1620. Sir Edwin Sandys signified unto this court that he had a project of much importance which he desired, before the acts of the former court were read, to impart unto them, for that it mainly concerned the better managing of their affairs in Virginia, and good advancement of the plantation there.

"Whereupon the court granting leave to proceed, he delivered the matter in writing, which matter he first read entirely himself to the court, and after it was appointed to be read by the Secretary by parcels, and each part was weighed and considered of by the court, and being approved, there were several committees appointed to the several parts, which writing, with the committees, being generally ratified by the court, doth here ensue:

"*Propositions considerable for the better managing of the business of the Company and advancing of the plantation of Virginia in this year, 1620.*

"The late distractions of the Company, by partialities and factions, are first to be removed, and that by taking away the causes of them, which are two: 1, matters of accompts; 2, and questioning of Captain Argoll's government. First, therefore, let Sir Thomas Smith's accounts be divided into four parts, vizt.: 1, receipts by moneys adventured; 2, receipts by lotteries, with payment of the prizes and other charges to them incident; 3, receipt by sale of goods returned from Virginia, by fines also, by collections, and other means whatsoever; 4, and lastly, his disbursements. Let the auditors accordingly divide themselves into four companies, each taking their parts and following them throughly till they be dispatched; for their proceeding, let it be by such rules as they themselves, in a general meeting, shall set down, and for their ease and quick dispatch let them have the help of such other of the Company as they shall desire; let each Company dispatch his part by Allhallowtide next, and then all meet to bring the whole to perfection.

Digitized by Google

"1. For the receipts by adventurers—Sir John Dauers, Sir Edward Sandys.

"2. For the receipts by lotteries, with payment of the prizes and other charges—Mr. John Wroth, Mr. Henry Brigs.

"3. For the receipts by goods from Virginia, with fines, collections, etc.—Mr. Ferrar, Deputy, Mr. William Cranmer.

"4. For the disbursements—Mr. Thomas Keightley, Mr. William Cranmer.

"For other accomptants who refuse or forbear to be ordered by the auditors, let them, according to a former order of court, be convented by the Council, and there the differences be ended and right done to the Company.

"Touching Captain Argoll's business, which divided itself into three parts, vizt.: 1. Matter of state. 2. Depredation of the public, with other wrongs done to the Company. 3. Oppression of the colony with wrongs done to particular persons. Let each part be commended unto two choice men, who may make them fit for hearing against Allhalowtide next, so that the next quarter-court passing a final sentence in the business of Captain Argoll, and perfecting and concluding all matters of accompts, the return of firm peace and unity may be expected.

"For matter of state—Sir John Dauers, Mr. Samuel Wrote, Mr. Edward Herbert.

"For depredation of the public—Mr. Herbert, Mr. Keightley, Mr. Wrote.

"For oppression of the colony—Sir Edwin Sandys, Mr. John Ferrar, Mr. James Berblock.

"The next principal matter is the reputation and justice of the Company in paying their old debts, whereof there may be near two thousand pounds remaining yet. I wish that after the dispatch of this ship and of another pinnace to be shortly set out, the next employment of money may be in paying those debts; and in the meantime that the auditors, with the assistance of all other officers, make a true examination of those debts and a collection thereof, and present it to the court in the beginning of next term.

"These matters and troubles in the way being thus cleared, it followeth to proceed in the advancing of the plantation, the foundation whereof is the getting of moneys, being the sinews and moving instruments in these great actions.

Digitized by Google

"Four ways there are of getting in moneys—

"1. The first and most certain is by the lotteries, which must be continued to the end of this year, if there may be found places so many where to keep them.

"2. The second is by debts due to the Company upon subscriptions, whereof there remain yet sixteen thousand pounds.

"This year it is to be hoped they will be cheerfully paid, especially if there be good order in soliciting the parties; to which I wish that a collection be made of all those debts remaining, to be divided afterwards into three parts according to the several qualities of the persons indebted—the first, noblemen; the second, knights and gentlemen; the third, merchants and other citizens—and that the soliciting thereof be committed to three choice pair of gentlemen and citizens each suited to their fittest parts.

"And those that are or shall be in the city to be solicited in persons, the rest by letters, to be prepared by these solicitors and signed as heretofore by all the auditors, wherein also his discretion is to be observed to begin with the best debts first, and so to the other.

"For the Lords—Sir Edward Sackvil, Sir John Dauers, Sir Robert Killegrew, Sir Thomas Roe,[59] Mr. Brooke.

---

[59] Sir Thomas Roe was a distinguished traveller and negotiator, born at Low Layton, in Essex, about 1580; knighted by James I in 1604, and soon after commanded an expedition sent by Prince Henry to make discoveries in America. On his return, by the desire of the East India Company, he was sent as an Ambassador to the Great Mogul in 1614, and resided at his court until 1618; his observations upon it may be found in "Purchas's Pilgrim" and in "Churchill's Voyages." He next visited the Court of Shah Abbas, in Persia, and negotiated a treaty for free trade with that country. On his return home, in 1620, he was elected a Burgess for Cirencester, and the following year was nominated Ambassador to the Ottoman Porte, which post he held under five successive Sultans, and rendered numerous and important services to the commercial interests of his country. During his Embassy, Sir Thomas drew up "A true and faithful relation of what lately happened in Constantinople concerning the death of Sultan Osman and the setting up of his uncle Mustapha." 1622. London. 4to. He also kept minutes of his negotiations, which remained in MS. until 1740, when they were published, under the title of "The Negotiations of Sir Thomas Roe, in his Embassy to the Ottoman Porte." During his residence in the East he also made a valuable collection of Greek and Oriental MSS., which he presented to the Bodleian library, and was constituted the

Digitized by Google

"For the Knights and Gentlemen—Sir Henry Rainsford, Mr. Gibbs, Mr. Berblock, Mr. Wrote.

"For Merchants and Citizens—Sir John Wolstenholme, Mr. John Ferrar, Deputy, Mr. Richard Caswell, Mr. Daniel Darnelly.

"3. The third way of getting in money will be from the accomptants, of which kind of debts, I suppose, there will fall out much to be due. This is in charge of the auditors.

"4. The fourth kind is the remaining of the moneys by collections, there being yet nine Bishops from whom nothing hath come in. There must be some therefore appointed for the soliciting their Lordships:

"For the soliciting of the Lord Bishops—Sir Edward Sackvill, Sir Dudley Diggs, Mr. Morrice Abbott.

"Having made these preparations, we are, in the next place, to proceed to the employing of these moneys to the benefit of the plantation, which is to be done in three kinds: First, in supplies of people; second, in supplies of cattle of all sorts; third, and lastly, in provisions for setting up the best and richest commodity.

"For people I advise that this year there be sent at the publick charge to Virginia eight hundred persons, vizt:

---

bearer of the fine Alexandrian MS. of the Greek Bible, sent by Cyril, patriarch of Alexandria, as a present to Charles I. In 1629 he was sent as Ambassador to mediate a peace between the kings of Poland and Sweden, and gained so much credit with Gustavus Adolphus that he was mainly instrumental to the design, formed by that spirited prince in 1630, to head an expedition into Germany, to restore the freedom of the Empire. He was subsequently employed in other missions to the German princes, and was present at the Congress of Hamburg, and on its removals to Ratisbon and Vienna. In 1640 he was elected represen tative for the University of Oxford; and in 1641 was sent to the Diet at Ratisbon to negotiate for the restoration of the ex-king of Bohemia. On his return, the king created him a Privy Counsellor and Chancellor of the Order of the Garter. He died in 1644, his close of life being much embittered by the national disturbances of the period, and he left behind him the character of an able and upright minister, a true patriot, and an accomplished gentleman. Besides the writings before mentioned, he left in MS. "A Compendious Relation of the Proceedings of the Diet held at Ratisbon in 1640 and 1641;" and a "Journal of several Proceedings of the Knights of the Garter."—*Biog. Brit. Athen, Oxon.*

Digitized by Google

"Four hundred tenants to the Company's land to make them up full five hundred, whereof two hundred to be placed at Elizabeth City with the deputy, one hundred at Henrico, one hundred at Charles City, and at James City there are already one hundred.

"One hundred tenants to such officers, etc., as the court hath and shall appoint, viz: ten to the deputy of the college, forty to the Company's deputy, twenty to the secretary, ten more, besides fifty already sent to the ministers, and twenty to the physician.

"One hundred young maids to make wives, as the former ninety already sent.

"One hundred boys more for apprentices likewise to the public tenants.

"One hundred servants to be disposed amongst the old planters, which they exceedingly desire, and will pay the Company their charges with very great thanks.

"These people are to be procured, as they have formerly been, partly by a printed publication of the supplies intended, together with the conditions offered to these publick tenants, partly by help of such noble friends and others in remoter parts as have formerly given great assistance, being desired in the like kind, this ship now in providing, being dispatched with one hundred and twenty persons. The rest may follow after in the very beginning of the spring.

"Touching cattle, etc. These are requisite to be sent one hundred kine for this addition of five hundred tenants.

"One hundred kine more to remain in perpetual stock upon the Company's land, to be sent to new planters as hath been formerly ordered.

"Four hundred goats from Wales; twenty mares.

"Eighty asses from France.

"The providing of these and all things necessary for them is to be referred to the care of the general committee yet, so that some be particularly appointed to the several parts and kinds.

"For the kine, goats and mares—Mr. James Bagg, Mr. Richard Wiseman, Mr. John Bland.[60]

---

[60] John Bland, son of Adam Bland, skinner, and grandson of Roger Bland, of Orton, Westmorland, born 1573; married Susan Deblore; parents of Theodrick Bland, of "Berkeley," Virginia, founder of the family of the name here, born January 16, 1629; died 1671; married

Digitized by Google

"For the asses—Mr. Abraham Chamberlain, Mr. George Chambers, Mr. James Bagg.

"Provisions necessary for the setting up of the staple commodities are these:

"For silk, to procure great store of silk-worm seed about Michaelmas next, and men skilful in the ordering of the worms, and their silk to be sent away in a pinnace in October betimes.

"For oil, besides great quantities to be made out of their great store of walnuts, olive plants may be also procured from Marcellis and Leghorn.

"For wines, to procure men skilful in the planting and dressing of vines out of France and from the Rhine, from thence also to procure plants, as likewise from the Canaries.

"For hemp and flax, soap ashes and potashes, pitch and tar, to proceed in the treaty with Mr. More to procure men skilful in those trades from the eastern parts.

"For fishing, first, to set up M. Pountus again by making up a stock of £1,000, whereof the one half to be from those foreign adventurers, a fourth from the Company, and a fourth from Southampton Hundred.

"Secondly, by general petition unto his Majesty to preserve the fishing at Cape Codd free and indifferent to both the colonies, as was intended in the first patent.

"For salt, if men skilful in the making it, in pits and by the sun, be not be had at home to procure them from France, and by all means to set forward the making of it in abundance, being a very great help to increase the plantation.

"For iron, there is sufficient done already.

"And for sawing-mills, besides those already gone this spring, there are four men lately come from Hamborough, very skilful, to be sent in the next ship.

"It is very necessary, for the benefit of the colony, that divers skilful millwrights be provided and sent to set up corn water-mills in the several parts of the colony.

"It is also convenient that the deputy for the Company have a pinnace, and other boats belonging to him, to trade and traffick for the Company and their tenants under his charge.

Anna, daughter of Governor Richard Bennett. His nephew Giles, son of his brother, John Bland, was executed by Governor Berkeley for participation in "Bacon's Rebellion" in 1676.

Digitized by Google

"For these staple commodities, besides the general committees who are to take charge of the whole, some several parts are to be committed to divers particular persons:

"For the silk-worm seed, olive plants and vines—Mr. Arthur Bromfield, Mr. Abraham Chamberlyn.

"For salt men—Mr. Abraham Chamberlyn, Mr. Richard Wiseman.

"The last matter, but of great difficulty and chief importance, is the establishing of good government in the colony for religion, justice and strength, together with their effects, peace, plenty and prosperity.

"This part requireth the serious consultation of the Council and the great labour of learned committees, that, being reduced into a body of laws and magistracy, it may be first presented to his Majesty's view, and, being there approved, may receive confirmation also of a quarter-court, and lastly the assent and ratification of the colony.

"Some small directions therein I will be bold to offer, I wish that a committee be made of twelve select persons for the compiling into a body the politic laws and magistracy of England necessary or fit for that plantation, which part to be committed to four learned gentlemen, professors of the law.

"The second to be a like collection of orders and constitutions already in being, which are proper and peculiar to this colony. Wherein first to gather those that are to be found in his Majesty's letters-patents and instructions.

"Secondly, those that are contained as well in the book of the orders of Virginia as also in the several charters, commissions and instructions sent to Virginia.

"Lastly, such orders as they themselves there have made in their General Assemblys: all which, being likewise digested into order, and conferred and interlaced with the laws of this realm, it will be easy to see in a view of the whole body what limb or sinew is redundant or defective, as well for laws as magistracy, whereof a reformation or a supply to be made agreeable to the rest. This part is to be commended to four other, such as are skilful in all the affairs as well of the Company here as of the colony in Virginia; and thus much for matter of general government.

"A third part remaineth of the particular government by way

Digitized by Google

of incorporation for every city and borough, which I wish may be for all one and the same model uniformity, being not only a nourisher of amity, but also a great ease to the general government. This part is to be committed to four committees, expert in the government of the corporation of this and other cities of this realm, to frame out of them a form most fit for that people.

"These particular committees having brought their labours to an end, are then to meet and out of these parts to make an whole entire body of laws and magistracy for that government, to be presented by them to the Council, and being there reformed or allowed to pass on to the gracious view of his Majesty.

"And here I will be bold to put the Council in mind of one principal part of their duty and oath, to have care, by wise and politic constitutions, to hold the colony in assuredness of firm and perpetual loyalty to his Majesty and this crown, which caution in regard of the far distance of that place I hold to be necessary.

"For matters of religion, I think it requisite that the Company desire direction from the Lord Archbishop's grace and the Lord Bishop of London, they being both of the Company, and my Lord Bishop of the Council also.

"For matter of strength by way of fortification, I refer to the treaty with Mr. Englebert.

"The military discipline requires a committee by itself of men most judicious in that profession.

"These things performed, I nothing doubt the plantation will prosper, and ourselves give good accompt of our proceedings to his Majesty.

"For the laws of England—Sir Thomas Roe, Mr. Christopher Brooke, Mr. Selden,[61] Mr. Edward Herbert, Mr. Philip Jermyn.

"For the order of Virginia—Sir Edward Sandys, Sir John Dauers, Mr. John Wroth, Mr. Samuel Wrote.

"For the particular corporation—Mr. Robert Heath, Recorder, Mr. Robert Smith, Mr. Nicholas Ferrar, Mr. William Cranmer, Mr. George Chambers.

---

[61] John Selden, the distinguished lawyer and author; born 16th December, 1584; died 30th November, 1654, adding by bequest his fine library to the Bodleian collection.

Digitized by Google

"For military discipline—Sir Edward Sackvill, Sir Dudley Diggs, Captain Bingham, Captain Edward Maisterson, Captain John Bargrave.

The charges of this project are estimated thus:

500 tenants at £16 the person,	£8,000
300 maids, boys and servants,	2,000
200 kine at £10 the head,	2,000
400 goats at £3 10s. the goat,	1,400
020 mares at £15 apiece,	0,300
080 asses at £7 10s. apiece,	0,600
A pinnace,	0,250
Setting up of the fishing of Mr. Pountus,	0,250
Procuring of vignerons, saltmen, for silkworms, for flax, for hemp, potashes and soap ashes, with plants and all materials,	1,000
Discharging the old debts yet remaining of Sir Thomas Smith's time,	2,000
Total,	£17,800

Means of raising this sum as may be reasonably estimated:

By lotteries,	£8,000
By debts up subscription one-third part,	5,300
By collections for the college	0,700
By debts upon accompts and reckonings,	4,000
Total,	£18,000

"Sir John Dauers moved that the court would be pleased to give order for drawing a patent for Sir William Mounson and his associates, that they may have for seven years the sole benefit and transportation of two such new commodities as they shall discover, plant or find out in Virginia, not being yet discovered, planted or found out by any other, for which they offered to pay one hundred pounds p. annum, and to plant 25 men every year during the said term. And moved further, likewise, that six of the patentees, in regard of the great charge they must be at for this discovery, might be free of the Company.

"July the 12th, 1620. A motion was made, which was gene-

Digitized by Google

rally agreed unto, that those that go over to Virginia as planters should first take the oath of allegiance, to be administered unto them by some chief magistrate there where they shall embark themselves, who by letter from hence should receive direction to administer the same, and to return their names to be entered here in a register book for that purpose to be kept.

"John Wood, in his petition, desired that the court would please, in regard he is resolved to inhabit in Virginia, to grant him eight shares in Elizabeth river, for eight shares of land formerly granted unto him, because thereon is timber fitting for his turn, and water sufficient to launch such ships as shall be there built for the use and service of the Company. The court thereupon hath ordered and agreed to recommend the consideration of the premises to the Governor and Council of Virginia to deal therein as they shall think fit.

"My Lord of Southampton being now come to the court, declared that his absence and long stay was about business of the Company's, and that he had received a gracious answer from his Majesty concerning their petition against the restraint of tobacco, who was pleased to affirm that it was never his meaning to grant anything that might be prejudicial to any of both those plantations, and, therefore, had referred it to the consideration of the Lords of the Council, with whom my Lord of Southampton said he had been all that while, and that their Lordships desired that certain of the Company. * * * *

"After orders upon certain other matters, my Lord of Southampton desired the Company that they will now, with the same alacrity and cheerfulness of mind as they should ever find in him, go on to the dispatch of those weighty businesses committed to their care and charge, which, for expedition sake, were divided into parts and commended to several committees; hereupon the several committees promised with all care and diligence to expedite the same accordingly; his Lordship further desired that a special committee be desired to attend the Lords of his Majesty's Council upon Friday next about the petition referred by his Majesty unto their Lordships concerning the restraint of tobacco; whereupon these committees were nominated.

"July 18th, 1620. The court, taking into consideration the treaty with the undertakers for the sole selling of tobacco, finding the proportion for Virginia to be so small as not possible to

Digitized by Google

be divided amongst such a multitude of people with any shadow of content, and considering that the Somer Islands, having no means to subsist but merely by the vent of their tobacco, will stand in need of all help which in that kind may be given them, have consented that the whole 55,000 weight of tobacco allowed to be vented in this realm by both the plantations, shall be appropriated to that of the Somer Islands alone, and themselves shall humbly submit themselves to his Majesty's Royal pleasure declared in his last proclamation, and forbear to bring any tobacco at all this year, nothing doubting but his Majesty, in his princely consideration, will commiserate the estate of the poor people in that plantation and restore them to their liberty when he shall see time convenient. In the meantime protesting against the undertakers of the late project tending not only to the hurt but also to the utter ruin of both plantations.

"The court being resolved as aforesaid to forbear the bringing into England any tobacco this year, but bring the same to Flushing, Middleborough, or any other parts to be vented there, did appoint these committtees here underwritten to consult and resolve of the fittest course to be taken for the providing of a magazine or storehouse there, and to treat with the states there by letters for the bringing in and carrying out of the tobacco at the easiest rates. And to consider of the best means for the ordering and sale thereof by factors to the most advantage of the Company.

"November 4th, 1620. My Lord of Southampton signified that he had received brief letters of the safe arrival of all the ships in Virginia, save one, which were sent the last spring. And that three of the best of them had made a prosperous voyage in six weeks or thereabouts, and that of two hundred persons transported in the Jonathan there died above sixteen; of seventy in the Swan, of Barnstable, not one; of two hundred in the London Merchant, but one only, and that the Duty in her passage lost one likewise; and lastly, of the number of the cattle which they then also sent, they had intelligence by the report of one man that they had lost ten, for which they had a gain in their passage eight calves, but there was no certificate thereof as yet returned from the Governor.

"His Lordship having desired the Company to think of the preparation of ships to be sent this next spring, Mr. Deputy

Digitized by Google

gave notice of a very good convenient ship called the Abagail, of about three hundred and fifty tons, belonging to Mr. Bland, Mr. Wiseman and some others, brothers of this society, that was now offered to go upon the same conditions that the Jonathan and London Merchant did the last spring—viz., to transport in her two hundred persons and fifty tons of goods for £700 in hand and £600 upon certificate of arrival in Virginia, which offer the court thought very reasonable, and did generally assent thereunto.

"It was likewise moved that for the more commodiousness and for procuring of people the better that the Abigail might take in her people at the Isle of Wight; and that some other ships might be sent from Barnstable by the help of Mr. Delbridge, who was reported to have deserved well of the Company for his care and pains hitherto afforded, which Mr. Delbridge promised still to continue to the good of that plantation, and would use his best endeavours to do the Company service, and therefore desired that the court would be pleased for their better encouragement and enabling of them to transport their passengers, to take some present course that he might have free liberty to fish upon the northern seas as formerly they had done, from which, as he conceived, they were utterly debarred by the late grant from his Majesty to Sir Ferdinando Gorges and some others.

"Whereupon, Sir Edwin Sandys did intimate unto the court that he was informed that Sir Ferdinando Gorges had procured unto himself and others a new patent, now passed his Majesty's great seal, wherein certain words were conveyed that did not only contradict a former order of the Lords of the Council, which their Lordships, after a full hearing of the allegations on both sides, and set down in June last, by which this Company had yielded some part of their right to do them good, and therefore promised to fish only for their necessities and transportation of people in tender regard of the infance of that plantation, but by his new grant the adventurers of the northern colony had also excluded those of the southern from fishing at all upon that coast without their leave and licence, first sought and obtained, which was contrary and manifestly repugnant to that community and freedom which his Majesty by the first patent, as is conceived, hath been pleased to grant to either colony.

Digitized by Google

"The court, therefore, seeing no reason why they should loose their former right granted unto them by their first patent, the sea also being to all as free and common as the air, and finding less reason why Sir Ferdinando Gorges should now appropriate and make a monopoly of the fishing, which had already cost this Company £6,000, and were the only means left (now the lotteries were almost spent and other supply began to fail) to enable them to transport their people and support their plantation withal, did with a general consent resolve to petition his Majesty for redress therein, and to pray a further declaration of his Highness' pleasure and gracious intention concerning that clause of prohibition and restraint inserted in the new patent, whereby they were defeated of their liberty of fishing. Whereupon, they appointed these committees to draw the said petition and make it substance agreeable to those three points Sir Edwin Sandys had delivered in open court, and for that Sir Thomas Roe said that he was the next day to go to the court, they desired him to present the same to his Majesty.

"Sir Edwin Sandys desired the Company to consider how useful it was to set forth a printed publication that might in effect contain these four points:

"1. First, to solicite the justices of peace generally for sending to this Company all such young youths of fifteen years of age and upwards as they shall find burthensome to the parish where they live, with sum of five pounds in money towards a far greater charge which the Company must be at for their apparel and transportation into Virginia, where they shall be entertained in good manner as servants and apprentices under the Company's tenants.

"2. The second point to be in behalf of the lottery, now of late very much disgraced, that it may be delivered of many foul aspersions unjustly cast upon it by malignant tongues, notwithstanding it is evident that the money thereof arising hath sent already to Virginia eight hundred persons, to the great advancement of that plantation.

"3. Thirdly, to hasten the dispatch of these things against January next.

"4. Fourthly, to put such adventurers in mind of their subscriptions as have not as yet paid in their moneys, as likewise to intimate unto them what authority and power the Company hath

Digitized by Google

by his Majesty's gracious letters-patents to recover the same by suit if they shall wilfully stand out in point of law, and so compel them to use extremities.

"Sir Edwin Sandys desired this court to take into their consideration how material and necessary it was, as well to suppress hereafter the inordinate excessive planting of tobacco so generally distasted hitherto, as also to hearten and encourage them to plant such staple commodities as they are principally directed to apply, to give notice to the colony in Virginia that the Company there will hereafter expect to be repaid for such servants as they shall send over to them for apprentices in no other commodity but corn, silk codds, silk grass, hemp, flax, and such other staple commodities, wherein he that shall excell and abound more by his good industry and husbandry, shall be respected and rewarded hereafter with the first choice of such youths and servants as shall be sent thither for their use this next spring, for which cause he wished that a committee of merchants, skilful in these particular commodities, might be appointed to set such indifferent good rates and prices upon them now at first as might not only make the Company here savers thereby, but give the plantation also better encouragement to raise and improve the same abundantly by their industry and labour.

"Whereupon the court nominated the committees.

"Upon the humble petition of Sir Richard Worsleep, Knight Baronet; Nathaniel Basse,[83] Gentleman; John Hobson,[84] Gentleman; Anthony Olevan, Richard Wiseman, Robert Newland, Robert Gyver, and William Wellis, associates and fellow-adventurers with Captain Christopher Lawne,[85] deceased, the court was

[83] Captain Nathaniel Basse, born 1589; came to Virginia in 1622 and settled at "Basse's Choice"; Burgess, 1623; for Warrosquoyoke, October, 1629; for Warwick River, 1631; Member of the Council; in March, 1631-32, he was authorized to go to New England and offer the inhabitants a settlement on Delaware Bay. Samuel Basse lived with him in 1623

[84] A member of the Virginia Council in 1642.

[85] Lawne's Creek, in Isle of Wight county, preserves the name of its first planter, Captain Christopher Lawne, Burgess, November 21, 1621. Edward Bennett, a London merchant, obtained a patent and made a settlement here. His associates were Robert and Richard Bennett, (his nephews—the latter subsequently Governor of Virginia,) Thomas

Digitized by Google

pleased to grant unto them and their heirs a confirmation of their old patent, with all manner of privileges therein contained, and that the said plantation shall from henceforth be called the Isle of Wights plantation, provided that the heirs of the said Christopher Lawne be no way prejudiced thereby; and in regard of the late mortality of the persons transported heretofore by the said Captain Lawne, the court hath likewise given them till midsummer, 1625, to make up their number of their said persons mentioned in their former patents.

"Sir Thomas Roe, at the request of the Company, having delivered their petition to his Majesty, made now a report of his Highness's gracious answer thereunto, who said that if anything were passed in New England patent that might be prejudicial to them of them of the southern colony, it was surreptitiously done and without his knowledge, and that he had been abused thereby by those that pretended otherwise unto him. It pleased his Majesty to express as much in effect to my Lord of Southampton, with many other gracious words in commendation of this plantation, and signified further that his Majesty forthwith gave commandment to my Lord Chancellor then present, that if this new patent were not sealed for to forbear the seal, and if it were sealed and not delivered, he should then keep it in hand till he were better informed.

"His Lordship further signified that upon Saturday last they had been with my Lord Chancellor about it, where were present the Duke of Lenox,[66] the Earl of Arundle, Mr. Secretary and

---

Ayres, Thomas and Richard Wiseman. The first settlers were Puritans, and their first minister was Rev. William Bennett, who served until 1623. It is probable that to this settlement the Rev. Henry Jacob, of London, came in 1624, and soon died. The plantation was sometimes called Warrosquoyoke and sometimes Edward Bennett's.—*Neill's Virginia Company*, p. 194.

[66] James Stewart, fourth Duke; in 1641 created Duke of Richmond; Lord Great Chamberlain, and Admiral of Scotland, Lord Steward of the Household, Warden of the Cinque Ports, Gentleman of the Bed Chamber, and Knight of the Garter. In the times of Cromwell, he subscribed £40,000 in support of the royal cause, saying: "I would serve the King in his person, though I carry but his cloak, as well and cheerfully as any in the greatest trust." He ended his faithful services to Charles I by helping to place the unfortunate monarch in his grave at Windsor. He died in 1655.

Digitized by Google

some others, who, after a full hearing of the allegations of both sides, did order that the patent should be delivered to be perused by some of the southern colony, who are to report what exceptions they find thereunto against the next meeting.

"November 15th, 1620. After the acts of the former court were read, a stranger stept in presenting a map of Sir Walter Rawleigh's, containing a description of Guiana, and with the same four great books as the gift of one unto the Company that desired his name might not be made known, whereof one book was a treatise of St. Augustine, of the city of God translated into English, the other three great volumes were the works of Mr. Perkins,[66] newly corrected and amended, which books the donor desired might be sent to the college in Virginia, there to remain in safety, to the use of the collegiates hereafter, and not suffered at any time to be lent abroad or used in the meanwhile, for which so worthy a gift, my Lord of Southampton desired the party that presented them to return deserved thanks from himself and the rest of the Company to him that had so kindly bestowed them.

"Sir Edwin Sandys acquainted the court how careful Mr. Chamberlyn had been at the request of the Company to compound with the states of Middleborough for the custom of the tobacco to be brought thither this year from Virginia, signifying that he had brought them near to an agreement, so that for bringing the said commodity in they should pay but a half penny the pound, and for carrying the same out again to pay after the same rates; and for that the said states might have the better assurance of the performance thereof by the Company, it was humbly desired that it would please my Lord of Southampton to intimate the same unto them by his Lordship's own letter in the name of the Company, which my Lord very nobly promised to dispatch accordingly.

"Sir Edwin Sandys signified that whereas certain instructions were sent in writing in the Bona Nova concerning the planting of mulberry trees and making fit rooms for the silk-worms (which, in his opinion, was exceedingly well done), and having

[66] William Perkins, a learned divine, born 1558; died 1602; a rigid Calvinist, and the treatises which he published in defence of his doctrines involved him in a controversy with Armenius, which lasted until his death. His works were collected and published in three vols. folio, in 1606.

Digitized by Google

now understood of a French book of the same subject, commended unto him as an excellent treatise of that kind, moved that some of the Company would please to take the pains to translate it into English, and that a good number of them might be printed and sent over to Virginia, and there dispersed amongst the planters, so that every household might have one, and that in the said books the particular rates of those staple commodities (which the committees were desired to set down), to be paid for them to the planters, might likewise be inserted with some instructions also for the ordering of other commodities, which motion was well approved of and generally assented unto.

"Mr. Deputy having presented to my Lord of Southampton a note of such staple commodities as are supposed may either now or very shortly be had in good abundance in Virginia, which were rated particularly by a committee of merchants at such prices as they are now sold at here in England, it was thought fit and desired that the said committees would again take some farther pains on the behalf of the planters in Virginia to moderate and abate the said prices to such a reasonable rate, with consideration of fraight and hazard, as both the merchants might be induced to buy the same, and the planters be sure of a certain vent hereafter of the said commodities.

"Sir Edwin Sandys declared that the Commonwealth and state of the colony in Virginia began generally to prosper so well as that they did not desire any more provision of meal to be sent unto them, but rather prayed that the Company would be pleased to be at some charge to send them some trifling commodities, as beads and such like toys, whereby to truck with the Indians for corn and other necessaries, to increase and maintain thereby a Christian commerce and trade with the savages, which they exceedingly desire may be continued.

"Touching Gabriel Wisher's former offer at the last court to procure out of Swedeland and Poland men skilful in making pitch and tar, soap ashes and potashes, dresses of hemp and flax, clapboard and pipe staves, and for making of saltpetre and powder, after the rate of £10 10s. a man, that shall be there by the end of May next, the court hath ordered that he shall have £100 allowed him to provide ten skilful men as aforesaid, but for the manner of the contract to be made with him and some other necessary circumstances incident thereunto, they have referred

Digitized by Google

the said Gabriel Wisher to be further concluded with by the committees.

"Thomas Wood, being now willing (tho' he conceived it a hard bargain) to accept of the offer of the former court, which was that for every cow of our English breed transported by him or his agents safe and sound to Virginia he should be paid £11, and for every she goat £3 10s., upon certificate at his return from the Governor there, he moved, therefore, now that he might have some assurance under the Company's seal for the payment of the said money. Whereupon, the court ordered that, according to his request, he should have his security confirmed under the seal of the Company, for which they gave order to Mr. Deputy to see it done.

"Mr. Caswell moved that the Lord Mayor of this city might be solicited to afford this Company the like number of children, with the like allowance as formerly they had, but he wished withal that it might be effected upon more easy conditions than the former committees, for the city sought to draw them unto who as it appeared stood more upon an over-advantageous bargain on the behalf of the said children, than they did upon the good of the plantation for which they were procured. It was therefore thought fit, and so ordered, that a letter should be writ to the Lord Mayor and Aldermen specifying the conditions particularly for which the Company would accept of them and in good manner place them as servants or apprentices with the Company's tenants.

"Mr. Smith, conceiving that the sum of £5 demanded with every child that should be sent out of the country to be transported to Virginia was a greater charge than would willingly be disbursed by the common sort, seeing they might with a less charge as ordinarily for five marks bind their children apprentices at home to good trades, and therefore it was unlikely they would be drawn to give a greater sum to send them to a foreign country, he therefore moved that the £5 specified in the publication might be abated to five marks, for which main reason the court thought fit, and ordered that the abatement should be made of the said £5 accordingly.

"Mr. Deputy signified that he was solicited by the marshal of this city and some others that had taken pains to procure those children out of the city, that were heretofore sent to Virginia, to

Digitized by Google

move this court for a reward for their care and travel therein, that they might be encouraged hereafter to take the like pains whensoever they should have again the like occasion, the court thereupon referred it to the committees to give such a sum and to proportion the same amongst them as they shall think fit.

"Some of the Somer Islands Company moved that the court would be pleased as well in respect that the Bermudas was sold unto them for a far greater quantity of land than they now find it to be, as also for the better enabling of them to subsist and to procure and maintain a mutual dependance and traffic hereafter, to grant and confirm unto them now in this great and general quarter-court a good portion of land in Virginia on that side of the coast as lies nearest unto them, either at Ronoque southerly or else whereas shall be most convenient for them, not being yet inhabited, which request taking into consideration did order and agree that according to the number of their shares (being in all 400 or thereabouts), they should have for every share 100 acres of land in Virginia, and 50 acres for every person that shall be transported thither: provided that none of them sell his said shares unless he sell together with it his share of land in the Summer Islands; and for a public stock they have likewise granted unto them 5,000: provided, that between this and the year 1625 they transport for every share for that plantation at least one man: provided, also, that so many as shall not underwrite and accordingly pay in his money ratably by the setting of his first voyage, shall not be capable of the said 100 acres for a share; and lastly, the court ordered that a letter should be writ to the Governor to set out their bounds and limits where they shall like best to seat themselves, so as they may not be prejudicial to any other plantation there already.

"My Lord of Southampton signified unto the Company that himself and some others had been this afternoon before the Lords of the Council to make report what just exceptions they had taken against New England's patent, whereby they found themselves utterly excluded from fishing upon the north seas, but withal his Lordship signified that by a late conference had with Sir Ferdinando Gorges about it, they did not doubt but they should now accord, for that it was agreed on both sides for some important reasons to renew either of their patents, which was promised should be done by mutual advice of the Council.

Digitized by Google

Whereupon their Lordships ordered that in the meanwhile this patent of Sir Ferdinando Gorges should be sequestered and deposited in my Lord Chancellor's hands (as undelivered) according to his Majesty's expressed commandment. And that this Company should, notwithstanding, go on without loss of time upon the privilege of their former grants, whereby it was conceived they had liberty to fish upon the seas now debarred.

"At the rising of the court, Mr. Smith acquainted his Lordship and the rest of the Council present that it was the humble suit of the generality unto them that they would please to enter into consultation and advise about such further privileges and immunities as were fitting to be moved at this next Parliament. And that it might redound as well to the honour of this noble Society as the future advancement of the plantation in general, whereof they had now cause sufficient to conceive the greater hope to speed the better, in respect his Majesty began of late to fix his gracious eye upon, as being ready upon all occasions to afford them his royal favour and protection.

"December 13th, 1620. My Lord of Southampton being absent upon important business, Sir Edwin Sandys signified that they had received a certificate of the safe arrival of all the ships sent the last spring, as namely: the Francis and Bona Venture with all their people, the London Merchant with all hers, the Duty with all save one, and so likewise the Swan, of Barnstable, but the Jonathan, in her tedious passage, of two hundred had lost sixteen, so that by this last supply they had landed in Virginia in all near the number of eight hundred persons, for which great blessing (with the loss of so few) he rendered unto the Almighty all possible thanks.

"Mr. Dr. Bohune having desired that he might be a physician-general for the Company, according to such conditions as were formerly set down by way of articles, unto which place they had allotted five hundred acres of land and twenty tenants, to be placed thereupon at the Company's charge. The court was pleased to accept of his humble suit for that place and employment, and therefore ordered that he should have ten men provided forthwith to go now with him, and ten more should be sent in this next spring, which should be transported at the Company's charge and furnished as other of the tenants be, provided that twenty tenants being there established and made good for one

Digitized by Google

whole year after their landing, the said Dr. Bohune do after, if any of them die, covenant to supply and maintain from time to time upon the said land, and at his decease or otherwise surrender of the said place, have the like number of men and stock of cattle as are by order of the court to the said office allowed and appointed; and as for other particulars touching his contract with the Company, the court hath referred him to the committees who are desired to treat and conclude with him about the same.

"Mr. Deputy signified that he had received good store of silk-worms' seed both out of France, Italy and Spain, and doubted not of much more very shortly, so that their greatest want was of men skilful in the ordering of them, whereof they had some hope e'er long to procure some out of France by the help of Mr. Chamberlain, a man very careful in that business. In the meantime, he acquainted the court with one that Mr. Darnelly had procured for them, being the servant of Mr. Jasper Stallenge, who had these five years together been brought up in tending of the king's silk-worms under his said master, whereby he was become very skilful in breeding of the worms and in winding of their silk, and was also a good gardner, and that his said master was very willing that he should go to Virginia to be employed in the service of the Company for three years (which time he had yet to serve of his apprenticeship), upon condition that the Company would please, in consideration of his said time, to give his said master £20, which after the court thought very reasonable, and being put to the question was generally assented unto, provided that in those three years he would undertake to instruct others that should learn of him sufficiently in the premises.

"He further signified that the first part of the French book, concerning the making of fit rooms for keeping silk-worms and the manner of planting mulberry trees to feed them, was now almost finished, as likewise the valuation of the several commodities to be had in Virginia, ordered heretofore to be affixed unto the said book, would, in a few days, be together ready to be printed.

"It was moved, that for the better encouragement of such old planters as had exceeded others in the building of fit houses for silk-worms, and in planting mulberry trees and vines according to a former direction in that behalf, might have the advantage before others in the first and best choice of such apprentices as

Digitized by Google

should shortly be sent unto, the rather to stir up others hereby to contend for the like favour and reward hereafter, and for recompence of the great charge the Company here shall be at to furnish the said apprentices well indeed, and for sending them over to the planters. It was likewise moved that their masters might be injoined to repay them again within one year (no whit in tobacco), but in a good quantity of corn, silk, silk-grass and other such commodities, and that at the same rates as was particularly set down unto them in a book containing their several valuations. And that signification hereof might be had in the Councils' letters to the Governor, which farther continuation of a charter intended to be passed at the next quarter-court to that effect, which propositions the court did generally agree unto, and ordered for performance of the same accordingly.

"Sir Edwin Sandys moved, that whereas the bringing over of sassafras in so great abundance had brought the price thereof to so low a rate as it was now worth little or nothing; for remedy whereof, if the court so thought fit, they would make an offer to the Company in Virginia to compound with them for the same, which being brought over in a less quantity and all into one warehouse might be araised to a better value, whereof the benefit should be duly answered to them again in ordinance, powder, shot and other such munition for their better strength and safety, and that they would signify so much in the Council's letter to the Governor; which motion was well approved of, and thereupon it was ordered that it might be effected accordingly.

"It was likewise moved that some might be appointed to draw the said Council's letter unto the Governor, which was to go with the ship now bound to Virginia. Whereupon the court entreated Sir Edwin Sandys to take some pains therein, as he had often formerly done in the like kind; at which request he was pleased to undertake the dispatch thereof.

"Captain Roger Smith, being desirous to go this present voyage to Virginia, moved that he might have the charge of some of those people now sent to be the Company's tenants; and further, that the Company would be pleased to bestow upon him some means to make him the better fit for the said voyage. Forasmuch, therefore, as the said Captain Smith was recommended to be a gentleman very fitting for that employment, and in regard of his good experience already (having been heretofore in Vir-

Digitized by Google

ginia about some three years) might thereby do the Company great service, the court was pleased for his better encouragement to give him £30 freely to furnish him with necessaries, and ordered that he should have the command of fifty persons now transported to be tenants upon the Company's land.

"Captain Maddison having been heretofore twelve years together in Virginia, and there employed by Sir Thomas Dale (the Governor), in discovering the said country and several rivers therein, did now petition that he might return to the colony and proceed in a further discovery of commodious places for habitation within the land, the court hereupon ordered that he should be treated with by the committees, both for the manner of his discovery as also to make it to appear what the charge thereof will be unto the Company.

"A motion being made on the behalf of Captain Somers for confirming unto him such land as was due unto his uncle, Sir George Somers, for his adventure, which appeared by accounts to be £470; and whereas, further also, there was demanded a proportion of land for the personal adventure of the said George Somers, and in requital of his other good service; to the first request the court made answer that it would not be denied him, but for the other it was not in the power of any other but a quarter-court to give any proportion of land upon merit.

"In a proposative court, held the 29th of January, 1620–21, my Lord of Southampton signified unto this court that forasmuch as Sir George Yeardley's commission of Governorship would e'er long be expired, being to continue but till November next, it was therefore expedient now at this quarter-court (in respect of the shortness of the time) either to confirm Sir George Yeardley again in his said office by a new election, or to proceed to the choice of some other fit person of quality to succeed him, who might be prepared to go to Virginia by July next at the farthest, which latter course his Lordship did the rather incline to, because he had received advertisement of Sir George Yeardley's importuning desire to relinquish his said office at the expiration of his said commission, in regard he had so long a time together (now almost three years) attended wholly upon the public service.

"His Lordship, therefore, proposed unto the Company a gentleman recommended unto him for his many good parts (namely,

Digitized by Google

Sir Francis Wyatt[67]), who was well reputed of both in respect of his parentage, good education, integrity of life and fair fortune (being his father's eldest son), as also for his sufficiency otherwise, being deemed every way, without exception, fitting for this place, who was likewise desirous to take this charge upon him if the Company would please to accept of this willingness to do

---

[67] Sir Francis Wyat, or Wyatt—great grandson of Sir Thomas Wyat (beheaded 4th April, 1554), by his wife Jane, daughter of Sir William Hawte; grandson of Sir Thomas Wyat, Knight of Allington Castle, Boxley, Kent, by his wife Elizabeth, daughter of Thomas Brooke (Lord Cobham); and son of Sir George Wyat, by his wife ———, daughter of Sir Thomas Finch, of Eastwell, Knight, by his wife Katharine, daughter of Sir Thomas Moyle—was knighted at Windsor 7th July, 1618, and arrived in the colony in October, 1621, with an appointment to relieve Sir George Yeardley (whose term expired 18th November). He was accompanied by his brother, Rev. Hawte Wyat (who served as minister at Jamestown; returning to England, was inducted to the living of Boxley 3d October, 1632, and rector of Merston county, Kent; died 31st July, 1638; married twice, first, Elizabeth ———, died 31st October, 1626; second, Anne ———, died February, 1631; had sons who settled in Virginia, where their descendants still are), Dr. John Pott, afterwards Governor of the colony; William Claiborne, subsequently prominent and designated in history as "the rebel," as surveyor, and George Sandys, Treasurer of the colony. The death of his father, Sir George Wyatt, in 1626, calling Sir Francis to Ireland to attend to his private affairs, he was succeeded as Governor by Sir George Yeardley. He was reappointed Governor in November, 1639, and was relieved by Sir William Berkeley in February, 1642; died and was buried in the family vault in Boxley Abbey 24th August, 1644. He married Margaret, daughter of Sir Samuel Sandys, Knight, of Warwickshire, and sister of Sir Edwin and of George Sandys, and had issue: i, Henry, received grant of fifty acres of land in Virginia December 16, 1641; ii, Francis, King's College, Cambridge, 1639; Inner Temple, 1641; iii, Edwin, whose epitaph is at Boxley, Kent: "Sergeant at Law and J. P. of the county, Recorder of Canterbury, Recorder and Burgess in Parliament for Maidstone"; married Frances, daughter of Thomas Crispe, of Knox, in Thanet, England, and had issue: i, Thomas; ii, Edwin; iii, Francis; iv, Richard; v, Margarette, and other daughters. Buried in the chancel. Henry, son of George Wyatt, of Middle Plantation, deceased, conveyed, 26th January, 1671, to John Page 50 acres at the Middle Plantation. Edward Wyatt and his wife, Jane, conveyed land at Middle Plantation to George Poindexter, 16th January, 1667. Anthony Wyatt, of the parish of Jordan's, died before 1686, was Burgess from Charles City county, Virginia, 1645, 1655, 1656. Nicholas Wyatt, his son and heir, patented

Digitized by Google

them service. Notwithstanding, his Lordship prayed the Company not to neglect the nomination of some other if they could think of any one or more sufficient persons of quality that would willingly undergo this weighty burden of government, who might, together with this gentlemen aforenamed, stand for the election at the next quarter-court.

"A general quarter-court was held the 31st of January, 1620–21, at which were present the Right Honourable—

Earl of Southampton,	Earl of Devonshire,
Earl of Dorset,	Lord Paget,
Sir Thomas Finch,[68]	Sir Samuel Sandys,
Sir Robert Philips,	Sir Edwin Sandys,

in 1686, all his plantation on the south side of James river called Chaplin's Choice (so named from Isaac Chaplin, member of the Council), in Charles City county, but now in Prince George county, which his father had purchased long before. William Wyatt patented lands in Gloucester county in 1653; Major William in Gloucester and New Kent counties in 1663–1664; William, Jr., in New Kent in 1670, adjoining the lands of Major William Wyatt, Sr. In 1655 Major William Wyatt was a witness to a deed from the Indian King of Chiskoyoke to "Mr. Edward Wyatt, Gentleman," which was patented in Gloucester county in 1662. In 1653 Major William Wyatt, of Gloucester county, deeded lands to his wife, Anna, and his daughter, Anna Jackson. Thomas Wyatt patented in 1643, 2,000 acres on the "south side of Rappahannock river, 20 miles up" Richard Wyatt patented 500 acres in Mobjack Bay in 1642. George Wyatt, "of Virginia Loop," patented lands in York county in 1642. Ralph Wyatt was living in Virginia before 1636. Henry Wyatt (born 1647) was living with his wife, Alice, in New Kent county in 1686. There are descendants in England of George, brother of Governor Francis Wyatt. In the records of York county, Virginia, of date 9th April, 1653, appears a deed from Mrs. Hannah Clarke, of Queen's Creek, to Dr. Jeremiah Harrison, of Queen's Creek, Gentleman, for 300 acres of land on Queen's Creek, patented by Stephen Gill 26th September, 1636; sold by him to Robert Booth 6th November, 1637, and sold by the last to John Brock 6th December, 1638, and sold by said Brock to Thomas Gerard, Gentleman, 26th October, 1648, and sold by Gerard 22d July, 1650, to Sir Dudley Wyatt, Knight, deceased, and left by him by will dated 26th March, 1650–'1 and recorded in the Secretary's office, James City, 25th April, 1651, to Mrs. Clarke. Mrs. Clarke was probably the daughter of Sir Dudley Wyatt, and Mr. Wyatt, elsewhere mentioned in connection with his estate, his son.

[68] Henry Finch, probably a relative, was a member of the Council in Virginia in 1630.

Digitized by Google

Sir John Dauers,
Sir Henry Mannering,
Sir Edward Lawley,
Sir Nicholas Tufton,
Sir William Twisden,
Mr. Gibbs,
Dr. Gulstone,
Mr. Deputy,
Mr. Bromfield,
Mr. Wrothby,
Mr. George Sandys,
Mr. Robert Smith,
Mr. Lynsey,
Mr. Palavicnie,
Mr. Whitley,
Mr. Berblock,
Mr. Casewell,
Mr. Keightley,
Mr. Jermyn,
Mr. Steward,
Mr. Sheppard,
Mr. Cranmer,
Mr. Scott,
Sir Philip Carey,
Sir Walter Earl,
Sir Francis Wyat,
Sir Francis Waynman,
Mr. John Wroth,
Mr. Nich. Ferrar,
Mr. Rugles,
Mr. Darnelly,
Mr. Bland,
Mr. Swinhoe,
Mr. Chamberlyn,
Mr. Bull,
Mr. Cartwright,
Mr. Edwards,
Mr. Chamberlyn,
Mr. Mellinge,
Mr. Steward,
Mr. Bernard,
Mr. Lawrence,
Mr. Lover,
Mr. Widdows,
Mr. Covel,
with divers others.

"My Lord of Southampton signified unto the Company that he had been mindful of their former requests, and for that cause had that morning been with my Lord of Doncaster, to know his Majesty's answer concerning their letter, which his Lordship had formerly presented to his Majesty, who reported that, having the same day moved the King to that purpose, it pleased his Majesty to say (having read that letter) that he found nothing therein which might not in reason be granted, and therefore they should find him ready to do this Company all the favour and right they justly could desire; and touching their request to renew their patent, his Majesty was likewise pleased they should go to the drawing up of their book, being confident they would be careful to insert nothing therein that might be prejudicial either to his power or profit; for which cause his pleasure was that after they had finished the same, his learned Council might peruse it, which afterwards, according to their own desire, might also be confirmed by act of Parliament, for which most gracious and princely

Digitized by Google

favour extended towards them, the court, with exceeding great joy and comfort, did generally testify their bounden thankfulness unto his Majesty, as likewise unto his Lordship and to that other noble Lord, who had together taken so great pains and care in a business of so great importance and consequence unto them all.

"Sir Edwin Sandys signified that my Lord of Southampton, being one of the greatest and most ancient adventurers of this Company, having now a desire, with the help and assistance of his friends, to undertake and advance a particular plantation in Virginia to the number of three hundred shares, moved that a patent might be granted to his Lordship, and order taken for some preparation in the mean time to be there made for the better encouragement of the adventurers, and setting forward of so noble a design; which motion the court generally condescended unto, as being willing to give his Lordship all the help and furtherance they could in an action so full of honour, and which by example might draw on others with like resolution to advance more particular plantations in Virginia, and thereby in short time replenish that country with good multitudes of people.

"Other businesses having been ordered and the court now full, my Lord of Southampton moved that if the Company so pleased they would now go to the election of their new Governor of Virginia, who was to succeed Sir George Yeardley after the expiration of his said commission (which is to determine in November next), Sir George Yeardley having then a desire also to release and disburden himself of the said place of government. The court, therefore, proceeded, having agreed to a present election. My Lord prayed the Company that if, according to his former admonition, they had bethought themselves of any person of quality fitting for so eminent a place, that would be willing to undertake the managing thereof, that they would now please to nominate the man, who might be put to the ballotting-box, together with Sir Francis Wyat, who was formerly proposed and recommended to them.

"But no other person being so much as named, and for that this gentleman, Sir Francis Wyat, was both recommended and so well known to be every way sufficient to take this charge upon him, he was in this great and general quarter-court, with the whole consent and approbation of the same (save two only, whose balls were found in the negative box), chosen to be the successive

Digitized by Google

Governor of Virginia after Sir George Yeardley, which place Sir Francis Wyatt having, with much thankfulness, accepted of and with a free acknowledgment of his affection and resolution constantly bent to do the Company the best service. It was likewise moved that for his better encouragement therein, the court would be pleased to bestow another favour upon him by admitting him one of his Majesty's Council here for Virginia, which motion was thought very reasonable and generally assented unto, as being willing in point of honour to enable and encourage him the better to undertake the said place of government upon him.

"At an extraordinary court held the 22d of February, 1620–21, Sir Edwin Sandys signified unto the Company that my Lord of Southampton, by reason of this busy time of Parliament, could not be spared to be here at this present meeting, and therefore desired to be excused. He farther acquainted them that the occasion of their being assembled this day was to let them know how careful he had been in the drawing up of their new patent, now presented to be read unto them, wherein he reported what extraordinary pains he had taken, as well to amend in this new draught the deserts he had noted in all the former patents ; also, to supply out of them and other precedents of like nature what he in his own experience and judgment had observed to be necessary for them ; as also he had not omitted to insert therein such necessary cautions as would hereafter secure and save them harmless against any proclamation or patent that might (as heretofore) be procured to their prejudice, the same being once passed under the seal and confirmed by act of Parliament; but before the reading of this new patent, he desired to acquaint them with some alterations he had made differing from the former patents, especially in two points, namely : in the head and in the body thereof. First, in the head, that whereas in the former patents their chief officers were called treasurers, he had in this given him a more eminent title, by styling him their Governor, because the name treasurer seemed to imply an inferior officer and one that was to be an accountant.

"And because the northern colony adventurers had to their territories given the name of New England, he thought fit that theirs did still retain the name of Virginia, for by this means all Virginia should be theirs. In the body of this patent, as namely,

Digitized by Google

in their new incorporation, he said he had likewise differed from the former in two points: first, in the material part thereof, by abridging the same and restraining it only to such adventurers and planters as have at least one share of two hundred acres in Virginia, etc. In the formal part thereof, as well to avoid the infinity of names by reason of the multitude of adventurers (increasing still more and more) as for that many were already named in a former patent, he therefore thought good in this only to name the Lords of the higher house of Parliament, and add thereunto these words, comprehending in effect all the rest, vizt: together with all other adventurers and planters in Virginia, etc. Some other part of the said patent, which in the reading he would notify unto them, desiring their attentions to the reading thereof, and to give their best advice about the same.

"Before the patent was read through, because the afternoon was far spent, it was, upon a motion, ordered and agreed that the court should continue till all businesses were ended.

"It was also moved by some of the Sumer Island Company, that the court would please to think of some course that might be forthwith taken in hand, either by petitioning to his Majesty or to the House of Parliament, to declare thereby the great hindrance and loss that both the plantations had sustained by the late proclamation and the grant of the sole importation of tobacco to certain patentees, as likewise, under colour thereof, of their injurious proceedings against both the Companies, in that they have not only stinted them to too scant a proportion, but have also restrained them from selling their tobacco lately brought from the Somer Islands without their seal and allowance first had, for which they were to pay for garbling the same after the rate of four pence p'r pound.

"The court, therefore, generally agreed to prefer a petition in the name of the Company of Virginia, being also members of the Somer Islands, to the lower House of Parliament, and therein to complain of the former grievances tending to the utter destruction and overthrow of both the plantations, whereof they doubted not but they should find the like redress as of many other monopolies of like nature which the lower House had called into question, and by his Majesty's gracious permission intended utterly to extinguish.

"It was therefore ordered that a committee should be appointed

Digitized by Google

for drawing the said petition, and for this purpose nominated Sir Francis Wyat, Mr. George Sandys and Mr. Deputy Ferrar, who are desired to take some pains therein, and to make it in substance agreeable to that which Sir Edwin Sandys had delivered unto them.

"The patent being read and put to the question to know whether they would have it so to pass, or desired anything to be added thereunto, it was generally well approved of, and thought to be drawn fully and exactly, for which the Company gave unto Sir Edwin Sandys many deserved thanks for his great pains taken therein.

"Whereupon, Mr. Wrote took occasion to pray the court to take into consideration such suits as depend between the Company and any other person, being heretofore commenced in the name of the Treasurer and Company (which by this new patent was hereafter to be called the Governor and Company), were not so concluded, as they must of necessity be inforced to begin their suits of new. Whereunto answer was made that this change of title would be no prejucice at all to any such suits, considering the former patents should not be surrendered, but remain still in force.

"Sir Edwin Sandys having moved that some might be appointed to solicit the dispatch of this new patent under seal, and to procure the King's warrant to Mr. Solicitor to make the same ready for his Majesty's signature, it was desired that the Lords might be entreated, on the behalf of the Company, to take that pains to procure the said warrant, and to hasten the dispatch thereof with some expedition.

"Captain Bargrave having presented a treatise which he had made concerning the government of Virginia, moved that a committee might be appointed to peruse the same. Whereupon the court nominated Sir Edward Sackvil, Sir Francis Wyat, Mr. Gibbs, Mr. Wrote, Mr. Deputy, Mr. George Sandys, Captain Masters, Captain Bingham, Mr. Nicholas Ferrar and Mr. Rugles,[68]

[68] George Ruggle, born in Lavenham, Suffolk, November 13, 1575; received the degree of A. M. from Cambridge in 1597, and entered into holy orders; in 1598 he was a Fellow of Clare Hall. After Nicholas Ferrar was elected Deputy of the Virginia Company, Ruggle vacated his fellowship and became an assistant in the affairs of the Company. He died in November, 1622. In his will dated 6th September, 1621, he

Digitized by Google

who are desired to meet upon Monday, the 26th of this present month, to consider thereof and to certify at the next court their opinion touching the same.

"April the 12th, 1621. Sir Edwin Sandys being desired to make report what has been done touching the new patent, signified unto the Company that, whereas the Lord Viscount Doncaster had formerly presented a letter from the Council to the King wherein, among other things, they did humbly entreat his Majesty's most gracious favour to renew their patent, and the same might be also confirmed by act of Parliament, the better to strengthen the plantation in general by engaging of the whole State in the interest and support of the action. It pleased his Majesty to signify his gracious pleasure by my Lord of Doncaster to Mr. Attorney General for drawing up of the same. To which end he said that he and Mr. Herbert and Mr. Deputy had attended Mr. Attorney about the same time, presenting him the draught which had formerly been read here in court; and having acquainted him with the order he had used throughout the said book, by reducing it into three heads, vizt.: The first containing such immunities as had been granted in their former patents, the second some additions as they had taken out of the Somer Islands patent, the third such new clauses as time and experience had taught to be necessary for them; whereunto he added likewise a fourth, which was the amplifying and enlarging some necessary points as were in general words employed in their former grants.

"In reading whereof Mr. Attorney well observed, that their new incorporation differing in name from the old (the Treasurer being in this called by the name of Governor) was not warrantable in law in that manner as they had drawn it without surrender of the former patents, for that it did thereby imply two distinct corporations; but this point Mr. Attorney undertook to

---

left £100 "towards the bringing up of the infidel's children in Virginia in Christian religion." He was the author of "Ignoramus," a comedy in which the pedantry of the common law forms, and obsolete phraseology of the lawyers were ridiculed. It was twice played before King James, at the University by the students, and he was so pleased with the farce that he said "he believed the author and the acts together had a design to make him laugh himself to death."—*Neill's Virginia Vetusta*, pages 180–1.

Digitized by Google

amend by altering the form and framing it another way; but as for such new clauses and additions which they had made, Mr. Attorney desired he might have a special warrant from his Majesty to that effect; to which purpose Sir Edwin Sandys said there was now a petition drawn to be exhibited to his Majesty for procuring a reference to such of his Highness's most honourable privy council as it should please his Majesty to assign, to take consideration of those new clauses which they desire to be inserted in their patent, which petition my Lord of Doncaster, out of a noble desire to further all occasions tending to the good of the plantation, was pleased to undertake to present unto his Majesty, and to solicit for answer touching their request.

"Sir Edwin Sandys moved that in regard Mr. Edward Bennet, a citizen, had so well deserved of this Company by a treatise which he made touching the inconveniency that the importation of tobacco out of Spain had brought into this land, and by his often attendance upon the committees of the lower House of Commons about the same (who were well inclined to afford their best assistance for prohibiting the bringing in of Spanish tobacco), that therefore he might have the favour to be admitted a free member of the Company, which motion was thought very reasonable, and being put to the question, was generally assented unto and confirmed by erection of hands.

"Whereas, Captain William Newce, out of a generous disposition and desire to advance the general plantation in Virginia (being induced hereunto by reason of a good success he had in Ireland upon the like worthy action), hath freely offered to the Company to transport at his own costs and charges one thousand persons in Virginia betwixt this and midsummer, 1625, to be there planted and employed upon a particular plantation, and intendeth to go over himself in person, the better to direct and govern his own people, over whom he prays he may be appointed their general, and to that end desireth a patent, with that proportion of land, and with such large and ample privileges besides, as are usually granted to others in like kind; and farther, as well in consideration of the chargeableness of the enterprize he undertakes, as also for his better encouragement thereunto, he desireth the court would be pleased to grant him the place of marshall in Virginia, which office he affecteth, the rather because he hath ever been exercised in military affairs and arms, as may

Digitized by Google

appear by his many worthy services performed in Ireland, well known to divers honourable persons of this kingdom, who have testified the same upon their own knowledge, to his exceeding great commendation; and desires likewise that he may be allowed fifty men, to be placed as tenants upon the lands to be allotted unto the said office, which he undertakes to transport and furnish with apparel and necessary implements for £8 the person charge unto the Company (whereof the moiety he desired present payment), which persons, being there arrived, he will maintain and uphold at his own charge from time to time during his continuance in the said office. The court having, therefore, duly considered of his propositions (touching which the Council had also treated with him formerly), were pleased to give order that a patent should be drawn for him, as ample as any other with all manner of privileges, saving the title of general, which they could not grant him, because it was a title properly belonging to the Governor only.

"And forasmuch as Captain Newce has given so large a testimony of his experience and skill in militia discipline, wherein he hath been exercised and employed a long time upon many services in Ireland, as also in matters of fortification and other warlike employments no whit inferior to any (as hath been also testified), and for that he hath also promised to employ his best endeavours and service to the good of that plantation (which is like to prove a matter of great consequence unto it), in consideration whereof, although there be no present necessity or use of such an officer in Virginia (in regard of the perpetual league lately made between the Governor and the Indian King), yet to gratify his worthy undertaking the Company are pleased to grant him the said place of marshall, with fifty men to be his tenants. And if the state of their cash (which the adventurers are now desired to examine) will permit, they will pay him in hand one moiety of the money that he desires, and the other moiety upon certificate from the Governor of his arrival in Virginia. As for the other conditions of the contract to be made between the Company and him, it is agreed and ordered that the general committees, assisted with some of the Council hereafter named, shall further treat and conclude with him about the same touching all particularities whatsoever.

"Sir Edwin Sandys signified that there was one unknown to

Digitized by Google

him (by face) who was now in hand with an excellent treatise, consisting of these five special heads: defense, plenty, health, trade and manners—all tending to the reformation of the colony in Virginia and the future advancement of the general plantation—moved, therefore, that the court would be pleased to make request that the said treatise might be perfected against the next meeting. Whereupon, the court entreated the same might be ready against that time.

"It was likewise that forasmuch as there hath hitherto been observed so great neglect and remissness in the Governors of Virginia, from time to time, to the infinite prejudice of that plantation, in that they have not duly performed those directions which have from hence been commended to their care and execution, whereby little or nothing hath been effected answerable to the great care and charge the Company hath been at for planting good and staple commodities in that country, to the great scandal of the government there, and no less discouragement of the adventurers here, that for reformation thereof such an officer may be chosen to be sent thither who might, in the quality of a Treasurer, not only to take into his particular charge the rents and duties of what kind soever belonging to the Company here (there being at this instant above £1,000 due unto them), but also take into his special regard and care (as principally recommended to his peculiar charge only, and for which a good account will be expected,) to see those directions and commandments which he shall receive from hence duly and faithfully executed from time to time, or otherwise to render a sufficient reason to the contrary, whereby the Company hereafter may be better satisfied and informed in the proceeds of their business and affairs in Virginia; which motion the court greatly applauding, as that which carried with it the greatest consequence, and being desirous that such an important officer might be forthwith thought upon.

"It pleased my Lord of Southampton to propose a gentleman well known unto them all as a man very fit to take that charge upon him, namely, Mr. George Sandys, who, indeed, was generally so well reputed of for his approved fidelity, sufficiency and integrity as they conceived a fitter man could not be chosen for that place, and thereupon agreed to his election, referring him to the former committees to be further treated and concluded with concerning the same.

Digitized by Google

"Hereupon, and upon declaration of the state of the new patent made by Sir Edwin Sandys, Mr. Smith took occasion, first to protest that his eye, in that he had to speak, reflected not either upon the person of the now Governor in Virginia, or upon the new Governor here in court, or upon any other in particular, but for the general honour and welfare of the plantation, was to entreat of my Lord of Southampton and the Council, that in the said patent (if no such addition of power were therein inserted) authority might be given to the quarter-courts to question the Governor of Virginia here in England, if the ill-merit of his government should so deserve, and to punish him by fine or otherwise. For he could not but declare that not *publicam*, but *privatum commodum* did seem to be their ends of effecting that place; for his private letters (whereof he had at times received above forty) did, as he thought, truly inform that no directions or instructions (which with singular wisdom, diligence and care), had from time to time issued from the Treasurer and Council here, had been put by them in execution to the loss of many men's lives there, to the hindrance and scandal of the whole plantation, and to the disesteem and slighting of the persons of the Treasurer and Council here, and the authority of the whole court, which he only presumed to commend to their consideration.

"But hereunto answer was made that it was the opinion of Mr. Attorney General, upon a smaller matter in their new patent than this was (namely, the punishment of labourers, artificers and such like offenders), that he feared it would have much ado to pass with such a clause the House of Parliament. And, besides, they had already power in their said patent to displace the Governor upon just occasions, which was conceived to be as much as would be granted unto them by act of Parliament touching that point.

"Mr. Smith[70] likewise moved, that forasmuch as the lotteries were now suspended, which hitherto had continued the real and substantial food by which Virginia hath been nourished, that instead thereof, she might be now preserved by divulging fame and good report, as she and her worthy undertakers did well deserve, declaring that it could not but much advance the plantation in the popular opinion of the common subjects to have a fair and

[70] Captain John Smith.

Digitized by Google

perspicuous history compiled of that country, from her first discovery to this day; and to have the memory and fame of many of her worthies, though they be dead, to live and be transmitted to all posterities, as namely, Sir Thomas Dale, Sir George Somers,[n] Sir Walter Raileigh, the Lord Delaware,[n] Sir Thomas Gates,

---

[n] Sir George Somers, Knight, one of the original patentees for colonizing Virginia, was born at Lyme Regis in 1554, and in 1604 was knighted as of Boxholm. He was a naval officer of experience and honorable service. When he came to Virginia, in 1609, he was a member of Parliament. Appointed Admiral of Virginia; died at Bermuda, whither he had gone for provisions for the colony, November 9th, 1610.

[n] Sir Thomas West, third Lord De La Warr (or Delaware as the name now obtains), member of the King's Privy Council, the first resident Governor-in-Chief of the colony, was born about the year 1579. His relatives and family connections, who were closely allied with royalty, were among the most active and influential agents of American colonization. The Virginia colony being in a languishing condition, the London Company obtained, 23d May, 1609, a second charter, with enlarged privileges and territory, and under it Lord De La Warr received the appointment of "Governor and Captain-General of Virginia" for life. He is contemporaneously characterized as "one of approved courage, temper and experience," and as being "religious, wise, and of a valorous mind." The newly organized Company embraced an imposing representation of rank, wealth and influence, and to the "example, constancy, and resolution" of Lord De La Warr is ascribed the revival of "that which was almost lifeless." De La Warr arrived at Jamestown 10th June, 1610, and immediately instituted vigorous measures for the recuperation of the drooping settlement. The church at Jamestown was repaired and religious services regularly held; two forts were built on the Southampton river and called after the King's sons, Henry and Charles, respectively. The administration of Lord De La Warr though ludicrously ostentatious for so insignificant a dominion, was yet highly wholesome, and under his judicious discipline the settlement was restored to order and contentment. His health failing, Lord De La Warr sailed 28th March, 1611, for the Island of Mevis, for the benefit of the warm baths, leaving the colony in the charge of Captain George Percy. His health improving somewhat, he desired to return to his government in Virginia, but was overruled by medical advice, and sailed for England instead. His generous exertions for the welfare of the colony, here continued, were most assiduous, and were largely instrumental in the frequent procurement for it of new supplies, and in securing a third and yet more advantageous charter for the Company, which was granted by the King 12th March, 1611-12. Lord De La Warr set sail from Eng-

Digitized by Google

and divers others, whereunto, were it not for suspicion of flattery, he would wish also the names of many others of her worthies yet living, and some of them now present in court, might have also their good and honourable deservings commended to eternal thankfulness, for that our inabilities had as yet no truer coin to recompense their pains and merits, affirming also that the best now planted parts of America under the Spanish government, nor their annals or histories of those times, in their like ages of ours, now twelve years old, Virginia afforded better matter of relation than Virginia hath done and doth, with what effect such a history (deduced to the life to this year) would work throughout the whole kingdom with the general and common subject, may be gathered by the little pamphlets or declarations lately printed; and besides few succeeding years would soon consume the lives of many whose living memories yet retained much, and devoured those letters and intelligences which yet remain in loose

---

land to return to Virginia some time in March or April, 1618, but unfortunately died in or near Delaware Bay on the 7th of June following, sealing his devotion to the colony with his life, after having dissipated his fortune in the advancement of its interest. He married Cicely, daughter of Sir Thomas Shirley. A copy of his portrait, at Buckhurst Park, county Sussex, England, the seat of the present Earl De La Warr, is in the State Library at Richmond. Lord De La Warr prepared a "Relation" of the planting of his colony in Virginia, which was published at London in 1611. It was reprinted (50 copies) in 1859, and again by R W. Griswold (20 copies) in 1868. A letter from Lord De La Warr, 7th July, 1610, from the Harleian MSS. is printed in the Hakluyt Society's edition of Strachey, page xxiii. Hon. L. S Sackville West, a younger brother of the present Earl is now British Minister to the United States. Three brothers of Lord De La Warr were identified with Virginia; Captain Francis West, acting Governor of the colony from 14th November, 1627, until 5th March, 1629, when he went to England; returning to Virginia he was a member of the Council in 1633, and by tradition was subsequently drowned. John West, another brother, was Muster Master General of the colony, and acting Governor from 28th April, 1635, to 2d April, 1636. In March, 1659-60, the House of Burgesses passed an act acknowledging "the many important favors and services rendered to the country of Virginia by the noble family of West, predecessors of Mr. John West, their now only survivor." He is the ancestor of the several families in Virginia claiming descent from the Earls De La Warr. A third brother of Lord De La Warr, Nathaniel West, served as a member of the Council.

Digitized by Google

and neglected papers, for which boldness in moving thereof he prayed his Lordship's pardon, led thereunto by the request of some of his fellows of the generality, which worthy speech had of the whole court a very great applause as spoken freely to a special purpose, and therefore thought fit to be considered of and put in practice in his due time. And for which also Mr. Smith (as preferring always motions of special consequence) was exceedingly commended.

"In a preparative court the 30th of April, 1621, it was thought fit the Governor should commence his voyage the first of July, and the men be taken in at the Isle of Wight.

"Mr. Deputy signified, that according to the directions of the former committees, they had made enquiry, and had already found out a very good ship, called the George, very fitting for their purpose, which Mr. Wiseman offered upon these conditions following, vizt: that she should carry no more than eighty men, and them at £6 a man, after which rate he desires to have the whole payment in hand; he demands, likewise, for each ton of goods, £3, and to carry no more than may be conveniently stowed in the hold, without pestering the decks; he hath promised likewise to every two passengers, one chest, freight free; and further, for his freight homewards he will take it as it falls out, and offereth to bind himself to bring the Company's tobacco at 3d. per pound, or otherwise to leave it at their pleasure for the price, and whether they will accept to have it brought in his ship or no, which Mr. Ewens also agreed unto, offering to carry their tobacco as good, cheap as another, and otherwise they did not desire it.

"Which propositions the court thought very reasonable, and therefore recommended it to the quarter court, and, withal, enjoined the said Mr. Ewens to have his ship in readiness by the first of July next, either at the Isle of Wight or where the committees shall appoint, whom he is required to attend for that purpose.

"Sir John Dauers delivered (and referred it to the consideration of the court), a motion that fell out to be made after the treaty of the committees concerning the former officers was concluded, which was, that in regard of the usual constitution of men and lands to belong to every chief officer's place, and some reason and experience had found that the officers' tenants were

Digitized by Google

chiefly regarded, and the Company's tenants the more neglected; it, therefore, might be fitting to cast and allot all the Governor's and other officers' tenants into the number of the public, and out of the whole profit belonging to the Company, and the said Governor and other officers should have their parts proportionable to the number of tenants appointed unto them. By which means there would be a more general care for the advancing public affairs, and profit of the general Company, since all the officers' interest and commodity was therein employed; which motion, being conceived an innovation, and to overthrow things already established, was (as the case now stood) thought more likely to introduce a conceit in the people, of inconstancy of their government, and consequently, a discontent, than such a due reformation as might be hoped. Nevertheless, it was worthy consideration whether the Treasurer's place, and others hereafter to be established, might not very fittingly be referred to receive their proportionable maintenance from the profits of the public tenants, since it was very probable that these, so to be maintained, would employ their own care, and likewise, by their diligent watchfulness, induce the former established officers to bestow their pains more fully and diligently for the raising of the Company's profit, and not so much to intend their own particulars; which motion was thought fit to be considered of hereafter.

"At a great and general quarter-court held the second of May, 1621, there were present the Right Honourable—

Earl of Southampton,	Lord Cavendish,
Lord Paget,	Sir Thomas Roe,
Sir John Dauers,	Sir Nicholas Tufton,
Sir Henry Ranisford,	Sir Richard Worsly,
Sir Samuel Sandys,	Sir Edwin Sandys,
Sir Walter Earle,	Sir Francis Wyate,
Mr. Deputy Ferrar,	Mr. Foby Palavicnie,
Mr. George Sandys,	Mr. Thomas Gibbs,
Captain William Newce,	Captain Bargrave,
Mr. John Zouch,"	Mr. John Smith,

" Probably the son of Sir John Zouch, a friend of Governor Samuel Matthews, who visited the colony of Virginia in 1634, where he had a son and daughter. The Governor told the Council that he (Sir John) was "of the Puritan Sect"—*Neill's Virginia Carolorum*, page 118.

Digitized by Google

Dr. Winstone,
Mr. Oxenbridge,
Mr. Ranisford,
Captain Tucker,
Mr. Challoner,
Mr. Moone,
Mr. Sheppard,
Mr. Ewens,
Mr. Cartwright,
Mr. Scott,
Mr. Newland,
Mr. Chamberlain,
Mr. Tomkyns,
Mr. Rogers,
Mr. Wiseman,
Mr. Bennett,
Mr. Covell,
Mr. Lover,
Mr. Bland,
Mr. Casewell,
Dr. Anthony,
Mr. Kempe,
Mr. Edward Gibbs,
Mr. Robert Smith,
Mr. Porter,
Mr. Jefferson,[74]
Mr. Nicholas Ferrar,
Mr. Pennistone,
Mr. Wale,
Mr. Palmer,
Mr. Biddolph,
Mr. Boothby,
Mr. Jadwin,
Mr. Clarke,
Mr. Agres,
Captain Hamor,[75]
Mr. Paulson,
Mr. Bull,
Mr. Rugles,
Mr. Barblock,

---

[74] A John Jefferson came to Virginia in 1619 in the *Bona Nova*, and was the same year Burgess for Flowerdieu Hundred. In 1626, he had a patent of 250 acres at Archer's Hope. Thomas Jefferson, of Henrico county, married Mary, daughter of Wm. Branch, and died 1697, leaving issue: i, Captain Thomas,[2] J. P. of Henrico county, 1706; died 1731; married Mary, daughter of Major Field; ii, Martha,[2] married —— Wynne. Captain Thomas[2] Jefferson had issue: i, Field[3]; ii, Colonel Peter,[3] married Jane, daughter of Wm. Randolph, and of his issue was Thomas,[4] President of the United States; iii, Judith, married —— Farrar; iv, Mary, married Thomas Turpin; v, Martha.

[75] Captain Ralph Hamor, Jr., whose father of the same name, a merchant tailor, was a member of the Company. Hamor had been secretary of the colony, and after the marriage of Pocahontas and John Rolfe, visited Powhatan, to induce him to let Sir Thomas Dale take to his bed a younger daughter, scarce twelve years old. Hamor visited England in 1614, and in 1615 published in 4to "A True Discourse of the Present Estate of Virginia until 18th of June, 1614." He was long a member of the Council. In the "Muster" of 30th June, 1624, his name appears with that of his wife Elizabeth. In 1626 he appears as a patentee of 250 acres in Hog Island, and 500 acres at Blunt Point. His residence was in James Town.

Digitized by Google

Mr. Barkor,	Mr. Barbor,
Mr. Swinho,	Mr. Geo. Smith,
Mr. Mellinge,	Mr. Swayne,
Mr. Widdows,	Mr. Martin,
Mr. Pierce,	Mr. Peake, with divers others.

"Mr. Deputy signified that my Lord of Southampton could not be here at the beginning of this, reason of some special business this afternoon at Parliament. And therefore they might begin to order something in regard of many matters they had to dispatch. Whereupon, after the acts of the former courts were read, he began to remember them of those particulars that had been propounded in the preparative court, and referred to the confirmation of the greatest quarter-court.

"And first, that whereas it hath been taken into consideration how necessary and useful it is to establish two such officers in Virginia as a Treasurer and a Marshal, whereby the one might be accomptant here to the Company for such rents and duties as shall yearly accrue and grow due unto them (there being already £1,000 due in that kind) and especially take care to cause such directions as from hence shall proceed, touching the setting forward of good and staple commodities, be duly and exactly executed, from time to time, the neglect whereof hitherto has been an infinite prejudice unto the plantation: and the other officer, namely, the Marshal, might undertake the care and charge as well of the fortifications as of the arms and forces of the colony, and to settle it in that proportion of strength as it may be able to defend itself against all foreign ennemies.

"To which end, and that these officers might be maintained, care had been taken by the committees, assisted with some of the Council according to an order of court, and to state and endow the said offices with a convenient salary, which they had proportioned in manner following:

"First, unto the place of Treasurer they had allotted 1,500 acres of land, to be cultivated and manured by fifty persons to be placed thereupon in quality of tenants at halfs, to belong to the said office forever, whereof twenty five to be sent this present voyage, and as many more the year ensuing, which number of fifty persons the Treasurer is bound to maintain and leave to his successor. Moreover, towards the charge of necessary pro-

Digitized by Google

visions to be made for the said Treasurer, they had allowed (according to former precedents) £150 and the free transportation of his own family, not exceeding twenty persons.

"And unto the place of Marshal, in like manner they have thought fit to allow the like proportion of land and tenants to be appropriated to the said office forever; and forasmuch as Captain William Newce, now proposed for the place of Marshal, upon special recommendation of his sufficiency to perform the said office, hath undertaken to plant and furnish out with necessaries the said number of fifty persons, all within one year upon the said land, and them to maintain and leave to his successor; in consideration whereof the said committees have thought fit, the better to enable him thereunto, to allow him £200 in hand towards the charge of his present setting out, and other £200 upon certificate of his arrival in Virginia.

"Which several allowances, this court having duly considered, conceived to be very reasonable, and being put to the question did ratify and confirm; but for the manner of managing the said offices, it was thought fit to recommend that to the care and wisdom of the Council, to prescribe the same and to order and limit their proceedings by instructions.

"It was further signified that the said committees have likewise thought fit to allow the Governor no less than £200 for all necessary provisions to be made for this present voyage, with free transport of his own family (not exceeding twenty persons), which being now put to the question, was ratified and confirmed by a general erection of hands.

"Proceeding to the election of Marshal, for so much as Captain William Newce was only proposed to stand to the election and be put to the ballotting-box, was by the same chosen, with a general consent (save of three balls only found in the negative box), to be Marshall of Virginia.

"Mr. George Sandys, likewise being nominated for the place of Treasurer, and accordingly ballotted, was, with like consent (save of three balls only), chosen and confirmed to be Treasurer.

"It being moved that two such eminent officers as the Marshall and Treasurer, whereunto so worthy gentlemen are now elected, might be both admitted of his Majesty's Council here, and also of the council of state in Virginia, the court conceived it very fit, and ordered unto them both accordingly.

Digitized by Google

"Mr. Oulsworth also, upon Mr. Smith's recommendation of his worth and sufficiency, having been a justice of peace here in England for so many years, and of the quorum, was now chosen and confirmed to be of the council of state in Virginia.

"In regard of the extraordinary well deservings of Sir Edwin Sandys, and his continual constant endeavours, both before and in the time of his government and since, to uphold and advance the plantation by his industry, care and providence, the Company thought fit now, in his absence especially, to shew some testimony of their love and thankfulness, tho' noways able to gratify his pains in that complete manner as he had deserved, by bestowing twenty shares of land on him for the present till better means accrue that might enable the Company to be further thankful unto him; which twenty shares being put to the question were, by a general consent, ratified and confirmed.

"Forasmuch as it hath been observed that the alienating and selling shares of land at an undervalue, as commonly men do for forty or fifty shillings, did not only defraud the treasury of much money that would come upon an orderly purchase thereof from the Company, but did also slight and disesteem the free and honourable bounty of this court, and in a manner embase the Virginia soil, and, besides, not a little discourage such as had paid in their £12 10s, for every single share; for prevention whereof it was therefore moved that the court would please, in bestowing shares of land hereafter upon merit, to grant it with such limitations as no man may have liberty to sell or transfer his shares to any other for any consideration whatsoever unless the committee appointed for distribution of shares should be moved upon some special reasons to give way thereunto. Whereupon the court ordered that from this day forward all shares of land given by the Company shall be limited under the former caution, unless the said committee shall think fit to allow otherwise thereof.

"After auditors and committees had been chosen and other business done, it was moved that, seeing my Lord of Southampton was not yet come, they might notwithstanding proceed to the election of their new Treasurer for the year ensuing; which motion being agreed unto, and my Lord of Southampton only proposed for election, his Lordship was forthwith ballotted according to order and thereby chosen, with a full and general consent of the whole court (as appeared by the balls, there being not one

Digitized by Google

against it,) to continue and hold the said place of Treasurer for the ensuing year, whereof his Lordship being advertized at his coming, and of the humble and earnest request of the whole court to that purpose, was pleased to accept of their willing choice in very noble manner, excusing his remiss in coming to their courts the year past, as also the occasion of his long stay this day at Parliament, which the court did not only signify their readiness to dispense with, but rendered also to his Lordship the greatest thanks that possibly they could for his honourable care, pains and endeavours to uphold and advance the plantation ever since his happy entrance into this place of government.

"Sir Edwin Sandys signified unto the Company that whereas, to their great care and cost of £4,000, they had heretofore given directions for the setting up of certain iron-works in Virginia, and to that end procured skilful men for the making of iron, they had received credible information that three of their master workmen were dead: in supply of whom, because the hope of that commodity is very great, having already received a good proof thereof by iron sent from thence, they have already sent three other skilful workmen to advance again the said work, and now it was their good hope to light upon a fourth gentleman (named Mr. John Berkley), who, in the judgment of those that knew him well, was held to be very sufficient that way, who did now offer himself to go upon the said service and carry over with him twenty principal workmen, all experienced in those kind of works; whereupon the court thought fit that the committees hereafter named, or any five of them, should treat and conclude with the said Mr. Berkley, and likewise with his son, being desirous to go over with his said father, touching their demands for performance of the said service.

"Mr. Norwood[*] being recommended by Captain Tucker for his sufficiency in surveying of lands and one desirous to go over to Virginia, upon that was now chosen for that place, and referred to the former committee to treat with him concerning some allowances to be given unto him.

"My Lord of Southampton signified that it was his suit unto the Company that Mr. John Ferrar, of whose fidelity and suf-

[*] A Charles Norwood was clerk of the Virginia Assembly in 1655. Major Henry Norwood was Treasurer of the colony in 1661.

Digitized by Google

ficiency they had already so good experience, might still continue his place of Deputy, which, with a general consent, was very willingly condescended unto and chosen by ballotting-box.

"My Lord moved, on the behalf of Captain Matthew Somers, that forasmuch as he undertakes to transport one hundred persons into Virginia to plant upon a particular plantation, that therefore he might have a patent to enable him thereunto, which the court accordingly granted.

"Captain John Smith, in his petition, showeth that for so much as he hath not only adventured money for the good of the plantation and twice built James Town and four other particular plantations, as he allegeth, but for that he discovered the country and relieved the colony willingly three years with what he gained from the salvages with great peril and hazard of his life; that, therefore, in consideration thereof the Company would please to reward him either out of the treasury here, or out of the profits of the generality in Virginia; touching which request the court hath referred him to the committees appointed for rewarding of men upon merits.

"May 23d, 1621. Mr. Deputy signified that Mr. John Berkley and Maurice, his son, being formerly treated with the 5th of this present month by a committee, and afterwards at the next court, held the 12th of the same, they having declared willing to go upon the same conditions that Mr. Blewit formerly had done (except in some few particulars), and undertook to procure twenty persons well experienced in making iron to be employed in the Company's service in Virginia for seven years, together with themselves. In consideration hereof the said court was pleased to give him £30 towards the charge of furnishing himself and his said son with apparel and other necessaries, with free transport of three of his own servants, and £20 more to defray the charge of conducting the said twenty persons to the Isle of Wight by the first of July next, which said twenty persons and his said three servants are likewise to be transported, furnished and victualled as other tenants, for one whole year at the Company's charge, which allowance this court thought very reasonable, and being now put to the question, did ratify and confirm the same; and further gave order to Mr. Deputy for the more speedy dispatch of the said Mr. Berkley, and that he might have a sufficient time to gather his people together to be ready at the

Digitized by Google

day prefixt, to draw the articles of agreement according thereunto with such necessary additions as she should think fit, and after to apply the Company's seal unto the same.

"In a preparative court June the 11th, 1621. Touching tobacco, which hath been always so generally affected by the planters in Virginia, Sir Edwin Sandys signified how extremely displeasing it was to the King and scandalous unto the plantation and unto the whole Company, that notwithstanding it hath been prosecuted these many years by many wise and worthy persons, and wasted in that time a mass of money, yet hath it not produced any other effects than that smoky weed of tobacco, and therefore the Council, as heretofore it may appear by all their former instructions and letters, so now again had taken it into their consideration how they might restrain the general planting thereof, or at least bring it down to a far less proportion and quantity than now is made.

"He further declared that the chiefest cause that all other commodities were neglected, was found to be the long maintaining of the high price of tobacco at 3s. the pound, which had already destroyed a magazine of at least £1,000 charged unto certain adventurers for apparel and other necessary provisions whereof the colony stood in need, which they repaid again in nothing but tobacco, forcing it at that price upon the cape merchant, whereof a good part of it was scarce sold, and now again they have repaid the whole Company in the like manner at the same price for all the charge they have been at in sending them apprentices, servants and wives, which cost the Company here near £2,000.

"Mr. Deputy signified that whereas the Duty was now returned from Virginia and attended in the Downs for her directions whither to go, the Council and committees having met about it, having given order to Dameron, master of the ship, to send her to Flushing, and also agreed with Mr. Arthur Swain, a merchant of London, commended for his fidelity and sufficiency to be their factor there for putting of their tobacco to their most profit, allowing him two in the £ for his pains, with which he was contented; and to this end gave him a commission, under the Company's seal, and certain instructions which the Council thought necessary for his direction in that business, whereof he doubted not but they should have a good account of his doings.

"He likewise signified that he had received intelligence of a

Digitized by Google

ship lately arrived in Ireland that came from Virginia, but what ship it could be he knew not, but hoped it was the Tryall, which was yet behind.

"At a great and general court held for Virginia the 13th of June, 1621, there were present—

Earl Huntington,
Earl Southampton,
Earl of Warwick,
Sir Dudley Diggs,
Sir Edwin Sandys,
Sir Philip Cary,
Sir Nathaniel Rich,
Mr. Gibbs,
Mr. Wrote,
Mr. Oxenbrige,
Mr. Nicholas Ferrar,
Mr. Bidolph,
Mr. Nevel,
Mr. Roberts,
Mr. Widdowes,
Mr. Robert Smith,
Mr. Earle,
Mr. Sandys,
Mr. Deputy,
Mr. Foxton,
Mr. Swinhoe,
Mr. Langton,
Mr. Pennistone,
Mr. Bynge,
Mr. Berblock,
Mr. Wiffe,
Mr. Mellinge,
Mr. Ayres,
Mr. More,
Mr. Hart,
Mr. Taylor,
Mr. Symond,
Mr. Woodall,
Mr. Bagwell,
Mr. Keightley,
Lord Cavendish,
Lord Paget,
Sir Nicholas Tufton,
Sir Francis Wyat,
Sir William Newce,
Sir Edward Lawley,
Mr. Hyde,
Mr. Martin,
Mr. Combes,
Mr. Wroth,
Dr. Gulstone,
Mr. Frank,
Mr. John Smith,
Mr. Scott,
Mr. Bland,
Mr. Casewell,
Mr. George Smith,
Mr. Cole,
Mr. Kinstone,
Mr. Morewood,
Mr. Brown,
Mr. Dawes,
Mr. Barbor,
Mr. Dowe,
Mr. Riseley,
Mr. Wale,
Mr. Edwards,
Mr. Alleynes,
Mr. Somers,
Mr. Lawne,
Mr. Challoner,
Captain Hamor,
Mr. Ewins,
Captain Maddison,
Mr. Tomlyns,

Digitized by Google

Mr. Swaine,
Mr. Askur,
Mr. Darnelly,
Captain Bargrave,
Mr. Lewis,
Captain Goldingham,
Mr. Newport,
Mr. Thomas Gibbs,
Mr. Lawne,
Mr. Jadwin,
Mr. Kelley,
Mr. Russel,
Mr. Bromfield,
Mr. Porter,
Captain Tucker.

"Upon reading of the acts of the former quarter-court, held the 2d day of May last, Sir Edwin Sandys, taking knowledge of twenty shares of land bestowed upon him by the Company, did now declare his thankful acceptation of the same, professing that altho' he had already land in Virginia by adventures of money paid into the treasury more than he could as yet well plant, yet did he with a grateful acknowledgement of their bounty accept this testimony of their love and favour towards him.

"It was informed that forasmuch as Sir George Yeardley complained of the small number of the council of state in Virginia remaining alive, and of their seldom meeting by reason they dwell so dispersedly asunder and had no manner of allowance for attendance in that kind, it was the cause he wanted such necessary attendance as was fit and requisite. It was therefore taken into consideration how this defect of counsellors might be supplied and their meetings thereafter made more frequent, and it was offered to the judgment of this court whether it was not more expedient that the said council should be appointed to assemble four times a year and to hold quarterly sessions for one whole week together to assist the Governor, from time to time, as well in matter of council as of state and in all causes of importance, as also for redress of general and particular grievances. The court, conceiving this to tend much to the advancement of justice in general, did therefore order that the said sessions should hereafter be duly observed and kept, and that direction should be given in the Governor's instructions for establishing of the same.

"It was likewise signified that care had been taken to make some addition to the council of state in Virginia of men of worth and quality, namely, Sir William Newce, Knight Marshal of Virginia and Mr. George Sandys, Treasurer of the same, and having formerly chosen Sir Francis Wyat to be the successive Governor immediately upon the expiration of Sir George Yeardley's com-

Digitized by Google

mission, there remained now but one officer more of the council to be continued or changed, namely, Mr. Secretary Porey, whose commission, being but for three years, ended in November next.

"Mr. Deputy therefore moved to know their pleasure, whether they would have Mr. Porey's commission renewed or the place to be supplied by another, whereupon the Company, desiring to make a change, there were four gentlemen proposed for the said place, namely, Mr. Smith, Mr. Paramore, Mr. Davison, and Mr. Waterhouse, being all of them recommended by worthy persons for their honesty, sufficiency and experience in secretary affairs, but because no more than three would stand for the election, it was put to the question which three they would have nominated for that purpose, whereupon Mr. Smith was dismissed and the other three appointed to stand for the election, who being all three put to the ballotting-box, choice was made of Mr. Davison[77] by having the major part of balls, who, being called in to take notice that the Secretary's place was fallen upon him, did declare his thankful acknowledgement unto the Company of their favour towards him, promising to perform his best to answer their expectation of him.

"It was also agreed, upon request made, that he should be admitted a free brother of this Company, and be of the council of state in Virginia.

"It was further signified that the Council had taken into their consideration matter of future support of the plantation to supply the defects of the Company's stock, if they could by procuring poor people to be sent hereafter to Virginia, at the common charge of the parishes where they live, which offer being made to the lower house of Parliament at the last sessions, upon occasion of great complaint of the multitude of poor people swarming in every city, town and parish, it was accepted of that house with a very great and grateful applause. Whereupon the court agreed a bill should be drawn to that effect against the next session of Parliament, and entreated Sir Dudley Diggs, Sir Edwin Sandys, and Sir John Dauers, to take some pains in the drawing of the said bill.

---

[77] Christopher Davison. He is supposed to have been the son of Sir Wm. Davison, Secretary of Queen Elizabeth. In the census of 1625, Alice Davison, a widow, is registered at Jamestown. She was probably his wife.—*Neill's Virginia Vetusta*, page 127.

Digitized by Google

A motion was made for so much, that the companies of London, and other cities and towns of this kingdom, had adventured good sums of money towards the plantation in Virginia, some course to be thought upon to excite them to make some profit of the lands due unto them, they having already done the like in Ireland with very good success. This motion was well approved, and the court entreated the committee, hereafter named, to make some declaration to the several companies, cities and towns, what portion of land was due unto them in respect of their moneys adventured, as also what the charge will be to plant the same with people; and lastly, what returns of good commodities they may make in a short time, being duly prosecuted. The names of the said committees are these, vizt:

Sir Edwin Sandys,	Sir John Dauers,
Mr. Deputy,	Mr. John Smith,
Mr. Cranmer,	Mr. Berblock,
Mr. Bernard,	Mr. Casewell,

or any four of them are desired to meet upon Friday following to advise about the same.

"Intelligence being given, that a gentleman refusing to be named had written a treatise for the good of the plantation, which consisted of these five general heads, namely: sustenance, health, defence, commerce, and censure, in handling of which, he had, with great judgment, observed the causes of the defects in every of them in the colony, and proposed several ways how to remedy the same. The court gave order that the Company's thanks should be given unto the said gentleman, with earnest request that he would proceed to the finishing thereof, and that after it had been perused by a select committee, it should be put in print, to peruse which book, the court entreated these, vizt:

Sir Dudley Diggs,	Sir John Dauers,
Sir Edwin Sandys,	Sir Francis Wyatt,
Mr. John Smith,	Mr. Gibbs,
Mr. George Sandys,	Mr. Wrote,
Mr. Secretary Davison,	or any four of them.

"Mr. Deputy moved, that in respect some doubt was made that the seed miscarried which was sent in Doctor Bohune's ship, a pinnace might be provided against September next to

Digitized by Google

carry some more seed, which seed was already spoken for, and promised to be there against that time, which pinnace should also carry in her some barley and garden seeds, and some fruit trees of two years' grafting. The court agreed that a pinnace should be hired, and referred the bargain to be made for the said ship and all other things thereunto appertaining unto the general committees.

"Mrs. Catharine Binion shewed in her petition, that whereas, one John Martin, late of London, Esq'r, was bound to the petitioner's father, Mr. Thomas Binion, lately deceased, for payment of £205, at certain days; she therefore moved that in respect the said Captain Martin had paid no part of the said debt, and by reason of his residing in Virginia she knew not how to come by the same, that the Company would please to take some course to cause him to give her satisfaction, which request being taken into consideration, it was conceived the grant of her desire might prove an ill precedent, and would dishearten many to see a course taken there to force such men to pay their debts that had fled thither with hazard of their lives for relief and safeguard in regard of their disabilities to discharge the same; and on the other side being unwilling to make Virginia a sanctuary for bad debtors, that had wherewithal to discharge the same, and yet out of obstinacy and ill conscience would take no course. That in such cases, direction should be given (upon complaint) to the Governor of Virginia, to cause the party indebted to satisfy the same out of the profits of his labours, with caution, nevertheless, that there be always left unto such debtor, some competent means of subsistance; but if they shall be found sufficiently able, and still deny satisfaction out of a perverse wilfulness, that with such ill minds strict order be taken for present payment as the equity of the debt shall require; and because a question was moved whether the Company had power by their patent to remand any back from Virginia, to give satisfaction there, if need did require, it was thought fit that Mr. Hyde, and Mr. Earle did consider of this point, and examine the authority of the Company touching the same.

"Whereas the plantation in Virginia, founded by his Majesty's royal power and prosecuted by the adventurers and planters with the charge of about one hundred thousand pounds out of their own private estates without any profit as yet, hath in these latter

Digitized by Google

years been chiefly supported by his Majesty's most gracious grant of the use of lotteries, which are now suspended, the Company for Virginia, in this great and general quarter-court, have ordered that the auditors of the same Company make up a true and perfect account of all the said lotteries, to be presented in all humble duty and thankfulness to his Majesty; in which account is to be set down as well the several sums received as also the uses whereupon they have been expended for the advancement of the plantation; and for the better effecting thereof, it was ordered likewise that the several treasurers of the said Company should fourthwith transmit unto the auditors so much of the said accompts respectively as belongeth to the several times of their offices.

"The appointed committee having treated with Captain William Norton, did now report that, finding him resolved to plant himself in Virginia with his family at his own charges, being about the number of ten persons, and to make offer to carry over with him four Italians and two servants of his own, whom he had persuaded to go with their wives and children, on condition that they may be furnished in good manner at the Company's charge, which six persons shall within three months after their arrival in Virginia set up a glass furnace[78] and make all manner of glass, and to content themselves with the one-half, and the other half of their labours to be the Company's, whereof they desire a patent of privileges for seven years, that they and no other in that place may set up the said works: in consideration thereof, and in regard of the benefit that is like to come to the general Company, the committee certified they were of opinion the Company might grant him such a patent without making precedents for monopolies; and forasmuch as Captain Norton himself undertakes the oversight and government of this work, and promiseth to instruct and train up apprentices or any

[78] Norton died in 1623, and Sandys, colonial treasurer, wrote that the Italians were disorderly, and "Vincenzio had cracked the furnace with an iron crowbar." The glass factory was not successful, and the ground upon which it stood was sold by Governor Harvey to Anthony Coleman, and by successive assignments became, 1st June, 1654, the property of Major Francis Moryson—twenty-four acres near Jamestown, upon which stood the old "Glasse House."—*Neill's Virginia Carolorum*, p. 284.

Digitized by Google

other person that the Company shall appoint to be taught therein, the said committees have thought fit to allow him a fifth part of the Company's moiety, and besides, he being desirous of a quantity of land, forsomuch as they found him so free and generous in his propositions, they have proposed four hundred acres of Old Adventure to be bestowed upon him for his inheritance; which several propositions the court taking into their consideration, did agree—first, that the said persons should be furnished in the best manner at the Company's charge, and shall have the patent they desire for seven years: provided, that in lieu of their moiety of beads, which is a matter of trade with the Indians properly belonging to the Company, they take a valuable consideration either out of the Company's moiety of glass, or in corn or other like commodities, as the Governor and Council of Virginia shall think meet; and for Captain Norton's own allowance the court have confirmed unto him the fifth part of their moiety and the proportion of land he desires, and shall have two men more for cutting wood for the said works, whereof he is to furnish out one at his own charge.

"The committee, appointed by the preparative court to treat with Mr. Cleyborn[79] (commended and proposed for the surveyor's place), having met the next day and taking into their considerations the allowances that a former committee had thought fit to state that office, withal in respect of the service he was to perform, as well in general as in particular surveys, did agree for his salary to allow him thirty pounds per annum, to be paid in two hundred weight of tobacco, or any other valuable commodity growing in that country, and that he shall have a convenient house provided at the Company's charge, and twenty pounds in hand to furnish him with instruments and books for his office, which he is to leave to his successor.

"It was signified unto the court that an apothecary offered to transport himself and his wife at his own charge to Virginia if the Company would please to give them their transport of two

[79] William Claiborne, subsequently secretary of state of the colony, designated as "the rebel" in history, died about 1673; son of Edmund and Grace (Bellingham) Claiborne, and third in descent from Richard Clyborne, or Clayborne, of county Westmoreland, and his wife, Emma, daughter and co-heiress of George Kirkbred of county Northumberland, England.

Digitized by Google

children, the one being under the age of eight, and the other being a youth of good years, which offer the court did very well like of in respect of the great want of men of his profession, and, being put to the question, did agree thereunto, provided that the said apothecary, at his coming over, did exercise his skill and practise in that profession, which it should be lawful and free for him to do, and to that end should be recommended to the Governor.

"It being referred to this court to direct some course for the disposal of two Indian maids, having been a long time very chargeable to the Company, it was now ordered that they shall be furnished and sent to the Somer Islands, whither they were willing to go with one servant apiece towards their preferment in marriage with such as shall accept of them with that means, with special direction to the Governor and Council there for the careful bestowing of them.

"Intelligence being given of two ministers that offered themselves to go to Virginia, the court referred them to be treated and concluded with by the committees.

"And forasmuch as Sir Francis Wyat desired he might make choice of one that was willing to go with him, the court assented thereunto.

"July 2, 1621. Mr. Deputy signified of a letter he had received from Mr. Gookin,[80] of Ireland, who desired that a clause in the contract between him and the Company touching cattle, which he had undertaken to transport to Virginia after the rate of £11 the heifer and the goats at £3 10s. apiece, for which he

[80] Daniel Gookin, a native of Kent, England, had been living at or near Cork, Ireland. He arrived in Virginia 22d November, 1621, and settled at Newport News. He became one of the most prominent men in the colony. His son, Daniel, in 1642, then about thirty years of age, was President of the County Court of Upper Norfolk, and was a member of the Puritan church there established. In 1644 he went to Massachusetts, and became the friend of Eliot, and Superintendent of Indian Affairs. He died in March, 1687, and his tombstone still remains at Cambridge. Chief Justice Small, who visited him whilst he was dying, gave tribute in his journal that he was "a right good man." His descendants are numerous, and one of them, the accomplished historical writer, the late J. Wingate Thornton, published a sketch of his life. *Neill's Virginia Company*, page 196. Rev. Roger Wingate was a member of the Council in Virginia 1629-30.

Digitized by Google

might take any commodities in Virginia at such prices as the Company here had set down, he desired that those words might be more clearly explained ; and to this effect Mr. Deputy signified that they had drawn a letter in the name of the Council and Company unto Mr. Gookin, declaring that their intent and meaning was that it should be lawful and free for him and his factors to trade, barter and sell all such commodities he shall carry thither at such rates and prices as he shall think good ; and for his cattle shall receive either of the Governor or other private persons any of the commodities there growing at such prices as he can agree ; and lastly, that according to Mr. Gookin's request in his letter they had promised that he should have a patent for a particular plantation as large as that granted to Sir William Newce, and should also have liberty to take one hundred hogs out of the forest, upon condition that he repay the said number again unto the Company within the term of seven years, provided that he use them for breed and increase, not for present slaughter.

"And further to this effect, they had also drawn a letter to the Governor and council of state in Virginia, both which being now presented and read, the court did very well approve of and gave order that the seal of the Council should be affixed to that addressed to Mr. Gookin, and that some of the Council should sign that to the council of state in Virginia.

"July 10th, 1621. Mr. Deputy signified that the occasion of warning the court this present day was to acquaint them of the arrival of Bona Nova, riding at anchor near the Isle of Wight, by which ship having received divers letters and one general letter from the Council of Virginia directed to the Company here, he thought fit to impart unto them at this meeting, and thereupon prayed they would attend the hearing of them, which being read, the particular relations gave the Company very great content to hear that some staple commodities as vines began to be planted according to the Company's former directions, and that they prospered with so good success, as also to hear of a confirmation of a peace and of a league with the Indian King, whereby not only a great trade and commerce with them hereafter for corn and other commodities is like to ensue, and good means also for converting them to Christianity and to draw them to live among our people, but fit occasions likewise seems now

Digitized by Google

to be offered of further discoveries up into the country, both for the finding out of the south seas and certain mines mentioned in the said letters, yet will undoubtedly conduce to the great honour and enlargement of the general plantation in a short time. There was also read unto the Company a relation of three several voyages made this last summer; one to the southward to Roanoke, made by Mr. Marmaduke Rayner.[81]

"A second, by Ensign Savage,[82] in the great bay, wherein is a relation of a great trade of furs by Frenchmen; a third, Mr. Dimmer's discoveries from Cape Charles to Cape Cod, up Delaware river and Hudson's river, being but twenty or thirty leagues from our plantation, and within our limits, within which rivers were found divers ships of Amsterdam and Horne, who yearly had there a great and rich trade for furs, which have moved the Governor and council of state in Virginia earnestly to solicit and invite the Company to undertake so certain and gainful a voyage, and Mr. Chamberlyn likewise informed the Company of the great trade the Frenchmen had in those parts of Virginia to their infinite gain, which might, with far less charge and greater ease, be undertaken by the Company.

"This being done, Mr. Deputy further signified that the Bona Nova, now returned from Virginia, staid only for directions from hence to what port she shall repair, she being laden with some 40 or 50,000 weight of tobacco (as he heard), for the general invoice he had not as yet received, whereof, by Mr. Pierce, the cape-merchant's letters, there appeared to be about 16,000 weight upon the account of the old magazine, and about 11,000 upon

---

[81] He became a noted sea captain. In the later records of North Carolina this name of Marmaduke Rayner is found.—*Neill's Virginia Company*, page 175.

[82] Thomas Savage came to Virginia in the "John and Francis" in January, 1608. He was given to Powhatan as a hostage for Namontuck, a young Indian who Captain Newport took with him to England. Eventually he settled in Accomac county, at a point still known as Savage's Neck, and was considered a valuable interpreter. He died in 1627, and his only son, John, born 1624, was a justice of the peace, and a member of the House of Burgesses. His widow, Hannah, who came over in the "Sun Flower" in 1621, married, secondly, Daniel Cugley, who came to Virginia, aged twenty-eight years, in the "London Merchant" in 1620.

Digitized by Google

the account of last year's magazine. Whereupon the court's resolution was that there should be order given to the master to depart instantly for the port of Middleborrow, in Zealand, and that the goods should be delivered to Mr. Arthur Swain, who was formerly sent over as the Company's factor, and that he should take them up according to the invoices, and receive the freight of 3d pr. pound due unto the Company and afterwards deliver the general parcel to the owners or to whom the owners here should consign them, and, in particular, the adventurers of the old magazine concerning the disposing of theirs did order.

"That Mr. Swaine, upon receipt of the freight of 3d pr. pound, should deliver the tobacco belonging unto him to Mr. John De Clark, whom, by the persuasions and recommendations of Mr. Alderman Johnson and Mr. Chamberlyn, they did choose to be their factor.

"Upon the right honourable the Earl of Southampton's recommendations of Mr. Bolton,[88] minister, for his honesty and sufficiency in learning, and to undertake the care and charge of the ministry, the Company have been pleased to entertain him for their minister in some vacant place in Virginia and have therefore referred him to the committees to be treated and concluded with, touching his allowance and seated where they shall think fit and most convenient for him.

"A motion was made that Mr. John Pountice, as well in respect of his own worth and sufficiency as also in reward of his pains and endeavors in the Company's service, that some place of command might be bestowed upon him, and for so much as there was so great use of a vice-admiral in Virginia to take care of the Company's ships that came thither, and of other matters appertaining, it was therefore desired the said place might be conferred upon him, which the court consented unto and ordered his commission to be drawn up for the execution of the said place, provisionally for one year, and after during the Company's pleasure, recommending it to the next quarter-court for confirmation.

[88] Francis Bolton first served at Elizabeth City. In 1623 he was the minister of the plantation on the eastern shore of Chesapeake Bay. He succeeded Rev. Hawte Wyat at Jamestown. Thomas Warnett, a merchant of that place, left him a legacy in his will, dated 13th February, 1629–30.

Digitized by Google

"For so much that it appeared that Mr. Whitaker[84] had obeyed the Company's orders in building a guest-house for the entertainment of sick persons and for the relief of such as came weak from sea, and had also begun to plant vines, corn and such good commodities and railed in one hundred acres of ground, it was moved that the court would please to bestow some reward upon him for his better encouragement in so good a course, whereupon it was agreed and ordered that he should have two boys sent him when the Company shall be able, and that the reward of tobacco allowed him by the Governor of Virginia shall be confirmed unto him.

"Upon the humble petition of Mrs. Newport, widow, the court ordered that Sir Francis Wyat, the elect Governor, and the rest of the council of state in Virginia, should be entreated to set out thirty-two shares of land in Virginia, heretofore bestowed upon Captain Christopher Newport,[85] her late husband deceased, in reward of his service, with an addition of three whole shares for the persons of six men transported at her charge in the Jonathan, Anno, 1619, in any place not already disposed of, which is commended to the care of Captain Hamor, to see it done according to Mrs. Newport's desire.

"At an extraordinary court, held the 12th of July, 1621, the

---

[84] Jabez Whitaker, a member of the council in 1626, was probably the brother of Alexander Whitaker, the devoted clergyman at Henrico who was drowned in 1617. The second wife of William Whitacre, or Whitaker, the head of St. John's College, Cambridge, and father of Alexander, soon after her husband's death gave birth to a son who was christened Jabez.—*Neill's Virginia Carolorum*, page 406. Edward Whittaker was granted one hundred acres of land adjoining palisadoes of Middle Plantation, James City, 18th February, 1638; Captain Wm. Whitacre, ninety acres in James City 5th June, 1656, and Richard Whittaker grants in James City in 1666 and in Middlesex county in 1667. A family of Whittaker in North Carolina claims to be of the family of Rev. Alexander Whitaker.

[85] Newport, who had so well served the colony, was employed by the East India Company to command the ship which carried Sir Robert Shirley as Ambassador to Persia, and on 20th June, 1613, was at Salbanha. On 16th May, 1617, he was with the ship "Lion" at Salbanha, ready to sail for Britain. In 1618 he was at Bantam, in command of the "Hope." He died in the East Indies, and left a son named John.—*Neill's Virginia Vetusta*, pages 93, 94.

Digitized by Google

court having made request unto Mr. Chamberlyn to procure them some good quantity of silk-worm seed of St. Valentia, to be held generally the very best, for that those worms would prosper in any place, whereas the seeds of other parts would only thrive in their native and proper climate, and nowhere else, and therefore he promised, at their request, to solicit some of his friends that he should do their best to procure (if they could) some six pounds of seed from Valentia according to their desires, for which the Company gave him very great thanks, and prayed it might be done with as much expedition as may be.

"At a court held the 16th of July, 1621: Whereas, at a court held the 12th of this month, the bargain made with Captain Norton and the Italians for setting up a glass furnace in Virginia, for making of glass and beads, was taken into serious consideration, and finding the charge of transporting and furnishing out the said workmen with their servants, wives and children (being in all eleven persons) with apparel, tools, victuals, and all other necessaries, would come to a far greater sum than was at first proposed when the agreement and contract with Captain Norton was first made, whereby the Company's stock was noways able to undergo the burden of this new charge, inasmuch as this business, for want of sufficient means, was likely to fall to nothing.

"It was therefore now moved, that seeing the Company were not able to go through with it, it might be left free to private adventurers to undertake the same upon like conditions, in point of profit, as they should have done. Unto this motion (so just and reasonable) the court did willingly, and by their said order did discharge, quit and release the said Captain Norton of his former contract with the Company, whereupon the said bargain being anew entertained by certain adventurers now present, they did now acquaint this court that it was not their intent thereby utterly to exclude the Company from a business of this special consequence unto them all (seeing the commodity of beads was like to prove the very corn of that country), and therefore intending to raise a joint stock of at least £400, the better to accomplish so good a work, they have agreed among themselves that the Company should come in for a fourth part of the charge, and therefore moved that for the better advancement of the said work, and encouragement of the said adventurers therein, that the court would please to grant him these propositions following:

Digitized by Google

"First, that the said adventurers might have a patent of the said glass furnace for seven years for the sole making of glass and beads.

"Secondly, that they might have fifty acres of land for every person they should transport upon this business, and that the Company would give them their part of the land.

"They desire it may likewise be now promised, and at the next quarter-court confirmed, that the sole making and transporting of soade (being a material of special use in making of glass) may be appropriated unto them for seven years.

"Lastly, they desire, for the better relief and comfort of their people, that the guest-house which Mr. Whitacres hath built may be appointed for entertainment of their people some two months after their first landing, that they may be able to build their houses, and this may be specially recommended to the care of the Governor to see it done; all which propositions, the court taking into due consideration, conceived to be very reasonable, and being put to the question did willingly condescend unto them, and promised further that they should be recommended to the next quarter-court for confirmation.

"Four several rolls were now read and offered to such as will please to underwrite. The first being for a magazine of apparel and other necessary provisions, such as the colony stood in great need of. The second, for sending of one hundred maids to be made wives. The third for the advancement of the glass furnace as hath been already mentioned. The fourth was of the setting out a voyage to trade with the Indians in Virginia for furs, it being certainly informed by Mr. Chamberlyn and others and now of late from the Governor and council of state in Virginia of the great trade of furs which the French and Dutch have yearly in Lawan and Hudson's river some twenty or thirty leagues in distance from the southern plantation, to their incredible gain and wealth. For better performance of which voyage, a means would now be found to do it at less charge than at other times.

"These said good undertakings were generally approved of and moved many here present to underwrite in the said rolls. And for the better furtherance and advancement of this action, it was moved and thought fit that direction should be given to the Governor to afford his best assistance therein.

Digitized by Google

"For so much as the physician's place to the Company was now become void by reason of the untimely death of Doctor Bohune, slain in the fight with two Spanish ships of war, the 29th of March last, Doctor Gulstone did now take occasion to recommend to the Company for the said place one Mr. Potts,[86] a master of arts and, as he afirmed, well practised in chirurgery and physic, and expert also in distilling of waters, and that he had many other ingenious devices, so that he supposed his service would be of great use to the colony in Virginia, but prayed that whereas Doctor Bohune was tied by his contract to supply such of his tenants as should die the first year at his own charge, that Mr. Pots might be released of that covenant, being too strict and overhard as he supposed, but it was answered it was not in the power of any other but a quarter-court to reverse or alter the same, but should always find the Company in all things very reasonable to all well deserving men, and, therefore, if Mr. Potts would accept of the place upon the same conditions as Doctor Bohune did he should be entertained, and for his better encouragement should be specially recommended to the governor to be well accommodated, and should have a chest of physic of £20 charge unto the Company and all things thereunto appertaining, together with £10 in books which should always belong to the Company, which chest of physic and books Doctor Gulstone was desired to buy, and seeing he intended to carry over with him his wife, a man and a maid, they should have their transport free, and if one or more chirurgeons could be got they should have their passage freed; which conditions, Mr. Pott having accepted of,

[86] Dr. John Pott, as President of the Council, upon the departure for England 5th March, 1629, of Captain Francis West, succeeded him as Governor. He was superseded by Sir John Harvey in March, 1630, and in July following, by a strange mutation of fortune, Pott was tried for cattle-stealing and was convicted. This was the first trial by jury in the colony. He was also charged with pardoning Edward Wallis, of Archer's Hope, a wilful murderer. Harvey confined him at "Harrope," his plantation of two hundred acres, seven miles from James City, now Williamsburg, and confiscated his property. His wife proceeded to England to appeal against the wrongs done her husband. The commissioners who examined the case, reported that the condemning of Dr. Pott, upon superficial hearing, for felony was very rigorous. The king, 25th July, 1631, pardoned him, especially as he was "the only physician in the colony."

Digitized by Google

was referred to the committees to be further treated and concluded with.

"It was signified that Sir Thomas Wyat's brother, being a master of arts and a good divine and very willing to go with him this present voyage, might be entertained and placed as minister over his people and have the same allowance towards the furnishing of himself with necessaries as others have had, and that his wife might have her transport freed, which motion was thought very reasonable, and ordered by erection of hands that he should be entertained and have the place he desired, and the like allowance of money granted unto Mr. Bolton, lately entertained.

"It was moved that whereas there was heretofore sent fifty boys in the Duty, which cost the Company £500, for which the planters repaid them in sixty-six weight of tobacco at 3s. per pound, rating it at £10 a boy, which tobacco, being sold by the Company, they could hardly reach to £5 the boy, that therefore order might be taken to cause such of the planters as had the said boys to make up a full allowance of the rest to the just rate and valuation of £10 the person, as it stood the Company in, which motion was very well approved of, and ordered that a present course should be taken to require the said proportion of the planters, that the Company might not be losers in the disbursement of their money to their use and benefit.

"Whereas credible information hath been given of the death of Doctor Bohune, Mr. Aulsworth and Mr. Tracey, chosen to be of the council of state in Virginia, the court now thought fit and requisite in supply of them to make addition of other gentlemen, vizt., Mr. Pott, Mr. Leech, Mr. Paulett,[87] minister, and Captain

[87] Robert Paulett, minister at Martin's Hundred. He was also a physician and surgeon. He did not accept the office of councillor. Captain Thomas Paulett, Burgess for "Argal's Guifte" in 1619, was a councillor in 1621. In 1623 he was granted 2,000 acres of land in Charles City county, which included the noted seat "Westover." Dying in 1643, he bequeathed it to his brother, Sir John Paulett, who sold it in 1666 to Theodrick Bland for £175 sterling, who bequeathed it to his eldest son, Theodrick, who admitted into joint tenancy his brother, Richard. They sold it in 1688 to Colonel William Byrd, the first of the name and family in Virginia, for the consideration of £800 sterling and 10,000 pounds of tobacco and casks. A church (of which a graveyard with tombs indicates the site), and the county buildings near the banks of James river, remained at "Westover" until sometime in the 18th century.

Digitized by Google

Roger Smith, to be as provisional counsellors till they may receive confirmation at the next quarter court, and their names be inserted in the commissions.

"At a court held the 24th of July, 1621, the three commissions formerly ordered to be granted to the Governor, Treasurer and Secretary of State in Virginia, as also the instructions and one other commission for the place of Vice-Admiral, granted to Mr. John Pountice, being now presented to the court, were read and approved, and order given to Mr. Deputy to affix the seal unto every of them, and further ordered that duplicates of each of them should be sent by the next ship.

"Mr. Deputy signified that having presented to the Earl of Southampton the four rolls of parchment whereunto divers had subscribed, testifying thereby their zeal and constant resolution to advance the plantation (notwithstanding the many discouragements they had received), as also acquainted his Lordship with the five rolls proposed since for the sending of shipwrights and other principal workmen for making ships, boats and other vessels, whereof the colony had great need, growing now to be populous, and having plenty of materials for shipping, so as they only wanted artists to make use of the same, it pleased his Lordship, in furtherance of so worthy projects, to subscribe for payment of no less than £200 for his Lordship's part; which rolls being presented likewise to Sir Edwin Sandys, it pleased him also to subscribe for payment of the like sum.

"Dr. Gulston moved, in the behalf of Dr. Potts, chosen for the physician's place upon his recommendation, that the court would further please to bestow upon him, at his request, some £10 for his necessary provisions for the present voyage, which the court taking into consideration was pleased to allow him his demands, the better to encourage him to perform the service he had undertaken for the general good of the colony.

"At a court held the 15th of October, 1621; Mr. Deputy signified that the occasion of calling up this court was to acquaint them that, according to a message received from the Lords of the Council, some of the Virginia Company had appeared before

---

Sir John Paulett was the grandson of Sir Amias Powlett, of the reign of Queen Elizabeth, and a zealous Royalist. He became Baron Pawlett, of Hinton, St. George, and died 20th March, 1649. He was the ancestor of the Lords Powlett.

Digitized by Google

their Lordships the 12th of this present month, unto whom the Lords declared that it was complained unto that board that this Company had set up a trade at Amsterdam, and brought thither all their commodities from Virginia. They, therefore, now required to know the Company's answer, whether or no they would bring all their commodities into this kingdom or continue their trade there at Amsterdam.

"For Amsterdam answer was made that they never sent any commodities thither, but for such tobacco as came from Virginia this year they had carried it to Middlebrough, being restrained by the King's proclamation and order from that table from bringing any into this kingdom this year.

"And touching their Lordships' proposition of bringing all commodities hither, they humbly besought their Lordships they might have some time to call a court, and they would return their answer upon next Wednesday following, as their Lordships commanded.

"Mr. Deputy, therefore, now desired this present court that they would please to take this weighty business into their consideration. Whereupon, after much dispute and many reasons given of the impossibility of being bound to bring in all their commodities into England without falling into very great inconveniences, they did agree to have these reasons, together with such other as the Council, having met, have thought upon, to be drawn up into heads against the next Wednesday morning, at which time they would have a court to peruse and perfect them.

"October 17th, 1621. Mr. Deputy presented to the court, according to former directions, the answer which was to be given to the Lords of the Council this afternoon, if the court did approve these of being framed upon those reasons which the former court had set down, which were these that follow:

"*The most humble answer of such of the Virginia Company as cou'd at present be assembled, to the Right Honourable the Lords of the Council touching their Lordships' proposition for the importing of all goods from Virginia into England.*

"May it please your Honours:

"They will take it as a most singular favour that they may enjoy their former liberty for bringing their commodities into

Digitized by Google

England and transporting them elsewhere; but to be bound to bring in all their commodities and to pay custom here for all (howsoever markets rule abroad), in that they most humbly desire to be pardoned, and earnestly entreat they may not be compelled for these subsequent reasons and divers other mighty considerations:

"1. It is liberty and freedom that his Majesty's subjects throughout his dominions do generally practise and enjoy to be free to carry their commodities to the best markets.

"2. It is a greater restraint than the Muscovy or any other ancient corporation hath, unto whose greatest privileges and immunities by his Majesty's gracious letters-patents they are enabled and equalled.

"3. The same Company have granted divers sub-patents with the same privileges as they themselves enjoy, whereby some of the patentees have been induce to go over in person, being men of noble and worthy families, to expend great sums of money in the plantation and some others their whole estates, and it is not in the Company's power now to revoke or restrain them without a general disheartning of all present and future adventurers.

"4. Many commodities do now begin and are like to arise in Virginia that will not be rendible in England, as namely, fish, cavearie, pipe staves, quantities of sassafras and sarsaparilla, and the meaner sort of tobacco, which in other foreign ports will yield something, but being brought hither will not yield nor discharge the custom.

"5. They do not conceive that they have power to dispose of the goods of private planters in Virginia, who are free, and have merited, by their long and hard service, all manner of freedom and encouragement.

"6. Nor to forbid them to trade and barter their commodities freely with such ships as carry passengers, most of which afterwards proceed on other voyages and return not directly for England.

"7. They have begun a trade from Ireland to Virginia, whereby the colony is supplied with cattle and other necessaries from thence, and have passed their contracts to repay them in tobacco, which, if they shall be compelled to bring thither, the trade is like to perish in the very beginning, to the exceeding prejudice of the colony, whose wants we know not how to supply but by

Digitized by Google

these and the like means, our stock being entirely exhausted by these two last years' great and large supplies.

"8. Lastly, it is not in our power to conclude this great business, wherein above a thousand adventurers here in England and almost four thousand inhabitants in Virginia have their interest.

"For the rest, they humbly beseech your Lordships to believe that they affect no foreign trades with any neighbour nation more than in case of necessity and for the better sustaining and advancement of the colony, but shall always endeavour such a mutual trade between England and Virginia as shall stand with the honour and benefit of both; and so humbly desire your Lordships to conceive of them, that God's glory they chiefly aim at the good of this kingdom, the advancement of his Majesty's honour, and speedy increase of his Highness's profit and revenue.

"For which ends they have, out of their own private states (besides their labour and time), expended above one hundred thousand pounds, without return of profit or of any part of the principal itself to any one of the adventurers to their knowledge, and yet doubt not, but by God's blessing, his Majesty's accustomed gracious favour, and your Lordships' honourable furtherance, in short time to bring this great work to a good perfection.

"This answer being read and truly debated, the court did well approve of, and thereupon desired some of the Company would be pleased to accompany Mr. Deputy to present it to their Lordships as the act of the Company.

"At a court held the 22d of October, 1621, Mr. Deputy signified unto this court that he had presented the Company's answer unto the Lords of his Majesty's Privy Council, which being given they were willing to depart, and upon being called in again their Lordships seemed not satisfied therewith, but told them that they did not intend they should give answer touching the bringing in all their commodities, but only that of tobacco, whereby the King's last year's revenue might be still upheld.

"And therefore required them on Wednesday next to return their answer, whether they would bring in all their tobacco into England or none at all, or otherwise to accommodate the business with Mr. Jacob, with whom on Friday last some of the Company having had conference, Mr. Jacob signified unto them that he had no project to accommodate the business, but only by way of

Digitized by Google

advice and council persuaded them to bring in all their tobacco as most for their good.

"Mr. Deputy, therefore, desired that this court would take into their consideration what answer they would give unto their Lordships against Wednesday next. Whereupon some reasons were propounded and considered, which being well approved were appointed to be drawn up against Wednesday following in the morning, when it was desired the court would meet again to consider them.

"October 24th, 1621. The answer of the Virginia Company to the Right Honourable the Lords of his Majesty's Privy Council touching their Lordships' propositions for the bringing in or not bringing in of all their tobacco from Virginia into England, being now presented to be read and taken into due consideration, was well approved of, and ordered to be presented to the Lords that afternoon in the name of the Company, and divers others appointed to attend Mr. Deputy about the same.

"*The most humble answer of the Virginia Company to the Right and Honourable, the Lords of his Majesty's most Honourable Privy Council.*

"May it please your Lordships:

"They have, according to your Lordship's order, given Mr. Jacob a meeting, but could not from him understand any possible means of accommodation but such as would breed the utter ruin and overthrow of the plantation, which, out of their bounden duty to God and to his Majesty, they may not agree.

"For their parts they made offer to deliver him all their tobacco belonging to themselves here at home for goods sent heretofore, and this last year's, which they conceive may amount to fifty thousand weight this year, if he wou'd give them good security to make them but savers, which he refused to do, whereby your Lordships may see how great their desire is to give your Honors satisfaction, and humbly beseech to have free liberty to bring into England or not to bring in their tobacco according as they shall find it most advantageous and beneficial unto the plantation. By which liberty they hope to effect those great matters of honour and profit to his Majesty and his kingdom, which they have promised from Virginia.

Digitized by Google

"But if this seem not convenient to your Lordships for profit of his Majesty (which they most sincerely affect), rather than be a hindrance of the improvement thereof, altho' to their own very great prejudice, they will for this year restrain themselves and forbear to bring in any tobacco at all from Virginia this year ensuing.

"Mr. Deputy acquainted that one Mr. Copeland,[88] a minister lately returned from the East Indies, out of an earnest desire to give some furtherance unto the plantation in Virginia, had been pleased, as well by his own good example as by pursuasion, to stir up many that came with him in the ship called the Royal James to contribute towards some good work to be begun in Virginia. Insomuch that he had procured already a matter of some £70 to be employed that way, and had also writ from Cape Bona Speranza to divers factors in the East Indes to move them to some charitable contribution thereunto. That he hoped they would see very shortly his letters would procure some good effect among them, especially if he might understand in what manner they intended to employ the same. It was therefore ordered

[88] Rev. Patrick Copeland, or Copland, was a preacher of the East India Company as early as 1613. Early in 1617 he sailed for India as chaplain of the "Royal James," whose commander was Martin Pring, who had explored the north Atlantic coast of America. While sailing in the East India fleet, he became acquainted with Captain Newport and Sir Thomas Dale, and through them became interested in the Virginia colony. April 18, 1622, he preached before the Virginia Company in London a sermon. "Virginia's God be Thanked, or A Sermon of Thanksgiving for the Happie Success of the Affairs in Virginia this last Year." He secured a subscription of £70, 8s. 6d. towards the building of a free school in Virginia, and in June, Leonard Hudson, a carpenter, with his wife and five apprentices, sailed from England to erect the school building at Charles City, Copland being elected rector of the intended college at Henrico, but the news arriving of the Indian massacre, the project was suspended. Copland now went to the Bermudas, arriving there in 1626. In June, 1642-3, with others, Copland left the Church of England and formed an Independent Church, and delegates were sent to Parliament to secure an act for toleration which, in 1645, was granted. Governor Sayle, while in London, succeeded in forming a company for the settling of one of the Bahama Islands, and obtained from Parliament a patent allowing to the settlers entire liberty of conscience. Copland, with seventy others, reached, in 1647, Eleuthera, the isle, it is said, where the foot of Christopher Columbus first touched the soil of the Western Hemisphere. It is supposed that Copland died here before 1655.

Digitized by Google

that a committee shou'd be appointed to treat with Mr. Capeland about it, and forsomuch as he had so well deserved of the Company by his extraordinary carè and pains in this business, it was thought fit he should be admitted a free brother of this Company, and at the next quarter-court it should be moved that some proportion of land might be bestowed upon him in gratification of his worthy endeavour to advance his intended work; and further, it was thought fit also to admit him to the number of some other special benefactors unto the plantation whose memorial is preserved.

"October 31st, 1621, Mr. Deputy declared unto the court that he and those gentlemen appointed by the last court had delivered unto the Lords of the Council the Company's answer and resolution to forbear to bring in any tobacco at all for this year following, which, as their Lordships formerly intimated, they conceaved would have given them full satisfaction, but their Lordships termed it an undutiful answer, and commanded them on their perils to bring in all their tobacco. Against which himself and the rest alledged all the reasons that were so often in the court discussed, of impossibility, inconveniency, and the supposed overthrow of the plantation. But their Lordships told them that they were not to dispute at that board, and again gave them an absolute demand to bring in all their tobacco. At this report the court remained much grieved, and conceiving it a matter of greater importance and difficulty than to admit of any present deliberation, especially of so few, they were resolved that the business should be reserved entire for the preparative and quarter-courts to take into their grave consideration how the Company should proceed between two such extream difficulties as their Lordships' command and the utter disheartening of all, both adventurers and planters.

"Notwithstanding these apprehended disasters, Mr. Deputy exhorted the Company not to be discouraged, for that he hoped God had still a hand in the protection of Virginia, who turned all things for the best, when divers other projects, formerly in their first appearance, seemed to tend to the very destruction of the plantation, and therefore hoped that having put their hands to the plough they would not now look back and be weary of well doing, for the action itself was such as he knew no man, but confessed it most Christian, honorable and glorious, and of

Digitized by Google

high consequence unto this Commonwealth, and though they might seem to some to have cast their bread upon the waters, yet after many days he doubted not but they should find it again to their great comfort, the rather in regard their Lordships professed to wish the prosperity of the plantation, from whom we may not despair of help or redress upon farther information. Mr. Deputy further declared that albeit the Company's stock being well nigh exhausted, was able to do but little this present year for sending of people to Virginia, yet it pleased God to stir so many worthy minds for the advancement of this noble action, as there was no less within the space of these six months than twenty sail, with those that were already gone, and that would after Christmas (by God's assistance) set out for the plantations, whereby above one thousand persons will be transported, whereof near nine hundred went upon private men's charges, and at home so abroad, likewise even from Cape Bona Speranza, God had raised up many benefactors towards this good work, insomuch as the company of gentlemen and mariners that lately came home from the Indies in the Royal James, had given the contribution of £70 towards the building of a church or school in Virginia, besides a probable hope of a further supply from divers factories in the East Indies through the solicitation of a learned minister (namely, Mr. Copeland), by whose good example and persuasion they were moved to this pious work.

"He also signified that forasmuch as it was referred unto the Company to determine whether the said money should be employed towards the building of a church or a school as aforesaid, the committee appointed have had a conference with Mr. Copeland about it, and do hold it fit, for many important reasons, to employ the said contribution towards the erection of a public free school in Virginia, towards which an unknown person hath likewise bestowed £30, as may appear by the report of the said committee now presented to be read.

"Mr. Deputy informed the Company of the great pains that Mr. Bonnel, the Frenchman master of the King's silk-worms at Oatland, had taken in penning a treatise in French concerning the ordering of silk-worms and making of silk, which treatise, for that it might be of special use unto the planters in Virginia, he therefore moved this court would be pleased to recommend it to some to translate it into English, and afterwards that it

Digitized by Google

might be perused, and being approved, it might be printed, which the court assented unto, and prayed Mr. Deputy to see it done, and that a good number of the said books might be sent unto the colony in Virginia by the next ship that goes.

"Mr. Robert Slapter a minister commended much by Mr. Abraham Chamberlyn, and by certificate from many divers residents in this city, reporting him to be of honest conversation and a good scholar, being desirous to go to Virginia, did now make request that the Company would please to entertain him for their minister there.

"But the Company wanting means to furnish him out, did move that some of the particular plantations might employ him.

"Whereupon Mr. Darnelly signified that he thought they of the Martin's Hundred wanted a minister, to whom he was recommended.

"November 14th, 1621. Mr. Deputy acquainted the Company that at the end of the last Somer Islands' court, held the seventh of this present month, there came a letter unto his hands from an unknown person, directed unto him and the rest of the Council and Company for Virginia, which letter, for that many of the Virginia Company were there present, he caused to be opened and read, the contents whereof are as followeth:

"*A letter dated the 7th of November, 1621, directed to Mr. Deputy Ferrar, and to the rest of the Council and Company of Virginia:*

"You shall receive here inclosed, £40, for a sermon to be preached before the Virginia Company, this Michaelmas term, and before the quarter-court day. The place I leave to the Company's appointment, Also, I desire that Mr. Davenport[89] may preach the first sermon if the Company approve thereof. I will, if God permit, make a perpetuity in this kind. So beseeching your good acceptance of this small mite, as also that you, Mr. Deputy, perform your promise in concealing my name, I take my leave and rest a dayly orator for

VIRGINIA.

"This letter being read, and the Company then present de-

[89] Rev. John Davenport.

Digitized by Google

manded on what day they would have this sermon preached, it was then agreed to have it upon this day before the Virginia Company, and, after sermon, it was, upon motion, also agreed to sup together, Mr. Gibbs being entreated to give notice hereof to Mr. Davenport accordingly. Now, forasmuch as it further appeareth by the said letter that the author of this gift hath promised upon the Company's good acceptance hereof, to make a perpetuity of this kind, Mr. Deputy moved, therefore, that this court would please to recommend it to the next quarter-court to appoint on what day hereafter this yearly exercise shall be performed, which motion the court did well approve of, and accordingly referred it to the judgment of the quarter-court to order it, and in the meantime entreated Mr. Deputy, who knew the gentleman, to signify the Company's especial thanks unto him.

"At a quarter-court held the 21st of November, 1621, there were present—

Sir John Dauers,
Mr. Gibbs,
Mr. Lent,
Mr. Rogers,
Mr. Whitley,
Mr. Wrote,
Mr. John Smith,
Captain Bargrave,
Mr. Ayres,
Mr. Swinhow,
Mr. Sheppard,
Mr. Challoner,
Mr. Bing,
Mr. Covel,
Mr. Baron,
Mr. Hacket,
Mr. Mansell,
Mr. Monwood,
Mr. Berblock,
Mr. Truelove,
Mr. Botton,
Mr. Rider,
Mr. Viner,
Mr. Deputy,
Mr. Bromfield,
Mr. Seaward,
Mr. Wiseman,
Mr. Caminge,
Dr. Anthony,
Mr. Palavicnie,
Captain Martin,
Mr. Copeland,
Mr. Baynham,
Mr. Nich. Ferrar,
Mr. Porter,
Mr. Bull,
Mr. Leur,
Mr. Mellinge,
Mr. Roberts,
Mr. Lawrence,
Mr. Sparrow,
Mr. Hanes,
Mr. Seaward,
Mr. Peake,
Mr. Phrise,
Mr. Widdows,

Digitized by Google

Mr. Ditchfield,
Mr. Lay,
Mr. Amport,
Mr. Heckford,
Mr. Waterhouse,
with divers others.

"The adventurers, under the contract with Captain Norton for setting up of a glass furnace in Virginia to make glass and beads, 'moved that the Company would please to bestow amongst them all the lands that should be due for transportation of people sent thither to be employed upon the said work,' which motion the court conceived to be very reasonable and fit to be granted in respect of the great charge they have and must still be at in prosecution thereof; being, therefore, put to the question, the court confirmed the same unto them.

"The committee appointed by the former court, having taken into consideration what proportion of allowance they conceived to be necessary for the present support and maintainance of a Vice-Admiral in Virginia, whereof they conceived there was a very great necessity, and that the want of such an officer hath been no small loss and prejudice unto the Company's ships and provisions and other public service, have thought fit, in respect of the quality of the place, to state the same with 300 acres of land, and the number of twelve tenants to be placed thereupon for the planting and cultivating thereof, which allowances were thought very reasonable, and thereupon being put to the question, were ratified and confirmed.

"And forasmuch as Mr. John Pountis was especially recommended for the said place of Vice-Admiral, in respect of his sufficiency and continual regard of the public good, of the Company's directions, in consideration whereof, he was, by a former court, chosen to execute the said place by commission provisionally for one year until it might be further confirmed unto him by order of a quarter-court; it is therefore now agreed and ordered that the said John Pountis shall continue in the place of Vice-Admiral for three years, beginning from the date of these presents.

"Whereas, there was a contribution of £70 freely given by certain gentlemen and mariners of the East India Company that came home in the Royal James, which they desired might be employed in the building either of an East India church or school in Virginia, at the choice of the Virginia Company;

Digitized by Google

whereupon, it being referred to a committee and by them taken into consideration, they did now certify that many important reasons had moved them to agree in opinion that the said moneys were fit to be employed in the building of a free school in Virginia, which they likewise thought fit shou'd be called the East India School in honor of the said benefactors. They also signify'd that an unknown person, out of a zealous affection to advance so pious a work, had given £30 more, both which sums were now brought into the court and laid upon the table. It was also further declared, in the report of the said committee, being entered at large in the court held the last of October, that they thought fit, for the maintenance of the said schoolmaster and his usher to be placed in the said school, to allow no less than one thousand acres of land and five persons, besides an overseer of them, which they thought fit should be forthwith sent upon this present charge, in condition of apprentices, to cultivate and manure the said lands, which allowance of land and servants being intended for this as for a collegiate school, the court conceived to be very reasonable, and thereupon, being put to the question, were accordingly confirmed.

"Forasmuch as it was also informed that Mr. Copeland was a good means, by his own exemple, to move the said Company to give that contribution of £70, being preacher in the said ship, and had further also writ to divers factories in the East Indies to stirr them up to the like charitable contribution towards this pious work, it was therefore thought fit and ordered that the said Mr. Copeland, by way of gratification, should have three shares Old Adventure bestowed upon him as a free gift, and should also be admitted a free brother of the Company.

"Mr. Deputy gave notice of nine patents now presented in court to pass the seal[90] of the Company, having been particularly

[90] In the original patent of 10th April, 1606, to Sir Thomas Gates and others, for the colonization of Virginia, "two several colonies and companies" were provided for, each to have a council of thirteen persons, to be guided by the King's instructions, and each to have a seal with the King's arms engraved on one side "and his portraiture on the other"; on one side of the seal of the first colony were to be the words SIGILLUM REGIS MAGNÆ BRITANIÆ, FRANCIÆ AND HIBERNIÆ; on the other side PRO CONCILIO PRIMÆ COLONIÆ VIRGINIÆ. The seal of the second was the same as the first except the change in the legend

Digitized by Google

examined by the morning court, which did approve thereof, which patents were of two sorts—the one of such as were adventurers by moneys paid into the treasury, for which they had allowed one hundred acres of land for every single share of twelve pounds ten shillings; the other being for planters only who had allowed fifty acres for every person transported to Virginia. According to which, two forms were drawn and accordingly engrossed ready for the seal, being these that follow:

---

on one side to PRO CONCILIO SECUNDÆ COLONIÆ VIRGINIÆ. There was also provision made for a Council, resident in England, known as the King's *Council of Virginia*, which should have the managing and direction of the settlement within the limit of the thirty-fourth and forty-fifth degrees of north latitude. This Council was to have a seal like the others, but with the legend on one side PRO CONCILIO SUO VIRGINIÆ. (*Neill's Virginia Vetusta*, pages 4, 5—a cut of the last described seal appearing on page 5. The cut is also given in *Narrative and Critical History of America*, vol. iv, page 140. Chapter v, "Virginia, 1606–1689," by R. A. Brock.) An example of this seal, with the same dimensions and devices, but with the differing legend on the reverse of COLONIA VIRGINIÆ—CONSILIO—PRIMA is in the collections of the Virginia Historical Society. It is of red wax, between the leaves of a foolscap sheet of paper, and is affixed to a patent for land issued by Sir John Harvey, Governor, dated 4th March, 1638. Another seal was adopted by the Virginia Company 15th November, 1619. An escutcheon quartered with the arms of England, France, Scotland and Ireland, with crest of bust of a maiden queen with flowing hair and eastern crown, and supporters of two men in armor, beavers open, helmets ornamented with three ostrich feathers, each holding a lance. Motto: EN DAT VIRGINIA QUINTUM. A cut of this seal is given in *Neill's Virginia Vetusta*, page 135. It also appears on the frontispiece to *Beverley's History of Virginia*, and on the title page of every legislative publication of the colony to the era of the Revolution. It was doubtless the continued insignia of authority by the Assembly of the Council under the Virginia Company, and distinct from the Royal seals used after the dissolution of the Company. Dr. William P. Palmer, in his *Introduction* to the *Calendar of State Papers of Virginia* (Volume I, page xxvi,) states that the small number of documents preserved in the archives of the State "bearing impressions of the Royal, Colonial and other official seals, * * * is limited to the short period included between the time of James II and the latter part of Queen Anne's reign," and that "the earliest of these, dated 1686, September 1st, is a writ of election for certain members of the House of Burgesses, issued at 'Rosegill' [the seat of the Wormeley family, whom he was then doubtless visiting] by the Governor, Lord Howard, Baron Effingham. * * * The impression of the colonial seal on this document (as with all others

Digitized by Google

"To Arthur Swain, Nathaniel Basse, adventurers, and to their associates, who undertake to transport 100 persons to Virginia.

"To Rowland Truelove and divers other patentees, adventurers, and to their associates, who undertake to transport 100 persons.

"To John Crowe, of Newton, in the county of Washford, in Ireland, Esquire, an adventurer, who undertakes to transport 100 persons.

---

herein) [the *Calendar*] is upon wafer. It displays a shield in the centre field, quartering the arms of England and France first and fourth, with those of Scotland and Ireland second and third, enclosed by the Order of the Garter and its appropriate motto. In the exergue appear the words: 'EN DAT VIRGINIA QUINTUM,' the whole surmounted by the crown proper, and flanked right and left respectively by the characters 'C' AND 'R.'" This was evidently a continuation of the use of the seal of the preceding reign of Charles II, of which the editor has seen examples, under the government of Sir William Berkeley. In the Richmond *Dispatch* of 15th October, 1882, appeared a communication from the editor, including one to him from Charles Deane, LL.D., Cambridge, Mass, giving a proclamation from James II, dated 21st December, 1687, appointing a new seal for Virginia, as follows: "Engraven with our Royal Effigies sitting in our Royal Robes enthroned, having on each side a Landskip, and upon the Canopy, which is supported by two Angels and a Cherubim overhead, this Motto: IN [EN] DAT VIRGINIA QUINTUM, with our Royal Title in the Circumference, and on the other side our Royal Coat of Arms, with the Garter, Crown, Supporters, and Mottos, with this inscription in the Circumference: SIGILLUM DOMINII NOSTR.: VIRGIN: AMERICA." This seal, which was brought from England, where he went on a visit, to Virginia by Col. Wm. Byrd, the first of the family in Virginia, it appears was never used. The first use of such a seal, broad and pendant, was in the reign of Queen Anne, by proclamation dated 6th October, 1712, which veritable document is published, with engraving of the accompanying original waxen seal, in the *American Historical Record*, B. J. Lossing, LL.D., Editor, Vol.V., No. 4, April, 1872, pp. 160–162, and is thus described: "Engraved on the one side with an effigy and an Indian on his knee presenting tobacco to us. This inscription EN DAT VIRGINIA QUARTAM, being under the effigy, and around the circumference: VIRGINIA * IN * AMERICA * SIGILLUM * PROVINCIÆ * * * On the other side of the said seal is engraven our arms, garter, crown, supporters, and motto, with this inscription around the circumference: ANNE * DEI * GRATIA * MAGNÆ * BRITTANNIÆ * FRANCIÆ * ET * HIBERNIÆ * REGINA * FIDEI * DEFENSOR, for use to affix the said seal to all patents and grants of land, and to all public acts and instru-

Digitized by Google

"To Edward Ryder and his associates, an adventurer undertaking to transport 100 persons.

"To Captain Simon Leeke, planter, who undertakes to transport 100 persons.

"To Daniel Gookin, of Cork, in Ireland, planter, 100 persons.

"To Edward Bennett, Richard Bennett, Robert Bennet, Thomas Ayres, Thomas Wiseman and Rich'd Wiseman, planters, who undertake for 200 persons.

---

ments of government, which shall be made and passed in our name within our said colony." On the 6th of March, 1706-07, the queen had given her royal assent to an "Act for an union of the two kingdoms of England and Scotland, and thenceforth the motto read QUARTAM instead of QUINTUM. Previously from the reign of Elizabeth, if not earlier, the royal style had been king or queen, or king and queen of England, Scotland, France and Ireland (four realms); but afterwards it was queen or king of Great Britain, France and Ireland (three realms) until the union of Great Britain and Ireland, after which, by royal proclamation, dated 3d January, 1801, the style was altered to what it has ever since remained, king or queen of the United Kingdom of Great Britain and Ireland—dropping France and all pretension to the crown thereof. It is a quite common error, into which many writers have fallen, that Charles II gave the motto EN DAT VIRGINIA QUINTUM in recognition of the loyalty of the colony during his exile, but the title was held as early as the reign of Elizabeth, when Virginia was the *sole* dominion of the crown of England on the Continent of America. In the inscription accompanying an admirably-engraved portrait of the "Virgin Queen," by "*Henricus Hondius—Hague Comit: Cum Privilegio Illust.: D. D. Ord. Generalium, 1632*," hanging in the hall of the Westmoreland Clubhouse, Richmond, Virginia, in which the Virginia Historical Society has its rooms, she is entitled "SERENISSIMA AC POTENTISSIMA PRINCEPS ELISABET D. G. ANGLIÆ, FRANCIÆ, HIBERNIÆ ET VIRGINIÆ REGINA FIDEI CHRISTIANÆ PROPUGNATRIX ACERRIMA."

The use of the great or broad pendant seal appears to have been common to all the colonies from the time of Queen Anne, the editor possessing examples of several of them, with like designs of obverse and reverse, as have been described. They are of white wax, papered, and measure about five inches in diameter and one-fourth of an inch in thickness, The editor also possesses documents, local commissions issued during the reigns of George II and George III, with small pendant seals of white wax, crown-shaped, and without other insignia. Whether the use of such seals was merely provisional, or in local contradistinction to the use of the great or broad seal, representative of royal prerogative, the editor is not in the possession of the data requisite to determine.

Digitized by Google

"To Sir Charles North, of Wakringham, in the county of Nottingham, for 100.

"To Mr. Lewinge, 100.

"So that the whole number undertaken by the adventurers and planters to be transported to Virginia comes in all to 1,200 persons.

"All which patents being put to the question were confirmed and ordered to be sealed.

"Mr. Deputy likewise signified of four commissions appointed for four masters of ships now bound for Virginia for transportation of people and goods, and after for a fishing voyage, which commissions were now engrossing for the seal, the draughts having been considered and approved of by the morning court, viz. :

"The first commission to John Huddleston, master of the Bona Nova, of about 200 tuns.

"To Thomas Smith, master of the Hopewell, of 60 tuns.

"To Daniel Gats, master of the Garland, of 40 tuns.

"To Captain Thomas Jones,[91] master of the Discovery, of 60 tuns.

"All which commissions the court authorized Mr. Deputy to seal.

"After other things were ordered, Mr. Deputy advertized the company that he was to acquaint them with a weighty busines, namely : the proceedings of some former court touching the Lords of the Privy Council, their late proposition and command for bringing in all their tobacco into England to pay the custom here due, for that his Majesty's revenues (as it is alledged by their Lordships) could not otherwise be upheld, concerning which, that this court might the better understand the whole proceed of

[91] Jones did not arrive at Jamestown until the following April. In August, 1622, he anchored at New Plymouth. On 15th December following, the Council of New England directed a letter to be written to the Treasurer of the Virginia Company complaining of Captain Jones for robbing the natives of New England of their furs and taking some prisoners. In July, 1625, Jones again arrived at Jamestown with a Spanish frigate, which he alleged was taken in the West Indies under a commission of the States to one Captain Powell, from whom he had separated to repair this ship. Shortly after his arrival he died, and the Virginia authorities suspected that the Spanish vessel had been illegally obtained.—*Neill's Virginia Company*, page 306.

Digitized by Google

this business, from the very beginning thereof to that point and period it was brought unto and whereupon it now resteth, he desired they would please to hear the same read in order as it was presented, which business began the 16th of October last, and so forward, as may appear by the several courts.

"Which being read, Mr. Deputy made two requests unto the Company. The first was to know whether they did approve of what he had done by the advice and directions of the said courts concerning the former propositions; the second was that they would now please to deliver their opinions freely what course they conceived best to take to release the Company of this strict command and to restore themselves to their former liberty, and the rather for that it was expected that this court especially (whereunto it was referred) should do something herein, and not omit to declare their resolution touching this present business. Concerning the first, the court did generally assent thereunto, testifying their good approbation of their proceedings and of their answers made unto the Lords of the Council, freely acknowledging that as the cash stood more could not have been performed; but for the other bequests, concerning the Company's express resolutions touching the point in question, it was thought fit to respite the same until some longer time, forsomuch as the Parliament might happily effect something that might ease the Company of that care and labour; yet was it also held fit that a choice and large committee should now be appointed to consult about this business and prepare the same against there should be a further cause given to move them to take some course for remedy hereof; whereupon these undernamed were nominated and desired to meet upon the next Saturday following, at two of the clock in the afternoon, at Mr. Ferrar's house, viz.:

Lord Cavendish,
Sir Edward Sackville,
Sir Dudley Diggs,
Sir Walter Earle,
Sir Philip Cary,
Sir Robert Philips,
Mr. Gibbs,
Mr. Wrote,
Mr. Nich. Hyde,
Mr. Brooks,
Lord Pagett,
Sir Francis Egioke,
Sir John Dauers,
Sir Samuel Sandys,
Sir Lawrence Hyde,
Mr. Deputy,
Mr. Casewell,
Mr. Ayres,
Mr. Ab. Chamberlyn,
Mr. Bland,

Digitized by Google

Mr. Germin,
Mr. Challoner,
Mr. Keightley,
Mr. Robert Bateman,
Mr. Robert Smith,
Mr. Ditchfield,
Mr. Bull,
Mr. Barbor,
Mr. Smith,
Mr. Caminge,
Mr. Nich. Ferar.

"After this a motion was made, that forsomuch as many excellent projects had been propounded at divers courts in this last vacation, when many gentlemen were out of town, whereby they could not take that notice of them that was fit, that, therefore, they might now again be read and published in open court, seeing they did not only tend to the great benefit of the adventurers that are interested therein, but also to the great honour and advancement of the general plantation, as would more plainly appear by the rolls themselves being read unto them. Whereupon order was given for reading of them severally.

"The first being for setting up of a glass furnace in Virginia for making of glass and beads for the use and benefit of the colony withal, to which and certain Italians and others to the number of sixteen persons are already sent, which work is hoped by this time to be in a good forwardness set up, in advancement whereof divers adventurers had underwritten ten pounds apiece, being the sum proposed to be paid by each adventurer, which is to be employed in a joint stock, so that that particular roll was already come to the sum of £500.

"A second roll was a magazine for provisions of apparel and other necessaries, whereof the colony stood in great need, and did earnestly desire to be supplyed, which was now provided, and the ships departed, which was good profit unto the several adventurers, unto which roll there was already underwrit for a joint stock £1,800.

"The third roll was for sending of maids to Virginia to be made wives, which the planters there did very much desire, by the want of whom have sprang the greatest hindrances of the encrease of the plantation, in that most of them esteeming Virginia not as a place of habitation, but only of a short sojourning, have applyed themselves and their labours wholly to the raising of present profit, and utterly neglected, not only staple commodities, but even the very necessities of man's life, in regard whereof, and to prevent so great an inconveniency hereafter, whereby the

Digitized by Google

planters' mind may be fast tyed to Virginia by the bonds of wives and children, care has been taken to provide them young, handsome and honestly educated maids, whereof sixty are already sent to Virginia, being such as were specially recommended unto the Company for their good bringing up by their parents or friends of good worth; which maids are to be disposed in marriage to the most honest and industrious planters, who are to defray and satisfye, to the adventurers the charge of their passages and provisions at such rates as they and the adventurers' agents there shall agree; and in case any of them fail through mortality it is ordered that a proportionate addition shall be made upon the rest. In furtherance of which Christian action, divers of the said adventurers had underwrit divers good sums of money, none under £8, whereby the whole sum of that roll did already amount to £80c, as may appear by the subscriptions.

"The fourth roll was intended for a most certain and beneficial trade of furrs to be had with the Indians in Virginia in the limits of the southern colony, it being credibly informed, both by letter from the Governor and council of state in Virginia, as also by relation of others, of the great trade of furrs which is yearly made by the French and Dutch ships in a very great proportion in Delawarr and Hudson's rivers, being not above thirty or fifty leagues distant from the plantation, and for that, there is at this present so good an oportunity offered for the cheap and safe managing of the said trade, it hath moved many of the former adventurers to subscribe unto this roll, also wherein it is so ordered that no man shall subscribe above £100 and none for less than £20. Whereof onely a third part of the present voyage is to be employed, in which roll there is already underwritten the sum of £900, which ship is also departed.

"The fifth roll, which is the last, though not the least in estimation, is for the sending of shipwrights and carpenters to Virginia, where plenty of materials are to be had, so that the onely want was of skillfull and sufficient workmen in those kind of professions, whereof divers did now offer themselves to go, with whom the colony being once furnished they will in a short time be enabled, with pinnaces and boats, to make further discoveries up into the country, and by means of houses ready framed to their hands and afforded at reasonable rates, the planters there, and such as come now over, will be able to furnish themselves, from

Digitized by Google

time to time, with substantial houses well built and in a good manner to the comfort of the inhabitants and further strength of the plantation.

"At a quarter-court held the 30th of January, 1621–22, there were present—

Earl of Warwick,
Lord Paget,
Lord Cavendish,
Mr. Deputy,
Mr. Gibbs,
Mr. Wrote,
Mr. John Smith,
Mr. Robert Smith,
Mr. Keightley,
Mr. Mansell,
Mr. Bromfield,
Mr. Berblock,
Mr. Briggs,
Mr. Grey,
Mr. Gardiner,
Mr. Mindouis,
Mr. Viner,
Mr. Shipton,
Mr. Weston,
Mr. Mellinge,
Mr. Hart,
Mr. Rich. Ferrar,
Mr. Tomlyns,
Mr. Rogers,
Mr. Barbour,
Mr. Ayres,
Mr. Casewell,
Mr. Newport,
Mr. Taylor,
Mr. Man,
Sir Francis Leigh,
Sir Edwin Sandys,
Sir Philip Cary,
Mr. Martin,
Mr. Stubbs,
Mr. Brewer,
Mr. Wheatly,
Mr. Edward Rogers,
Mr. Flapton,
Mr. George Smith,
Mr. Boothby,
Mr. Herrison,
Mr. Wiseman,
Mr. Swinehow,
Mr. Fawcet,
Mr. Jadwin,
Mr. Waterhouse,
Mr. Elkington,
Mr. Hackett,
Mr. Felgate,
Mr. Copland,
Mr. Balmford,
Mr. Woodall,
Mr. Barker,
Mr. Morris,
Mr. Watson,
Mr. Lilley,
Mr. Bull,
Mr. Covel,
Mr. Bagwell,
with divers others.

"After the reading of the former quarter-court, Mr. Deputy signified of divers patents, which being read in the preparative

Digitized by Google

court were well approved of, and recommended to this general court for confirmation, namely:

A patent granted to Sir George Yeardly, an adventurer, who undertakes to transport - -	300 persons.
To Thomas Lauson, an adventurer, for - -	100
To Capt. Nath. Basse and his associates, for -	100
To Capt. William Weldin, a planter, for - -	100
To Henry Southey,[92] of Rimpton, in Somersetshire, a planter, for - - - -	100
To William Caps, for - - - -	100
In all - - - -	800 persons.

"Which patents were all put to the question and ordered to be sealed.

"A patent likewise for Martin's Hundred having been examined by this morning's court, called on purpose for it according to the former court's appointment, and by it approved as being drawn according to Southamton patent, it was now put to the question, and ordered to be sealed.

"The letter subscribed D. and A. was brought to the former court by an unknown messenger, was now again presented to be read, the contents whereof are as followeth:

"'JANUARY 28th, 1621.

"'*Most Worthy Company:*

"'Whereas, I sent the Treasurer and yourselves a letter subscribed 'Dust and Ashes,' which promised £550 to such uses therein expressed, and did soon afterwards, according to my promise, send the said money to Sir Edwin Sandys to be delivered to the Company, in which letter I did not strictly

[92] Nathaniel Littleton—who emigrated to Virginia, *circa*, 1635, and settled in Accomac county, and supposed to be a son of Sir Edward Littleton—married in Virginia, Ann, daughter of Lewis and Elizabeth Southey. Southey has been a favored Christian name in the family since. The descendants of Nathaniel Littleton include the names of Robins, Savage, Wallis, Waters and others. "A Tentative Pedigree of the Littleton Family of Virginia, by Ro. Patterson Robins, A. M., M. D." is given in the *New England Historical and Genealogical Register*, October, 1887.

Digitized by Google

order the bestowing of the said money, but only shewed my intent for the conversion of infidells' children, as will appear by that letter, which I desire may be read in open court, wherein I chiefly commended the ordering thereof to the wisdom of you, the Honourable Company; and whereas, the gentlemen of Southampton Hundred have undertaken the disposing of the said £550, I have long attended to see the erecting of some school or other way whereby some of the children of the Virginians might have been taught and brought up in Christian religion and good manners, which not being done according to my intent, but the money detained by a private Hundred, all this while contrary to my mind, tho' I judge very charitably of that Honourable Society, and as you have already received a great and the most painfully gained part of my estate towards the laying of the foundation of Christian religion and helping forward of this pious work in that heathen, non-Christian land, so now I request of the whole body of your honorable and worthy Company, whom I entrusted with the dispose of the said money, to see the same speedily and faithfully converted to the work intended. And I do further propound unto you, the Hon'ble Company, that if you will procure that some of the male children of the Virginians are brought over and placed in London, either in Christ's Hospital or in the Virginia School or Hospital, as it may be called, and by the wills and gifts of good men may be early augmented, where the Company may have an eye over them and be (as it were) nursing fathers over them, then, I say, I faithfully promise to add £450 more to make the sum £1,000, which, if God permit, I will cheerfully send you, only I desire to nominate the first tutor or governor who shall take charge to nurse and instruct them. But if you, in your wisdoms, like not of this motion, then my humble suit unto the whole body of your Honourable Company is that my former gift of £550 be wholly employed and bestowed upon a free school to be erected in Southampton Hundred (so it be presently employed), or such other place as I or my friends shall well like of, wherein both English and Virginians may be taught together, and that the said school be endowed with such privileges as you in your wisdoms shall think fit. The master of which school I humbly crave may not be allowed to go over except he first bring unto the Company a sound testimony of his sufficiency of learning and sincerity of

Digitized by Google

life. The Lord give you wise and understanding hearts, that His work herein be not negligently performed.

"'D. AND A.'

"'*Directed to the Right Honorable and Worshipful, the Treasurer, Council and Company of Virginia.*'

"The letter being referred to the consideration of this court, forsomuch as it did require an account of the Company how they have expended the said money, viz., the £550 in gold, for the bringing up of the infidels' children in true religion and Christianity, Sir Edwin Sandys declared that the said money, coming unto him inclosed in a box, in the time of his being Treasurer, not long after a letter subscribed Dust and Ashes had been directed unto him in the quality of Treasurer and delivered in the court, and there openly read, he brought the money also unto the next court, there in the box unopened. Whereupon the court, after a large and serious deliberation how the said money might be best employed to the use intended, at length resolved that it was fittest to be entertained by the societies of Southampton Hundred and Martin's Hundred, and each to undertake for a certain number of infidels' children to be brought up by them in Christian religion and some good trade to live by according to the donor's religious desire; but Martin's Hundred desired to be excused by reason their plantation was sorely weakened and as then in much confusion. Whereupon, it being pressed that Southampton Hundred should undertake the whole, they also considering with the weight the difficulty also and hazard of the business, were likewise very unwilling to undertake the management thereof, and offered an addition of £100 unto the former sum of £550 that it might not be put upon them; but being earnestly pressed thereunto by the court, and finding no other way or means how to set that great work forward, yielded in fine to accept thereof. Whereupon, soon after, at an assembly of that society, tne adventurers entered into a careful consideration how this great and weighty business might be with most speed and great advantage be effected. Whereupon it was agreed and resolved by them to employ the said money, together with an addition out of the society's purse of a far greater sum, towarde the furnishing out of Captain Bluet and his Company, being eighty able, very sufficient workmen, with all manner of

Digitized by Google

provisions for setting up of an iron-work in Virginia, whereof the profits accruing were intended and ordered in a ratable proportion to be employed faithfully for the educating of thirty of the infidels' children in Christian religion, as the donor had required; to which end they writ very effectual letters unto Sir George Yeardly, then Governor of Virginia, and Captain also of Southampton plantation, not only commending the excellency of that work, but also furnishing him at large with advice and direction how to proceed therein, with most earnest adjuration (and that often litterated in all their succeeding letters) so to employ his best care and industry therein, as a work whereon the eyes of God, angels and men were fixed. The copy of which letter and direction, through some omission of their officer, was not entered in their book, but a course should be taken to have it recovered.

"In answer of this letter they received a letter from Sir George Yeardley, shewing how difficult a thing it was at that time to obtain any of their children with the consent and good liking of their parents, by reason of their tenderness of them and fear of hard usage by the English, unless it might be by a treaty with Opochancano, the king, which treaty was appointed to be that summer wherein he would not fail to do his utmost endeavors.

"But Captain Bluet dying soon after his arrival, it was a great setting back of the iron-work intended, yet, since that time, care had been taken to restore that business with a fresh supply; so as he hoped well the gentleman that gave this gift would receive good satisfaction by that faithful account, which they should be able and at all times ready to give touching the employment of the said money.

"Concerning which, Sir Edwin Sandys further said that as he could not but only commend the gentleman for that, his worthy and most Christian act, so he observed so great inconvenience by his modesty and eschewing of show of vain glory by concealing his name, whereby they were deprived of the mutual help and advice which they might have had by conference with, and whereby he might have also received more clear satisfaction, with industry, care and integrity they had managed that business, the success whereof must be commended to the pleasure of God, and it had been commended to His blessing.

"He concluded that if the gentleman wou'd either vouchsafe

Digitized by Google

himself or send any of his friends to confer with the said society, they would be glad to apply themselves to give him all possible satisfaction. But, for his own particular judgment, he doubted that neither of the two courses particularized in this letter now read in court would attain the effect so much desired. For to send for them into England and have them educated here he feared (upon the experience of those brought by Sir Thomas Dale) might be far from the Christian work intended. Again, to begin with the building of a free school in Virginia for them, he doubted (considering that none of the buildings there intended had yet prospered by reason that as yet, through their doating so much upon tobacco, no such workmen could be had but at intolerable rates) it might rather tend to the exhausting of this sacred treasure in some small fabrick than to accomplish such a fundation and weight as might satisfy men's expectations. Whereupon he wished again some meeting between the gentleman or his friends and the Southampton Hundred Society, that all things being debated at full and judiciously weighed, some constant course might be resolved on and pursued for the proceeding in and perfecting of this most pious work, for which he prayed the blessing of God to be upon the author thereof. And all the Company said Amen.

"In the midst of this narration a stranger stept in, presenting four books, fairly bound, sent from a person refusing to be named, who had bestowed them upon the colledge in Virginia that gave heretofore the other four great books, the names of those he now sent were these, viz: a large church Bible, the common prayer-book, Ursinus's catechism, and a small Bible, richly embroidered. The court desired the messenger to return the gentleman that gave them their general acknowledgment of much respect and thanks due unto him.

"A letter also was presented from one who desired also not to be named as yet, with £25 in gold to be employed by way of addition unto the former contribution towards the building of a free school in Virginia, to make up the other sum of £125, for which the Company desired the messenger to return him their hearty thanks.

"Mr. Copeland, the preacher, having three shares of land of Old Adventure bestowed upon him by the last quarter-court in reward and gratification of his deserts, did now humbly desire

Digitized by Google

the same might be confirmed under the Company's seal, with allowance of fifty acres the person more for so many as he and his associates should undertake to transport at their own proper costs and charges, which request was thought very reasonable, and having a deed for this purpose ready drawn according to the order of the former court, which was now presented and read, the court approved thereof and ordered it to be sealed.

"Mr. Deputy signified that Mr. Leat,[98] the minister, being appointed to preach this next Sunday at St. Sythe's church upon a text the Company gave him, had performed the same with good approbation, and being still desirous to go to Virginia, recommended to the Governor and Council there to remain in expectance till some place in the ministry become void, did therefore pray the Company would be pleased to furnish him with some small allowance for books and other necessaries, which request, having been formerly taken into consideration, it was thought fit to allow him £20 to furnish him with books and apparel and to pay for his transportation; which allowance the court did well approve of.

"February 27th, 1621–2. Mr. Deputy acquainted the Company that word was brought him that the Marmaduke was returned from Virginia, and was now in Ireland, and although the letters which she brought were not as yet come to his hands, yet he had received good news by Captain Rayner, owner of the said ship, being advised by his man's letters of the safe arrival into Virginia of eight of their ships, which set out this last summer, which brought all their passengers thither in good health, not one dying either by sea or land; and that whereas the Tyger, in her passage, being driven by ill weather so far as the North Cape, fell in the hands of Turks on her way, but it pleased God to deliver her by a strange accident out of their hands, so as she escaped that danger and arrived safely with her people to Virginia, and that they wanted only the Sea-Flower, wherein Captain Hamor went, which they expected would be there within a few days after the coming away of this ship.

"And further, it was certified that they found the people in Virginia all in good health, and that Mr. Delbridge's ship was

[98] Rev. William Leate, formerly a preacher in Newfoundland. He died in less than six months after his arrival in the colony.

Digitized by Google

there also, well arrived with many good commodities from the Sumer Island, for which extraordinary blessing the whole court gave all possible praise and thanks unto God, and were much comforted at so joyfull and welcome news.

"March 13th, 1621-2. Whereas, Mr. Deputy formerly acquainted the court with that news he received by word of mouth of the safe arrival of eight of their ships in Virginia with all their people and provisions, sent out this last summer, he now signified that the general letter was come to his hands, importing as much as had formerly been delivered, which letter, for more particular relations, did refer to the letter sent by the George, which he hoped they should soon hear of.

"Upon declaration of the Company's thankfulness unto God for this joyfull and welcome news from Virginia, a motion was made that this acknowledgment of their thankfulness might not only be done in a private court, but by some learned minister in a sermon to that purpose before a general assembly of the Company, which motion was well approved of, and thought fit to be taken into consideration upon return of the George, which was daily expected, when they hoped they should receive more particular advertisement touching their affairs in Virginia.

"The court, taking into their consideration certain propositions presented unto them in the behalf of Mr. Dike, formerly commended for the usher's place, in the free school intended at Charles City in Virginia, they have agreed in effect to his several requests, namely, that upon certificate from the Governor of Virginia of his sufficiency and diligence in framing up of youth committed to his charge he shall be confirmed in the place of master of the said school.

"Secondly, that if he can procure an expert writer to go over with him that can withal teach the grounds of arithmetic, whereby to instruct the children in matters of account, the Company are contented to give such a one his passage, whose pains they doubt not but will be well rewarded by those whose children shall be taught by him, and for the one hundred acres of land he desires for his own proper inheritance, it is agreed that after he has served out his time, which is to be five years at least, and longer during his own pleasure, he giving a year's warning upon his remove, whereby another may be provided in his room, the Company are pleased to grant him one hundred acres as before.

Digitized by Google

"It is also agreed that he shall be furnished with books fit for the school, for which he is to be accountable, and for the children the Company have undertaken likewise to provide a good store of books fitting for their use, for which their parents are to be answerable. Lastly, it is ordered that the agreement between him and the Company shall, according to his own request, be set down in writing by way of articles indented.

"Mr. Deputy signified that he had received of late certain intelligence that Mr. Gookin's ship was arrived in Virginia with forty young cattle, well and safely landed, he therefore moved that forasmuch as divers others might be encouraged to transport cattle out of Ireland thither upon this good news, upon reasonable conditions that a letter might be writ to Mr. Gookin, by way of offer, that if any should be pleased to undertake the like performance they shall have, for every heifer safely delivered in Virginia, one hundred weight of good merchantable tobacco, which motion was well approved of, and order given for a letter to be drawn to that effect.

"March 27th, 1622. Mr. Deputy acquainted the court that thanks to God the George was now returned from Virginia and that he had received the paquet of letters sent by her, which he now presented to be read. Whereupon there was first read the general letter from the Governor and council of Virginia, and after such private letters as came directed unto the council and Company here, wherein, amongst other things, they gave advertisement that the iron-works, so long and so earnestly desired, were now in a good forwardness to be set up by the means of Mr. John Berkley, who doubted not but to make iron there by Whitsontide; also of the great hopes they have of cotton wool in respect the trees there prosper so well; also of plenty of good wine whereof the Virginians had sent home a tast by this ship, the George, and further, they certifie that their hopes are now greater than ever of a flourishing country in a short time with that rich commodity of silk, in respect the Frenchmen there do report the mulberry trees to be of the best kind that are, and do daily encourage the people, by their example, to plant them in abundance, which makes them all desire that store of silk-worm seed be sent them with the first conveniency.

"There was also presented certain propositions sent to the Company by Mr. Deputy Newce, for altering their present condi-

Digitized by Google

tion with their tenants for the better improvement of the publick revenue and advancement of the general plantation, which project, for that it contain'd matter of special importance more than was fit to be disputed upon for the present, the court hath referred it to the council of Virginia to take into their consideration and to certify their opinions touching the same against the quarter-court.

"Upon the presenting a certificate from the Governor of Virginia of the safe arrival of the Warwick there, order was given for the payment of fraight according to the contract made with the owners, which was for payment within fourteen days after sight.

"Upon intelligence given of the want of ministers in Virginia, whom the inhabitants there do very much desire, promising to allow them very good entertainment without charge of the Company, Mr. Deputy gave notice of two or three that had been with him and offered themselves to go upon reasonable conditions, whereupon the court referred to the committee to be treated with.

"April 3d, 1622. The Somer Islands' court held this afternoon being dissolved and the Virginia court set, Mr. Deputy signified that upon a proposition formerly made, upon the good success it pleased God to give Mr. Gookin this last summer in transporting his people and cattle safely to Virginia, certain gentlemen of Ireland being now in town much encouraged, and not able to stay till next year, made an offer to undertake the like performance as Mr. Gookin had done, so as they might know and be assured aforehand at what rate they should be able to put off their cattle in Virginia at their coming there, which offer the court, taking into their consideration, did at length agree that for the better encouragement of such undertakers, they should have for every heifer of our right English breed of two years old and upwards, delivered safe and sound in Virginia, allowed them there either 130 lb weight of tobacco or £11 in money at their election, for which they should have the Company's seal for their security.

"And whereas these undertakers did likewise make offer to transport out of Ireland twenty or thirty able youths of sixteen or seventeen years of age, to be apprentices in Virginia, for six or seven years in the Company's service with £40 a piece in apparel, which they would deliver safe in Virginia at the rate the person in money or 100 lb weight of tobacco; the court liking well of this their offer, are contented, upon certificate as afore-

Digitized by Google

said, to give that allowance, either in tobacco or money at their election as is desired.

"A motion being made that for so much as private planters received by the Frenchman's skill and instructing of others in the art of setting and planting of vines, and in the mystery of making wine, that they be ordered to bear part of the charge thereby to ease the Company, which motion was well approved of and thought fit to be remember'd in the general letter to the Governor, whereby it might be proposed and required of them.

" Forasmuch as the George was now returned safe from Virginia, confirming the news they had formerly received of the safe arrival of their ships and people in Virginia, sent this last summer, it was now thought fit, and resolved according to a motion formerly made to the same effect, that a sermon should be preached to express the Company's thankfulness unto God for this His great and extraordinary blessing. To which end the court entreated Mr. Copeland, being present, to take the pains to preach the said sermon, being a brother of the Company and one that was well acquainted with the happy success of their affairs in Virginia last year. Upon which request Mr. Copeland was pleased to undertake it, and thereupon two places being proposed where this exercise should be performed, namely, St. Michael's, in Cornhill, or Bow Church, it was by erection of hands appointed to be in Bow Church, on Wednesday next, being the 17th day of this present month of April, about four of the clock in the afternoon, for which purpose Mr. Carter is appointed to give notice of the time and place to all the Company.

"A request was made in behalf of Mr. John Berkley, master of the iron-works in Virginia, that in respect he had with so great skill and industry brought that so long desired work to so great forwardness as to undertake so confidently to make iron there by Whitsuntide next, as by his own and Mr. Sandys's letter appeared. The court would please, for his better encouragement in so good a work, to supply him and his people with such provisions as he has most earnestly desired in his letter, which charge he hath promised to repay again out of the first fruit of their labours, which request being taken into serious consideration, and withal the benefit and consequence of so great a work unto the whole plantation, and forsomuch as the Company's stock was quite exhausted, the court again entreated Mr.

Digitized by Google

Deputy, as formerly, to take up so much money as might supply him, for which he should be secured as before hath been declared.

"May 8th, 1622. The court being moved to take some order about the tobacco lately brought home in the George, returned from Virginia, haveing entreated Mr. Bland, Mr. Casewell, Mr. George Smith and Mr. Mellinge to take up out of the custom-house and to sell and dispose of all the tobacco come home in the said ship, as well from the college tenants as from the Treasurer and Captain Nuce, or any other way belonging to the several Company. They were also entreated to discharge and satisfy as well the freight of the tobacco to Mr. Ewens as also the custom and other charges of it.

"And further, they were entreated to use all convenient diligence in the selling of the said tobacco, that with all expedition money might be made of it. The price and manner of sale was wholly referred to their fidelity and discretion.

"Mr. Staples,[94] minister, recommended by Mr. Abraham Chamberlyn and by certificate under the hands of wellnigh twenty divines, continuing still his earnest request to the Company for some allowance towards the transport and furnishing out of himself, his wife, and child to Virginia, where he hath a brother living, which moves him the rather to go, for which allowance he is contented to put himself wholly to their free bounty, the court taking it into consideration, and at length agree that although their stock was spent, they would strain themselves to give him £20 to pay for his said passage and to furnish himself with necessaries, and for that it was moved that he might give some testimony of his sufficiency by a sermon, as is usual, he was desired to preach upon Sunday come sen-night, in the afternoon, at St. Scythe's church, which he promised to perform.

"Mr. Deputy signified that one Samuel Each, Captain of the Abigail, having, at his being in Virginia, made tryal of those banks that lye out in James river near Blunt Point, and found that a block-house or fort might be erected upon them, which would altogether forbid the passage of ships any higher, made offer unto the Company that if they would employ his ship, the Abigail, with a convenient reasonable freight outward and home-

[94] Robert Staples.

Digitized by Google

ward, he would carry a dozen carpenters at least, by whom, the rest of his mariners being supplied with a convenient number of hands from the colony, and some necessaries from hence of boats, cordage, and tools, he doubted not by the end of March to raise such a block-house as should secure the river all about it, the Council and committees met divers times about it, and having received good satisfaction both of the sufficiency of the man for his judgment and honesty, and also for the probableness of the means whereby he propounded to effect it, were all of opinion that the offer was not to be refused, the matter of fortification being a thing unfortunately requested by the colony, and this particular being judged by divers planters to be that which ought first to be attempted and most easy to be effected, especially considering that the demands of Captain Each were so reasonable and ordinary, as although the work was not effected, yet there wou'd arise no damage to the Company; but as they conceive it rather a benefit, by employing so goodly and strong a ship, wherein the Lady Wyat and the rest that are this year to go may be exceeding conveniently and safely transported, and the whole body during their stay in the river much strengthened; wherefore the committees proceeded in treaty with Captain Each and rest of the owners, and it was agreed on by both parties in the manner following, reserving the confirmation of the bargain to the authority of a quarter-court:

"1. First, that there should be one hundred and fifty tun of goods and one hundred and fifty persons, or proportionably of each, put or laden aboard the said ship; the which number of persons and goods were conceived would be very easily made up by private adventurers.

"2. That the person should repay six pounds apiece in hand, and for freight of goods three pounds a tun shou'd be paid upon certificate of the safe delivery of the same in Virginia.

"3. The owners of the ship desired that the passengers might be taken in at the Isle of Wight, which, although it was some what more charge, yet in matter of health it will be doubly recompenced.

"4. And that the goods might be delivered them here by the middle of July, they promise by the 1st of August to be gone from the Isle of Wight, if wind and weather serve.

"5. That they would not take in any more passengers than

Digitized by Google

the Company should put aboard them, and that during the whole voyage the people should have their full allowance of victuals.

"6. That after their unlading in Virginia, the ship should with all capable expedition fall down to Blunt Point, and there Captain Each would diligently himself, his ship and twelve carpenters and mariners to the number of forty, till the end of March, in case the business be not sooner effected, for the erecting or building of a fort or block-house, and the Company undertaketh and promiseth to supply the said captain each with such a convenient number of people as shall be fit and requisite during the said work, which landmen, so sent and employed, shou'd be maintained with victuals of their own at the colony's charge, but their lodging shou'd be aboard the ship.

"And the Company for their parts do promise—

"That if this work be effected they will make his freight homewards, £800, upon which all goods, tobacco, sasafras, etc., which shall be loaden in him, shall be accounted only the personal transport of men, shall be excepted. As for the rate and price of the freight, he shall not make an agreement without the consent of the Governor.

"And if that he, performing his best endeavors, shall not be able to effect it by the end of March, but for the perfecting thereof shall be required to stay a month or more after he shall have paid him for every month's stay, £160, by the Governor and colony there, and so pro rato, but in case it should happen there by the judgment of the Governor and council of state, within one month the work prove not faisible, then it shall be lawfull for him to return home the first of January, and that the Company shall by that time lade so much tobacco or other goods on board as shall make in freight £800, besides personal freight.

"And for so much as for performance of this great work there was a matter of £200 required to be disbursed for necessary provisions, as namely, in axes, shovels, spades, and a lighter which comes to the greatest charge, being estimated at £50, in all which things there could be no loss, although the work did not proceed, in regard they would be of great use to the colony. Mr. Deputy therefore moved to know the pleasure of the court for procuring the said money, seeing the common stock was long since exhausted and the Company already fallen into debt. Whereof my Lord of Southampton had willed them to be very

Digitized by Google

cautious and sparing; whereupon, it being taken into consideration, and the importancy of the work duly weighed, and withal, it being signified that this money would be repaid again by the colony, who were contented to be at all the charge, and would be ready to make good what contract soever the Company made here with any such undertaker, if the project did not prove faisible. The court hereupon thought fit to recommend it to the quarter court to entreat some to take up so much money, and that it should be propounded that for his security he should not only have the seal of the Company, but also all such commodities as came from Virginia to the Company's use should be consigned to him until, upon the sale, satisfaction were given him for all such debts and damages whatsoever, as any such should stand engaged for.

"The Lord President, making request unto the Company by letter in the behalf of a kinsman of his now going to Virginia, that he may be directed in the best courses, and be respected the rather for his sake, the court has promised to afford him what favour they may, and thereupon gave order for a letter to be writ to the Governor to that effect.

"Mr. Howe,[95] the chronicler, making request for twelve pounds of tobacco, which he pretended was promised him yearly in consideration of his pains and willingness to do the Company service in his book relating the passages concerning Virginia, the court was pleased to grant his request for this year, giving order so much should be delivered him of the Company's tobacco, which he thankfully accepted of.

"At a general quarter-court held the 22d of May, 1622, there were present in the afternoon Right Hon'ble—

Lord Cavendish,	Lord Padget,
Lord Houghton,	Sir Edward Sackvil,
Sir Francis Ley,	Sir Francis Goodwin,
Sir John Mervich,	Sir Francis Egioke,
Sir Edwin Sandys,	Sir John Brooke,

[95] Edward Howes, gentleman and chronicler, continued *Stowe's Chronicles of England*, and in his *History of the Reign of James the First*, speaks well of Virginia. He was probably the same Ed. Howes who frequently corresponded with Winthrop, of Connecticut.—*Neill's Virginia Company*, page 298.

Digitized by Google

Sir Philip Cary,
Sir Samuel Sandys,
Sir John Dauers,
Mr. John Ferrar (Deputy),
Mr. Gibbs,
Mr. Hen. Ransford,
Mr. John Zouch,
Mr. Ald. Hamersly,
Mr. Wote,
Mr. Nich. Hide,
Mr. Christ. Earle,
Mr. Geo. Wilmer,
Mr. Bromfield,
Mr. Riseley,
Mr. Steward,
Dr. Livesey,
Dr. Gulstone,
Dr. Anthony,
Mr. Edward Gibbs,
Mr. Chellell,
Mr. Wheat,
Mr. Thos. Gibbs,
Mr. Thos. Shepard,
Mr. Langley,
Mr. Geo. Wrote,
Mr. Loxton,
Mr. Groce,
Mr. Elkins,
Mr. Cranmer,
Mr. Whiten,
Mr. Rugles,
Mr. Mordon,
Mr. Nich. Leman,
Mr. Geo. Smith,
Mr. Edwards,
Mr. Bennett,
Mr. Felgate,
Mr. Kirvell,
Mr. Swain,
Mr. John Land,
Sir Thomas Wroth,
Sir Walter Earle,
Sir Edward Lawley,
Dr. Turner,
Mr. Robt. Bell,
Mr. Ro. Smith,
Mr. Palmer,
Mr. Thos. Wiseman,
Mr. Rich. Wiseman,
Mr. Wm. Johnson,
Mr. John Smith,
Mr. Keightley,
Capt. Bargrave,
Capt. Tucker,
Capt. Gifford,
Mr. Rogers,
Mr. Palavicnie,
Mr. John Porter,
Mr. Ro. Bateman,
Mr. Leate,
Mr. Binge,
Mr. Bland,
Mr. Bull,
Mr. Barkham,
Mr. Caminge,
Mr. De Lanne,
Mr. Casewell,
Mr. Berblock,
Mr. Barnard,
Mr. Geo. Scott,
Mr. Ditchfield,
Mr. Harrison,
Mr. Mellinge,
Mr. Bayon,
Mr. Jadwin,
Mr. Widows,
Mr. Eldred,
Mr. Russell,
Mr. Martin,
Mr. Steward,

Digitized by Google

Mr. Boothby,	Mr. Stubs,
Mr. Swinehowe,	Mr. Carter,
Mr. Hickford,	Mr. Baker,
Mr. Couthurst,	Mr. Hackett,
Mr. Nicholas,	Mr. Waterhouse,
Mr. Gold,	Mr. Truelove,
Mr. Rich. Land.	Mr. Price,
Mr. Laurence,	Mr. Challoner,
Mr. Newport,	Mr. Brown,
Mr. Roberts,	Mr. Thos. Waterhouse,
Mr. Woodall,	Mr. Swinhowe,
Mr. Mansell,	with others.

"The former quarter-court being read, for so much as it was ordered by this morning's court that such business as had been now, and likewise in the preparative court proposed and referred to the confirmation of this afternoon's great and general assembly, should first be ordered.

"Accordingly, Mr. Deputy first proposed the contract made by the committee with Samuel Each, Captain of the Abigail, touching the building of a block-house near Blunt Point, in James River, in Virginia. In which place (being formerly viewed by him) he hopeth to effect the same; for performance whereof his demands also were so reasonable, as although the work should not prove faisible, yet there would arise no damage to the Company, but rather a benefit, by employing so strong a ship for the safe transport of their people this present year, as also the whole colony would be much secured during her stay there, the which bargain and contract was by the court conceived to be very reasonable, and being put to the question was, by general consent, ratifyed and confirmed.

"And further: Whereas, for the performance of this great work there was a matter of £200 to be disbursed in necessary provisions, as namely in axes, hatchets, shovels, spades, and a strong lighter, which came to the greatest charge, being estimated at £50. In all which things, they being of so great use to the colony, there would be no loss at all, although this work proceeded not, and besides, this £200 being only to advance the business, and to be repaid again by the colony, who are content to be at all the charge upon the undertaking of so important a work unto them; for these respects the court hath entreated Mr.

Digitized by Google

John Ferrar to take up so much money, and for his security it is ordered that he shall not only have the Company's seal for repayment, but also such goods and commodities as shall come from Virginia to the Company's use shall be consigned unto him, until upon the sale he receive full satisfaction.

"After other things had been ordered, as the court were proceeding after their accustomed manner to the election of a treasurer, deputy, and other officers for this present year, according to the direction of his Majesty's letters-patent, Mr. Alderman Hamersly[96] rose up, and having first excused his seldom coming to court by reason of the officer's negligent warning of him, he said that himself and Mr. Bell[97] were both commanded by Mr. Secretary Calvert to deliver a message in his Majesty's name to this court—namely, to signify that although it was not his Majesty's desire to infringe their liberty of free election, yet it would be pleasing unto him if they made choice for Treasurer and Deputy any of those gentlemen commended for their sufficiencies, whose names were mentioned in the paper now presented in open court, which were these that follow:

"For Treasurer—Sir John Wolstenholme, Mr. William Russel, Mr. Cletherow,[98] Mr. Morrice Abbot, Mr. Hamford.[99]

"For Deputy—Mr. Leat,[100] Mr. Robt. Oftly, Mr. Bateman,[101] Mr. Stiles, Mr. Abdy[102].

"Mr. Bell being also entreated to deliver the message that he had received from Mr. Secretary Calvert, said that he was not present when Mr. Secretary Calvert imparted this message to Mr. Alderman Hamersly, but that there came a messenger to him one night to require him to attend Mr. Secretary Calvert at

[96] Hugh Hamersley, haberdasher, a prominent merchant, sheriff in 1618, and Mayor of London in 1627.

[97] Robert Bell, who was for years an associate with Sir Thomas Smith in the management of the affairs of the East India Company.

[98] Christopher Cletherow, who had been one of the Directors of the East India Company, and was sheriff of London in 1625.

[99] Subsequently Sir Humphrey Handford, sheriff in 1622.

[100] Nicholas Leat, ironmonger.

[101] Robert Bateman, who had been solicitor of the East India Company.

[102] Probably Anthony Abdy.

Digitized by Google

his chamber, and being there Mr. Secretary told him that his Majesty commanded him to signify his pleasure, that of his good wishes for the good of the Company and the plantation, had recommended unto this court certain gentlemen named in the paper now presented, if the Company so thought good, but it was not his meaning to infringe the liberty of their free choice, and being desirous to have had this message in writing, Mr. Secretary said it need not for it was but short.

"Both which messages agreeing in substance and being a full remonstrance of his Majesty's well-wishing unto the plantation, and of his gracious meaning not to infring the priviledge of the Company and the liberty of their free election, was received with great joy and contentment of the whole court, and thereupon proceeding to the election of their treasurer, for which only three, by the orders of the Company, could stand, it was generally agreed that out of the five formerly proposed by his Majesty for treasurer, choice should be made of two of them to stand in election with one that the Company should name; whereupon the former five being severally put to the question, it appeared by erection of most hands that Mr. Cletheroe and Mr. Hanford were to stand for it. Then the Company named the Lord of Southampton, who being all three accordingly ballated, the place fell to the Lord of Southampton by having 117 balls, Mr. Cletheroe 13, and Mr. Hamford 7.

"In like manner, out of the five formerly named by his Majesty for deputy, by erection of most hands, Mr. Leat and Mr. Bateman were to stand for it, unto whom the Company having added Mr. Nicholas Ferrar, they were all three put to the ballating-box, and thereupon choice was made of Mr. Ferrar by having 103 balls, Mr. Bateman 10, and Mr. Leat 8.

"Whereupon, Mr. Deputy took his place and gave unto the court humble thanks for their love and honourable testimony which, by electing him to that place, they had given him, wherein he professed he should, all his life long, glory and rejoice accordingly if he could but think himself worthy thereof; but knowing well the weightiness of the place and his own great innabilities, he could not, without fears and tremblings, accept thereof, but since he knew they would not, upon any entreaties of his, alter their choice, he humbly submitted himself, promising not to fail to the utmost of his power to perform the charge they had laid

Digitized by Google

upon him. Humbly beseeching the honourable Lords and the worthy officers, with their counsels, to direct him, and the whole court in general with their presence to assist him for the well performing of the office they had imposed upon him, and, in particular, besought them to request his brother, Mr. John Ferrar (in consideration of whose assistance he well knew they had made choice of him), to continue the self-same care and pains he had formerly done, without which he could not hope to perform his place as he ought. Whereupon, Mr. John Ferrar made promise not to slack any thing of that zealous and diligent care with which himself had performed that office.

"Auditors and committees having been appointed, it was then moved to bestow on Mr. John Ferrar, the late Deputy, some proportion of land, as a testimony of the Company's thankfull acknowledgment of the great and faithfull service performed by him in the place of Deputy the three last years, and accordingly, it being put to the question, there were given unto him twenty shares of Old Adventure; and it was further ordered that, together with the gift itself, it should be entered in the court-book that the court conceived his merits to be so great, as if their greater liberality had not by their law been bounded within the compass of twenty shares, they would for him have exceeded it with a farr greater proportion.

"It being moved that there might be some presentation of the Company's humble thankfulness unto his Majesty, in respect of the gracious message formerly delivered, after some deliberation had thereupon the court conceived it fit to be set down in these words, viz. :

"That the Lord Cavendish, the Lord Padgett, and the Lord Haughton are humbly requested by the court to present their most humble thanks unto his Majesty for his gracious remembrance and good wishes to his affairs, out of which he was pleased to recommend certain persons for Treasurer and Deputy, if they so thought fit, but without any infringement of their liberty of free election, and they were further humbly requested to signify and testify unto his Majesty the great respect and reverence wherewith his message was received and how in conformity thereunto, although they had formerly, according to their custom in their preparative court, nominated the Earl of Southampton for Treasurer, yet out of the persons recommended by his

Digitized by Google

Majesty they had chose four, who had most voices, and put them in election with two nominated by the Company, upon whom the places were conferred with the unanimous consent of the Company, having found the plantation to prosper every one of these three last years, more than in ten before, and found more to have to have been done with ten thousand pounds than formerly with four-score thousand, and they conceived that in regard the staple commodities of iron, silk, wine, salt, etc., are now in establishing and perfecting, as also that the government of that country is to be confirmed, that sufficiency for direction would not so much advance the plantation, as the variableness of instructions proceeding from different conceptions would prejudice the business.

"June 5th, 1622. My Lord of Southampton being now present, signified unto the court that he was content to accept the place of Treasurer for the year ensuing, according to their election, wherein he would be ready to perform the best service he could for the Company and plantation, hoping they would please as formerly to dispense with his absence when either his Majesty's service or his own urgent occasions did withdraw him; which the court willingly condescended unto, with hearty and humble acknowledgment of their bounden thankfulness unto his Lordship for the noble favour and affection unto the plantation under whom it had pleased God to prosper it so well in the two precedent years of his government, as now there was greater hopes than ever of a flourishing state and commonwealth in Virginia, and so his Lordship took his oath.

"My Lord Cavendish acquainted the court with his Majesty's answer unto the message, which he delivered in the name of the Company in the presence of the Lord Haughton and divers others of the Council that attended them. First, concerning the petition he presented to the King in answer of Captain Martin's, wherein the Company, through just suspicion of partiality in some of the former referees, desired the matter might be referred, together with those Lords in the first reference, to certain other Lords of his Majesty's Most Honourable Privy Council, whom they nominated. His Majesty said he much wondered at this new sprung up custom that petitioners should nominate their own referees. To which his Lordship made answer that in that point Captain Martin had been their example, who in his petition,

Digitized by Google

which his Lordship then shewed his Majesty, had named his own referees, which his Majesty had approved.

"Touching the account of the last year's supply, which he likewise presented to the King, his Majesty graciously accepted thereof.

"Lastly, upon presenting the Company's most humble thanks unto his Majesty for the gracious message delivered by Mr. Alderman Hammersly and Mr. Bell, signifying that in proposing the persons mentioned in the paper for Treasurer and Deputy, it was not his Majesty's meaning to infringe their liberty of free election. Whereupon, choice being made of two of each proposed by his Majesty to stand in election, with two others named by the Company, they being all put to the balloting-box, the election fell upon my Lord of Southampton for Treasurer (under whose government the plantation had exceedingly prospered and increased), and upon Mr. Nicholas Ferrar for Deputy; but his Majesty seemeth not well satisfied that out of so large a number by him recommended they had not made any choice, his Majesty conceiving that merchants were fittest for the government of that plantation, in respect of their skill and abilities in raising of staple commodities, and instancing Sir Thomas Smith, in whose time many staple commodities were set up, which were now laid down and onely tobacco followed. To which his Lordship made answer in this point, as likewise in many other particulars touching the Company and their proceedings, his Majesty had been much misinformed. The following of tobacco only and the neglecting of staple commodities have been the fruits of Sir Thomas Smith's and Alderman Johnson's time; but on the contrary, it hath been laboured ever since with all industry, care and diligence to erect iron-mills, plant vineyards, nourish silk and other like, of some whereof they hoped shortly to give his Majesty very good proof, and that since the time of Sir Thomas Smith the colony had grown to almost as many thousand people as he had left hundreds; good increase had been also of the cattle, and that with ten thousand pounds' expence there had been more performed for the advancement of the plantation than by Sir Thomas Smith with four-score thousand, and further, his Lordship did assure his Majesty that some of those persons being recommended being present did then and have otherwise publickly acknowledged and professed that they would

Digitized by Google

never have accepted of those places, professing themselves, through want of experience and abundance of other employments, so disabled that they should have brought back the business more in one year than it had gone forward in these last three, so that the choosing of them had been the hazarding of the whole plantation.

"My Lord of Southampton signified unto the court that himself and some others of his Majesty's Council for Virginia, with the Governor and assistants of the Somer Islands, had now (before the setting of the court) being consulting about a weighty proposition made unto them from my Lord Treasurer, which they conceived might turn to the benefit of both the plantations, which proposition his Lordship entreated Sir Edwin Sandys (as best acquainted with the manner of it) to relate unto the court.

"Whereupon Sir Edwin Sandys signifyed, that out of his personal duty, as also the duty of his place, Mr. Treasurer bending his thoughts to the advancing of his Majesty's profit and revenue, and yet carefull to avoid grieving of his Majesty's subjects, and particularly out of his noble affection and well-wishing to the plantation, wherein himself was one of the most ancient adventurers, and also of long time a Councillor for, had been pleased to make an overture of late to him for contracting with the two companies of Virginia and the Somer Islands for the sole importation of tobacco into England, and also into the Realm of Ireland, the grant whereof having, in these two last years, been managed by other contractors to the discontent and perhaps detriment of the said plantations, they might again have the grant made unto themselves, and consequently have the sole managing of all that commodity, with reservation of a valuable rent to his Majesty, which he thought might redound to the great benefit of the plantations.

"Touching which proposition, his Lordship desired to know his opinion in private before it were further published, Sir Edwin Sandys, professing his ignorance in matters of that nature, desired to have some other associated with him, which his Lordship well liking of, and giving him his own choice, he chose Sir Arthur Ingram, who then was present, being likewise an ancient adventurer and Councillor for the plantation, and who upon all occasions did manifest his great good affection to it.

"Sir Edwin Sandys and Sir Arthur Ingram falling into a con-

Digitized by Google

sultation amongst themselves touching this proposition, and considering the uncertainty of this deceivable weed, tobacco, which served for neither for necessity nor for ornament to the life of man, but was only founded upon an humour, which might soon vanish into smoak and come to nothing, whereby the upholding of any great rent to his Majesty, to be raised out of that commodity might, in a short time, bankrupt the companies and utterly ruin the plantations, conceived that it was a much safer way for the companies rather to yield to his Majesty a certain proportion out of the tobacco itself in specie than a certain revenue in money, being subject to so much danger.

"This answer, within a few days after, they returned unto his Lordship, who requiring their opinion what proportion they thought fit, Sir Edwin Sandys made answer that the commodity being managed by men of skill and dexterity, he thought that if the companies should yield unto his Majesty a fourth part of the profits thereof, it might raise unto him a very fair revenue, and for his own private opinion he thought it not unpossible that the companies (taking all circumstances into due consideration) might yield to that fourth part so as to be discharged of all other burthens.

"His Lordship, hereupon falling into a consultation of the quantity of tobacco yearly spent in these kingdoms, and also of the prices at which it might be sold, concluded that without the grant of a third part there could not be that revenue raised to his Majesty as was expected, and as for other charges his Lordship answered that the old custom of 6d. and 4d. the pound, being already granted to his Majesty's farmers, it must needs be paid, for otherwise, the defalcations which the farmers would demand, might swallow up the greatest part of his Majesty's rent intended, how be it he would help to bring the matter to a reasonable composition, and such a one as might be no great burden to the Company.

"In conclusion, his Lordship advised Sir Edwin Sandys to communicate this proposition, first, with the Governor and Deputys of the two Companies, and if they did approve of his Lordship's opinion, might redound to the great benefit of the plantations, and that in more respects than one, being duely weighed and considered, they might proceed to impart it to the Companies, so to receive their resolution and further directions.

Digitized by Google

"According whereunto, Sir Edwin Sandys having acquainted both their Lordships then present, and the Deputies of the companies with the offer and nature of this contract proposed, and their Lordships having communicated the same to the Council of the one company and assistants of the other, they all thought it fit that the same should be proposed to the considerations of the companies, which, according to their Lordships command, he had now performed.

"Whereupon, after some pause and deliberations, the Company signified their general well liking of it, but withal, desired that it might not be concluded upon until such time as they had better considered of every particular matter and circumstance thereunto incident and delivered their opinion thereof, either by writing or otherwise.

"Touching which, it was answered that nothing could be yielded unto, to bind the Company without the consent of the quarter-court, whereunto the ratification of this business must be referred:

"Whereupon, it being put to the question, first, whether they liked to entertain this proposition in general on such conditions as should be afterwards agreed and assented unto by themselves, the whole court, with an unanimous consent, signified their approbation thereof.

"Next it was propounded and thought fit that a committee of either Company should be appointed to treat and consider of the matter of this contract, and out of their number to select some to treat with my Lord Treasurer from time to time about it; whereupon, for the Virginia Company, these eight, by erection of hands, were chosen, viz.:

The Earl of Southampton,	Mr. Nich. Ferrar, Deputy,
Sir John Brooke,	Mr. Bennett,
Sir Edwin Sandys,	Mr. Jo. Smith,
Sir John Dauers,	Mr. Ro. Smith.

"After this, the Virginia court being dissolved into a Sumer Islands' court, and the Lord Cavendish, Governor of the said Companys, taking the chair, choice was made of six for the Company, viz.:

Lord Cavendish,	Mr. Casewell, Treasurer,
Mr. Bernard, elect-Governor,	Mr. Gibbs,
Mr. Jo. Ferrar, Deputy,	Mr. Ditchfield,

Digitized by Google

who are entreated by the court to take the premises into their consideration, and to make report from time to time of their proceedings unto the court, that their opinions and advices may be had also therein.

"June 19th, 1622. Mr. Deputy acquainted the Company with divers complaints that had been exhibited to his Majesty by petition against the Virginia Company, which his Majesty had been graciously pleased to refer to Sir Christopher Perkins, one of the masters of requests, with order to call the Deputy of the Company and some others before them, to require their answer thereunto; accordingly himself and some other of the Company had been before the said Sir Christopher, where they found divers petitions had been exhibited against the Company, where they also found Captain Martin and Captain Hazell attending, who had exhibited two petitions to his Majesty, complaining in their first that the Virginia Company denied him, the said Captain Martin, the fruition of those privileges contained in his said patent, whereunto the Company had formerly given their answer. In their second petition to his Majesty, Captain Martin and Captain Hazell (with many others unnamed) intituled his Majesty to a large part of Virginia, being four-score miles in circuit, which should be set out by Sir Thos. Dale as the King's forrest.

"*To the King's Most Excellent Majesty:*

"The humble petition of Captain John Martin, Esquire, and Captain Robert Hazenell, with many others, humbly sheweth that in time of Sir Thomas Dale, Governor for your Majesty in Virginia, there was a great quantity of wood land, marshes and other grounds, being in circumferance, by estimation, four-score miles or thereabouts, for which ground he did compound with *Pawhawtan*, the Indian king or chief of that place, and bounded the same out with markable trees and other marks of perpetual knowledge and remembrance, with a solemn procession also of many of your Majesty's subjects there and then living, commanding notice to be taken thereof, and to be always entitled and called the King's forest.

"In which forest of your Majesty's, there is of deer and other wild beasts a very great number, that being preserved with care and judgment from continual havock and spoil that is and will be made of them and their brood, by which preservation your

Digitized by Google

Majesty's colony may be continually supplied and nourished, and shipping plentifully victualled with corn, pork, bacon, and deer's flesh, besides there is many other profitable commodities already known.

"Your petitioners therefore most humbly beseech your most sacred Majesty to be pleased to take the said forest into your own hands, and to appoint some honourable person to be the commander thereof, authorizing him to give order for plantations thereon for your Majesty's best behoof and profit, giving order also for a justice of oyer and rangers and other officers as shall be thought most convenient for the said forest and plantation.

"And your petitioners shall pray for your Majesty's happy and long reign over us.

"Unto this petition, as a matter of great consequence, Sir Christopher Perkins required, in his Majesty's name, a speedy answer. Whereupon the council, having met in the morning and taken it into consideration, framed an answer thereunto, which doth here ensue:

"*The answer of the council and Company for Virginia, assembled in a general court, to the petition of Captain John Martin and Captain Robert Hazwell, with many others unnamed, touching that which they call the King's forest in Virginia:*

"The said council and Company, for answer thereunto, say that they acknowledge no King of Virginia but King James of and under whom they hold, and not from King *Powhawtan*, so named by the petitioners. True it is, that for a permanent honor as well to his Royal Majesty, the founder of that plantation, as also to his princely issue, they have named both their chief cities, as also other places, most remarkable, with the names of his Majesty and of his children, which they suppose doth no way alter the property of inheritance in whose places which his Majesty, by his letters patent, under his great seal, hath granted to the said Company for and throughout all Virginia.

"Touching the King's forrest, so named in the petition, it is a name happily known to Captain Martin and his associates, but not to the Company, and in the circuit of that territory they are pleased to call the forrest, are placed James City in Virginia, and also the place of residence for the Governor and Council, and

Digitized by Google

also divers other principal plantations, and namely that of the city of London.

"Touching the deer, it is here that the whole country of Virginia is replenished with them, but, as for the swine, they are no other than the breed of such as have been transported thither by the Company; and it is strange unto them that Captain Martin, who is said to have ruined as well his own estate (if ever he had any) as also the estate of others who put him in trust (namely Captain Bargrave), and who had made his own territory there a receptacle of vagabonds and bankrupts and other disorderly persons, and whereof there hath been made public complaint, and who is famous for nothing but all sorts of base conditions, so published in print by the relaters of the proceedings in Virginia above ten years since, and who, for the said conditions, was displaced by the Lord De Lewarr from being of the Council as a most unworthy person, and who hath presented of his own authority (no way derived from his Majesty) to give unjust sentence of death upon divers of his Majesty's subjects, and seen the same put in cruel execution, should dare to offer himself to his sacred Majesty as an agent either for matter of good husbandry or good order.

"And as for Captain Haswell, is neither adventurer in the Company nor planter in colony, but a meer stranger to both, nor otherwise known unto them than as an interpreter of a Polonian Lord in his own creating.

"But if his Majesty should please a royal demessne, sett out for his Majesty, his heirs and successors in Virginia, to be and so be forever called the King's land, there could be nothing more joyfull to the said Council and Company, nor wherein they would more willingly employ their uttermost endeavors for the advancing of a perpetual standing revenue to his Majesty.

"The court entered into an exact discussment of all the particular points therein, and having heard it twice read, confirmed the same, and for delivery thereof to Sir Christopher Perkins, they humbly besought the Lord Cavendish, the Lord Haughton, Sir Edwin Sandys, and desired the gentlemen that had formerly been with Sir Christopher Perkins to attend them. Mr. Peirce, the cape merchant, taking notice of Captain Martin's denial of protecting any within his territory from arrest for debt, affirmed that

Digitized by Google

having delivered divers warrants to the provost marshall of James City, in Virginia, to be served upon men that were indebted, living loosely within Captain Martin's plantation, the provost marshall told him that the said Captain Martin resisted the officer and drew arms upon, and would not suffer him to execute the said warrants.

"William Capps[103] and one Grimden also affirmed it was commonly reported that Captain Martin's plantation was a place of refuge for such as were indebted, whither they commonly fled and were protected. Captain Rossingham[104] likewise affirmed the same, and if Captain Martin had been of power there had been no living in Virginia.

"Mr. Jefferson reported likewise that to his knowledge Captain Martin, being summoned, refused to obey the General Assembly.

"As each man had delivered this his report of Captain Martin the court caused it to be read again to every of them, who affirmed the same to be truly set down as they delivered it now openly in court, and that they would be ready to justify the same upon their oath.

"Mr. Deputy further presented a petition that one Adam Dixon had exibited to his Majesty; also an attestation of grievances in Virginia exhibited by one William Kempe, unto both which Sir Christopher Perkins, in his Majesty's name, required the Company's answer. Accordingly, whereunto the Council had drawn two several answers.

"*To the King's Most Excellent Majesty:*

"The humble petition of Adam Dixon,[105] of Virginia, humbly sheweth to your most excellent Majesty that, whereas your petitioner was hired for Virginia for the service of the Company and colony as master-calker of the ships and vessels, as occasion requireth, and there to serve them for the space of three years at the rate of 36s. the month, which

[103] William Capp, a Burgess for "Kiccowtan" in 1619.

[104] Ensign Rossingham, Burgess for Flowerdieu Hundred, 1619.

[105] Adam Dixon arrived in the *Margaret and John* about 1620, "Yeoman," he received patent of 200 acres near upper Chipoaks Centre in 1627. Ann, his wife, Elizabeth, his daughter, and his servant, John Martin, and himself named as "Head Rights.

Digitized by Google

time and service having fully and faithfully performed, yet being afterwards forceably detained for the service of the colony in their employment for the term and time of seven years or thereabouts; also, whereas Captain Argoll, in the time of his government gave unto your petitioner and one John Berrey a piece of ground uncleared to build us a house, which we did to the cost and charge of £100, your petitioner hath until this day received no more money for recompense of his time and service but £3 13s. So there remaineth due unto your petitioner £150 or thereabouts; likewise your petitioner and John Berry were this last year turned out of their said house and ground by Sir George Yeardley contrary to all equity, justice or conscience, to our great discomfort and utter undoing.

"Your petitioner, therefore, humbly beseecheth your sacred Majesty to be pleased to grant your most gracious reference to the Right Worshipfull Sir Robert Mansell and Sir Christopher Perkins, Knights, to hear and take order for our redress according to equity and right, or otherwise to certify your Majesty what their wisdoms shall think fit to be done therein.

"And your petitioner shall ever pray for your Majesty's long and happy reign over us.

"*The answer of the Council and Company for Virginia, assembled in a general court, to the petition of Adam Dixon.*

"The said Council and Company, for answer thereunto, say that the matters therein contained are utterly unknown unto them, and such as they have not inducements to persuade them to believe to be true; neither is there extant in their books any such contract mentioned for ought they can find, and if any such were, it must have been made in the time of Sir Thomas Smith, when he was Treasurer and by his authority, unto whom they refer him for answer and satisfaction touching the other part of his own complaint against Sir George Yeardley, who was likewise chosen Governor of Virginia in the said time of Sir Thomas Smith, and by his consent, if he hath committed the wrong and outrage alledged in the said petition, whereof the petitioner never as yet complained either to the said Council and Company, they will take a course of redress thereof with all possible expedition by commending the same to the care of the Governor and Council now resident in Virginia.

Digitized by Google

" *The grievances of certain inhabitants of Kikatan, in Virginia, now called Elizabeth City, by the testimony of William Kempe for these named and divers others:*

"Humbly sheweth that William Julian was by Captain Argall, then Governor, allotted unto him a portion of land possessed thereof, and built a house at his cost worth £30, and was after, by the command of Sir George Yeardley, then Governor, turned out of doors; which Julian did also maintain at his own charge for three months four men, which was also taken away from him to serve their use without any recompense also.

"John Bush, having two houses paid for before the said Governor came in, was in like manner turned out, and Captain Nuce put in possession of the same by Sir George Yeardley, contrary to all right and equity, whereby he lost all his goods, and his wife in that extremity miscarried.

"The brother of the said John Bush, being then dead in the house, and his wife great with child, was likewise turned out.

"John Powell was in like manner turned out of doors, and forced to forsake his house, which he had built at a great charge and had cleared much ground, which was very chargeable to him also.

"Thomas Brewer, having by casualty his house burnt, and had built another and cleared much ground, was likewise supplanted and turned out of doors, notwithstanding he had it confirmed unto him under the seal of the colony.

"Thomas Willouby[106] had newly hired a house, and was turned out likewise.

---

[106] Thomas Willoughby, merchant, may have been the son of Thomas Willoughby, of Wateringbury, Kent, and grandson of Thomas Willoughby, Dean of Rochester. He arrived in the colony in the *Prosperous* in 1610, aged twenty-three years, and was granted in 1627 fifty acres of land to the eastward of James City; justice of the peace of Elizabeth City in 1628; Burgess, 1629–32; Councillor, 1639–46; commissioner, 1645, to Maryland to demand the return to Virginia of Lieutenant Nicholas Stillwell and others. He received numerous and extensive grants of land in Lower Norfolk county, where the family has continued wealthy and prominent. His only son, Thomas, born 25th December, 1632, was sent to the Merchant Tailors' School, London. Thomas Willoughby, gentleman, received a grant of land in Norfolk county in 1690.

Digitized by Google

"John Gundey, with his wife and child, having at his own cost built a house, was also turned out of doors.

"All or most of these were of long continuance ancient planters, and the best members of the first mechanick trade.

"William Kemp[107] will be sworn that this is true.

WILLIAM KEMPE.

"*The Answer of the Company and Council of Virginia, assembled in a general court, to the grievances in Virginia exhibited by William Kempe:*

"The said Council and Company, for answer thereunto, say that none of the parties pretended to be wronged by the said grievances have to this day made any complaint thereof to the said Company or Council, and, therefore, they have no cause to conceive them to be true, and the rather for that the said William Kempe doth not so much as pretend in his said complaint any authority from the said parties grieved, to certify the same, neither yet hath exhibited it to the Council or Company where right might have been done; himself having been in England this twelve months and upwards, which is an argument of suspicion that he hath rather been set on by some other men's malice than moved with zeal of right and justice. Howbeit the said Council and Company will, with the next opportunity, according to their custom in causes of like nature, transmit the said complaint to the Governor and Council resident in Virginia, that if any truth may appear in any part thereof, they may proceed as well to a due reformation of the said grievances as also to the condign punishment of the persons charged to be delinquents.

"The petitions were read and the answer was approved by the court and the delivery of them to Sir Christopher Perkins recommended to the former committee.

"Mr. Deputy signifyed further that one Captain Somers, in a

Among the descendants were John Willoughby, vestryman of Elizabeth river parish, 1761; John Willoughby, of Willoughby's Point, Norfolk county, who died before 1777, and had a son, Thomas, alive in that year.

[107] William Kemp arrived in the colony in the *George* in 1618.

Digitized by Google

petition to his Majesty, had intituled his Majesty to the Somer Islands, and to £12,000 for the ambergreece that was there found, the answer thereunto, although it properly belonged to the Somer Islands Company, because the Virginia Company was in the petition taxed of injustice and oppression, he thought fit by the way to signifye it unto them, that they might see what machinations were set afoot against the plantations.

"*To the King's Most Excellent Majesty:*

"The humble petition of Captain Matthew Somers in the King's Bench, humbly sheweth unto your most excellent Majesty, that whereas Sir George Somers, Knight, being one of the first and chief of the plantations in Virginia, as it appeareth by your Majesty's letters-patent, adventured £1,000 and odd pounds, being forced by foul weather to save himself and company, sought an island called the Bermudas, where he lost his ship and soon after his life, your humble petitioner, his immediate heir and there in person, built a small pinnace to convey his company for England, and left three men to continue the possession in your royal right.

"The Virginia Company, understanding this discovery, did challenge it as their right, being one hundred leagues at the least without distance of their grant, the said Company sent a Governor with men to take that possession from your Majesty, and finding your petitioner's men still living, who found, by their industry, a cake of ambergreece of one hundred and sixty pound weight, the said Governor, hearing thereof, did violently take it from them to the use of the Company, who sold it for £12,000, and offered violence to those men for the confessing of more. Shortly after the said Company sold the said Islands to a particular company for £2,000, as was confessed by Sir Edwin Sandys in open court, without relief until this day of your petitioner, either for his adventure or otherwise, albeit they have often been sought unto at your petitioner's great charge and utter undoing, and now not so much as his petition to be read in their court, but threatened to put out his friend, the solicitor thereof, out of the court. These and no other comforts can we, the ancient adventurers, receive amongst them, which we most humbly beseech your Majesty for God's cause to see redressed. Further, your petitioner most humbly beseecheth your sacred

Digitized by Google

Majesty to enter into consideration of your own royal rights therein, and to give order to the Right Honourable, the Lords of your Highness's Council, for the hearing and determining of your Majesty's rights, and also for the relieving of your poor supplicant.

"And he shall (as in duty most bounden) ever pray for your Majesty's most happy and prosperous reign.

"*The answer of the Governor and Company for the Somer Islands, assembled in a general court, to the petition of Mathew Somers, prisoner in the King's Bench:*

"The said Governor and Company, for answer thereunto, say that it is true that the Virginia Company, at their own great charges, furnished and set out Sir Thomas Gates and Sir George Somers, Knights, with a fleet of divers ships and some hundreds of people in a voyage to Virginia, of the which the said Sir Thomas Gates to be the Lieutenant-Governor, and to hold the chief place of government in the absence of the Lord De Lawar, then Governor of Virginia, and Sir George Somers to be admiral.

"And it is also true that the said Sir Thomas Gates and Sir George, passing both in one ship, were forced, by foul weather and a leak in their ship, to run her upon the rocks of the islands, then called Bermudas, now the Somer Islands.

"From whence, having built a small ship and pinnace, they went on to Virginia, with intent to send a ship back to the said Bermudas for bringing of hogs from thence to Virginia (whereof they found great store in the said Bermudas), and in the mean time were left behind three of the Company's men upon other occasions than in the said petition is mentioned, it being then conceived that the said Islands lay nearer to Virginia than it was afterwards proved, and consequently they belonged unto the Company of Virginia, by vertue of an original grant from his Majesty, which, afterwards appearing to be otherwise, they were humble suitors unto his Majesty for an enlargement of the said former grant, whereby the said Bermudas might be contained within their limits, which they also obtained; in which mean time Sir George Somers being sent back from Virginia to the Somer Islands for transporting of the said hogs, by reason it being conceived that these islands, lying low, would not be easily found again, but by a man of great skill in all passages by sea, such as

Digitized by Google

was Sir George Somers, it pleased God that there be ended his days, and the petitioner, Matthew Somers, kinsman to Sir George Somers but not his heir (contrary to the trust and intended purpose of that voyage), instead of returning with the said hogs to Virginia perswaded the mariners to come away for England, where the said Matthew Somers has ever since continued, for ought that the Company knoweth, without performing any the least service for behoof of either plantation. The Company for Virginia having obtained the said grant of the Bermudas from his Majesty, and finding it very convenient for a strength to Virginia to be planted and peopled, being not able to effect the same at their common charge, did pass their right away to divers principal members of their Company undertaking for the planting and peopling of the same.

"And afterwards, upon surrender of the said grant unto the King, his Majesty was pleased under his great seal to grant the said islands to the said undertakers, and to incorporate them by the name of the Company of London for the planting of the said Bermudas from thence forward to be called by the name of the Sumer Islands, for the planting and peopling whereof the said Company have dispended of their own proper goods to the sum of one hundred thousand pounds and upwards.

"And they say further, that true it is that the said three men left behind in the said islands as aforesaid, happened to find one block of ambergreece of a very great value, the right whereunto was granted to the said Company for the Somer Islands by the Company for Virginia, at whose charges and in whose service the said three men were sent out and employed. Notwithstanding, by reason of underhand conveyance away of the said ambergreece, the said Company for the Somer Islands never recovered above one-third part of the said block of ambergreece, the certain value whereof they are not able to deliver, by reason that the then Governor of the said Company being then also their Treasurer, hath hitherto refused to deliver up to the said Company an account of this treasury, and touching the third part of the said ambergreece which came to the possession of the then Governor of their Company, and whereunto they conceive they had a just and lawful title, they having, notwithstanding, compounded for the same with the finders thereof aforesaid, so as none of them have any cause to complain of the said Com-

Digitized by Google

pany, and, least of all, the said Matthew Somers, who had an interest therein.

"And as for the said petitioner's demand of the right of the said Sir George Somers in Virginia for his pretended adventure being far short of the sum set down in the said petition, the said Company saith that the said Matthew Somers, being not right heir to the said Sir George Somers, as was confessed by his solicitor, one Captain Bayly, in open court, can have no just pretence to the same, but that the Company for Virginia have always shewed themselves very willing to do all right to the true heirs of the said Sir George Somers with as much favour and assistance as they may reasonably desire; and although the said Matthew Somers have no just cause to stile himself either an ancient adventurer or planter, considering his short abode there and sudden return without license; and the said Company for Virginia have been greatly wronged by his solicitor, Captain Bayly, whom it seems nothing can satisfy but the destruction of both the plantations, yet if there be anything of right belonging to the said Matthew Somers, upon notice given thereof, he may receive fit satisfaction.

"This being the true state of the matter complained of in the said petition, the said Governor and Company forbear to make answer to a multitude of other particularities therein contained, the same being either frivolous or void of all colour of truth.

"It being moved to know the pleasure of the court for sale of the tobacco brought home in the George, in respect the markets here were bad for vending tobacco except at a very low price, it was advised that unless it could be sold for 4s. per pound to forbear the sale, both of the Company's tobacco and of the magazine, for some few days longer, until it might be known whether the intended contract with his Majesty did proceed or not.

"At an extraordinary court, held the 29th of June, 1622, this court being purposely called to be made acquainted how far the committee (appointed by the former court) had proceeded in their treaty with the Right Hon'ble the Lord High Treasurer of England, touching a contract to be made with his Majesty by the Virginia and Sumer Islands Companies for the sole importation of Tobacco, Sir Edwin Sandys, being entreated by my Lord of Southampton to make the relation, signifyed unto the court that the aforesaid committee, after mature deliberation had upon the

Digitized by Google

premises, thought fit to offer unto his Lordship certain propositions touching this intended contract, which propositions, according to his Lordship's desire, were set down in writing, and the same were now also read in court, being here ensuing :

"*Propositions from the Companies of Virginia and the Somer Islands, offered to the Consideration of the Lord High Treasurer of England, touching a Contract to be made with his Majesty for the Sole Importation of Tobacco.*

"1. That the Companies have the sole importation of Tobacco into the Realms of England and Ireland.

"2. That his Majesty, by proclamation, inhibit all others under pain of confiscation of their tobacco and his Majesty's high displeasure.

"3. In consideration whereof, as also for that the Companies shall be discharged from any other payments due to his Majesty or to any other person by grant from him, excepting only the ancient custom set down in the printed Book of Rates (6d. per pound for roll tobacco and 4d. for leaf), the Companies shall pay unto his Majesty a full fourth part of all the tobacco that shall be yearly imported and vended in either of these two Realms during the said contract; and if the said fourth part shall not amount to the full value of £20,000 by the year above all charges and deductions, in that case the Companies shall make addition out of their said tobacco in such quantity as to make up the said £20,000, provided the said addition yielded unto by the Companies in the case aforesaid do at no time exceed a full third part of the yearly value of their tobacco.

"4. And touching the said custom, their desire is that his Lordship would be pleased that it might be reduced to a certain sum, being the medium of these seaven years last past, of which sum the Company to pay their ratable part of their proportion of tobacco and his Majesty the like ratable part.

"5. That the tobacco to be brought in be all consigned into one hand, viz., of such officers as the Companies shall appoint, and the said Companies have the sole management of the said sale of tobacco, yielding unto his Majesty a true and perfect account thereof, and paying the profit that shall grow due unto his Majesty unto such as the Lord Treasurer shall appoint to receive the same.

Digitized by Google

"6. That all the charges, as well for the freight and carriage as for all other things incident to the ordering, disposing and sale of the said tobacco, be defalted and allowed in the said account proportionably out of his Majesty's and out of the Company's parts.

"7. That his Lordship be pleased to take a strict course for the preventing of all undue bringing in of tobacco by other means.

"8. That his Lordship be likewise pleased for the persons to take order for the preventing of bringing in of Spanish tobacco more than the allowance already sett.

"9. That all confiscations and other penalties upon this contract be divided into three parts—the one part to his Majesty's use, the other to the Companies' use, and the third to the informer.

"10. That the contract begin at Michaelmas next and continue for seven years.

"11. That this grant intended be for all other matters tending to this business, drawn in most beneficially for the Companies and for the advancement of the plantation and his Majesty's profits aforesaid reserved.

"12. That if any confiscation of tobacco happen between this and Michaelmas next, the same must be for the uses aforesaid, which if it cannot be granted, that yet at leastwise the tobacco so confiscated be sent out of the realm to be sold elsewhere, not to clog these kingdoms therewith, which would tend as well to the damage of his Majesty as of the Companies.

"13. That in his Majesty's said proclamation there may be inserted a limitation of the price of tobacco, as well for the Companies as for the retailers, so that the Company shall sell no tobacco at above 8s. the pound nor the retailers at above 10s., and so much ratably for lesser quantities, single pipefulls of tobacco only excepted.

"14. Lastly, the Companies humbly beseech his Lordship to be a means that his most gracious Majesty may be more truly informed of their present proceedings in this his Majesty's service for the benefit and advancement of these his royal plantations, having found to their exceeding great grief and discouragement that the maligners of them and their actions have much prevailed against them by most untrue suggestions, that so standing right in his Majesty's favour they may with more comfort

Digitized by Google

continue in their toilsome cares and endeavors for the setting forward of these noble works, and in all other services that may be acceptable to his Majesty.

"In answer whereunto his Lordship delivered three exceptions taken against them :

"First was, that the offer of a fourth part by the Company with a conditional addition might be altered into an absolute grant of a third.

"Secondly, that there be no discharge of the patent of garbeling.

"Thirdly, that the King might not be charged with any fraight.

"Unto which several exceptions the Company had framed an answer, and had also made an addition of certain clauses assented unto to be inserted in the contract, haveing been omitted in the first propositions.

"Which answer to those exceptions, and those other additions were likewise here read, and are the ensuing:

"*The answer of the Committees to certain exceptions taken on the Lord Treasurer's behalf to the propositions of the Company's touching the sole importation of Tobacco.*

"First, his Lordship desires that the offer of a fourth part, with some conditional addition, be altered into an absolute grant of a third part.

"The committees make answer that the generality of the Companies do conceive that the offer of a fourth part, with the condition of enlargement annexed, to have been so large, as that it would have been accepted.

"Notwithstanding, the committees will do their best endeavors to draw them by perswasion to yield to this demand of a third part, so that there be no further burdens laid upon them ; which if there should be they think it not possible to bring the Companies to yield unto it.

"Secondly, it is required by his Lordship that there be no discharge of the patent of garbeling.

"The committees answer that they are credibly informed that the patent for garbeling hath not hitherto taken effect upon any man as questionable; first, whether tobacco be garbellable at all,

Digitized by Google

and, secondly, whether the proportion of a groat upon a pound be not excessive, considering that some tobacco is dayly sold for little above that value (all duties discharged), and in particular for themselves the Companies alledge that by their precedent letters-patent granted from their Majesty, they stand free and discharged from all taxes besides the customs. Notwithstanding, the committees conceive that, if his Lordship would be pleased that in the contract and grant the Companies might be clearly discharged from all claym of that patent, it would be a great inducement to the Companies to yield to that third part desired, Whereas, contrariwise, if they should conceive that besides that third part, and the old custom expressed in the printed Book of Rates (which they yield to pay for their two-thirds), they shall also be charged with the groat for garbeling, it would amount on the whole to a full moiety of their goods.

"Thirdly, his Lordship doth not hold it reasonable that the King should be charged with any freight, considering that his right to the third doth grow upon the arrival of the same within these his kingdoms; but his Lordship is well pleased that in all other charges after the said arrival the king bear his part according to his proportion of a third.

"The committees answer that they will do their best endeavors to perswade the Companies to rest satisfied herewith.

"Addition of certain clauses assented unto to be inserted in the contract having been omitted in the first propositions.

"That there be a clause inserted for restraint of bringing in Spanish tobacco above 60,000 weight.

"That there be likewise inserted in the contract a grant or covenant from his Majesty against the granting of licenses to retailers of tobacco, but that the sale thereof may remain free as hitherto it hath done.

"The rating of the prices of tobacco as well for the merchant as for the retailer, his Lordship is pleased to leave to be set down by the Companies upon full debate of all the reasons thereto incident.

"Whereas they have received from his Lordship the medium of the quantity of tobacco brought in these seven last years, ending in Michaelmas, 1621, amounting to 142,085*l*.

"The committees desire that by a new examination it may be more particularly set down how much thereof was roll tobacco

Digitized by Google

and how much was leaf, because of the different customs, and that the whole may be reduced to a certain sum of money, of which sum one-third to be paid by the King, two-thirds by the Company, and the customers to make no farther demand.

"He further signified that since that time the committee had received his Lordship's pleasure upon a new proposition, viz.: that for these two next years either the Company should be bound to bring in 60,000 weight of Spanish tobacco or otherwise permit 40,000 weight to be brought in by some other.

"Which proposition appearing very grievous to the committees, and such as did cross their original purpose, they made reply with eight reasons against it, which they also caused to be delivered in writing to his Lordship, being these ensuing.

"The committees have lately received his Lordship's pleasure upon a new proposition not formerly mentioned, viz.: that for these two next years either the Companies should be bound to bring in 60,000 weight of Spanish tobacco, or in case of their unwillingness to be thereto tyed, they should be content that some other might bring in 40,000 weight of tobacco, where his Majesty likewise to have the profits of one-third.

"The committees make answer that they conceive that the bare publishing of this proposition would breed in both the Companies so great averseness, that they would be incapable of that persuasion which they now trust may prevail to induce them to yield to the former point in question.

"The reasons which moved the committees to be of this opinion, are these ensuing:

"1. They say that the example of binding men to bring in any foreign commodity, whereof there is sufficient growing within the King's own dominion, will seem very strange and such as suppose hath not been heard of in any part of the world.

"2. They say that the former patentees for the sole importation were free from this bond.

"3. They conceive that this proportion doth overthrow the former contract in the most material parts thereof, especially if it should be yielded that any other besides the Companies should have liberty to bring in any Spanish tobacco.

"4. They leave it to his Lordship's grave consideration whether the forbidding to plant tobacco in England, and the commanding thereof to be brought in from a foreign county being

Digitized by Google

conceived to have been a chief cause of the want of money in this realm, would not be greivous to the English subject and greatly prejudicial to the patentees in their reputation.

"5. They say that the proportion mentioned in the proposition of 60,000 weight seemeth very excessive, and more than was brought in in divers of the said seven years, when there was no restraint at all for bringing in of Spanish tobacco.

"6. They conceive that this proportion may in effect clearly cross the two main ends proposed in this contract, namely, the profits of his Majesty and the benefit of the plantations, seeing that it is generally known and confessed that there hath been in these later years as much tobacco unduly brought in without paying of custom, as that which hath been orderly brought in by the merchant, which, if it hath heretofore been 12d. out of the King's way, will now upon this contract be near ten times as much; and the onely way to prevent this fraud and mischief is the certain discerning of the several kinds of tobacco, wherein there can be no error, whereas, contrariwise, under the colour of Spanish tobacco, it will be impossible to avoid the stealing of ten times as much, whereof the former patentees have had dear experience. So that if his Majesty should gain by that propositions some thousands of pounds one way, he should lose twice as much by running hazard of wronging the great contract; and this reason is of like force touching the benefit of the plantations, which, together with his Majesty's profits, must stand and fall, grow and diminish.

"7. They say that the bringing in of so great proportion of the best Spanish tobacco must utterly abase the price of the tobacco of both the plantations, whereby the disprofit, as well to his Majesty as to the plantations, may prove greater than the benefit conceived by this new proposition.

"And, touching the plantations, it appeareth most manifestly, by the experience of this year, that the bringing in of the sixty thousand weight hath kept down the Virginia and Somer Islands tobacco at the same rate as formerly, so that, by the admitting of this proposition, the plantations should depart with one-third of their tobacco without any retribution in the price, as was at first proposed.

"8. Lastly, the committees say that, being left at liberty according to the former propositions, if they shall find hereafter, by

Digitized by Google

reason or experience, that the bringing in of some Spanish tobacco may prove a matter of benefit to the King and Company, they shall have great reason to apply themselves thereunto, within the limits prescribed, and with better caution than could be observed if they should admit of any partners.

"Howbeit, it being afterwards made evident unto them and much urged that the bringing in of Spanish tobacco, for a certain time, was of that importance as might not be omitted; hereupon, the committee, taking into their serious consideration how available it will be unto both the plantations that his Majesty's profit go hand in hand with the Company's, and, on the other side, considering that if this contract did not proceed, a worse accident might befall, they apply'd, to the best of their understanding, to set down some means so to qualify the said new propositions as might be least prejudicial to the plantations, which thought fit to restrain to these three limitations: First, that the contract for bringing in of Spanish tobacco be limitted to two years and no longer. Secondly, that the quantity be reduced to these propositions, namely, not to exceed sixty thousand weight nor to less than forty thousand weight. Thirdly, that it be with this condition that the Spaniards do not raise the custom or other burthens, or the present price that now it is sold at in Spain, and that the markets of tobacco in Spain be, in all respects, as free as formerly they have been, or otherwise the said covenant for bringing in of Spanish tobacco to be void and discharged.

"He also signified that, in regard this new proposition had an appearance of damage and danger both to the Company and plantations, they therefore thought fit to extend the whole contract for three years in certain, and afterwards for four years more, yet so as the Companies be at liberty to dissolve this contract upon a year's warning, given either at the end of the second year or any year after.

"All which proceedings of the committees being thus related and read, and the court, duly weighing them, acknowledged had proceeded therein with as much care, wisdom and circumspection as possible they could desire, and themselves much bound to the honourable Lords and others, the committees, for the extraordinary pains they had taken in this business. And because it appeared there were now some things propounded which the Company never heard before, namely, the bringing in of a certain

Digitized by Google

quantity of Spanish tobacco and the yielding of a third part thereof unto the King, they desired time until the next court to consider thereof, as also of the best means of preventing the stealing of any more than the proportion, if that of necessity must be yielded unto.

"In a preparative court held the 1st of July, 1622, the whole proceedings of the committees touching the contract to be made with his Majesty by the Companies for Virginia and the Somer Islands for the sole importation of tobacco having been read, after some pause thereupon, Sir Edwin Sandys, who had been desired to make report of the said proceedings, took occasion to acquaint the Company that the committees having received a new proposition from the Lord Treasurer for the bringing in of 60,000 weight of Spanish tobacco, or otherwise to permit 40,000 weight to be brought in by some other, they had opposed it with the eight reasons that were read against it; but there appearing unto them a necessity of yielding thereunto, or otherwise to break the bargain in hand with the King, the committee laboured in this extremity to qualify this proposition by restraining it to the three limitations, which they had heard likewise read. And lastly, they thought fit that forasmuch as this new proposition had appearance of damage and danger, both to the Companies and plantations, they thought meet to limit the contract to three years more, yet so as the Companies to be at liberty to dissolve this contract upon a year's warning given, at the end either of the second year or any year after, which lymitation, though it had not as yet been imparted to my Lord Treasurer, yet the party appointed to treat with them herein made no great doubt but that it might be granted.

"But touching the patent of garbelling, which the committee desired to be discharged of, the Lord Treasurer said it was out of his power to recall what his Majesty had already granted under his great seal to certain gentlemen, with whom, notwithstanding he made no question but that they could compound upon reasonable conditions, or otherwise they were at liberty to stand upon the alledged privilege of their patent and benefit of the common law (if they conceived that might help them) for his Lordship hereupon that he did urge this present contract than it might well stand with the future good of both the plantations.

"Whereupon, the matter being taken into debate by the Com-

Digitized by Google

panies, some conceived that as it would be grievous unto the adventurers, so would it be unto the planters in Virginia, nor could it stand with the safety of the plantation, if the planters, upon half profits, be also forced to pay a third part of their tobacco to the King; but it was answered, by reason they were to pay the King in the specie of tobacco, and not in money, and for all other duties to pay only the medium of the custom (if they might therewithal be discharged of the matter of garbeling), it was very probable (the business being duely managed) they should not be in worse case than they were before; whereupon some moved that the contract with his Majesty might be conditional, with profer of a fourth part for the present, until they might be eased of their covenant for bringing in of Spanish tobacco, and also quit of the said covenant for garbeling; and others would that a clause might be inserted in this contract to free them from it, but it was answered that a precedent patent could not be infringed by any after grant, nor was it held fit so much as to question the priviledge of their patent, which was sufficient against it.

"After which debate, with some other allegations tending to impugn the said contract, and the Lords that were present desired that the business might be proceeded with in an orderly manner and brought one way or other to a certain resolution and conclusion, Sir Edwin Sandys hereupon moved that for a more orderly proceeding herein, the whole business might be reduced to certain heads, and that each of those heads might be thoroughly debated of, and the court to pass their judgment severally upon each, and finally, in conclusion, upon the whole bargain of the contract; and he said that he had observed in the reasons and allegations which had been hitherto made, that some of them did directly impugne the contract, or some branch thereof, and some others did move onely questions of certain difficultys, that seemed to depend upon the ordering and managing of this business, which difficultys seemed not to be of that importance as to dishearten men from it, if the contract itself was assented unto; and therefore to proceed with the contract itself first acquainted the Company that this matter of contracting for the sole importation of tobacco had moved originally from an offer made for the same by the then Governor and Deputy of the Company for the Sumer Islands, who had also been Trea-

Digitized by Google

surer and Deputy of this Company, as was openly delivered at the Council board in presence of himself and many others of the Company now in court; whereupon it was conceived, by reasons of the quality of the persons, the offer had moved from the two Companies, which, at the same time, was absolutely disavowed and denied by the members of both Companies then attending their Lordships. But the first mover of this contract for the sole importation coming to no higher an offer than £10,000 rent by the year, it was undertaken by others—namely, Sir Thomas Roe and his associates, at a much greater rent, who, for the raising, besides their patent of contract for sole importation, procured also a proclamation from his Majesty straightly inhibiting all others to bring in any tobacco into this realm without the patentees' license, which was the cause of the Company then attending their Lordships; whereupon, a gracious reference to his Majesty, they obtained liberty, notwithstanding the said proclamation, to bring in 55,000 weight of tobacco from the two plantations, whereof the Company for Virginia did bestow their whole part upon the other Company. Sir Thomas Roe's year being ended, the said contract hath been undertaken this year by Mr. Jacobb, tho' not at the same rent, who contrariwise hath procured (as he hath been informed) a commandment to the Company to bring in all their tobacco, which it seemeth was to the no greater content of than the first restraint from bringing in any at all without license. These troubles, as they all knew, had befallen the Companies by reason of those contracts for sole importation, and that not long after, in thankfulness to his Majesty for prohibiting the planting of tobacco in this realm (which was done without any suit from the Companies), the Company of Virginia had yielded for five years to double their custom.

"But the Lord Treasurer hereupon observing what grievous molestation the Companies have sustained from time to time in their proceedings, by reason the said contract was managed by others, did, therefore, now make offer thereof to the companies that if they so liked, and should find it to be for the good of their said Companies and the plantations, they might now contract with his Majesty for the sole importation of all tobacco whatsoever; so that it was now to be considered whether they think it more fit for them than any other to entertain this con-

Digitized by Google

tract with his Majesty, which he said was the first point to be resolved on in this business.

"After long pause and much dispute, it was desired at length it might be put to the question, which was proposed in this manner:

"Whether the Companies of Virginia and the Sumer Islands thought fit to entertain this contract with his Majesty for the sole importation of tobacco upon such conditions as should be agreed on, or suffer the same to be entertained again by some other. Hereunto the court generally signified their willingness and consent to entertain the said bargain.

"The second question proposed by Sir Edwin Sandys to be considered of, was at what rate this contract should be concluded upon, there having been a fourth part of the tobacco offered to his Majesty, which would not be accepted.

"In declaration whereof, Sir Edwin Sandys signifyed that my Lord Treasurer's speech was that, seeing his Majesty's profit was to be raised only by sale of tobacco, and not in certainty of money, he was so to provide that the King's Majesty were to be no looser by this bargain. To prevent which, he having duely calculated the medium of tobacco that hath been brought in the last seven years, and considered of all circumstances incident hereunto, he said he could demand no less than a third part of the tobacco for his Majesty.

"Sir Edwin Sandys further signified that the committee, entering into consideration of this point, found by the rates that the tobacco is now sold at that they paid already little less than a third part, all charges considered.

"As for the custom insisted upon for the King, it was presumed the price of tobacco would hereby be so much advanced as would give the Company a convenient retribution.

"The committee further informed the Company that my Lord Treasurer said that if the Company shall at any time desire to transport the tobacco, which they cannot rent here at home, into any foreign parts, it shall be free always from custom. It was further intimated that it was intended that the King's part of the tobacco and the Company's shall be sold together and not divided till the moneys thereupon be raised.

"As for the intricacy which was supposed would happen in the

Digitized by Google

sale thereof, in regard of the different goodness of the tobacco (whereby it was conceived men would be the more careless in the making and curing thereof, if once they understand it shall be sold confusedly together) answer was made it should be valued and sorted according to the goodness. Whereupon, it being agreed to be put to the question whether the Companies did not think it better to contract for the sole importation and sale of tobacco and yield a third part thereof to the King, over and above their parts of ancient custom, rather than break the bargain with his Majesty, the whole court did generally agree to give a third.

"The third question offered to their consideration by Sir Edwin Sandys was touching the new proposition of bringing in a quantity of Spanish tobacco, against which Sir Edwin Sandys signified the eight reasons lately read were opposed, being conceived it would, in effect, clear cross the two main ends proposed in this contract, namely, his Majesty's profit and the benefit of the plantations. But his Lordship returning answer that this was a matter of so great importance and consequence as could not be dispensed with, the committees hereupon did endeavor to qualify it with such limitations as had been before recited, from which they had been also informed that his Lordship did not dissent.

"This point being a long time debated by the Company, a question was moved, whether in case the 40,000 weight proposed being transported into any other foreign parts and not here into England would be allowed, the King having his third duely paid him.

"It was conceived it must first be imported, otherwise it would not satisfy, but yet it could not then be here rented, there was no doubt but they might export it to the best markets. Some were of opinion that the King would gain but little by bringing in of Spanish tobacco, in regard so much the more of the Company's tobacco must be transported elsewhere for want of sale. At length, at the request of the Company, it was put to the question, namely, whether the Companies did not think it best for them to undergo this consideration of bringing in yearly 14,000 weight of Spanish tobacco for the two next years onely, with those other qualifications which had been formerly read, rather than to break the contract intended with the King. The court did generally declare themselves willing to undertake it, provided

Digitized by Google

that casualty at sea be excepted, and those other considerations granted that have been alledged.

"The next question offered by Sir Edwin Sandys to their consideration touching the addition of charges, namely, the matter of garbeling and freight. Touching the first, it was alledged by some of the Company that it appeared the committee had two strings to their bow—namely, the benefit of the common law and the power of the King's letters-patents formerly granted to them.

"It was also informed by other of the Company that this patent of garbeling, being questioned by the lower House at the last meeting of the Parliament, was adjudged by all the lawyers of that House to be a grievance both in the creation and (if ever it proceeded so far) much worse in the action.

"Whereupon, it being put to the question whether the Companies thought it not fit to proceed in this contract and leave the matter of garbeling in the state it is rather than otherwise to desist. The court generally agreed to leave it so, and to insist upon the validity of their own patent and this benefit of the common law if need be.

"The last question where it was alledged by Sir Edwin Sandys that the Lord Treasurer consented that the King should bear his third part of all other charges after the arrival of the tobacco here, at which time his interest unto that third did begin, but not to look back to any charges precedent.

"This point being thought fully debated, and with much opposition, the Company at length desired it might be put to the question, which was proposed after this manner, whether they thought it not better to pay the whole freight of the tobacco, that is to say as well for the King's third part as their own, rather than to break the bargain with his Majesty, the Company, by plurality of voices, agreed to pay the whole freight. Sir Edwin Sandys likewise moved, that for avoiding differences or questions that might arise on the King's part about the appointing of officers and allowances for their salaries, and for other charges about this business, that it might be added to the rest of the articles, that the Company may have power to chose their said officers, and that their salaries and all other charges be rated and set down by them in their general courts, and that upon their accounts the entire charges be defalted and allowed.

"These businesses being thus ordered, the last thing taken into

Digitized by Google

consideration was the reducing of the whole contract by writing into articles, to be presented to the Lord Treasurer the next day, which articles, being assented unto by his Lordship, are to be offered to the judgment of the quarter-court to be held on Wednesday next, to be finally concluded and confirmed.

"Whereupon the court entreated Sir Edwin Sandys to take the pains to draw up the said articles, and being perfected, the court humbly entreated the Earl of Southampton, together with Sir Edwin Sandys, to repair to the Lord Treasurer's some time to-morrow about the premises.

At a quarter-court held on the 3d of July, 1622, in the afternoon, there were present Right Honourable—

Earl of Southampton,	Earl of Devonshire,
Lord Cavendish,	Lord Paget,
Lord Maynard,	Sir Edw. Sackvil,
Sir John Brooke,	Sir Thomas Jermyn,
Sir John Dauers,	Sir Robert Killegrew,[108]
Sir Edwin Sandys,	Sir Samuel Sandys,
Sir Walter Earl,	Sir Philip Cary,
Mr. Nicholas Ferrar, Deputy,	Sir Thomas Wainman,
Mr. Earl,	Mr. Brooke,
Mr. Tomlins,	Mr. Wrote,
Mr. Edw. Johnson,	Mr. Wilmer,
Mr. Gibbs,	Mr. Jo. Smith,
Mr. Ro. Smith,	Mr. John Ferrar,

[108] Sir Robert Killegrew belonged to a good family, and few names were more prominent in the court biography of the Stuarts. He had three sons: i, William, born 1605, gentleman usher of the privy chamber to Charles I, and held the government of Pendennis Castle. He was a zealous Royalist, and was knighted and made Vice-Chamberlain; was the author of four plays and several essays; died 1693; ii, Thomas, born in 1611, a page at the Court of Charles I, and accompanied his son into exile, and on the Restoration was famous as the most licentious of the favorite companions of Charles II, receiving the title of King's Jester. He wrote eleven plays; died in 1682, and was buried in Westminster Abbey; iii, Henry, D. D., educated for the Church, but wrote a tragedy and a volume of dramas; died about 1688. His daughter, Anne, became, as an artist, a poetess, and a beauty, one of the celebrities of the Court of James II, and was immortalized by Dryden. Another lady of the family, Catherine Killigrew, was famous for learning in the preceding century.

Digitized by Google

Mr. Palmer,
Mr. Caswell,
Mr. Bond,
Mr. Hackett,
Mr. Butler,
Mr. Penistone,
Mr. Kirby,
Mr. Collet,
Mr. Hart,
Mr. Barkham,
Mr. Sparrow,
Mr. Bull,
Mr. Wiseman,
Mr. Essington,
Mr. Jacobson,
Mr. Mole,
Mr. Scott,
Mr. Rugles,
Mr. Seaward,
Mr. Cranmer,
Mr. Mellinge,
Mr. Bennett,
Mr. Dike,
Mr. Bromfield,[109]
Mr. Bing,
Mr. Ditchfield,
Captain Jefford,
Mr. Moorer,
Mr. Nicholls,
Mr. Winch,
Mr. Berblock,
Mr. Stephens,
Mr. Wainwright,
Mr. Leigh.
Mr. Baynham,[110]
Mr. Bolton,
Mr. Felgate,[111]
Mr. Lever,
Mr. Covell,
Mr. Jefferies,
Mr. Boothby,
Mr. Swinhowe,
Mr. Mansell,
Mr. Newport.

---

[109] Rev. Richard Buck came to Jamestown in May, 1610, and died about 1624, leaving three sons, Gershom, Peleg, and Benoni, the last of whom was born 1616, and alive 1637, an idiot. In 1654 Elizabeth Crumpe, widow, and Bridget, wife of John Bromfield and relict of John Borrowes, were the heirs of Richard Buck.

[110] Alexander Baynham was Burgess for Westmoreland county in 1654. Dr. John Baynham was a medical practitioner of note in Caroline county, Va., during the early and middle part of the eighteenth century, and Dr. William Baynham, distinguished as a surgeon, died in Essex county, Va., in 1814, aged sixty-five years.

[111] Captain Toby Felgate, as early as 1623, had made several voyages to Virginia, and was granted in 1626 one hundred and fifty acres of land adjoining that of his brother, Captain Robert Felgate, who was granted two hundred and fifty acres in Charles River (subsequently York) county, in 1637, and four hundred acres in 1639, when his wife Margarite, son Erasmus, and daughter Judith were among the head-rights. He was a justice of the peace of York county in 1633. John Felgate, in 1635 and 1639, also received extensive grants of land. William Felgate was a justice of the peace of York county in 1657.

Digitized by Google

Mr. Waterhouse,
Mr. Pierce,
Mr. Roberts,
Mr. Harrison,
Mr. Withers,[112]
Mr. George Smith,
Mr. Bagwell,
Mr. Stephens,[113]
with divers others.

"Sir Edwin Sandys took occasion to signify that, according to the request of the former court, he had drawn up the said articles, and after he had done, not trusting to his own judgment therein, he had imparted them to the deputies of both the Companies, who, approving thereof, he afterwards delivered them to the Lord Treasurer, who having them, took four exceptions against them.

---

[112] John Withers was granted seven hundred and twenty acres of land in Westmoreland county in 1658.

[113] Captain Richard Stephens received in 1623 a grant in "James Cittie" * * "for his better conveniency, and that others may be the more encouraged by his example to build and enclose some ground about the howses for gardening and planting and other profitable uses, three-score rods of ground, situate and being about a convenient dwelling-house which he hath lately builded and erected in James Cittie, which lands lie south of upon the way along the great river, east upon the lands of Captain Ralph Hamor, west on the land of —— Jaxon, yielding and paying unto the Treasurer of the Company, at the feast of St. Michaell, the Archangel, the fee rent of two shillings and sixpence." Soon after his arrival he fought a duel with George Harrison, fatally wounding him; councillor in 1630. His widow, Elizabeth, married secondly, Sir John Harvey. His son, Captain Samuel Stephens, married Frances, sister of Captain Alexander Culpeper, appointed subsequent to 23d May, 1671, Surveyor-General of Virginia, succeeding Colonel Edmund Scarborough, deceased. Thomas and Philip Ludwell were successively his deputies in 1671 and 1675. Alexander Culpeper was among the grantees of the Northern Neck in 1680. The will of Samuel Stephens was recorded 21st of April, 1670, and sometime in May following his widow became the wife of Sir William Berkeley. After the death of Sir William Berkeley, July 13, 1677, she married thirdly, in 1680, Philip Ludwell, Secretary of the colony. George Stephens was a Burgess for James City county in 1645, for Charles City county in 1651, and for Surry county in 1652. There were grants of land to Garrett Stevens, or Stephens, in Warwick river in 1641; to Thomas Stevens in Lancaster and Warwick counties in 1652; to Mary Stephens in Surry county in 1656; to William Stephens in Surry, Rappahannock, and Warwick counties in 1656 and 1657, and to John Stephens one thousand acres in Rappahannock county in 1657.

Digitized by Google

"1. The first was to these words of the fourth article, namely, against the offer of a third part of the tobacco imported and rented, whereas his Lordship required a third of all the tobacco brought out of Virginia; and said further, that his Majesty's right and propriety to a third did grow upon the first arrival of the tobacco here.

"2. The second exception was to the shortness of the time limitted for the bringing in of Spanish tobacco, being but for two years only, which his Lordship thought too little, and therefore desired it might be enlarged to three years at least.

"3. The third exception was to the restraining of the contract from seven years to three years in certain.

"4. The fourth exception was against the medium of the custom of Ireland, which could not be granted because the medium thereof was not as yet certainly known.

"Lastly, his Lordship advised the Company not to stand upon their priviledge against the patent of garbeling, but to compound with the patentees, whom his Lordship presumed they should find very reasonable.

"But Sir Edwin Sandys signified that the Lord Treasurer had since sent a more favourable answer unto the Company touching the same exceptions, for being informed that the tobacco in Virginia had three several proprietors, as first, the tobacco belonging to the Company; secondly, tobacco belonging to particular societies and plantations; thirdly, tobacco belonging to private men, acquired either by purchase or their personal adventures; the Company over the two latter sorts had no power to prohibit nor authority to command them to bring their tobacco hither, but were free and at liberty by the laws and grants to carry their commodities to what markets they pleased. Whereupon Sir Edwin Sandys said that the Lord Treasurer desisted from his first proposition, and did now require no more tobacco to be brought in than the Companies shall think fit, but of that which shall be brought in he required a third for the King; and further desired that the word rented might be left out of that clause; secondly, whereas, his Lordship desired that the two years of bringing in of Spanish tobacco might be enlarged to three years, his Lordship was contented it should pass for two years only if the Company stuck much at it, but desired that a committee might be appointed to consider what sort of Spanish tobacco

Digitized by Google

should be brought in; thirdly, whereas, it was desired the contract might continue for seven years in certain, his Lordship was pleased to put it to the Company's choice, either to hold this farm for seven years, or otherwise that it might be free as well for his Majesty as for the Company to dissolve the bargain at the three years' end. Touching the fourth exception against the medium of the Irish custom, it was conceived the reason formerly alledged would give the Company satisfaction.

"After this, the court entered into a serious consideration and examination of the premisses, and having duly pondered all the reasons and circumstances that were both now and formerly delivered and fully debated upon, did at length desire that might be severally put to the question, which accordingly was done after this manner, viz:

"First, whether the Company did think fit to yield to the Lord Treasurer's proposition by granting a third part of all the tobacco they should think fit to bring in and to leave out the word "rented," the court generally agreed to yield a third and to leave out the word "rented," as the Lord Treasurer desired. Secondly, it being put to the question whether the Company would enlarge the two years to three for bringing in of Spanish tobacco, according to the Lord Treasurer's proposition, the court by no means would yield thereunto, but generally insisted upon two years and no longer.

"Thirdly, it was put to the question whether the court would appoint a committee to consider what sort of Spanish tobacco should be imported according to the Lord Treasurer's desire. The court generally agreed thereunto. Fourthly, whereas the bringing in of Spanish tobacco is upon condition that the Spaniard enhance not the price thereof upon the grant of the contract (knowing the certain quantity that must be brought in by the Companies), my Lord Treasurer desired it might be so far explained and intended that the Spaniards do not hereupon and purposely and by practice, endeavour to enhance the price of the tobacco, which explanation the court agreed should be made of the words touching that clause.

"Fifthly, it was put to the question whether the Company would be tied in this contract for seven years or only three years in certain, and then his Majesty, as well as themselves, to be at liberty to dissolve the contract, this point was much disputed,

Digitized by Google

upon some desiring it might hold but three years in hope of a better bargain at the three years' end, and the rather because of their 6d. a pound imposition upon their tobacco would then be expired. But others feared a much harder bargain might be then put upon them; whereupon, after all reasons were discussed, being put to the question, it was, by plurality of voices, agreed that the contract should hold for seven years.

"Sixthly, being put to the question whether the clause for the medium of the Irish custom should be struck out, seing it could not but be estimated what it might come unto, being a custom newly established, the court did generally agree to have it struck out.

"Seventhly, touching the patent of garbeling, the court have agreed it shall not be so much as named in this contract, but they would stand to the tryal of law for their rights.

"Eighthly, whereas, in the fourth article instead of the word rented they had put in the word landed, but did not know as yet whether my Lord Treasurer would assent thereunto (but the committee hoped and promised they would do their best to persuade his Lordship to admit it). It was put to the question, whether in case the Lord Treasurer should not allow thereof the companies did think fit to break off this intended bargain with the King. Hereupon the court resolved generally that the putting out of the word landed should not break the bargain with his Majesty. All exceptions being thus cleared, the propositions were again read all over, and the alterations also that had been made thereupon, which being done the Earl of Southampton prayed the Company duely to consider of them, and not to spare in so weighty a business as this was, that so nearly concerned them all, to give their best advice and council therein, it being free for any man to speak his mind with it or against it, as his own heart or reason should persuade him.

"After a long pause, forsomuch as it appeared nothing could be said than had been formerly delivered, my Lord at length, at request of the court, put the proposition to the question, whether they did agree and fully consent that this contract should go forward to be made with the King for the sole importation of tobacco, upon such conditions as had been formerly proposed. The whole court, with one unanimous consent, signifyed their approbation of it, ratifying and confirming the said bargain by a

Digitized by Google

general erection of hands, without contradiction, save only one hand held up against it.

"*Propositions agreed on by the Treasurer and Company for Virginia in a great and general quarter-court, held on Wednesday, the 3d of July, 1622, touching a contract to be made with his Majesty for the sole importation of tobacco, which propositions they desire may be ratified by the Right Honourable, the Lord High Treasurer of England:*

"1. That the sole importation of tobacco into the realms of England and Ireland be granted, by his Majesty's letters-patents under the great seal, to the Companies for Virginia and the Somer Islands.

"2. That his Majesty, by proclamation, inhibit all others, during the time of this contract, under pain of confiscation of their tobacco and his Majesty's high displeasure.

"3. That likewise the planting of tobacco in England and Ireland be forbidden by the same proclamation during this contract under a grievous penalty, and that the tobacco that shall be found to be planted in England this year may, by vertue of the former proclamation, be confiscated.

"4. In consideration whereof, as also that the Companies shall be discharged from all other payments for tobacco to his Majesty (except only the ancient custom set down in the printed Book of Rates of 6d. p. lb for roll tobacco and 4d. for leaf,) the Company shall pay to his Majesty the clear proceed of a full third part of all the tobacco that shall be yearly imported and landed by them in any of these two realms during the said contract. Provided always, that the said Companies shall not be constrained to import any more tobacco of the growth of the two plantations into either of these realms than themselves shall think fit.

"5. And touching the said custom, that his Lordship be pleased to cause it to be reduced to a medium for these seven years last past ending at Michaelmas, 1621. And forasmuch as the medium of the quantity of tobacco brought into England these seven last years hath been delivered already to amount to 142,085½. It is further desired that, by a new examination, it may be more particularly set down how much thereof was roll tobacco and how much was leaf, because of the different customs. And that the

Digitized by Google

whole may be reduced into a certain sum of money, of which sum, one-third to be paid by the King and two-thirds by the Company, and the customers to make no further demand for any tobacco, either imported or exported by the said Companies, during the time of this contract.

"6. The Companies be content that his Majesty be disburdened from all payment for the fraight of tobacco imported from the two plantations or from any other foreign parts into either of these, his realms, but desire that after the first arrival of the said tobacco, as well for the landing, carrying and housing thereof, as also for the keeping, tending, curing, and sorting of the same, and likewise for transporting, whether by sea, fresh water, or land, into divers parts of either of these, his Majesty's realms, there to be sold and distributed. Also that his Majesty bear a full third part of all salaries due to officers, factors, and agents, and to all ministers and servants to be employed in any sort within either of these realms, about the said tobacco or other business whatsoever incident to this contract; which salaries to be appointed and set down by the said Companies in their general courts, where and by whom, likewise the said officers, likewise agents, factors, ministers, and servants shall be chosen. And likewise that his Majesty bear one-third part of all costs and charges in suits of law, for any matter of business concerning the said tobacco, or for recovery of any debts from thence arising, and finally, for all other charges whatsoever necessary or convenient for the well ordering of the said tobacco and for making of the best profit for his Majesty and the Companies aforesaid.

"7. That the tobacco to be brought in be consigned all unto one hand, viz., of such officer as the said Companies shall appoint, and that the said Companies have the sole managing of the said sale of tobacco, yielding unto his Majesty a true and perfect accompt thereof, and paying the clear profit which shall grow due unto his Majesty, and come unto their hands unto such as the Lord Treasurer shall appoint to receive the same; in which accompt all the said charges to be allowed and defalked as aforesaid.

"8. The Companies will be contented to be restrained from bringing in any Spanish tobacco above the quantity of 60,000 weight a year, and to be tied likewise by covenant for the bringing in of 40,000 weight of the said Spanish tobacco for every of

Digitized by Google

the first two years only of this contract, and no longer, upon condition, notwithstanding, that the King or State of Spain do not raise the custom for tobacco or other burdens imposed upon it above the rate they are now at, or impose any new charge, and upon condition, also, that the price of tobacco at which it is now sold in Spain be not enhanced, and that the markets for tobacco in Spain be in all respects as free as formerly they have been, or otherwise the said covenant for bringing in of Spanish tobacco to be void and discharged: provided, also, that if any of the said quantity of Spanish tobacco do in anywise miscarry by any casualties at sea that in that case the said Companies shall not be bound to restore the proportion by any new provision.

"9. They desire that there may be a rate set as well in his Majesty's letters-patent as in his said proclamation of the price or prices of tobacco, as well for the merchant as for the retailer, and under a grievous penalty; which prices, nevertheless, to be set down by the said Companies upon all reasons thereto incident.

"10. They also desire that there may be inserted in the contract a grant or covenant from his Majesty against the granting of licenses to retailers of tobacco, so that the sale thereof may remain free as it has hitherto done.

"11. That his Lordship be pleased to take a strict course for the preventing of all undue bringing in of tobacco by any other means.

"12. That his Lordship be likewise pleased for the present to take order for the preventing the bringing in of Spanish tobacco more than the allowance already set down for this year.

"13. That all confiscations and penalties upon this contract be divided into three parts, the one part to his Majesty's use, the other to the Company's, and the third to the informer.

"14. That if any confiscation of tobacco shall happen between this and Michaelmas next, the same be for the uses aforesaid, which, if it cannot be granted, that yet at leastwise the tobacco so confiscated may be sent out of the realm to be sold elsewhere, and not these kingdoms therewith, which would tend as well to the damage of his Majesty as of the Company.

"15. That his Lordship be pleased, at the beginning of the time to be limitted by this contract, to give order for a survey to be taken of all the tobacco, and the several growths thereof then remaining in these his Majesty's kingdoms, with such provision

Digitized by Google

as may be most proper to discover any undue bringing of any tobacco from that day forward.

"16. That this contract begin at Michaelmas, 1622, and continue for the space of seven years then next ensuing.

"17. That his Majesty's grant may be drawn and construed in most beneficial manner for the Company's and for the advancement of the said plantations, his Majesty's profit, as aforesaid, reserved.

"July 3d, 1622. The report of the committee touching Mr. Copeland's placing and entertainment in Virginia was now read. They have thought it fit he be made rector of the intended college there for the conversion of the infidels, and to have the pastoral charge of the college tenants about him, and in regard of his rectorship, to have the tenth part of the profits due to the college, out of their lands and arising from the labors of their tenants; and in respect of his pastoral charge, to have a parsonage there erected according to the general order for parsonages, which this court has likewise well approved of, and have also admitted him to be one of the council of state in Virginia.

"Thomas Read passed over (under his hand and seal) one hundred acres of land in Virginia, scituate in Coxendale, over against the Island of Henricus, some part thereof being called by the name of Mount My Lady, unto Edward Hurd, of London, citizen and ironmonger, which one hundred acres were granted unto him by Sir George Yeardley, then Governor of Virginia, and under the colony's seal, in regard of his eight years' good service in that country. Whereupon, the said assignment being put to the question, was allowed and confirmed to the said Edward Hurd."

Digitized by Google

Digitized by Google

Digitized by Google

Digitized by Google

UNIVERSITY OF MICHIGAN
3 9015 02779 8688

DO NOT REMOVE
OR
MUTILATE CARD

Digitized by Google

Digitized by Google