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*SENATE DOCUMENT.—(Extra.)*

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# COLONIAL RECORDS

OF

# VIRGINIA.



RICHMOND, VA:  
R. F. Walker, Superintendent Public Printing.  
1874.

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*Bohling*

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*Christ*

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## ERRATA.

- Page 13—Note 50.—For McDowell read McDonald.
- Page 14.—In last line of notes insert comma after Bancroft.
- Page 23 —Omit the whole of note 263.
- Page 24.—Note, 287, should read : committees, McDonald.
- Page 35.—In second line from bottom for Stith read Smith.
- Page 41 and 50.—For I, in notes, read we.
- Page 61.—In Editor's Note, for Neil read Neill.
- Page iii.—In Preface to Brief Declaration, lines fourteen and seventeen, for Smythe  
read Smith.
- Page iii.—*Ib.*, line 29, for Kieth read Keith.
- Page iv.—Line twenty-one, for Forcer read Force's.
- Page 89.—Preface, line eight, omit "the " before massacre.



THE PROCEEDINGS

OF THE

FIRST ASSEMBLY OF VIRGINIA,

*Held July 30th, 1619.*





## INTRODUCTION.

The documents herewith presented are printed from copies obtained from the Public Record Office of Great Britain. When the question of the boundary line between Maryland and Virginia was before the Legislature of the latter State, in 1860, Colonel Angus W. McDonald was sent to England to obtain the papers necessary to protect the interests of Virginia. He brought back "nine volumes of manuscripts and one book containing forty-eight maps" (see his report, Virginia Legislative Documents, No. 39, 1861,). The volumes of manuscripts contained, upon an average, 425 pages each, and were filled with valuable historical documents, of many of which no copies had ever been seen on this continent since the originals were sent from the Colony of Virginia. In a conversation with the writer, held soon after his return from England, in March, 1861, Colonel McDonald stated that having obtained copies of all the documents relating to the question of the boundary line which could be found, and having more money left of the appropriation made than was needed to pay the expenses of his return home, he decided to devote the surplus to obtaining copies of papers relating to the early history of the State, without reference to the question of the boundary line. This statement will, we presume, satisfactorily account for the presence in his collection of such papers as do not relate to the subject upon which he was engaged. That he was well qualified to select such papers is evident from an examination of the list which he made out.

During the occupation of the State capitol building by the Federal troops and officials, after the surrender of the Confederate authorities in April, 1865, a very large quantity of the official documents filed in the archives of the State were removed from that building, and at the same time four of the nine volumes and the portfolio of maps above mentioned. Nothing has been heard from any of them since. In 1870, the question of the boundary line being again before the Legislature of Virginia, the Governor sent the Hon. D. C. De Jarnette upon the same errand that Colonel McDonald had so well performed, and the result was the obtaining of such papers as he could find relating to the subject under consideration, including duplicates of some of those which though useful in this connection, are included in the five volumes remaining of those collected by Col. McDonald; also, charters of great length, but which are to be found in print in the histories and statutes of the State, and many of the miscellaneous papers which Colonel McDonald had copied under the circumstances above named. Among the latter is the account of the first meeting of the Assembly at Jamestown in 1619. When Colonel McDonald visited the State Paper Office (as it was then called) in 1860, this great repository of historical materials had not been thrown open to the public, and he tells us in his report that it was "twenty days after his arrival in London before he could obtain permission to examine the archives of the State Paper Office." A year or two afterwards all of the restrictions which had existed were removed, the papers

arranged chronologically, and an index made by which they could be referred to. Farther, W. Noel Sainsbury, Esq., one of the officers of what is now called the Public Record Office, had published a calendar of all the papers relating to the British colonies in North America and the West Indies, from the first discoveries to 1660 (soon to be followed by another coming down to the period of the independence of the United States), which contains a brief abstract of every paper included in the above named period, so that enquirers upon subjects embraced in this calendar can by reference see what the office has on file relating to it, and obtain copies of the documents required, at a much less cost than a voyage to England. Acting upon this knowledge, the Library Committee of the Virginia Legislature has made a contract with Mr. Sainsbury for copies of the titles and copious abstracts of every paper in the Public Record Office, and other repositories, which relates to the history of Virginia while a Colony. All of which he proposes to furnish for about £250, being less than one-half the cost of either of the missions sent, which have obtained only a small fraction of the papers which we are to receive. He is performing his work in a most satisfactory manner; so much is he interested in the task that he has greatly exceeded his agreement by furnishing gratuitously full and complete copies of many documents of more than ordinary interest. Yet notwithstanding the known facilities afforded by the British Government and its officials, Mr. De Jarnette complains that he was refused permission to examine the Rolls Office and the State Paper Office (see his report, Senate Documents Session 1871-'2, p. 12); and further, on page 15, he informs us that the papers which he obtained "had to be dug from a mountain of Colonial records with care and labor." His troubles were further increased by the fact that "the Colonial papers are not arranged under heads of respective Colonies, but thrown promiscuously together and constitute an immense mass of ill kept and badly written records," *ib.* p. 22.

The reader will infer from the preceding remarks that the State has two complete copies of the record of the proceedings of the first Assembly which met at Jamestown, viz: the McDonald and the De Jarnette copies, and also an abstract furnished by Mr. Sainsbury. Bancroft, the historian, obtained a copy of this paper, which was printed in the collections of the New York Historical Society for 1857. We have therefore been enabled to compare three different versions, and in a measure, a fourth. The De Jarnette copy being in loose sheets, written on one side only, was selected as the most convenient for the printer, and the text is printed from it. Where this differs from either of the others the foot notes show the differences, and when no reference is made it is because all of them correspond.

When these papers were submitted as a part of the report of the Commissioners on the Boundary Line a joint resolution was adopted by both houses of the Legislature authorizing the Committee on the Library to print such of the papers as might be selected, provided the consent of the Commission could be obtained. Application was made to allow the first and second papers in this pamphlet to be printed but it was refused. The Commission having been dissolved the Committee on the Library have assumed the responsibility and herewith submit this instalment of these interesting documents, which were written before the Colony of Maryland was known, and all of which, save the first, were never before printed.

The Report of the proceedings of the first Assembly is prefaced with the introductory note published with Mr. Bancroft's copy, to which a few notes explanatory have been added.

Trusting that this instalment of these historical records of the Ancient Dominion will be acceptable to the students of our early history, and sufficiently impress the members of the Legislature with their value to move them to make an appropriation sufficient to print all that has been obtained, this is

Respectfully submitted,

by your obedient servants,

THOS. H. WYNNE,

Chm. Senate Com. on Library,

W. S. GILMAN,

Chm. House Com. on Library.

} *Sub Committee in  
Charge of Library.*

## INTRODUCTORY NOTE.

Virginia, for twelve years after its settlement, languished under the government of Sir Thomas Smith, Treasurer of the Virginia Company in England. The Colony was ruled during that period by laws written in blood; and its history shows how the narrow selfishness of despotic power could counteract the best efforts of benevolence. The colonists suffered an extremity of distress too horrible to be described.

In April, 1619, Sir George Yeardley arrived. Of the emigrants who had been sent over at great cost, not one in twenty then remained alive. "In James City were only those houses that Sir Thomas Gates built in the tyme of his government, with one wherein the Governor allwayes dwelt, and a church, built wholly at the charge of the inhabitants of that citye, of timber, being fifty foote in length and twenty foot in breadth." At Henrico, now Richmond, there were no more than "three old houses, a poor ruined Church, with some few poore buildings in the Isleade."<sup>1</sup> "For ministers to instruct the people, he founde only three authorized, two others who never received their orders." "The natives he founde uppon doubtfull termes;" so that when the twelve years of Sir Thomas Smith's government expired, Virginia, according to the "judgements" of those who were then members of the Colony, was "in a poore estate."<sup>2</sup>\*

From the moment of Yeardley's arrival dates the real life of Virginia. He brought with him "Commissions and instructions from the Company for the better establishinge of a Commonwealth heere."<sup>†</sup> He made proclamation, "that those cruell lawes by which we" (I use the words of the Ancient Planters themselves) "had soe longe been governed, were now abrogated, and that we were to be governed by those free lawes which his Majesties subjectes live under in Englande." Nor were these considerations made dependent on the good will of administrative officers.

"And that they might have a hande in the governinge of themselves," such are the words of the Planters, "yt was graunted that a generall Assemblie shoulde be helde yearly once, wherent were to be present the Gov<sup>r</sup> and Counsell w<sup>th</sup> two Burgesses from each Plantation, freely to be elected by the Inhabitants thereof, this Assemblie to have power to make and ordaine whatsoever lawes and orders should by them be thought good and profitable for our subsistance."<sup>‡</sup>

In conformity with these instructions, Sir George Yeardley "sente his summons all over the country, as well to invite those of the Counsell of Estate that were absente, as also for the election of Burgesses;"<sup>||</sup> and on Friday, the 30th day of July, 1619, the first elective legislative body of this continent assembled at James City.

\* "A Briefe Declaration of the Plantation of Virginia during the first twelve yeares, when Sir Thomas Smyth was Governor of the Companie, and downe to this present tyme. By the Ancient Planters now remaininge alive in Virginia."—*MS. in my possession.*<sup>2</sup>

† "A Briefe Declaration," &c.

‡ "A Briefe Declaration," &c.

|| "Proceedings of the first Assembly," now first printed in this volume.

<sup>1</sup> "Henrico, now Richmond," is a grievous error. Henrico, or Henricus, was situated ten miles below the present site of Richmond, on the main land, to which the peninsula known as Farrar's Island was joined." See note p. 37.—*ED.*

<sup>2</sup> This document is the third in this collection. It is printed from the copy obtained by Col. McDonald.—*ED.*

In the relation of Master John Rolfe, inserted by Captain John Smith in his History of Virginia,\* there is this meagre notice of the Assembly: "The 25 of June came in the *Triall* with Corne and Cattell in all safety, which tooke from vs cleerely all feare of famine; then our gouernor and counsell caused Burgesses to be chosen in all places, and met at a generall Assembly, where all matters were debated thought expedient for the good of the Colony."

This account did not attract the attention of Beverley, the early historian of Virginia, who denies that there was any Assembly held there before May, 1620.†

The careful Stith, whose work is not to be corrected without a hearty recognition of his superior diligence and exemplary fidelity, gives an account‡ of this first legislative body, though he errs a little in the date by an inference from Rolfe's narrative, which the words do not warrant.

The prosperity of Virginia begins with the day when it received, as "a commonwealth," the freedom to make laws for itself. In a solemn address to King James, which was made during the government of Sir Francis Wyatt, and bears the signature of the Governor, Council, and apparently every member of the Assembly, a contrast is drawn between the former "miserable bondage," and "this just and gentle authoritye which hath cherished us of late by more worthy magistrates. And we, our wives and poor children shall ever pray to God, as our bounden duty is, to give you in this worlde all increase of happines, and to crowne you in the worlde to come w<sup>th</sup> immortall glorye."§

A desire has long existed to recover the record of the proceedings of the Assembly which inaugurated so happy a revolution. Stith was unable to find it; no traces of it were met by Jefferson; and Hening,|| and those who followed Hening, believed it no longer extant. Indeed, it was given up as hopelessly lost.

Having, during a long period of years, instituted a very thorough research among the papers relating to America in the British State Paper Office, partly in person and partly with the assistance of able and intelligent men employed in that Department, I have at last been so fortunate as to obtain the "Proceedings of the First Assembly of Virginia."<sup>5</sup> The document is in the form of "a reporte" from the Speaker; and is

\* Smith's General History of Virginia, Richmond edition, Voll. ii, pp. 38, 39.

† See Beverley's History of Virginia, p. 37 of the first edition, and p. 35 of the second.<sup>3</sup>

‡ Stith's History of Virginia, p. 160, Williamsburg edition.<sup>4</sup>

§ MS. Copy of Address of Sir Francis Wyatt, &c., &c., to King James I., signed by Sir Francis Wyatt and 32 others.

|| Hening's Statutes at Large, I., p. 119, refers to the acts of 1623-4 as "the earliest now extant."

<sup>3</sup> "These Burgesses met the Governor and Council at Jamestown in 1620, and sat in consultation in the same house with them as the method of the Scots Parliament is." "This was the first General Assembly that ever was held there."—Beverley.—Ed.

<sup>4</sup> "And about the latter end of June (1619) he (Sir George Yeardley, Governor,) called the first General Assembly that was ever held in Virginia. Counties were not yet laid off, but they elected their representatives by townships. So that the Burroughs of Jamestown, Henrico, Bermuda Hundred, and the rest, each sent their members to the Assembly" \* \* \* \* "and hence it is that our lower house of Assembly was first called the House of Burgesses," Stith, p. 160. "In May, this year (1620), there was held another General Assembly, which has, through mistake, and the indolence and negligence of our historians in searching such ancient records as are still extant in the country, been commonly reported the first General Assembly," ib. p. 182. We do not see that Stith "errs" even "a little in the date." Rolfe says, "The 25 of June came in the *Triall* with Corne and Cattell in all safety, which took from us cleerely all feare of famine, then our gouernor and counsell caused Burgesses to be chosen in all places, and met at a generall Assembly," Smith, p. 126. Stith says, "And about the latter end of June he called," &c., Stith, p. 160. Neither intimate when the Assembly met, only that the governor called them in the latter part of June.—Ed.

<sup>5</sup> The first published notice of the existence of this paper occurred in the proceedings of the annual meeting of the Virginia Historical Society, held December 15, 1853. In the report of the Executive Committee the chairman, Conway Robinson, Esq., states that he had seen the original report in the State Paper Office in London, on a recent visit to that city.—See Virginia Historical Reporter, Vol. I., 1854. Whatever question there may be in regard to priority of discovery, it is to be regretted that it was left to the Historical Society of another State to publish a document of so much value to the one to which it solely relates.—Ed.

more full and circumstantial than any subsequent journal of early legislation in the Ancient Dominion.

Many things are noticeable. The Governor and Council sat with the Burgesses, and took part in motions and debates. The Secretary of the Colony was chosen Speaker, and I am not sure that he was a Burgess.<sup>6</sup> This first American Assembly set the precedent of beginning legislation with prayer. It is evident that Virginia was then as thoroughly a Church of England colony, as Connecticut afterwards was a Calvinistic one. The inauguration of legislative power in the Ancient Dominion preceded the existence of negro slavery, which we will believe it is destined also to survive. The earliest Assembly in the oldest of the original thirteen States, at its first session, took measures "towards the erecting of" a "University and Colledge." Care was also taken for the education of Indian children. Extravagance in dress was not prohibited, but the ministers were to profit by a tax on excess in apparel. On the whole, the record of these Proceedings will justify the opinion of Sir Edward Sandys, that "they were very well and judiciously carried." The different functions of government may have been confounded and the laws were not framed according to any speculative theory; but a perpetual interest attaches to the first elective body representing the people of Virginia, more than a year before the Mayflower, with the Pilgrims, left the harbor of Southampton, and while Virginia was still the oldest British Colony on the whole Continent of America.

GEORGE BANCROFT.

NEW YORK, October 3, 1856.

<sup>6</sup> The Secretary of the Colony and Speaker of the first Assembly was John Pory. If he had been one of the Burgesses his name would have appeared with the others. Through the influence of the Earl of Warwick he was made Secretary to the Virginia Company. Campbell says, "He was educated at Cambridge, where he took the Master of Arts in April, 1610. It is supposed he was a member of the House of Commons. He was much of a traveller, and was at Venice in 1613, at Amsterdam in 1617, and shortly after at Paris." "Sir George Yeardley appointed him one of his Council."—Campbell, p. 139. The record shows that he acted as the presiding officer of the first Assembly, whether *ex officio* or by selection is not stated. It will be seen that a typographical error in Bancroft's pamphlet makes his name Povy. In Smith's *General Historie* there is a paper styled "The observations of Master John Pory, Secretarie of Virginia, in his travels;" it gives an account of his voyage to the eastern shore.—Smith, p. 141. Neill says of him, "John Pory was a graduate of Cambridge, a great traveller and good writer, but gained the reputation of being a chronic tippler and literary vagabond and sponger." When young he excited the interest of Hakluyt, who, in a dedication to the third volume of his, remarks: "Now, because long since I did foresee that my profession of Divinitie, the care of my family, and other occasions, might call or divert me from these kind of endeavour, I, therefore have, for these three years last past, encouraged and gathered in these studies of Cosmographia and former histories my honest, industrious and learned friend, Mr. John Pory, one of speciall skill and extraordinary hope, to perform great matters in the same, and beneficial to the Commonwealth." "Pory, in 1600, prepared a *Geographical History of Africa*, but he soon disappointed the expectations of his friends."

A letter from London, dated July 26, 1623, says: "Our old acquaintance, Mr. Pory, is in poore case, and in prison at the Terceras, whither he was driven by contrary winds, from the north coast of Virginia, where he had been upon some discovery, and upon his arrival he was arraigned and in danger of being hanged for a pirate." "He died about 1635." For further particulars from contemporary authorities, see Neill's *History of the Virginia Company of London*. Albany, Munsell, 1869.—Ed.

# COLONIAL RECORDS OF VIRGINIA.

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## STATE PAPERS.

COLONIAL. VOL. I.—No. 45.

[July 30, 1619.]\*

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A REPORTE of the manner of proceeding† in the General assembly convened at James citty in Virginia, July 30, 1619, consisting of the Governour, the Counsell of Estate‡ and two Burgesses elected out of eache Incorporation and Plantation, and being dissolved the 4<sup>th</sup> of August next ensuing.

First. Sir George Yeardley, Knight Governour & Captaine general of Virginia, having fente his fumons all over the Country, as well to invite those of the Counsell of Estate that were absente as also for the election of Burgesses, there were chosen and appeared

*For James citty*

Captaine William Powell,  
Ensigne William Spense.

*For Charles citty*

Samuel Sharpe,  
Samuel Jordan.

*For the citty of Henricus*

Thomas Dowse,  
John Polentine.

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\* The caption is after the De Jarnette copy. Bancroft has "S. P. O." (State Paper Office.) "Am'a & W. Ind. Virg.: Indorsed, Mr. Povy out of Virginia. The Proceedings of the First Assembly of Virginia: July 1619." Sainsbury's Calendar of State papers: Colonial, 1574-1660, has, "Endorsed by Mr. Carleton. Mr. Pory out of Virginia."—p. 22.

† Proceedings. Bancroft.

‡ State. McDonald.

*For Kiccowtan*

Captaine William Tucker,  
William Capp.

*For Martin Brandon—Capt. John Martin's Pla'tation*

Mr Thomas Davis,  
Mr Robert Stacy.

*For Smythe's hundred*

Captain Thomas Graves,  
Mr Walter Shelley.

*For Martin's hundred*

Mr John Boys,<sup>1</sup>  
John Jackson.

*For Argall's guiffe<sup>2</sup>*

Mr Pawlett,  
Mr Gourgaing.<sup>3</sup>

*For Flowerdieu hundred*

Ensigne<sup>4</sup> Roffingham,  
Mr Jefferson.

*For Captain Lawne's plantation*

Captain Christopher Lawne,  
Ensigne<sup>4</sup> Washer.

*For Captaine Warde's plantation*

Captaine Warde,  
Lieutenant Gibbes.

The most convenient place we could finde to sitt in was the Quire of the Church Where Sir George Yeardley, the Governour, being fett downe in his accustomed place, those of the Counsel of Estate fate nexte him on both handes, excepte onely the Secretary then appointed Speaker, who fate right before him, John Twine, clerke<sup>5</sup> of the General assembly, being placed nexte the Speaker, and Thomas Pierfe, the Sergeant, standing at the barre, to be ready for any service the Doeble shoulde comaund<sup>6</sup> him. But forasmuche as men's affaires doe little prosper where God's service is neglected, all the Burgeffes tooke their places in the Quire till a prayer was said by Mr. Bucke, the Minister, that it would please God to guide and sanctifie all our proceedings<sup>7</sup> to his owne glory and the good of this Plantation. Prayer being ended, to the intente that as we<sup>8</sup> had begun at God Almighty, so we<sup>8</sup> might proceed w<sup>th</sup> awful and due respecte towards the Lieutenant, our most gracious and dread Sovereigne, all the Burgeffes were intreated to retyre themselves into the body of the Church, w<sup>ch</sup> being done, before

<sup>1</sup> Boyes, McDonald. <sup>2</sup> Guifte, Bancroft. <sup>3</sup> Gourgainy, McDonald and Bancroft. <sup>4</sup> Ensign, Bancroft. <sup>5</sup> Clerke, McDonald. <sup>6</sup> Comand, McDonald. <sup>7</sup> Proceedings, Bancroft. <sup>8</sup> wee, McDonald.



they were fully admitted, they were called in order and by name, and fo every man (none staggering at it) tooke the oathe of Supremacy, and then entred<sup>9</sup> the Affembly. At Captaine Warde the Speaker tooke exception, as at one that without any Comission or authority had seatted himselfe either upon the Companies, and then his Plantation would not be lawfull, or on Captain Martin's lande, and fo<sup>10</sup> he was but a limbe or member of him, and there could be but two Burgeffes for all. So Captaine Warde was comanded to abfente himselfe till such time as the Affembly had agreed what was fitt for him to doe. After much debate, they resolved on this order following:

An order concluded by the General assembly concerning Captaine Warde, July 30<sup>th</sup>,<sup>11</sup> 1619, at the opening of the said Assembly.

At the reading of the names of the Burgeffes, Exception was taken against Captaine Warde as having planted here in Virginia without any authority or comission from the Trefurer, Counsell and Company in Englande. But considering he had bene at so great charge and paines to augmente this Colony, and had adventured his owne person in the action, and since that time had brought home a good<sup>12</sup> quantity of fishe, to relieve the Colony by waye of trade, and above all, because the Comission for authorising the General Assembly admitteth of two Burgeffes out of every plantation w<sup>th</sup>out restraints or exception. Upon all these considerations, the Assembly was contented to admitt of him and his Lieutenant (as members of their body and Burgeffes) into their society. Provided, that the said Captaine Warde, w<sup>th</sup> all expedition, that is to faye between this and the nexte general assembly (all lawful impediments excepted), should procure from the Trefurer,<sup>13</sup> Counsell and Company in England a comission lawfully to establish<sup>14</sup> and plant himselfe and his Company as the Chieffs<sup>15</sup> of other Plantations have done. And in case he doe neglect this he is to stande to the censure of the nexte generall assembly. To this Captaine Warde, in the presence of us all, having given his consente and undertaken to performe the same, was, together w<sup>th</sup> his Lieutenant, by voices of the whole Assembly first admitted to take the oath of Supremacy, and then to make up their number and to sitt amongst them.

This being done, the Governour himselfe alledged that before we proceeded any further it behooved us to examine whither it were fitt, that Captaine Martin's Burgeffes shoulde<sup>16</sup> have any place in the Assembly, forasmuch as he hath a clause in his Patente w<sup>ch</sup> doth not onely exempte him from that equality and uniformity of lawes and

<sup>9</sup> entered, McDonald. <sup>10</sup> soe, McDonald. <sup>11</sup> 30, Bancroft. <sup>12</sup> goode, McDonald. <sup>13</sup> Treasurer, McDonald. <sup>14</sup> establish, McDonald, Bancroft. <sup>15</sup> Chiefes, McDonald. <sup>16</sup> should, Bancroft.

orders w<sup>er</sup><sup>17</sup> the great charter faith are to extende<sup>18</sup> over the whole Colony, but also from diverse such lawes as we must be enforced<sup>19</sup> to make in the General Asssembly. That clause is as followeth: Item. That it shall and may be lawfull to and for the said Captain John Martin, his heyers, executours and assignes to governe and comaunde all suche<sup>20</sup> person or persons as at this time he shall carry over with him, or that shalbe<sup>21</sup> fente him hereafter, free from any comaunde of the Colony, excepte it be in ayding and assisting the same against<sup>22</sup> any forren or domestical enemy.

Upon the<sup>23</sup> motion of the Governour, discussed the same time in the asssembly, ensued this order following:

An order of the General Asssembly touching  
a clause in Captain<sup>24</sup> Martin's Patent at  
James City, July 30, 1619.

After all the Burgeses had taken the oath of Supremacy and were admitted into the house, and all sett downe in their places, a Copie of Captain<sup>24</sup> Martin's Patent<sup>25</sup> was produced by the Govern<sup>or</sup><sup>26</sup> out of a Clause whereof it appeared that when the general<sup>27</sup> asssembly had made some kinde of lawes requisite for the whole Colony, he and his Burgeses and people might deride the whole company and chuse whether they would obay<sup>28</sup> the same or no.\* It was therefore ordered in Courte that the foresaid two Burgeses should w<sup>th</sup> drawe themselves out of the asssembly till suche time as Captaine Martin had made his personall appearance before them. At what time, if upon their motion, if he would be contente to quitte and give over that parte of his Patente, and contrary therunto woulde submitte himselfe to the general forme of governement as all others did, that then his Burgeses should be readmitted, otherwise they were utterly to be excluded as being spies rather than<sup>34</sup> loyal Burgeses, because they had offered themselves to be assistant at the making of<sup>35</sup> lawes w<sup>ch</sup> both themselves and those whom they represented might chuse whether they would obaye<sup>36</sup> or not.

Then came there in a complainte against<sup>37</sup> Captain Martin, that having fente his Shallop to trade for corne into the baye, under the commaunde of one Ensigne Harrison, the saide Ensigne should affirme to one Thomas Davis, of Paspapeighe,<sup>38</sup> Gent. (as the said Thomas Davis deposed upon oathe,) that they had made a harde voiage, had

\*The following passage is a side note on the margin of the McDonald and De Jarnette copies, but Bancroft includes it in the text:—The authority of Captaine<sup>29</sup> Martin's Patent graunted by the Counsell & Company under their Comon<sup>30</sup> Seale, being of an higher condition<sup>31</sup> and of greater<sup>32</sup> force then any Acte of the General<sup>33</sup> Asssembly.

<sup>17</sup> W<sup>ch</sup>, McDonald and Bancroft. <sup>18</sup> extend, Bancroft. <sup>19</sup> inforced, McDonald. <sup>20</sup> such, McDonald. <sup>21</sup> shall be, McDonald. <sup>22</sup> ag<sup>st</sup>, McDonald. <sup>23</sup> this, McDonald and Bancroft. <sup>24</sup> Captaine, McDonald. <sup>25</sup> Patente, McDonald and Bancroft. <sup>26</sup> Governour, McDonald and Bancroft. <sup>27</sup> Generall, McDonald and Bancroft. <sup>28</sup> obey, McDonald; obaye, Bancroft. <sup>29</sup> Capt., McDonald. <sup>30</sup> Common, McDonald. <sup>31</sup> commission, McDonald. <sup>32</sup> greater, McDonald. <sup>33</sup> Generall. <sup>34</sup> then, McDonald. <sup>35</sup> of the, McD. <sup>36</sup> obeye, McDonald; obaye, Bancroft. <sup>37</sup> Captaine, McDonald and Bancroft. <sup>38</sup> Paspapeighs, McDonald, Bancr<sup>ft</sup>.

they not mett w<sup>th</sup> a Canoa coming out of a creeke where their shallop could not goe. For the Indians refusing to sell their Corne, those of the shallop entered the Canoa w<sup>th</sup> their armes and tooke it by force, measuring out the corne w<sup>th</sup> a baskett they had into the Shallop and (as the said Ensigne Harrison saith) giving them satisfaction in copper beades<sup>39</sup> and other trucking stufte.

Hitherto Mr. Davys upon his oath.

Furthermore it was signified from Opochancano to the Governour that those people had complained to him to procure them justice.<sup>40</sup> For w<sup>ch</sup> considerations and because suche<sup>41</sup> outrages as this might breede danger and loss<sup>42</sup> of life to others of the Colony w<sup>ch</sup> should have leave to trade in the baye hereafter, and for prevention of the like violences against the Indians in time to come, this order following was agreed on by the general assembly:

A second order against Captain Martin,  
at James city, July 30, 1619.

It was also ordered by the Assembly the same daye that in case Captaine Martin and the ging of his shallop would<sup>43</sup> not throughly answer an accusation of an outrage comitted against a certaine Canoa of Indians in the baye, that then it was thought reason (his Patent,<sup>44</sup> notwithstanding the authority whereof, he had in that case abused) he shoulde<sup>45</sup> from henceforth take leave of the Governour<sup>46</sup> as other men, and should putt<sup>47</sup> in security, that his people shall comitte no such<sup>48</sup> outrage any more.

Upon this a letter or warrant was drawn in the name of the whole assembly to fumon Captaine Martin to appeare before them in forme following:

By the Governo<sup>r</sup><sup>49</sup> and general assembly of Virginia.

Captaine Martine, we are to request<sup>50</sup> you upon sight hereof, with all convenient speed to repaire hither to James city to treatt and conferre w<sup>th</sup> us about some matters of especial<sup>51</sup> importance, w<sup>ch</sup> concerns<sup>52</sup> both us and the whole Colony and yourself. And of this we praye you not to faile.

James city, July 30, 1619.

To our very loving friend, Captain John Martin, Esquire, Master of the ordinance.

These obstacles removed, the Speaker, who a long time had bene

<sup>39</sup>beads, McDonald. <sup>40</sup>justice, McDonald. <sup>41</sup>such, McDonald. <sup>42</sup>losse, McDonald. <sup>43</sup>could, McDonald, Bancroft. <sup>44</sup>Patente, McDonald and Bancroft. <sup>45</sup>should, Bancroft. <sup>46</sup>Governor, McDonald. <sup>47</sup>put, McDonald. <sup>48</sup>suche, McDonald and Bancroft. <sup>49</sup>Governour, Bancroft. <sup>50</sup>request, McDowell. <sup>51</sup>especiall, McDonald. <sup>52</sup>concerne, McDonald and Bancroft.

extreame sickly, and therefore not able to passe through long harangues, delivered in briefe to the whole asseembly the occasions of their meeting. Which<sup>53</sup> done, he read unto them the comission for establisshing the Counsell of Estate and the general<sup>54</sup> Asseembly, wherein their duties were described to the life.

Having thus prepared them, he read over unto them the greate Charter, or comission of priviledges, orders and lawes, sent by Sir George Yeardley out of Englande.<sup>55</sup> Which<sup>56</sup> for the more ease of the Comitties, having divided into fower books, he read the former two the same forenoon for expeditious<sup>57</sup> sake, a second time over, and so they were referred to the perusall of twoe Comitties, w<sup>ch</sup> did reciprocally consider of either, and accordingly brought in their opinions. But some man may here objecte to what ende we should presume to referre that to the examination of Comitties w<sup>ch</sup> the Counsell and Company in England<sup>58</sup> had already resolved to be perfect, and did expecte nothing<sup>59</sup> but our affente thereunto?<sup>60</sup> To this we answere, that we did it not to the ende to correcte or controll anything therein contained, but onely in case we should finde ought not perfectly squaring w<sup>th</sup> the state of this Colony or any lawe w<sup>ch</sup> did presse or binde too harde, that we might by waye of humble petition, seeke to have it redressed, especially because this great Charter is to binde us and our heyers for ever.

The names of the Comitties for perusing  
the first booke of the fower:

- |                            |                       |
|----------------------------|-----------------------|
| 1. Captain William Powell, | 2. Ensigne Rosingham, |
| 3. Captaine Warde,         | 4. Captaine Tucker,   |
| 5. Mr. Shelley,            | 6. Thomas Doufe,      |
| 7. Samuel Jordan,          | 8. Mr. Boys.          |

The names of the Comitties for perusing  
the second booke:

- |                     |                     |
|---------------------|---------------------|
| 1. Captaine Dawne,* | 2. Captaine Graves, |
| 3. Ensigne Spense,  | 4. Samuel Sharpe,   |
| 5. William Cap,     | 6. Mr. Pawlett,     |
| 7. Mr. Jefferfon,   | 8. Mr. Jackson.     |

These Comitties thus appointed, we brake up the first forenoon's asseembly.

After dinner the Governo<sup>r</sup> and those that were not of the Comitties<sup>61</sup> fate a seconde time, while the said Comitties<sup>61</sup> were employed in

<sup>53</sup>W<sup>ob</sup>, McDonald. <sup>54</sup>Gen<sup>ll</sup>, McDonald. <sup>55</sup>The substance of these will be found in the paper, "A briefe Declaration," &c. See post. — <sup>56</sup>W<sup>ob</sup>, McDonald. <sup>57</sup>expeditions, Bancroft. <sup>58</sup>Englande, McDonald. <sup>59</sup>nothinge, McDonald. <sup>60</sup>thereunto, McDonald and Bancroft. <sup>61</sup>Comitties, McDonald.

\*Lawne, McDonald, and Bancroft the list of Burgesses on p. 10, showing this to be proper.

the perusal of those twoe bookes. And whereas the Speaker had propounded fower severall objects for the Affsembly to consider on: namely, first, the great charter of orders, lawes and priviledges; Secondly, which of the instructions given by the Counsel in England to my lo: la: warre,<sup>62</sup> Captain Argall or Sir George Yeardley, might conveniently putt on the habite of lawes; Thirdly, what lawes might issue out of the private conceipte of any of the Burgeffes, or any other of the Colony; and lastly, what petitions were<sup>63</sup> fitt to be sente home for England. It pleased the Governour<sup>64</sup> for expedition<sup>65</sup> sake to have the second objecte<sup>66</sup> of the fower to be examined & prepared by himselfe and the Non-Comitties. Wherin after having spent some three howers<sup>67</sup> conference, the twoe Comitties<sup>68</sup> brought in their opinions concerning the twoe former bookes, (the second of which beginneth at these wordes of the Charter: And forasmuche as our intente is to establish one equall and uniforme kinde of government over all Virginia &c.,)<sup>69</sup> w<sup>ch</sup> the whole Affsembly, because it was late, deferred to treatt<sup>70</sup> of till the next morning.

SATURDAY, July 31.

The nexte daye, therefore, out of the opinions of the said Comities,<sup>71</sup> it was agreed, these<sup>72</sup> Petitions ensuing should be framed, to be presented to the Treafurer, Counsel & Company in England. Upon the Comitties<sup>73</sup> perusal of the first booke,<sup>74</sup> the General<sup>75</sup> Affsembly doe become most humble suitours to their lo<sup>ps</sup> and to the rest of that hon<sup>ble</sup> Counsell and renowned Company, that albeit they have bene pleased<sup>76</sup> to allotte unto the Governour<sup>77</sup> to themselves, together w<sup>th</sup> the Counsell of Estate here, and<sup>78</sup> to the officers of Incorporations, certain lande<sup>79</sup> portions of lande to be layde out w<sup>th</sup>in the limites of the same, yet that<sup>80</sup> they woulde vouchsafe also,<sup>81</sup> that<sup>82</sup> groundes as heretofore had bene granted by patent to the antient<sup>83</sup> Planters by former Governours that had from the Company received comission<sup>84</sup> so to doe, might not nowe after so muche labour and coste, and so many yeares habitation be taken from them. And to the ende that no man might doe or suffer any wrong in this kinde, that they woulde favour us so muche (if they meane to graunte this our petition) as to sende us notice, what comission or authority for graunting of landes they have given to eache<sup>85</sup> particular Governour in times paste.

The second petition of the General asssembly framed by the Co-

<sup>62</sup>Lord le Warre, McDonald. <sup>63</sup>we, McDonald. <sup>64</sup>Governor, McDonald. <sup>65</sup>expeditions, McDonald, also Bancroft. <sup>66</sup>objecte, McDonald. <sup>67</sup>houres, McDonald. <sup>68</sup>two Comitties, McDonald. <sup>69</sup>The McDonald copy includes in ( ) all of this from "the second of which" to "Charter," and another single ) after &c. The De Jarnette copy has one ) only after &c. Bancroft includes what is adopted in this text. <sup>70</sup>McDonald has breath. <sup>71</sup>Comitties, McDonald. <sup>72</sup>those, McDonald. <sup>73</sup>Comitties, McDonald. <sup>74</sup>book, McDonald. <sup>75</sup>Generall, McDonald, <sup>76</sup>pleas'd, McDonald. <sup>77</sup>Governor, McDonald; Gov<sup>r</sup>, Bancroft. <sup>78</sup>&, McDonald. <sup>79</sup>large, McDonald. <sup>80</sup>Bancroft omits "that." <sup>81</sup>alsoe, Bancroft. <sup>82</sup>McDonald has such and Bancroft suche after that. <sup>83</sup>ancient, McDonald. <sup>84</sup>Comiss<sup>n</sup>, Bancroft. <sup>85</sup>each, Bancroft.

mitties<sup>86</sup> out of the second book is. That the Treafurer<sup>87</sup> & Company in England would be pleased w<sup>th</sup> as much convenient speed<sup>88</sup> as may be to sende men hither to occupie their landes belonging to the fower Incorporations, as well for their owne<sup>89</sup> behoofe and proffitt as for the maintenance of the Counsel<sup>90</sup> of Estate, who are nowe<sup>91</sup> to their extreme hindrance often drawn far from their private busines and likewise that they will have a care to sende<sup>92</sup> tenants to the ministers of the fower Incorporations to manure their gleab, to the intente that the allowance they have allotted them of 200 G.<sup>93</sup> a yeare may the more easly be raised.

The thirde Petition humbly presented by this General Assembly to the Treafurer, Counsell & Company is, that it may plainly be expressed in the great Comission (as indeed it is not) that the antient Planters of both fortes, viz., such as before Sir Thomas Dales' depart<sup>94</sup> were come hither upon their owne chardges,<sup>95</sup> and such also as were brought hither upon the Companie's coste, maye have their second, third and more divisions successively in as large and free manner as any other Planters. Also that they wilbe pleased to allowe to the male children, of them and of all others begotten in Virginia, being the onely hope of a posterity, a single share a piece, and shares for their issues or<sup>96</sup> for themselves, because that in a newe plantation it is not knowen whether man or woman be the more necessary.

Their fourth Petition is to beseech the Treafurer, Counsell & Company that they would be pleased to appoint a Sub-Treasurer<sup>97</sup> here to collecte their rents,<sup>98</sup> to the ende that<sup>99</sup> the Inhabitants of this Colony be not tyed to an impossibility of paying the same yearly to the Treafurer in England, and that they would enioine the said Sub-Treasurer not precisely according to the letter of the Charter to exacte mony of us (whereof we have none at all, as we have no minte), but the true value of the rente in comodity.

The fift Petition is to beseeche the Treafurer, Counsell & Company that, towards the erecting of the Univerfity and Colledge, they will sende, when they shall thinke<sup>100</sup> it most convenient, workmen of all fortes, fitt for that purpose.

The sixte and laste is, they wilbe<sup>101</sup> pleased to change the savage name of Kiccowtan, and to give that Incorporation a newe name.

These are the general Petitions drawn by the Comitties out of the two former bookes w<sup>ch</sup> the whole general assembly in maner and forme above<sup>102</sup> sett downe doe most humbly offer up and present<sup>103</sup> to the honourable construction of the Treafurer, Counsell and Company in England.

<sup>86</sup>Comittess, McDonald. <sup>87</sup>Treasurer, McDonald. <sup>88</sup>speede, McDonald. <sup>89</sup>own, Bancroft. <sup>90</sup>Counsell, McDonald and Bancroft. <sup>91</sup>now, McDonald. <sup>92</sup>send, McDonald. <sup>93</sup>£200, Bancroft. <sup>94</sup>In the McDonald copy this was just written departure, then "ure" crossed out with a pen, and the word made department. Bancroft has departure. <sup>95</sup>Charges, McDonald. <sup>96</sup>McDonald and Bancroft both have "wives as," instead of "issues or," the former being evidently the proper words. <sup>97</sup>Treasurer, McDonald. <sup>98</sup>rentes, McDonald, Bancroft. <sup>99</sup>McDonald and Bancroft both omit that. <sup>100</sup>McDonald and Bancroft omit it, <sup>101</sup>will be, McDonald. <sup>102</sup>sette, Bancroft. <sup>103</sup>presente, McDonald and Bancroft.

These petitions thus concluded on, those two Comitties brought me<sup>104</sup> a reporte what they had observed in the two latter bookes, w<sup>ch</sup> was nothing else but that the perfection of them was fuche as that <sup>105</sup> they could finde nothing therein subject to exception, only the Governo<sup>r</sup><sup>106</sup> particular opinion to my selfe in private hathe bene as touching a clause in the thirde booke, that in these doubtfull times between us and the Indians, it would beehoove<sup>107</sup> us not to make as<sup>108</sup> lardge distances between Plantation and Plantation as ten miles, but for our more strength ande security to drawe nearer together.

At the same time, there remaining no<sup>109</sup> farther scruple in the mindes of the Asssembly touching the said great Charter of lawes, orders and priviledges, the Speaker putt the same to the question, and so it had both the general assent and the applause of the whole asssembly, who, as they professed themselves in the first place most submissively thankfull to almighty god, therefore so they commaunded the Speaker to returne (as nowe he doth) their due and humble thanks to the Treasurer, Counsell and company for so many priviledges and favours as well in their owne names as in the names of the whole Colony whom they represented.

This being dispatched we fell once more<sup>110</sup> debating of fuche instructions given by the Counsell in England to severall<sup>111</sup> Governo<sup>r</sup>s <sup>112</sup> as might be converted into lawes, the last whereof was the Establishment of the price of Tobacco, namely, of the best at 3d<sup>113</sup> and the second at 18d the pounce. At the reading of this the Asssembly thought good to fend for Mr. Abraham Perfey, the Cape marchant, to publishe this instruction to him, and to demaunde<sup>114</sup> of him if he knewe of any impediment why it might not be admitted? His answer<sup>115</sup> was that he had not as yet received any fuche order from the Adventurers of the<sup>116</sup> in England. And notwithstanding he sawe the authority was good, yet was he unwilling to yield, till fuche time as the Governo<sup>r</sup><sup>117</sup> and Asssembly had layd their commandment upon him, out of the authority of the foresaid Instructions as followeth:

By the General Asssembly.

We will and require you, Mr. Abraham Perfey, Cape Marchant, from this daye forwarde to take notice, that, according to an article in the Instructions confirmed by the Treasurer, Counsell<sup>118</sup> and Company in Englande at a general quarter courte, both by<sup>119</sup> voices and under their hands<sup>120</sup> and the Comon seall,<sup>121</sup> and given to Sir George Yeardley,

<sup>104</sup>In, McDonald, Bancroft. <sup>105</sup>McDonald and Bancroft omit that. <sup>106</sup>Gov<sup>r</sup>, McDonald; Gov<sup>r</sup>, Bancroft. <sup>107</sup>Behoove, McDonald, Bancroft. <sup>108</sup>So, McDonald, Bancroft. <sup>109</sup>Noe, McDonald. <sup>110</sup>McDonald and Bancroft insert to. <sup>111</sup>Severall, McDonald. <sup>112</sup>Gov<sup>r</sup>s, McDonald; Gov., Bancroft. <sup>113</sup>The text, which follows the De Jarnette copy, is evidently wrong. The McDonald copy is blotted and illegible. Bancroft has 3s. and Sainsbury's abstract the same. <sup>114</sup>Demand, McDonald. <sup>115</sup>Answer, McDonald, Bancroft. <sup>116</sup>McDonald and Bancroft both fill the space with Magazin. <sup>117</sup>Gov<sup>r</sup>, McDonald, Bancroft. <sup>118</sup>Counsell, Treasurer, McDonald. <sup>119</sup>McD. inserts the. <sup>120</sup>handes, McD. <sup>121</sup>seale, McD., Bft.

knight, this present governour, Decemb.<sup>122</sup> 3, 1618, that you are bounde to accepte of the Tobacco of the Colony, either for commodities or upon billes,<sup>123</sup> at three shillings the beste<sup>124</sup> and the second forte at 18d the pounce, and this shalbe<sup>125</sup> your sufficient discharge.

James citty out of the said General Affembly, July 31,<sup>126</sup> 1619.

At the same<sup>127</sup> the Instructions convertible into lawes were referred to the consideration of the above named Committies,<sup>128</sup> viz., the general Instructions to the first Committie<sup>129</sup> and the particular Instructions to the second, to be returned by them into the assembly on Munday morning.

SUNDAY, Aug. 1.

Mr. Shelley, one of the Burgeffes, deceased.

MUNDAY,<sup>130</sup> Aug. 2.

Captain John Martin (according to the fumons sent him on Fryday,<sup>131</sup> July 30,) made his personall appearance at the barre, whenas the Speaker having first read unto him the orders of the Affembly that concerned him, he pleaded lardgely for himself<sup>132</sup> to them both and indevoured<sup>133</sup> to answere some other thinges<sup>134</sup> that were objected against<sup>135</sup> his Patente. In fine, being demanded out of the former order whether he would quitte that claufe of his Patent<sup>136</sup> w<sup>ch</sup> (quite otherwise then Sir William Throckmorton's, Captain Christopher Dawnes'<sup>137</sup> and other men's patentes) exempteth himselfe and his people from all services of the Colonie excepte onely in case of warre against<sup>138</sup> a forren or domesticall enemy. His answere<sup>139</sup> was negative, that he would not infringe any parte<sup>140</sup> of his Patente. Whereupon it was resolved by the Affembly that his Burgeffes should have no admittance.

To the second order his answere was affirmative, namely, that (his Patent<sup>141</sup> notwithstanding) whensoever he should send into the baye to trade, he would<sup>142</sup> be contente to putt in security to the Governour<sup>143</sup> for the good behaviour of his people towards<sup>144</sup> the Indians.

It was at the same time further ordered by the Affembly that the Speaker, in their names, should (as he nowe doth<sup>145</sup>) humbly demaunde<sup>146</sup> of the Treasurer, Counsell<sup>147</sup> and Company an exposition of this one claufe in Captaine<sup>148</sup> Martin's Patente, namely, where it is saide That he is to enjoye<sup>149</sup> his landes in as lardge<sup>150</sup> and ample manner, to all

<sup>122</sup>Decr, McDonald. <sup>123</sup>bills, McDonald. <sup>124</sup>best, McDonald. <sup>125</sup>shall be, McDonald. <sup>126</sup>31st, Bancroft. <sup>127</sup>McDonald and Bancroft insert time. <sup>128</sup>Committees, McDonald. <sup>129</sup>Committee, McDonald. <sup>130</sup>Monday, McDonald and Bancroft. <sup>131</sup>Friday, McDonald. <sup>132</sup>himselfe, McDonald and Bancroft. <sup>133</sup>& indeavoured, McDonald. <sup>134</sup>things, McDonald. <sup>135</sup>ag<sup>st</sup>, McDonald. <sup>136</sup>Patente, McDonald and Bancroft. <sup>137</sup>Lawnes, Bancroft, see p. 10. <sup>138</sup>ag<sup>st</sup>, McDonald. <sup>139</sup>answer, Bancroft. <sup>140</sup>part, McDonald and Bancroft. <sup>141</sup>patente, McDonald. <sup>142</sup>would, McDonald. <sup>143</sup>Gov<sup>r</sup>, Bancroft. <sup>144</sup>towards, Bancroft. <sup>145</sup>doe, McDonald. <sup>146</sup>demande, McDonald. <sup>147</sup>Council, McDonald. <sup>148</sup>Capt., Bancroft. <sup>149</sup>enjoy, McDonald and Bancroft. <sup>150</sup>large, McDonald, Bancroft.



intententes and<sup>151</sup> purposes, as any lord of any manours in England dothe holde his grounde out of w<sup>ch</sup> some have collected that he might by the same graunte protecte men from paying their debts and from diverse other dangers of lawe. The least the Affsembly can alledge against this claufe is, that it is obscure, and that it is a thing impossible for us here to knowe the Prerogatives of all the manours in Englande. The Affsembly therefore humbly befeche<sup>152</sup> their lo<sup>pps</sup> <sup>153</sup> and the rest of that hon<sup>ble</sup> house<sup>154</sup> that in case they shall finde any thing in this or in any other parte of his graunte wherby that claufe towards the conclusion of the great charter, (viz., that all grauntes aswell of the one forte as of the other respectively, be made w<sup>th</sup> equall favour, & graunts<sup>155</sup> of like liberties & imunities<sup>156</sup> as neer as may be, to the ende that all complaints<sup>157</sup> of partiality and indifferency<sup>158</sup> may be avoided,) might <sup>159</sup> in any forte be contradicted or the uniformity and equality<sup>160</sup> of lawes and<sup>161</sup> orders extending over the whole Colony might be impeached, That they would be pleased to remove any such hindrance as may divert out of the true course the free and<sup>162</sup> publique current of Justice.

Upon the same grounde and<sup>163</sup> reason their lo<sup>ps</sup>, together with the rest of the Counsell<sup>164</sup> and Company, are humbly befought<sup>165</sup> by this general<sup>166</sup> assembly that if in that other claufe w<sup>ch</sup> exempteth Captaine<sup>167</sup> Martin and his people from all services of the Colony &c., they shall finde any resistance against<sup>168</sup> that equality and<sup>169</sup> uniformity of lawes and orders intended nowe by them to be established over the whole Colony, that they would be pleased to reforme it.

In fine, wheras<sup>170</sup> Captaine<sup>171</sup> Martin, for those ten shares allowed him for his personal<sup>172</sup> adventure and<sup>173</sup> for his adventure of £70 besides, doth claim 500 acres a share, that the Treasurer, Counsell and Company woulde vouchsafe to give notice to the Governour<sup>174</sup> here, what kinde<sup>175</sup> of shares they meante he should have when they gave him his Patent.<sup>176</sup>

The premisses about Captaine Martin thus resolved, the Committees<sup>177</sup> appointed to consider what instructions are fit to be converted into lawes, brought in their opinions, and<sup>178</sup> first of some of the general<sup>179</sup> instructions.

Here begin the lawes drawn out of the Instructions given by his Mat<sup>ies</sup> Counsell of Virginia in England to my lo: la warre,<sup>180</sup> Captain Argall and Sir George Yeardley, knight.

<sup>151</sup>&, McDonald. <sup>152</sup>befeecheth, McDonald and Bancroft. <sup>153</sup>Lop<sup>s</sup>, McDonald; Lo<sup>ps</sup>, Bancroft. <sup>154</sup>house, McDonald and Bancroft. <sup>155</sup>grants, McDonald. <sup>156</sup>immunities, McDonald. <sup>157</sup>complaintes, McDonald, Bancroft. <sup>158</sup>unindifferency, McDonald, Bancroft. <sup>159</sup>mighte, McDonald. <sup>160</sup>equality, McDonald. <sup>161</sup>&, McDonald. <sup>162</sup>&, McDonald and Bancroft. <sup>163</sup>&, McDonald. <sup>164</sup>Councill, McDonald. <sup>165</sup>befoughte, McDonald. <sup>166</sup>the General, McDonald. <sup>167</sup>Captain, Bancroft. <sup>168</sup>ag<sup>st</sup>, McDonald. <sup>169</sup>&, McDonald. <sup>170</sup>wheras, McDonald. <sup>171</sup>Captaine, McDonald; Capt., Bancroft. <sup>172</sup>personal, McDonald. <sup>173</sup>&, McDonald. <sup>174</sup>Govern<sup>r</sup>, McDonald. <sup>175</sup>kind, McDonald. <sup>176</sup>Patente, McDonald. <sup>177</sup>Committee, McDonald. <sup>178</sup>&, McDonald. <sup>179</sup>generall, McDonald. <sup>180</sup>Lo. La Warre, McDonald and Bancroft.

By this present Generall Assembly be it enacted, that no<sup>181</sup> injury or oppression be wrought by the Englishe<sup>182</sup> against<sup>183</sup> the Indians whereby the present peace might be disturbed and antient quarrells might be revived. And farther<sup>184</sup> be it ordained, that the Chicohomini are not to be excepted out of this lawe; untill either that suche<sup>185</sup> order come out of Englande, or that they doe provoke us by some newe injury.

Against Idlenes, Gaming, durunkenes & exceffe in apparell the Assembly hath enacted as followeth:

First, in detestation of Idlenes<sup>186</sup> be it enacted, that if any men be founde to live as an Idler or renagate, though a freedman, it shalbe<sup>187</sup> lawfull for that Incorporation or Plantation to w<sup>ch</sup> he belongeth to appoint him a M<sup>r</sup> to serve for wages, till he shewe apparant signes of amendment.

Against gaming at dice<sup>188</sup> & Cardes be it ordained by this present assembly that the winner or winners shall lose all his or their winnings and<sup>189</sup> both winners and loofers shall forfait<sup>190</sup> ten shillings a man, one ten shillings whereof to go to the discoverer, and the rest to charitable & pious uses in the Incorporation where the fault<sup>191</sup> is comitted.

Against drunkenness be it also decreed that if any private person be found culpable thereof, for the first time he is to be reprovved privately by the Minister, the second time publicely, the thirde time to lye in boltes 12 howers in the house of the Provost Marshall & to paye his fee,<sup>192</sup> and if he still continue in that vice, to undergoe suche severe punishment as the Governour<sup>193</sup> and Counsell of Estate shall thinke fitt to be inflicted on him. But if any officer offende in this crime, the first time he shall receive a reproof from the Governour, the second time he shall openly be reprovved in the church by the minister, and the third time he shall first be comitted and then degraded. Provided it be understood that the Governour<sup>194</sup> hath always<sup>195</sup> power to restore him when he shall, in his discretion thinke fitte.

Against excesse in<sup>196</sup> apparell that every man be cuffed in the church for all publique contributions, if he be unmarried according to his owne apparell, if he be married, according to his owne and his wives, or either of their apparell.

As touching the instruction<sup>197</sup> of drawing some of the better disposed of the Indians to converse w<sup>th</sup> our people & to live and labour amongst<sup>198</sup> them, the Assembly who knowe<sup>199</sup> well their dispositions thinke it fitte to enjoine,<sup>200</sup> least to counsell those of the Colony, neither utterly to rejecte them nor yet to drawe them to come in. But in case

<sup>181</sup>Noe, McDonald. <sup>182</sup>Englishe, Bancroft. <sup>183</sup>ag<sup>st</sup>, McDonald. <sup>184</sup>further, McDonald. <sup>185</sup>such, McDonald. <sup>186</sup>Idlers, McDonald. <sup>187</sup>shall be, McDonald. <sup>188</sup>and, Bancroft. <sup>189</sup>As the McDonald copy has & in every instance where the other two have and, the reader will bear this in mind and it will not be againe repeated. <sup>190</sup>forfaite, McDonald. <sup>191</sup>faults are, McDonald. <sup>192</sup>fees, McDonald. <sup>193</sup>Governour, McDonald; Governour, Bancroft. <sup>194</sup>Governour, McDonald; Governour, Bancroft. <sup>195</sup>alwaies, McDonald; always, Bancroft. <sup>196</sup>of, McDonald. <sup>197</sup>instructions, McDonald and Bancroft. <sup>198</sup>among, McDonald. <sup>199</sup>know, McDonald. <sup>200</sup>at inserted by Bancroft.

they will of themselves come voluntarily to places well peopled, there to doe service in killing of Deere, fishing, beating of Corne and other workes, that then five or six may be admitted into every such place, and no more, and that w<sup>th</sup> the consente<sup>201</sup> of the Governour. Provided that good<sup>202</sup> garde<sup>203</sup> in the night be kept upon them, for generally (though some amongst many may prove<sup>204</sup> good) they are a most trecherous people and quickly gone when they have done a villany. And it were fitt<sup>205</sup> a housew<sup>e</sup> builte for them to lodge in aparte<sup>206</sup> by themselves, and lone inhabitants by no means<sup>207</sup> to entertaine them.

Be it enacted by this present assembly that for laying a surer foundation of the conversion of the Indians to Christian Religion, each town, city, Burrough, and particular plantation do obtaine unto themselves by just means a certaine number of the natives' children to be educated by them in true religion and civile course of life—of w<sup>ch</sup> children the most towardly boyes in witt & graces of nature to be brought up by them in the first elements of literature, so<sup>208</sup> to be fitted for the Colledge intended for them that from thence they may be sent<sup>209</sup> to that worke of conversion.

As touching the busines of planting corne this present Assembly doth ordaine that yeare by yeare all & every householder and householders have in store for every servant he or they shall keep, and also for his or their owne persons, whether they have any Servants or no, one spare barrell of corne, to be delivered out yearly, either upon sale or exchange as need shall require. For the neglecte<sup>210</sup> of w<sup>ch</sup> duty he shall be<sup>211</sup> subjecte to the censure of the Govern<sup>r</sup><sup>212</sup> and Counsell of Estate. Provided alwayes that the first yeare of every newe man this lawe shall not be of<sup>213</sup> force.

About the plantation of Mulberry trees, be it enacted that every man as he is seanted<sup>214</sup> upon his division, doe for seven yeares together, every yeare plante and maintaine in growte<sup>215</sup> six<sup>216</sup> Mulberry trees at the least,<sup>217</sup> and as many more as he shall thinke conveniente and as his virtue<sup>218</sup> & Industry shall move him to plante, and that all suche persons as shall neglecte the yearly planting and maintaining of that small proportion shall be<sup>219</sup> subjecte to the censure of the Governour & the Counsell of Estate.

Be it farther<sup>220</sup> enacted as concerning Silke-flaxe, that those men that are upon their division or settled<sup>221</sup> habitation doe this next<sup>222</sup> yeare plante & dresse 100 plantes, w<sup>ch</sup> being founde a comodity,<sup>223</sup> may farther be increased. And whosoever do fail in the performance of this shall be<sup>224</sup> subject to this punishment of the Governour<sup>225</sup> & Counsell of Estate.

<sup>201</sup>with consente, McDonald. <sup>202</sup>goode, Bancroft. <sup>203</sup>guard, McDonald. <sup>204</sup>prove, McDonald. <sup>205</sup>fitt, Bancroft. <sup>206</sup>apart, McDonald. <sup>207</sup>means, Bancroft. <sup>208</sup>as, inserted by Bancroft. <sup>209</sup>sent, McDonald. <sup>210</sup>neglect, McDonald. <sup>211</sup>shall be, McDonald. <sup>212</sup>Governour, McDonald and Bancroft. <sup>213</sup>in, McDonald. <sup>214</sup>seated, McDonald. <sup>215</sup>growth, McDonald. <sup>216</sup>six, McDonald and Bancroft. <sup>217</sup>leaste, McDonald and Bancroft. <sup>218</sup>vertue, McDonald. <sup>219</sup>shall be, McDonald. <sup>220</sup>further, McDonald. <sup>221</sup>settled, McDonald. <sup>222</sup>next, McDonald. <sup>223</sup>comodity, McDonald and Bancroft. <sup>224</sup>shall be, McDonald. <sup>225</sup>Gover<sup>or</sup>, McDonald.

For hempe also both Englifhe & Indian, and for Englifhe<sup>226</sup> flax & Annifeeds, we do<sup>227</sup> require and enjoine all houfeholders of this Colony that have any of thofe feeds<sup>228</sup> to make tryal thereofe the nexte feason.

Moreover be it enacted by this present Affembly, that every houfeholder doe yearly plante and maintaine ten vines untill they have attained to the art and experience of dressing a Vineyard either by their owne induftry or by the Inſtruction of fome Vignerou. And that upon what penalty foeuer the Governour<sup>229</sup> and Counfell of Eſtate ſhall thinke fitt to impoſe upon the negleçters of this acte.

Be it alſo enacted that all neceſſary tradefmen, or fo<sup>230</sup> many as need ſhall require, ſuche<sup>231</sup> as are come over ſince the departure of Sir Thomas Dale, or that ſhall hereafter come, ſhall worke at their trades for any other man, each<sup>232</sup> one being payde according to the quality<sup>233</sup> of his trade and worke, to be eſtimated, if he ſhall not be contented, by the Governour and officers of the place where he worketh.

Be it further ordained by this General Affembly, and we doe by theſe preſents enacte, that all contractes<sup>234</sup> made in England between the owners of lande and their Tenants and Servantes w<sup>ch</sup> they ſhall fende<sup>235</sup> hither, may be cauſed to be duely<sup>236</sup> performed, and that the offenders be puniſhed as the Governour<sup>237</sup> and Counfell of Eſtate ſhall thinke juſt and convenient.

Be it eſtablished alſo by this preſent Affembly that no crafty or advantageous means be ſuffered to be putt in practiſe for the inticing awaye the Tenants or<sup>238</sup> Servants of any particular plantation from the place where they are ſeated. And that it ſhalbe<sup>239</sup> the duty of the Governour<sup>240</sup> & Counfell of Eſtate moſt ſeverely to puniſhe both the ſeducers and the ſeduced, and to returne<sup>241</sup> theſe latter into their former places.

Be it further enacted that the orders for the Magazin<sup>242</sup> lately made be exactly kepte, and that the Magazin be preſerved from wrong<sup>243</sup> and ſiniſter practiſes, and that according to the orders of courte in Englande<sup>244</sup> all Tobacco and ſaffafras be brought<sup>245</sup> by the Planters to the Cape marchant till ſuche time as all the goods<sup>246</sup> nowe or heretofore ſent for the Magazin be taken off their handes at the prices agreed on. That by this meanes<sup>247</sup> the ſome<sup>248</sup> going for Englande<sup>249</sup> with<sup>250</sup> one hande, the price thereof may be uphelde<sup>251</sup> the better. And to the ende that all the whole Colony may take notice of the laſt order of Courte made in Englande and all thoſe whom it concerneth may knowe<sup>252</sup> howe<sup>253</sup> to obſerve it, we<sup>254</sup> holde it fitt to publiſhe it

<sup>226</sup>Engliſh, Bancroft. <sup>227</sup>wee doe, McDonald. <sup>228</sup>feedes, Bancroft. <sup>229</sup>Governour, McDonald and Bancroft. <sup>230</sup>foe, McDonald. <sup>231</sup>ſuch, Bancroft. <sup>232</sup>each, McDonald and Bancroft. <sup>233</sup>qualitye, Bancroft. <sup>234</sup>contractes, McDonald. <sup>235</sup>fend, McDonald. <sup>236</sup>duly, McDonald. <sup>237</sup>Governour, McDonald. <sup>238</sup>&, McDonald. <sup>239</sup>ſhall be, McDonald. <sup>240</sup>Governour, McDonald; Governour, Bancroft. <sup>241</sup>return, Bancroft. <sup>242</sup>magazine, McDonald. <sup>243</sup>wronge, McDonald. <sup>244</sup>England, McDonald. <sup>245</sup>Saffafras brought, McDonald; to be brought, Bancroft. <sup>246</sup>goods, Bancroft. <sup>247</sup>means, Bancroft. <sup>248</sup>ſome, McDonald and Bancroft. <sup>249</sup>England, McDonald. <sup>250</sup>into, McDonald and Bancroft. <sup>251</sup>upheld, Bancroft. <sup>252</sup>know, McDonald. <sup>253</sup>how, McDonald. <sup>254</sup>wee, McDonald.

here for a lawe<sup>255</sup> among the rest of our lawes. \* The w<sup>ch</sup> <sup>256</sup> order is as followeth:

Upon the 26<sup>257</sup> of October, 1618, it was ordered that the Magazin<sup>258</sup> should continue during<sup>259</sup> the terme formerly prefixed, and that certaine<sup>260</sup> abuses now complained of should be reformed, and that for preventing of all Impositions save the allowance of 25 in the hundred proffitt, the Governo<sup>r</sup><sup>261</sup> shall have an invoice as well as the Cape Marchant, that if any abuse in the sale of the<sup>262</sup> goods be offered, wee, <sup>263</sup> upon Intelligence and due examination thereof, shall see it correctede. And for the encouragement<sup>264</sup> of particular hundreds, as Smythe's hundred, Martin's hundred, Lawnes' hundred, and the like, it is agreed that what comodities are reaped upon anie of these General<sup>265</sup> Colonies, it shalbe lawfull for them to returne the same to their owne adventurers. Provided that the same<sup>266</sup> comodity be of their owne growing, w<sup>th</sup> out trading w<sup>th</sup> any other, in one entyre lumpe and not disperfed, and that at the determination of the jointe stocke, the goods then remaining in the Magazin<sup>267</sup> shalbe<sup>268</sup> bought by the said particular Colonies before any other goods w<sup>ch</sup> shall be sente by private men. And it was more-over ordered that if the lady la warre, the Lady Dale, Captain Bargrave and the rest, would unite themselves into a settled<sup>269</sup> Colony they might be capable of the same priviledges that are graunted to any of the foresaid hundreds. Hitherto the order.

All<sup>270</sup> the general Assembly by voices concluded not only the acceptance and observation of this order, but of the Instruction also to Sir George Yeardley next preceding the same. Provided first, that the Cape Marchant do<sup>271</sup> accepte of the Tobacco of all and everie the Planters here in Virginia, either for Goods or upon billes of Exchange at three shillings the pounce the beste, and 18d the second sorte. Provided also that the billes be only payde in Englande. Provided, in the third place, that if any other besides the Magazin<sup>272</sup> have at any time any necessary comodity w<sup>ch</sup> the Magazine doth wante, it shall and may be lawfull for any of the Colony to buye<sup>273</sup> the said necessary comodity of the said party, but upon the termes of the Magazin<sup>274</sup> viz: allowing no more gaine then 25 in the hundred, and that with the leave of the Governour. Provided lastely,<sup>275</sup> that it may be lawfull<sup>276</sup> for the Govern<sup>r</sup><sup>277</sup> to give leave to any Mariner, or any other person, that shall have any suche necessary comodity wanting to the Magazin<sup>278</sup> to carrie home for England so muche<sup>279</sup> Tobacco or other naturall comodities of the Country<sup>280</sup> as his Customers shall pay him for the said necessary comodity or comodities. And to the ende we may not only persuade

<sup>255</sup>Law, McDonald. <sup>256</sup>which, McDonald. <sup>257</sup>26th, McDonald and Bancroft. <sup>258</sup>Magazine, McDonald. <sup>259</sup>duringe, McDonald. <sup>260</sup>certain, Bancroft. <sup>261</sup>Governour, McDonald and Bancroft. <sup>262</sup>the, omitted by McDonald. <sup>263</sup>wee, McDonald, Bancroft. <sup>264</sup>encouragement, McDonald. <sup>265</sup>feverall, McDonald; feveral, Bancroft; this word evidently the proper one. <sup>266</sup>said, McDonald, Bancroft. <sup>267</sup>magazine, McDonald. <sup>268</sup>shall be, McDonald. <sup>269</sup>settled, Bancroft. <sup>270</sup>And, Bancroft. <sup>271</sup>doe, McDonald. <sup>272</sup>magazine, McDonald. <sup>273</sup>buy, McDonald. <sup>274</sup>magazine, McDonald. <sup>275</sup>lastly, McDonald. <sup>276</sup>lawful, McDonald. <sup>277</sup>Governour, McDonald and Bancroft. <sup>278</sup>As this word is spelt by McDonald in every instance with the final e this note will not be repeated. <sup>279</sup>much, McDonald. <sup>280</sup>countrey, McDonald.

and incite men, but inforce them also thoroughly and loyally to aire their Tobacco before they bring it to the Magazine,<sup>281</sup> be it enacted, and by these presents we doe enacte, that if upon the Judgement of power sufficient even of any incorporation where the Magazine<sup>282</sup> shall reside, (having first taken their oaths to give true sentence, twoe whereof to be chofen by the Cape Marchant and twoe by the Incorporation,) any Tobacco whatsoever shall not prove<sup>283</sup> vendible at the second price, that it shall there imediately be burnt before the owner's face. Hitherto fuche lawes as were drawn out of the Instructions.

TUESDAY, Aug. 3,<sup>284</sup> 1619.

This morning a thirde<sup>285</sup> forte of lawes (fuche as might proceed out of every man's private conceipt<sup>286</sup>) were read and referred by halves to the same comitties<sup>287</sup> w<sup>ch</sup> were from the beginning.

This done, Captaine<sup>288</sup> William Powell presented to the Affembly a petition to have justice against a lewde<sup>289</sup> and trecherous servante of his who by false accusation given up in writing to the Governo<sup>r</sup><sup>290</sup> fought not onely to gett<sup>291</sup> him depofed from his government of James city and utterly (according to the Proclamation) to be degraded from the place and title of a Captaine, but to take his life from him also. And fo out of the said Petition sprang this order following:

Captaine William Powell presented a Petition to the generall<sup>292</sup> Affembly against<sup>293</sup> one Thomas Garnett, a servant of his, not onely for extreame neglect of his busineff to the great loss<sup>294</sup> and prejudice of the said Captaine, and for openly and impudently abusing his house, in fight both of Master and Mistresse, through wantonnes<sup>295</sup> w<sup>th</sup> a woman servant of theirs, a widdowe, but also for falsely accusing him to the Governo<sup>r</sup><sup>296</sup> both of Drunkenes &<sup>297</sup> Thefte, and besides for bringing all<sup>298</sup> his fellow servants to testife<sup>299</sup> on his side, wherein they justly failed<sup>300</sup> him. It was thought fitt by the general affembly (the Governour himfelfe<sup>301</sup> giving sentence), that he should stand<sup>302</sup> fower dayes with his eares nayled to the Pillory, viz: Wednesday, Aug. 4<sup>th</sup>, and so likewise Thursday, fryday and Saturday<sup>303</sup> next following, and every of those fower dayes should be publicly whipped. Now, as touching the neglecte of his worke, what satisfaction ought to be made to his M<sup>r</sup> for that is referred to the Governour and Counsell of Estate.

The same morning the lawes abovewritten, drawn out of the instructions, were read, and one by one thoroughly examined, and then passed once again<sup>304</sup> the general<sup>305</sup> consente of the whole Affembly.

<sup>281</sup>Magazin, Bancroft. <sup>282</sup>do., do. <sup>283</sup>prove, Bancroft. <sup>284</sup>3rd, Bancroft. <sup>285</sup>third, Bancroft. <sup>286</sup>conceipte, McDonald and Bancroft. <sup>287</sup>comitties, Bancroft. <sup>288</sup>Capt., Bancroft. <sup>289</sup>lewd, McDonald. <sup>290</sup>Governour, McDonald and Bancroft. <sup>291</sup>get, McDonald. <sup>292</sup>General, McDonald. <sup>293</sup>ag<sup>st</sup>, McDonald. <sup>294</sup>losse, McDonald and Bancroft. <sup>295</sup>wantonnes, McDonald; wantonnes, Bancroft. <sup>296</sup>Governour, McDonald and Bancroft. <sup>297</sup>McDonald omits the &; Bancroft, nor and. <sup>298</sup>McDonald omits the all. <sup>299</sup>certifie, Bancroft. <sup>300</sup>failed, McDonald, Bancroft. <sup>301</sup>himself, McDonald. <sup>302</sup>stande, McDonald, Bancroft. <sup>303</sup>Saturday, Bancroft. <sup>304</sup>again, McDonald, Bancroft. <sup>305</sup>generall, McDonald, Bancroft.

This afternoon the committies brought in a reporte, what they had done as concerning the third forte of lawes, the discuffing whereof spent the residue of that daye. Excepte onely the confideration of a petition of M<sup>r</sup> John Rolfe againste Captaine John Martine<sup>306</sup> for writing a letter to him wherein (as M<sup>r</sup> Rolfe alledgeth) he taxeth him both unfeemly<sup>307</sup> and amiffe of certaine thinges<sup>308</sup> wherein he was never faulty, and besides, casteth some asperſion upon the present government, w<sup>ch</sup> is the most temperate and iuste<sup>309</sup> that ever was in this country, too milde, indeed, for many of<sup>310</sup> this Colony, whom unwoonted<sup>311</sup> liberty hath made insolente and not to knowe<sup>312</sup> themselves. This Petition of M<sup>r</sup> Rolfe's was thought fitt to be referred to the Counsell of State.

WEDENSDAY, Aug. 4<sup>th</sup>.

This daye (by reason of extream heat, both paste and likely to enſue, and by that meanes of the alteration of the healthes of diuerſe of the general Affembly) the Governour, who<sup>313</sup> himſelfe alſo<sup>314</sup> was not well, reſolved ſhould be the laſt of this firſt ſeſſion; ſo in the morning the Speaker (as he was required by the Affembly) redd over all the lawes and orders that had formerly paſſed the houſe, to give the ſame yett one reviewe<sup>315</sup> more, and to ſee whether there were any thing to be amended or that might be excepted againſte. This being done, the third forte of lawes w<sup>ch</sup> I am nowe coming<sup>316</sup> to ſett downe, were read over thoroughly<sup>317</sup> diſcuffed, w<sup>ch</sup>, together w<sup>th</sup> the former, did now paſſe the laſte and finall conſente of the General<sup>318</sup> Affembly.

A third forte of lawes, fuche as may<sup>319</sup> iſſue out of every man's private<sup>320</sup> conceipte.

It ſhalbe free for every man to trade w<sup>th</sup> the Indians, ſervants onely excepted, upon paine of whipping, unleſs the M<sup>r</sup> will<sup>321</sup> redeeme it off w<sup>th</sup> the payment of an Angell, one-fourth parte whereofe to go<sup>322</sup> to the Provost Marſhall, one fourth parte to the diſcoverer, and the other moyty to the publique uſes of the Incorporation.<sup>323</sup>

That no man doe<sup>324</sup> ſell or give any of the greater howes to the Indians, or any Engliſhe dog of quality, as a maſtiffe,<sup>326</sup> greyhound, bloodhounde, lande or water ſpaniel, or any other dog or bitche whatſoever, of the Engliſhe race, upon paine of forfeiting 5<sup>s</sup> 3<sup>27</sup> ſterling to the publique uſes of the Incorporation where he dwelleth.

That no man do ſell or give any Indians any piece ſhott or poulder, or any other armes, offensive or defensive, upon paine of being held a

<sup>306</sup>Martin, McDonald. <sup>307</sup>unfeemingly, Bancroft. <sup>308</sup>things, McDonald, Bancroft. <sup>309</sup>juſt, McDonald. <sup>310</sup>in, McDonald. <sup>311</sup>unwonted, McDonald. <sup>312</sup>know, McDonald. <sup>313</sup>who, omitted by McDonald. <sup>314</sup>who, infered by McDonald. <sup>315</sup>review, McDonald. <sup>316</sup>cominge, McDonald. <sup>317</sup>thoroughly, McDonald. <sup>318</sup>generall, McDonald. <sup>319</sup>maye, Bancroft. <sup>320</sup>privat, McDonald, Bancroft. <sup>321</sup>will, omitted by McDonald. <sup>322</sup>goe, McDonald. <sup>323</sup>where he dwelleth, added in McDonald copy. <sup>324</sup>do, McDonald, Bancroft. <sup>325</sup>Engliſh, McDonald. <sup>326</sup>maſtiffe, McDonald. <sup>2275<sup>b</sup></sup>, McDonald; £5, Bancroft.

Traytour to the Colony, and of being hanged as soon as the facte <sup>328</sup> is proved, without all redemption.<sup>329</sup>

That no man may go above twenty miles from his dwelling-place, nor upon any voiage whatsoever shalbe absent from thence for the space of seven dayes together without first having made the Governour <sup>330</sup> or commander of the same place acquainted therewith, <sup>331</sup> upon paine<sup>332</sup> of paying twenty shillings<sup>333</sup> to the publique uses of the same Incorporation where the party delinquent dwelleth.

That noe man shall purposely goe to any Indian townes, habitations or places of resort<sup>334</sup> without leave from the Governour <sup>335</sup> or commander<sup>336</sup> of that place where he liveth, upon paine of paying 40<sup>s</sup> to publique uses as aforesaid.

That no man living in this Colony, but shall between this and the first of January nexte ensuing come or sende to the Secretary of Estate <sup>337</sup> to enter his own and all his servants' names, and for what terme or upon what conditions they are to serve, upon penalty of paying 40<sup>s</sup> to the said Secretary of Estate.<sup>338</sup> Also, whatsoever M<sup>rs</sup> or people doe<sup>339</sup> come over to this plantation that within<sup>340</sup> one month of their arrivall (notice being first given them of this very lawe) they shall likewise re-ferre to the Secretary of Estate<sup>341</sup> and shall certifie him upon what termes or conditions they be come hither, to the ende that he may recorde their grauntes and comissions, and for how long time and upon what conditions<sup>342</sup> their servants (in case they have any) are to serve them, and that upon paine of the penalty nexte above mentioned.

All Ministers in the Colony shall once a year, namely, in the moneth of Marche, bring to the Secretary of Estate a true account of all Christenings, burials and marriages, upon paine, if they fail, to be censured for their negligence by the Governour <sup>343</sup> and Counsell<sup>344</sup> of Estate; likewise, where there be no ministers, that the commanders of the place doe supply the same duty.

No man, without leave of the Governour, shall kill any Neatt cattle whatsoever, young or olde, especially kine, Heyfurs or cow-calves, and shalbe<sup>345</sup> carefull to preserve their steeres<sup>346</sup> and oxen, and to bring them to the plough and such profitable uses, and without having obtained leave as aforesaid, shall not kill them, upon penalty of forfeiting the value of the beast so killed.

Whosoever shall take any of his neighbours' boates, oares, or canoas without leave from the owner shalbe held<sup>348</sup> and esteemed as a felon and so proceeded against;<sup>349</sup> tho<sup>350</sup> hee that shall take away by violence or stelfh any canoas or other thinges from the Indians shall make

<sup>328</sup>Fact, McDonald. <sup>329</sup>In the McDonald copy this and the paragraph next preceding are transposed. <sup>330</sup>Governour, McDonald, Bancroft. <sup>331</sup>therewith, McDonald, Bancroft. <sup>332</sup>penalty, McDonald. <sup>333</sup>shillings, Bancroft. <sup>334</sup>reforte, McDonald, Bancroft. <sup>335</sup>Gover<sup>nr</sup>, McDonald; Governour, Bancroft. <sup>336</sup>commander, McDonald; comand<sup>r</sup>, Bancroft. <sup>337</sup>State, McDonald. <sup>338</sup>State, McDonald. <sup>339</sup>do., Bancroft. <sup>340</sup>within, McDonald. <sup>341</sup>State, McDonald. <sup>342</sup>In the McDonald copy, from the word conditions, in the third line above, to this point are omitted. <sup>343</sup>Governour, McDonald, Bancroft. <sup>344</sup>Councill, McDonald. <sup>345</sup>shall be, McDonald, Bancroft. <sup>346</sup>steers, McDonald. <sup>348</sup>helde, McDonald, Bancroft. <sup>349</sup>against, McDonald, Bancroft. <sup>350</sup>also McDonald, Bancroft.



valuable restitution to the said Indians, and shall forfeit, if he be a freeholder, five pound; if a servant, 40<sup>s</sup>, or endure a whipping; and anything under the value of 13<sup>d</sup> 35<sup>1</sup> shall be accounted Petty larceny.

All ministers shall duely read divine service, and exercise their ministerial function according to the Ecclesiastical lawes and orders of the church<sup>352</sup> of Englande, and every Sunday in the afternoon<sup>353</sup> shall Catechize suche as are not yet ripe to come to the Com.<sup>354</sup> And whofoever of them shall be<sup>355</sup> found negligent or faulty in this kinde shall be subject to the censure of the Govern<sup>r</sup> and Counsell of Estate.

The Ministers and Churchwardens shall seeke to presente<sup>356</sup> all ungodly disorders, the comitters wherofe<sup>357</sup> if, upon goode<sup>358</sup> admonitions and milde reproofe,<sup>359</sup> they will not forbear the said skandalous offenses,<sup>360</sup> as suspitions of whordomes,<sup>361</sup> dishonest company keeping with women and suche<sup>362</sup> like, they are to be presented and punished accordingly.

If any person after two warnings, doe<sup>363</sup> not amende<sup>364</sup> his or her life in point<sup>365</sup> of evident suspicion of Incontincy<sup>366</sup> or of the comission<sup>367</sup> of any other enormous finnes,<sup>368</sup> that then he or shee be presented by the Churchwardens and suspended for a time from the church by the minister. In w<sup>ch</sup> Interim if the same person do<sup>369</sup> not amende and humbly submit<sup>370</sup> him or herselfe to the church, he is then fully to be excommunicate and soon after a writt or warrant to be sent<sup>371</sup> from the Govern<sup>r</sup> <sup>372</sup> for the apprehending of his person ande seizing on<sup>373</sup> all his goods. Provided alwayes, that all the ministers doe meet<sup>374</sup> once a quarter, namely, at the feast of S<sup>t</sup> Michael the Arkangell, of the nativity of our saviour, of the Annuntiation of the blessed Virgine, and about midfomer, at<sup>375</sup> James city or any other place where the Governo<sup>r</sup> <sup>376</sup> shall reside, to determine whom it is fitt to excommunicate, and that they first presente their opinion to the Governo<sup>r</sup> <sup>377</sup> ere they proceed to the acte of excommunication.

For reformation of swearing, every freeman and M<sup>r</sup> of a family after thrise admonition shall give 5s or the value upon present<sup>378</sup> demaunde, to the use of the church where he dwelleth; and every servant after the like admonition, excepte his M<sup>r</sup> dischardge<sup>379</sup> the fine, shall be subject to whipping. Provided, that the payment of the fine notwithstanding, the said servant shall acknowledge his faulte publicly in the Church.

No man whatsoever, coming by water from above, as from Henrico, Charles city, or any place from the westwarde of James city, and

<sup>351</sup>13 ob., McDonald. <sup>352</sup>Church, McDonald. <sup>353</sup>afternoone, McDonald. <sup>354</sup>comunion, McDonald, Bancroft. <sup>355</sup>shall be, McDonald. <sup>356</sup>prevente, McDonald. <sup>357</sup>whereof, McDonald, Bancroft. <sup>358</sup>good, McDonald, Bancroft. <sup>359</sup>reproofe, McDonald. <sup>360</sup>offences, McDonald. <sup>361</sup>whoredoms, McDonald. <sup>362</sup>fuch, McDonald. <sup>363</sup>do., Bancroft. <sup>364</sup>amend, Bancroft. <sup>365</sup>pointe, McDonald. <sup>366</sup>Incontinency, McDonald, Bancroft. <sup>367</sup>comission, McDonald. <sup>368</sup>finnes, Bancroft. <sup>369</sup>doe, McDonald. <sup>370</sup>submit, McDonald, Bancroft. <sup>371</sup>ente, McDonald, Bancroft. <sup>372</sup>Governour, Bancroft. <sup>373</sup>McDonald omits on. <sup>374</sup>meete, McDonald. <sup>375</sup>att., McDonald. <sup>376</sup>Gover<sup>nr</sup>, McDonald; Governour, Bancroft. <sup>377</sup>Governour, McDonald, Bancroft. <sup>378</sup>presente, McDonald. <sup>379</sup>discharge, McDonald.

being bound for Kiccowtan,<sup>380</sup> or any other parte on this side,<sup>381</sup> the same shall presume to pass by, either by day or by night, without touching firste here at James city to knowe<sup>382</sup> whether the Governour<sup>383</sup> will comande him any service. And the like shall they performe that come from Kicawtan<sup>384</sup> ward, or from any place between this and that, to go upwarde, upon paine of forfaiting ten pound sterling a time to the Governour<sup>385</sup>. Provided, that if a servant having had instructions from his Master to observe this lawe,<sup>386</sup> doe, notwithstanding, transgresse the same, that then the said<sup>387</sup> servant shall be punished at the Governour's discretion; otherwise, that the master himselfe shall undergo the foresaid penalty.

No man shall trade<sup>388</sup> into the baye, either in shallop, pinnace, or ship, without the Governour's<sup>389</sup> license, and without putting in security that neither himself nor his Company shall force or wrong the Indians, upon paine that, doing otherwise, they shall be censured at their returne by the Governour<sup>390</sup> and Counsell<sup>391</sup> of Estate.

All persons whatsoever upon the Sabaoth daye<sup>392</sup> shall frequente divine service and sermons both forenoon and afternoon, and all sutch as beare armes shall bring<sup>393</sup> their pieces, swordes, poulder and shotte. And every one that shall transgresse this lawe shall forfait<sup>394</sup> three shillings<sup>395</sup> a time to the use of the church, all lawful and necessary impediments excepted. But if a servant in this case shall wilfully neglecte his M<sup>r</sup>'s comande he shall suffer bodily punishmente.

No maide or woman servant, either now resident in the Colonie or hereafter to come, shall contract herselfe in marriage without either the consente of her parents, or of her M<sup>r</sup> or M<sup>ris</sup>, or of the magistrat<sup>396</sup> and minister of the place both together. And whatsoever minister shall marry or contracte any sutch persons without some of the foresaid consentes shall be<sup>397</sup> subjecte to the severe censure of the Governour<sup>398</sup> and Counsell<sup>399</sup> of Estate.

Be it enacted by this<sup>400</sup> present assembly that whatsoever servant hath heretofore or shall hereafter contracte himselfe in England, either by way of Indenture or otherwise, to serve any Master here in Virginia and shall afterward, against<sup>401</sup> his said former contracte, depart from his M<sup>r</sup> without leave, or, being once imbarked, shall abandon the ship he is appointed to come in, and so, being leste behinde, shall putt<sup>402</sup> himselfe into the service of any other man that will bring him hither, that then at the same servant's arrival here, he shall first serve out his time with that M<sup>r</sup> that brought him hither and afterward also shall serve out his time<sup>403</sup> with his former M<sup>r</sup> according to his covenant.

Here ende the lawes.

<sup>380</sup>Kiccowtan, Bancroft. <sup>381</sup>of, inserted by McDonald. <sup>382</sup>know, McDonald. <sup>383</sup>Governour, McDonald, Bancroft. <sup>384</sup>Kiccowtan, McDonald, Bancroft. <sup>385</sup>Governor, McDonald, Bancroft. <sup>386</sup>McDonald reads, observe his service. <sup>387</sup>d, McDonald. <sup>388</sup>shall have trade, Bancroft. <sup>389</sup>Governour's, McDonald, Bancroft. <sup>390</sup>Governour, McDonald; Gov<sup>r</sup>, Bancroft. <sup>391</sup>Councell, McDonald. <sup>392</sup>days, McDonald, Bancroft. <sup>393</sup>bringe, McDonald. <sup>394</sup>forfait, Bancroft. <sup>395</sup>shillings, Bancroft. <sup>396</sup>magistrate, McDonald. <sup>397</sup>shall be, McDonald, Bancroft. <sup>398</sup>Govern<sup>or</sup>, McDonald; Gov<sup>r</sup>, Bancroft. <sup>399</sup>Council, McDonald. <sup>400</sup>the, McDonald. <sup>401</sup>ag<sup>st</sup>, McDonald. <sup>402</sup>put, McDonald, Bancroft. <sup>403</sup>McDonald omits the words, with that M<sup>r</sup> that brought him hither and afterwards also shall serve out his time.

All these lawes being thus concluded and consented to as aforefaide<sup>404</sup> Captaine Henry Spellman<sup>405</sup> was called to the barre to anfwere to certaine misdemeano<sup>rs</sup> layde to his chardge by Robert Poole, interpretour, upon his oath (whose examination the Govern<sup>r</sup> sente into England in the Prosperus), of w<sup>ch</sup> accusafations of Poole some he acknowledged for true, but the greatest<sup>406</sup> part he denied. Whereupon the General<sup>407</sup> Affsembly, having throughly heard and considered his speaches, did constitute this order following against him:

AUG. 4<sup>th</sup>, 1619.

This day Captaine Henry Spelman<sup>408</sup> was convented before the General Affsembly and was examined by a relation upon oath of one Robert Poole, Interpreter, what conference had passed between the said Spelman<sup>409</sup> and Opochancano at Poole's meeting with him in Opochancano's courte. Poole chardgeth him he spake very unreverently and maliciously against<sup>410</sup> this present Govern<sup>r</sup>,<sup>411</sup> wherby the honour and dignity of his place and person, and so of the whole Colonie, might be brought into contempte, by w<sup>ch</sup> meanes what mischiefs might ensue from the Indians by disturbance of the peace or otherwise, may easily be conjectured. Some thinges of this relation Spelman confessed, but the most parte he denied, excepte onely one matter of importance, & that was that he hade informed Opochancano that w<sup>th</sup>in a yeare there would come a Govern<sup>r</sup><sup>412</sup> greater then<sup>413</sup> this that nowe is in place. By w<sup>ch</sup> and by other reportes it seemeth he hath alienated the minde of Opochancano from this present Governour, and brought him in much difesteem, both w<sup>th</sup> Opochancano<sup>414</sup> and the Indians, and the whole Colony in danger of their flippery designes.

The general asssembly upon Poole's testimony onely not willing to putt Spelman to the rigour and extremity of the lawe, w<sup>ch</sup> might, perhaps both speedily and deservedly, have taken his life from him (upon the witness<sup>415</sup> of one whom he muche excepted against) were pleased, for the present, to censure him rather out of that his confession above written then<sup>416</sup> out of any other prooffe. Several and sharpe punishments were pronounced against<sup>417</sup> him by diverse of the Affsembly, But in fine the whole course<sup>418</sup> by voices united did encline to the most favourable, w<sup>ch</sup> was that for this misdemeano<sup>r</sup><sup>419</sup> he should first be degraded of his title of Captaine,<sup>420</sup> at the head of the troupe, and should be condemned to performe seven yeares service to the Colony in the nature of Interpreter to the Governour.

This sentence being read to Spelman he, as one that had in him more of the Savage then of the Christian, muttered certaine wordes to

<sup>404</sup>Aforefaid, Bancroft. <sup>405</sup>Spelman, McDonald. <sup>406</sup>greatest, McDonald. <sup>407</sup>gen<sup>l</sup>, Bancroft. <sup>408</sup>Spellman, Bancroft. <sup>409</sup>Spellman, Bancroft. <sup>410</sup>ag<sup>st</sup>, McDonald. <sup>411</sup>Governour, Bancroft. <sup>412</sup>Governour, McDonald, Bancroft. <sup>413</sup>than, McDonald, Bancroft. <sup>414</sup>Opochancanos, McDonald. <sup>415</sup>witnes, McDonald, Bancroft. <sup>416</sup>than, Bancroft. <sup>417</sup>ag<sup>st</sup>, McDonald. <sup>418</sup>courte, McDonald, Bancroft. <sup>419</sup>misdemeanor, McDonald; misdemean<sup>r</sup>, Bancroft. <sup>420</sup>Capt., McDonald.

himselfe neither shewing any remorse for his offences, nor yet any thankfulness to the Assembly for their so favourable censure, w<sup>ch</sup> he at one time or another (God's grace not wholly abandoning him) might w<sup>th</sup> some one service have been able to have redeemed.\*

This day also did the Inhabitants of Paspaheigh, alias Argall's towne, present a petition to the general assembly to give them an absolute discharge from certaine bondes wherin they stand bound to Captain Samuell Argall for the paym<sup>t</sup> of 600<sup>G</sup>,<sup>421</sup> and to Captain William Powell, at Captaine Argall's appointment, for the paym<sup>t</sup> of 50<sup>G</sup><sup>422</sup> more. To Captaine Argall for 15 skore acres of woody ground, called by the name of Argall's<sup>423</sup> towne or Paspaheigh; to Captaine Powell in respect of his paines in clearing the grounde and building the houses, for w<sup>ch</sup> Captaine<sup>424</sup> Argall ought to have given him satisfaction. Nowe,<sup>425</sup> the general assembly being doubtful whether they have any power and authority to discharge the said bondes, doe by these presents<sup>426</sup> (at the Instance of the said Inhabitants<sup>427</sup> of Paspaheighs, alias Martin's hundred people) become most humble suitours to the Tresurer, Counsell and Company in England that they wilbe<sup>428</sup> pleased to gett the said bondes for 600<sup>G</sup><sup>429</sup> to be cancelled; forasmuche as in their great comission they have expressly and by name appointed that place of Paspaheigh for parte of the Governour's<sup>430</sup> lande. And wheras Captain<sup>431</sup> William Powell is payde<sup>432</sup> his 50<sup>G</sup> w<sup>ch</sup> Captaine<sup>433</sup> Argall enjoined the saide Inhabitantes to presente him with, as parte<sup>434</sup> of the bargaine, the general assembly, at their intreaty, do become suitours on their behalfe, that Captaine Argall, by the Counsell & Company in England, may be compelled either to restore the said 50<sup>G</sup><sup>435</sup> from thence, or else that restitution therof be made here out of the goods of the said Captaine Argall.

The last acte of the Generall Assembly was a contribution to gratifie their officers, as followeth:†

AUG. 4<sup>th</sup>, 1619.

It is fully agreed at this generall<sup>436</sup> Assembly that in regarde of the great<sup>437</sup> paines and labour of the<sup>438</sup> Speaker of this Assembly (who not onely<sup>439</sup> first formed the same Assembly and to their great ease & expedition reduced all matters to be treated of into a ready method, but also his indisposition notw<sup>th</sup> standing wrote or dictated all orders and other expedients and is yet<sup>440</sup> to write severall bookes for all the Generall<sup>441</sup>

\* This paragraph appears only in the McDonald copy, and in that it has two rows of lines at right angles to each other and diagonally across it, as if to indicate that this portion of the record was considered as being improperly made or, perhaps, was not official.

† This paragraph is in the McDonald and Bancroft copies but not in De Jarnette's.

<sup>421</sup>600<sup>l</sup>, McDonald; £60, Bancroft. <sup>422</sup>50<sup>l</sup>, McDonald; £50, Bancroft. <sup>423</sup>Argall's, McDonald. <sup>424</sup>Capt., Bancroft. <sup>425</sup>now, McDonald. <sup>426</sup>presents, McDonald, Bancroft. <sup>427</sup>Inhabit<sup>ts</sup>, Bancroft. <sup>428</sup>will be, McDonald, Bancroft. <sup>429</sup>600<sup>l</sup>, McDonald; £60, Bancroft. <sup>430</sup>Governours, McDonald, Bancroft. <sup>431</sup>Captaine, McDonald, Bancroft. <sup>432</sup>paide, Bancroft. <sup>433</sup>Capt., Bancroft. <sup>434</sup>part, Bancroft. <sup>435</sup>50<sup>l</sup>, McDonald; £50, Bancroft. <sup>436</sup>general, McDonald. <sup>437</sup>greate, Bancroft. <sup>438</sup>this, McDonald. <sup>439</sup>only, McDonald. <sup>440</sup>yett, Bancroft. <sup>441</sup>severall, McDonald, Bancroft.

Incorporations and plantations both of the great charter, and of all the lawes) and likewise in respecte of the dilligence of the Clerke and fergeant, officers thereto belonging. That every man and manservant of above 16 yeares of age shall pay into the handes and Custody of the Burgeffes of every Incorporation and plantation one pound of the best Tobacco, to be distributed to the Speaker and likewise to the Clerke and fergeant of the Affembly, according to their degrees and rankes, the whole bulke whereof to be delivered into the Speaker's handes, to be divided accordingly. And in regarde<sup>442</sup> the Provost Marshall of James city hath also given some attendance upon the said Generall Affembly, he is also to have a share out of the same. And this is to begin to be gathered the 24<sup>th</sup> of February nexte.

In conclusion, the whole Affembly comaunded<sup>443</sup> the Speaker (as nowe he doth) to present their humble excuse to the Treafurer<sup>444</sup> Counsell & Company in England for being constrained by the intemperature of the weather and the falling sick of diverse of the Burgeffes to breake up so abruptly—before they had so much as putt their lawes to the ingrossing. This they wholly comited to<sup>445</sup> the fidelity of their speaker, who therein<sup>446</sup> (his conscience telles him) hath done the parte<sup>447</sup> of an honest man, otherwise he would be easily founde<sup>448</sup> out by the Burgeffes themselves, who w<sup>th</sup> all expedition are to have so many bookes of the same lawes as there be both Incorporations and Plantations in the Colony.

In the seconde place, the Affembly doth most humbly crave pardon that in so shorte<sup>449</sup> a space they could bring their matter to no<sup>450</sup> more perfection, being for the present enforced to sende home titles rather then lawes, Propositions rather then resolutions, Attemptes then Achievements, hoping their courtesy will accepte our poore indeavour, and their wisdome wilbe<sup>451</sup> ready to supporte the weaknes of this little flocke.

Thirdly, the General Affembly doth humbly beseech<sup>452</sup> the said Treafurer,<sup>453</sup> Counsell & Company, that albeit it belongeth to them onely to allowe or to abrogate any lawes w<sup>ch</sup> we shall here make,<sup>454</sup> and that it is their right so to doe,<sup>455</sup> yet that it would please them not to take it in ill parte if these lawes w<sup>ch</sup> we have nowe brought to light, do passe currant<sup>456</sup> & be of force till suche time as we<sup>457</sup> may knowe their farther pleasure out of Englande: for otherwise this people (who nowe at length have gotte<sup>458</sup> the raines<sup>459</sup> of former fervitude into their owne swindge) would in shorte time growe so insolent, as they would shake off all government, and there would be no living among them.

Their last humble suite is,<sup>460</sup> that the said Counsell & Company would be pleased, so soon as they shall finde<sup>461</sup> it convenient, to make

<sup>442</sup>regard to, McDonald; regard, Bancroft. <sup>443</sup>comanded, McDonald, Bancroft. <sup>444</sup>Trefurer, McDonald, Bancroft. <sup>445</sup>in, Bancroft. <sup>446</sup>therein, McDonald. <sup>447</sup>part, McDonald. <sup>448</sup>woulde easily be found, McDonald; would easily be founde, Bancroft. <sup>449</sup>short, McDonald. <sup>450</sup>no, omitted by McDonald. <sup>451</sup>will be, McDonald, Bancroft. <sup>452</sup>beseeche, McDonald. <sup>453</sup>Trefurer, McDonald. <sup>454</sup>inac<sup>t</sup>e, McDonald, Bancroft. <sup>455</sup>righte foe to do, McDonald; right fo to doe, Bancroft. <sup>456</sup>current, Bancroft. <sup>457</sup>wee, McDonald, <sup>458</sup>gott, McDonald; got, Bancroft. <sup>459</sup>reines, McDonald; raines, Bancroft. <sup>460</sup>suit, McDonald. <sup>461</sup>find, McDonald.

good their promise sett downe<sup>462</sup> at the conclusion of their comission for establishing the Counfel<sup>463</sup> of Estate & the General<sup>464</sup> Affembly, namely, that they will give us power to allowe or difallowe of their orders of Courte, as his Ma<sup>y</sup> <sup>465</sup> hath given them power to allowe or to reject<sup>466</sup> our lawes.

In fume Sir George Yeardley, the Governo<sup>r</sup> <sup>467</sup> prorogued the said General<sup>468</sup> Affembly till the firste of Marche, which is to fall out this present yeare of 1619, and in the mean feason diffolved the same.

*FINIS.*

I certify that the foregoing is a true and authentic copy taken from the volume above named.

JOHN McDONAGH,  
Record Agent.  
July 14th, 1871.

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The McDonald copy has the following after Finis:

(in Dorso.)

1619.

The proceedings of the first Affembly of Virginia. July 1619.  
True Copy,  
AUGUSTUS AUSTEN BURT.

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<sup>462</sup>down, McDonald. <sup>463</sup>Counfell, McDonald, Bancroft. <sup>464</sup>Generall, McDonald. <sup>465</sup>Majesty, McDonald; Ma<sup>y</sup>, Bancroft. <sup>466</sup>rejecte, McDonald, Bancroft. <sup>467</sup>Gover<sup>our</sup>, McDonald; Governour, Bancroft. <sup>468</sup>Generall, McDonald.











LISTS

OF THE

LIVINGE & THE DEAD IN VIRGINIA

February 16, 1623.



### *EDITORS' NOTE.*

The paper from which this document is printed is to be found in the first volume of the McDonald papers. It is such a census of the inhabitants of the colony as the historical student would like to see made out at several other periods of our colonial history. We can find no legal enactment requiring such a census to be taken, and no order to that effect, save in the Instructions to Governor Wyatt, dated 24th July, 1621, where, among other things, he is directed "To make a catalogue of the people in every plantation, and their conditions; and of deaths, marriages and christenings."—Hening, Vol. I., p. 115.

The entries are as brief as possible, no middle names are given, and foreigners are entered according to nationality, or not more than one name allowed them. Not the least curious is the small number of negroes. Rolfe states, "About the last of August (1619) came in a Dutch man of warre that sold us twenty Negors" (Stith, p. 126), and nearly five years after, when this census was taken, there were but twenty-two in the Colony.



STATE PAPER OFFICE. }  
 COLONIAL. }  
 Volume 3, No. 2. }

LISTS OF THE LIVINGE & DEAD IN VIRGINIA

Feb. 16th, 1623.

A LIST OF THE LIVINGE.

*At the Colledge Land.\**

Thomas Marlett,  
 Christopher Branch,  
 Francis Boot,  
 William Browning,  
 Walter Cooper,  
 William Welder,  
 Leonard More,  
 Daniell Shurley,  
 Peeter Jorden,  
 Nicholas Perfe,  
 William Dalbie,  
 Ifaias Rawton,  
 Theoder Moifes,  
 Robert Champer,  
 Thomas Jones,

David Williams,  
 William Walker,  
 Edward Hobson,  
 Thomas Hobson,  
 John Day,  
 William Cooksey,  
 Robert Farnell,  
 Nicholas Chapman,  
 Mathew Edlow,  
 William Price,  
 Gabriell Holland,  
 John Wattson,  
 Ebedmeleck Gastrell,  
 Thomas Osborne.

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\* *The Colledge Land.*—In “1619 Sir Edwin Sandys moved and obtained that ten thousand acres of land should be laid off for the University at Henrico, a place formerly resolved on for that purpose. This was intended as well for the colledge for the education of the Indians as also to lay the foundation of a seminary of learning for the English.”—Stith, London ed., p. 163.

“On the northerly side of James river, from the falls down to Henrico, containing ten miles in length, are the public lands reserved and laid out, whereof ten thousand are for the University lands, three thousand are for the company’s lands, with other lands belonging to the College.”—MS. in the McDonald paper, entitled “Particulars of Land in Virginia,” which was made out in 1625 or ’6, the communication of the Governor in which he informs their lordships that he sends it, being dated May 17, 1626. McDonald papers, Vol. I., pp. 295–307.

At the first meeting of the Burgesses (1619) the College had no representative, but at the meeting held Oct. 16, 1629, the Burgesses “For the plantations at the Colledge were Leftn’t Thomas Osborne and Mathew Edlowe,” whose names are in the text. See Hening, Vol. I., p. 138.

*Att the Neak of Land.\**

Luke Boys,  
 Mrs. Boys,  
 Robert Halam,  
 Jofeph Royall,  
 John Dods,  
 Mrs. Dods,  
 Elizabeth Perkinfon,  
 William Vincent,  
 Mrs. Vincent,  
 Allexander Bradwaye,  
   his wife Bradwaye,  
 John Price,  
   his wife Price,  
 Robert Turner,  
 Nathaniell Reeve,  
 Serjeant William Sharp,  
 Mrs. Sharp,  
 Richard Rawfe,  
 Thomas Sheppy,  
 William Clemens,  
 Ann Woodley,

Thomas Harris,  
   his wife Harris,  
 Margaret Berman,  
 Thomas Farmer,  
 Hugh Hilton,  
 Richard Taylor,  
   *uxor* Taylor,  
 Joshua Chard,  
 Christopher Browne,  
 Thomas Oage,  
   *uxor* Oage,  
   infant Oage,  
 Henry Coltman,  
 Hugh Price,  
   *uxor* Price,  
   infant Price,  
 Mrs. Coltman,  
 Robert Greene,  
   *uxor* Greene,  
   infant Greene.

*Att West & Sherlow Hundred.†*

John Harris,  
 Dorothe Harris,  
   Infants { Harris,  
           { Harris,

Thomas Floyd,  
 Ellias Longe,  
 William Nichollas,  
 Roger Ratcliffe,

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\* *Neak of Land.*—"There is another division of the country into necks of land, which are the boundaries of the Eſcheators, viz: the Northern Neck, between the Patowmeck and Rappahannock rivers.

"The neck between Rappahannock and York rivers, within which Pamunkey Neck is included,

"The neck between York and James rivers," &c., &c.—Beverly, Book IV., chap. ii.

This list being made up at James city this neck might be the one nearest to that place, and therefore the last one named by Beverly would be the one referred to; but inasmuch as in this ms. list it follows immediately after the College land, and in the list of Burgesses for 1629, occupies the same position, it is not improbable that it refers to the peninsula opposite Henrico, known on all the maps of the State as Farrar's island, and which has been made an island in reality by the completion of the canal begun by the United States army during the late civil war and afterwards finished by the engineer department of the same, under the direction of Col. W. P. Craighill. Hening reports Serit Sharpe a Burgess for this place in 1629, and Serjeant William Sharp is named in the text as living there in 1626.

† *West & Sherlow Hundred.*—Sir Thomas Dale annexed to New Bermuda "many miles of champion and wood land ground in several hundreds, by the names of Nether Hundred, Shirley Hundred," &c.—Stith, p. 124-25; Smith, General Historie, 1627, p. 111. Hening names Burgesses (1629) from Shirley Hundred island and Shirley Hundred maine, and among the latter is the name of John Harris, which appears in the text.—Hening Vol. I., p. 138.

The name of Shirley appears on the Fry and Jefferson map only at the place where the same is now



Robert Milver,	John Cartter,
Robert Parttin,	Henry Bagwell,
Margaret Parttin,	Thomas Bagwell,
infantes { Parttin,	Edward Gardiner,
{ Parttin,	Richard Biggs,
Henry Benson,	Mrs. Biggs,
Nicholas Blackman,	William Biggs, } Sons.
Nathanell Tattam,	Thomas Biggs, }
Mathew Glofter,	Richard Biggs, }
Symon Surgis,	William Askew,
Nicholas Baley,	Henry Carman,
Ann Bayley,	Andrew Dudley,
Eliner Phillips,	James Gay,
Thomas Paulett,	Anthony Burrows,
Thomas Baugh,	Rebecca Roffe,
Thomas Packer,	sons { Roffe,
Jonas Bayley,	{ Roffe,
John Truffell,	Petters, a maid.
Christopher Beane,	

*Att Jordan's Forney.\**

Sifelye Jordan,	Mrs. Beffe,
Temperance Bayliffe,	Christopher Saford,
Mary Jordan,	<i>uxor</i> Saford,
Margery Jordan,	John Caminge,
William Farrar,	Thomas Palmer,
Thomas Williams,	Mrs. Palmer,
Roger Preston,	<i>fil</i> Palmer,
Thomas Brookes,	Richard English,
John Peede,	Nathaniel Caufey,
John Freme,	Mrs. Caufey,
Richard Johnson,	Lawrence Evans,
William Dawson,	Edward Clarke,
John Hely,	<i>uxor</i> Clarke,
Robert Mannell,	infant Clarke,
Ann Linkon,	John Gibbs,
William Beffe,	John Davies,

located, opposite Bermuda Hundred, and well known as the residence of Hill Carter, Esq. A short distance below is an island not named on that map, but on modern maps as Eppes island, which we may presume was Shirley island. We do not find the name of West in the connection except in a paper entitled John Rolfe's relation to the State of Virginia, written in 1616, in which we learn that West and Shirley Hundred was about thirty-seven miles above James citie, which corresponds with the location above named. See Virginia Historical Register, Vol. I., p. 110.

\* *Jordan's Forney*.—Hening reports William Popkton as Burgess for this place. I do not find it on Fry and Jefferson's map, but Jordan's Point is there, and this is situated a short distance below City Point and is well known by the same name at the present time.

William Emerfon,  
Henry Williams,  
    *uxor* Williams,  
Henry Fisher,  
    *uxor* Fisher,

infant Fisher,  
Thomas Chapman  
    *uxor* Chapman,  
infant Chapman,  
Edith Hollis,

*Att Flourdieu Hundred.*

Richard Gregory,  
Edward Alborn,  
Thomas Dellimager,  
Thomas Hack,  
Anthony Jones,  
Robert Guy,  
William Strachey,  
John Browne,  
Annis Boulton,  
William Baker,  
Theoder Berifton,  
Walter Blake,  
Thomas Watts,  
Thomas Doughty,  
George Deverell,  
Richard Spurling,  
John Woodfon,  
William Straimge,  
Thomas Dune,  
John Landman,  
Leonard Yeats,  
George Levett,  
Thomas Harvay,  
Thomas Filenft,  
Robert Smith,  
Thomas Garnder,  
Thomas Gafkon,  
John Olives,  
Christopher Pugett,  
Robert Peake,  
Edward Tramorden,  
Henry Linge,

Gibert Pepper,  
Thomas Mimes,  
John Linge,  
John Gale,  
Thomas Barnett,  
Roger Thompson,  
Ann Thompfon,  
Ann Doughty,  
Sara Woodfon,  
    Negors,  
    Negors,  
6 Negors,  
    Negors,  
    Negors,  
Grivell, Pooley, Minister,  
Samuel Sharp,  
John Upton,  
John Wilfon,  
Henry Rowinge,  
Nathaniell Thomas,  
William Barrett,  
Robert Okley,  
Richard Bradshaw,  
Thomas Sawell,  
John Bramford,  
Anthony, }  
William, } Negors men.  
John, }  
Anthony, }  
A Negors Woman.

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*The rest at West and Sherlow Hundred Island.\**

Cap<sup>t</sup> Fackt Maddefon,  
Mary Maddefon,

Thomas Wattfon,  
James Wattfon,

\* *West and Sherlow Hundred Island.*—The distinction here made seems to confirm the suggestion contained in note to West and Sherlow Hundred.

Francis West,  
 Roger Lewis,  
 Richard Domelow,  
 William Hatfeild,  
 Thomas Foffett,  
 Ann Foffett,  
 Jenkin Ofborne,  
 William Sifmore,  
 Martha Sifmore,  
 Stephen Braby,

Elizabeth Braby,  
 Edward Temple,  
 Daniel Vergo,  
 William Tathill, boy,  
 Thomas Haile, boy,  
 Richard Morewood,  
 Edward Sparshott,  
 Barnard Jackson,  
 William Brocke,  
 James Mayo.

*At Chaplain's Choise.\**

Ifacke Chaplaine,  
 Mrs. Chaplaine,  
 John Chaplaine,  
 Walter Priest,  
 William Weston,  
 John Duffy,  
 Ann Michael,  
 Thomas Phillipps,  
 Henry Thorne,  
 Robert Hudson,  
 Ifacke Baugton,  
 Nicholas Sutton,

William Whitt,  
 Edward Butler,  
 Henry Turner,  
 Thomas Leg,  
 John Browne,  
 John Trachern,  
 Henry Willson,  
 Thomas Baldwin,  
 Allexander Sanderfon,  
 David Ellis,  
 Sara More,  
 Ann, a maid.

*Att James citie and within the Corporation thereof.†*

Sir Francis Wyatt, Gov<sup>r</sup>  
 Margaret, Lady Wyatt,  
 Hant Wyatt, minister,  
 Kathren Spencer,  
 Thomas Hooker,  
 John Gather,  
 John Matcheman,  
 Edward Cooke,

George Nelson,  
 George Hall,  
 Lane Burt,  
 Elizabeth Powell,  
 Mary Woodward,  
 Sir George Yeardeley, knight,  
 Temperance Lady Yeardeley,  
 Argall Yeardeley, 284

\* *Chaplain's Choise.*—This place and Jordan's Journey were represented in 1629, by Walter Price, according to Hening, and with only a fair allowance for the orthographical inaccuracies of the time and of different copyists, it is not impossible that the Walter Priest of the text is the same person. I can find no clue to its location, but it is reasonable to suppose it was near Jordan's Point.

† *James Citie.*—This birthplace of our State, eighty miles below Richmond, is now the property of a gentleman of New York city, who has the ground cultivated. During the war the soil was thrown up into fortifications, and pieces of armor, sword hilts, calthorps, gold, silver and copper coins were found. All that remains of the city is a portion of the brick tower which belonged to the church, and which attracts the attention of travellers on the river with an interest similar to that of Mount Vernon on the Potomac. Though visited by very few persons, yet the relic-hunters have removed all of the tombstones, and have attacked what remains of the church tower.

Frances Yeardley,  
 Elizabeth Yeardley,  
 Kilibett Hitchcocke,  
 Austen Combes,  
 John Foster,  
 Richard Arrundell,  
 Sufan Hall,  
 Ann Grimes,  
 Elizabeth Lyon,  
 — Younge,  
   negro } women,  
   negro }  
 Alice Davison, *vidua*,  
 Edward Sharples,  
 Jone Davies,  
 George Sands, Treasr ,  
 Capt. William Perce,  
 Joan Perce,  
 Robert Hedges,  
 Hugh Win,  
 Thomas Moulston,  
 Henry Farmer,  
 John Lightfoote,  
 Thomas Smith,  
 Roger Ruefe,  
 Allexander Gill,  
 John Cartwright,  
 Robert Auftine,  
 Edward Bricke,  
 William Ravenett,  
 Jocomb Andrews,  
   *uxor* Andrews,  
 Richard Alder,  
 Efter Evere,  
 Angelo, a negar,  
 Doctor John Pott,  
 Elizabeth Pott,  
 Richard Townsend,  
 Thomas Leifter,  
 John Kullaway,  
 Randall Howlett,  
 Jane Dickinon,  
 Fortune Taylor,  
 Capt. Roger Smith,  
 Mrs. Smith,  
 Elizabeth Salter,

Sara Macocke,  
 Elizabeth Rolfe,  
 Christopher Lawfon,  
   *uxor* Em. Lawfon,  
 Francis Fouler,  
 Charles Waller,  
 Henry Booth,  
 Capt. Raph Hamor,  
 Mrs. Hamor,  
 Joreme Clement,  
 Elizabeth Clement,  
 Sara Langley,  
 Sifely Greene,  
 Ann Addams,  
 Elkinton Ratcliffe,  
 Francis Gibson,  
 James Yemanfon,  
 John Pountes,  
 Christopher Best,  
 Thomas Clarke,  
 Mr. Reignolds,  
 Mr. Hickmore,  
   *uxor* Hickmore,  
 Sara Ruddell,  
 Edward Blaney,  
 Edward Hudson,  
   *uxor* Hudson,  
 William Hartley,  
 John Shelley,  
 Robert Bew,  
 William Ward,  
 Thomas Mentis,  
 Robert Whitmore,  
 Robert Channtree,  
 Robert Sheppard,  
 William Sawyer,  
 Lanslott Dansport,  
 Mathew Loyd,  
 Thomas Ottway,  
 Thomas Crouth,  
 Elizabeth Starkey,  
 Elinor,  
 Mrs. Perry,  
   infant Perry,  
 Frances Chapman,  
 George Graues,

*uxor* Graues,  
 Rebecca Snowe,  
 Sara Snowe,  
 John Ifgrane,  
 Mary Aftombe, *vidua*,  
 Benamy Bucke,  
 Gercyon Bucke,  
 Peleg Bucke,  
 Mara Bucke,  
 Abram Porter,  
 Brigett Clarke,  
 Abigall Afcombe,  
 John Jackfon,  
     *uxor* Jackfon,  
 Ephraim Jackfon,  
 Mr. John Burrows,  
 Mrs. Burrows,  
 Anthony Burrows,  
 John Cooke,  
 Nicholas Gouldsmith,  
 Elias Gaile,  
 Andrew Howell,  
 Ann Ashley,  
 John Southern,  
 Thomas Pafmore,  
 Andrew Ralye,  
 Nathaniel Jefferys,  
     *uxor* Jefferys,  
 Thomas Hebbs,  
 Clement Dilke,  
 Mrs. Dilke,  
 John Hinton,  
 Richard Stephens,  
 Waffell Rayner,  
     *uxor* Rayner,  
 John Jackfon,  
 Edward Price,  
 Often Smith,

Thomas Spilman,  
 Bryan Cawt,  
 George Minify,  
 Moyes Ston,  
 Capt. Holmes,  
 Mr. Calcker,  
 Mrs. Calcker,  
     infant Calcker,  
 Peceable Sherwood,  
 Anthony West,  
 Henry Barker,  
 Henry Scott,  
 Margery Dawfe,  
 Mr. Cann (or Cam),  
 Capt. Hartt,  
 Edward Spalding,  
     *uxor* Spalding,  
     *puer* Spalding,  
     *puella* Spalding,  
 John Helin,  
     *uxor* Helin,  
     *puer* Helin,  
     infant Helin,  
 Thomas Graye,  
     *uxor* Graye,  
 Jone Graye,  
 William Graye,  
 Richard Younge,  
     *uxor* Younge,  
 Jone Younge,  
 Rendall Smallwood,  
 John Greene,  
 William Mudge,  
 Mrs. Sothey,  
 Ann Sothey,  
 Elin Painter,  
 Goodman Webb.

*In the Maine.*

Richard Atkins,  
     *uxor* Atkins,  
 William Baker,  
 Edward Oliver,  
 Samuell Morris,

Robert Davis,  
 Robert Lunthorne,  
 John Vernie,  
 Thomas Wood,  
 Thomas Rees,

Michael Batt,	John Wolrich,
<i>uxor</i> Batt,	Mrs. Wolrich,
<i>vidua</i> Tindall,	Jonathin Giles,
Mr. Stafferton,	Christopher Ripen,
<i>uxor</i> Stafferton,	Thomas Banks,
John Fisher,	Frances Butcher,
John Rose,	Henry Davlen,
Thomas Thornegood,	Arthur Chandler,
John Badfton,	Richard Sanders,
Sufan Blackwood,	Thomas Helcott,
Thomas Rinston (or f),	Thomas Hichcocke,
Robert Scottifmore,	Griffine Greene,
Roger Kid,	Thomas Ofbourn,
Nicholas Bullington,	Richard Downes,
Nicholas Marttin,	William Laurell,
John Carter,	Thomas Jordan,
Christopher Hall,	Edward Bufbee,
David Ellis,	Henry Turner,
<i>uxor</i> Ellis,	Joshua Crew,
John Frogmorton,	Robert Hutchinon,
Robert Marshall,	Thomas Jones,
Thomas Snow (orig. Swnow),	<i>uxor</i> Jones,
John Smith,	Reignold Morecocke,
Lawrance Smalpage,	<i>uxor</i> Morecocke,
Thomas Croffe,	Richard Bridgewatter,
Thomas Prichard,	<i>uxor</i> Bridgewatter,
Richard Crouch,	Mr. Thomas Bun,
Christopher Redhead,	Mrs. Bun,
Henry Booth,	Thomas Smith,
Richard Carven,	Elizabeth Hodges,
<i>uxor</i> Carven,	William Kemp,
John Howell,	<i>uxor</i> Kemp,
William Burt,	Hugh Baldwin,
William Stocker,	<i>uxor</i> Baldwin,
Nicholas Roote,	John Wilmose,
Sara Kiddall,	Thomas Doe,
infants { Kiddall,	<i>uxor</i> Doe,
{ Kiddall,	George Fryer,
Edward Fisher,	<i>uxor</i> Fryer,
Richard Smith,	Stephen Webb.

*In James Island.*

John Ofbourn,	Robert Cunstable,
<i>uxor</i> Ofbourn,	William Jones,
George Pope,	<i>uxor</i> Jones,

John Johnson,	Thomas West,
<i>uxor</i> Johnson,	Henry Glover,
infants { Johnson,	Goodman Stocks,
} Johnson,	<i>uxor</i> Stocks,
John Hall,	infant Stocks,
<i>uxor</i> Hall,	Mr. Adams,
William Cookfey,	Mr. Leet,
<i>uxor</i> Cookfey,	William Spence,
infant Cookfey,	<i>uxor</i> Spence,
Alice Kean,	infant Spence,
Robert Fitts,	James Tooke,
<i>uxor</i> Fitts,	James Roberts,
John Reddish,	Anthony Harlow,
John Grevett,	Sara Spence,
<i>uxor</i> Grevett,	George Shurke,
John West,	John Booth & Robt. Bennett.

*The Neck of Land.*

Mr. Kingfmeale,	Peter Staber,
<i>uxor</i> Kingfmeale,	Thomas Popkin,
infants { Kingfmeale,	Thomas Sides,
} Kingfmeale,	Richard Perfe,
Raph Griphin,	<i>uxor</i> Perfe,
Frances Compton,	Allen, his man,
John Smith,	Ifabell Pratt,
John Filmer,	Thomas Allnutt,
Edward, a negro,	<i>uxor</i> Allnutt,
Thomas Sulley,	John Paine,
<i>uxor</i> Sulley,	Roger Redes,
Thomas Harwood,	Elinor Sprad.
George Fedam,	

*Over the River.*

John Smith,	Thomas Gates,
<i>uxor</i> Smith,	<i>uxor</i> Gates,
infant Smith,	Percevall Wood,
John Pergo,	Anthony Burrin,
Richard Fenn,	William Bedford,
William Richardfon,	William Sands,
Robert Lindfey,	John Proctor,
Richard Dolfemb,	Mrs. Proctor,
John Bottam,	Phettiplace Clofe,
John Elliott,	Henry Home,
Sufan Barber,	Richard Home,

Thomas Flower,  
William Bullocke,  
Ellias Hinton,  
John Foxen,  
Edward Smith,  
John Skimer,

Martine De Moone,  
William Naile,  
Thomas Fitts,  
Elizabeth Abbitt,  
Alice Fitts,

*At the Plantation over against James Cittie.\**

Capt. Samuel Mathews,  
Benjamin Owin,  
Rice Ax<sup>r</sup> Williams,  
John, a negro,  
Walter Parnell,  
William Parnell,  
Margaret Roades,  
John West,  
Francis West, *vidua*,  
Thomas Dayhurft,  
Robert Mathews,  
Arthur Gouldsmith,  
Robert Williams,  
Morice Loyd,  
Aron Conway,  
William Sutton,  
Richard Greene,  
Mathew Haman,  
Samuell Davies,  
John Thomas,  
John Docker,  
Abram Wood,  
Michaell Lupworth,  
John Davies,  
Lewis Baly,  
James Daries,  
Alice Holmes,  
Henry Barlow,  
Thomas Button,  
Edmond Whitt,  
Zacharia Crispe,  
John Burland,  
Thomas Hawkins,

Thomas Phillips,  
Paul Reinolds,  
Nicholas Smith,  
Elizabeth Williams,  
Hugh Cruder,  
Edward Hudfon,  
Robert Sheppard,  
Thomas Ottawell,  
Thomas Crouth,  
Robert Bew,  
John Ruffell,  
Robert Chantry,  
George Rodgers,  
Lanslott Dampont,  
John Shule,  
Nathaniell Loyd,  
William Sawyer,  
William Ward,  
William Hartley,  
Jereme Whitt,  
Livetenant Purfrey,  
Edward Grindall,  
Mr. Swift,  
William Hames,  
George Gurr,  
Henry Wood,  
John Baldwine,  
John Needome,  
William Bricks,  
Nicholas Thompfon,  
John Dency,  
Erafmus Cartter,  
John Edwards,

\* *At the Plantation over against James Cittie.*—Hening reports as Burgesses (after James City) for the other side of the water, Capt. John West, Capt. felgate; as John West's name appears in the text under this head, we presume the places are identical and refer to probably some place on the opposite side of the James river not more definitely designated.



George Bayley,  
George Sparke,  
Nicholas Comin,  
Nicholas Arras,  
Marttin Turner,  
John Stone, infant,

Davy Mansfield,  
John Denmarke,  
Elizabeth Rutten,  
Goodwife Bincks,  
A fervant of Mr. Moorewood's.

*The Glase Howse.\**

Vincentio,  
Bernardo,  
Ould Sheppard, his fonn,

Richard Tarborer.  
Mrs. Bernardo.

*At Archur's Hoop.†*

Lieutenant Harris,  
Rowland Lottis,  
*uxor* Lottis,  
John Elifon,  
*uxor* Elifon,  
George Sanders,  
Thomas Corder,

Joseph Johnson,  
George Pran,  
John Bottom,  
Thomas Farley,  
*uxor* Farley,  
a child,  
Nicholas Shotton.

*At Hogg Island.‡*

David Sanders, minifter,  
John Utie,

Mrs. Utie,  
John Utie, infant,

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\* *The Glass House*.—We find frequent references to but no notice of the erection of this building. Smith, in his account of the attempt to murder him by the Dutchmen in 1608, says, "They sent Francis, their companion, disguised like a Salvage, to the Glasse-houfe, a place in the woods neare a myle from James Toune," &c., Smith attempted to apprehend him, but he escaped, and after he had sent "20 shot after him; himself returning from the Glasse Houfe alone," when he encountered the king of the Paspas heigh whom he defeated and "led him prifoner to Iames Toune and put him in chaynes." Smith (1627) pp. 83, 84.

Stith says after the return of Newport from his expedition of discovery up James river "No sooner were they landed but the President (Smith) disperfed as many as were able, fome to make Glafs and others for Pitch," &c.; and in 1609, "And now the Colony pursued their business with alacrity and success. They made three or four lafts of Tar, Pitch, and Soap ashes and produced a trial of glafs," &c., &c. And in 1621, speaking of the subscriptions opened in England, he says, "The third roll was for a glafs furnace to make beads, which was the current coin in the Indian trade; and one Captaine Norton, with some Italian workmen, was sent over for that purpose." See also Stith, pp. 95, 97, 197, 198. As the names of Vincentio and Benardo appear in the text, we may infer that some of the Italian workmen survived the massacre of 1622.

† *Archer's Hoop*.—Archer's Hope creek on Fry and Jefferson's map empties into James river but a short distance below Jamestown, and in the Particulars of Land in Virginia, referred to in note on page 37, Archer's Hope is named.

‡ *Hogg Island*.—This is set down on Smith's and all succeeding maps. It is six or eight miles below Jamestown island, and its name being unchanged, is very well known at the present time. In the text John Utie is named as one of the inhabitants, and his name appears in Hening as one of the Burgesses in 1629 from "the plantations between Archer's Hope and Martins Hundred," which corresponds with its location.

William Tyler,  
Elizabeth Tyler,  
Richard Whitby,  
William Ramfhaw,  
Rice Watkins,  
Thomas Fokew, loft,  
Hener Elfword,  
Thomas Caufey,  
George Union,  
Henry Woodward,  
Roger Webster,  
John Donfton,  
Jofeph Johnfon,  
Richard Crocker, child,

William Hitchcocke, loft,  
George Prowfe,  
Robert Parramore,  
John Jarvice, als. Glover,  
John Browne,  
William Burcher,  
John Burcher,  
John Fulwood,  
Thomas Branfby,  
Thomas Colly,  
Thomas Simpfon,  
Thomas Powell,  
Nicholas Longe,

*At Martin's Hundred.\**

William Harwood,  
Samuell March,  
Hugh Hues,  
John Jackson,  
Thomas Ward,  
John Stevans,  
Humphrey Walden,  
Thomas Doughtie,  
John Hafley,  
Samwell Weaver,  
*vidua* Jackson,  
*filia* Jackson,

Mrs. Taylor,  
Ann Windor,  
Elizabeth Bygrane,  
Mr. Lake,  
Mr. Burren,  
John Stone,  
Samwell Cultey,  
John Helline,  
*uxor* Helline,  
A Frenchman *et uxor*,  
Thomas Siberg.

*At Warwick Scurake.†*

John Batt,  
Henry Prinffe,  
Waffell Weblin,

Anthony Read,  
Frances Woodfon,  
Henry Phillips,

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\* *Martin's Hundred*.—Martin's Hundred is located on Fry and Jefferson's map between Hog island and Mulberry island, and on a small stream called Skies creek, on the north side of James river. In the proceedings of the Assembly in 1619 it is referred to as Paspapeigh's, alias Martin's Hundred, see ante p. 30. In the "Particulars of Land in Virginia," before mentioned, we read, "Martin's Hundred, containing 80,000 acres, part planted." Captaine Martin was made president by Capt. John Smith in 1609, but he did not desire the position and resigned. At the Assembly in 1619, he and the privileges named in his patent, and certain charges against him of unfair dealing with the Indians occupied no little attention.—See ante, pp. 12 and 13. For further particulars in regard to his attempts at imposition on the Company and like charges, the reader is referred to Stith, pp. 219, 220, 221.

† *Warwick Scurake*.—It is difficult to decide upon either the spelling or the pronunciation of this word. On Smith's map it is located on the south side of James river, and about fifteen or twenty miles below Jamestown, and is spelt Waraskorack, and on page 59 he spells it Waraskoyack; Fry and Jefferson locate

Petter Collins,	Peter,	} negroes,
Christopher Reinolds,	Anthony,	
Edward Mabin,	Frances,	
John Maldman,	Margrett,	
Thomas Collins,	John Bennett,	
George Rushmore,	Nicholas Skinner,	
Thomas Spencer,	John Atkins,	
George Clarke,	John Pollentin,	
Richard Bartlett,	Rachell Pollentin,	
Francis Banks,	Margrett Pollentin,	
John Jenkins,	Mary, a maid,	
Thomas Jones,	Henry Woodward,	
William Denham,	Thomas Sawyer,	
	Thomas, a Boye.	

*At the Indian Thickett.*

Henry Woodall,	Richard Rapier,
Gregory Dory,	Cutbert Pierfon,
John Foster,	Adam Rumell,
John Greene,	Richard Robinfon,
John Ward,	James, a French man.
Christopher Wendmile,	

*At Elizabeth Cittye.\**

Capt. Ifacke Whittakers,	Richard Popely,	
Mary Whittakers,	Thomas Harding,	
Charles Atkinson,	William Joye,	
Charles Calthrop,	Raph Osborne,	
John Lankfeild,	Edward Barnes,	
Bridges Freeman,	Thomas Thorugood,	
Nicholas Wefell,	Ann Atkinson,	
Edward Loyd,	— Lankfeild,	
Thomas North,	— Medclaffe,	
Anthony Middleton,	George Nuce,	852

it on Burwell's bay, and call it Warnicqueack. Stith calls it Warrasqueake, and gives an interesting account of "the King of that town," and his hospitable treatment of Capt. Smith on the night of the 29th of December, 1608: p. 85. In the "Particulars of Land," McDonald ms. above referred to, it is spelt as shown in the following extract: "Warofquoiacke Plantation conteyning downewardes from Hogg island, 14 miles by the ryver side," &c., &c., p. 313.

Hening has it Warrosquoiack, Vol. I., p. 149. In 1634 "the country divided into eight shires," and this being one of them. Hening there spells it Warrosquyoake. Vol. I., p. 224.

\* *Elizabeth City*.—The settlement which was the foundation of the county still known by the same name. It includes the peninsula formed by the Chesapeake bay and James river. At the meeting of the Burgesses in 1629 it was represented as two districts or burroughs, viz: the upper parte and the lower parte, each having three delegates, and the text shows that of these Thomas Willobouy of the upper and Adam Thoroughgood of the lower part were living there in 1626.

Elizabeth Whittakers,  
 George Roads,  
 Edward Josnfon (sic.),  
 (qy. Johnfon,)  
 William Foulter,  
 Reinold Goodwyn,  
 James Larmount,  
 John Jackfon,  
*vidua* Johnfon,  
*vidua* Fowler,  
 Two Frenchmen,  
 George Medcalfe,  
 Walter Ely,  
 Thomas Lane,  
 Barthelmew Hopkins,  
 John Jefferfon,  
 Robert Thresher,  
 John Rowes,  
 Mr. Yates,  
 Robert Goodman,  
*uxor* Ely,  
 infant Ely,  
 Capt. Rawleigh Crafhaw,

Robert Wright,  
 James Sleight,  
 John Welchman,  
 John More,  
 Henry Potter,  
 Mr. Rofwell,  
 William Gawntlett,  
 Ofborne Smith,  
*uxor* More,  
*uxor* Wright,  
*uxor* Wright,  
*filia* Wright,  
 Thomas Dowfe,  
 Samwell Bennett,  
 William Browne,  
 William Allen,  
 Lewis Welchman,  
 Robert More,  
 Mrs. Dowfe,  
*uxor* Bennett,  
*pueri* { Bennett,  
 { Bennett,

*At Bricke Row.\**

Thomas Flint,  
 John Hampton,  
 Richard Peirfby,  
 William Rookins,  
 Rowland Williams,  
 Steven Dixon,  
 Thomas Rifby,  
 Henry Wheeler,  
 James Brooks,  
 Samuel Bennett,  
 John Carning,  
 Thomas Neares,  
 Robert Salvadge,  
 William Barry,  
 Josefph Hatfield,

Edward Marfhall,  
 Ambrose Griffith,  
 Petter Arrundell,  
 Anthony Bonall, } Frenchmen,  
 — La Geurd, }  
 James Bonall, a Frenchm.,  
 John Arrundell,  
 John Haine,  
 Nicholas Row,  
 Richard Althrop,  
 John Loyd,  
*uxor* Haine (or Hame),  
*uxor* Hampton,  
 Elizabeth Arrundell,  
 Margret Arrundell,

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† *Bricke Row*.—I can find no reference to this place unless "The Row" on the north side of the James a short distance above the mouth of the Chichahominy, on Fry and Jefferson's map is the place.

*At Bass's Choice.*

Capt. Nathaniel Baffe,	Richard Longe,
Samwell Baffe,	<i>uxor</i> Longe,
Benjamin Simmes,	infant Longe,
Thomas Sheward,	Richard Evans,
Benjamin Handcleare,	William Newman,
William Barnard,	John Army,
John Shelley,	Peter Langden,
Nathaniell Moper,	Henry,
Nath. Gammon,	Andrew Rawley,
Margrett Giles,	Peter,

*More at Elizabeth Cittie.*

Lieutenant Sheppard,	Pafta Champin,
John Powell,	Stephen Shere,
John Wooley,	Jeffery Hall,
Cathren Powell,	Rich. Jones,
John Bradfton,	William Hutchinson,
Francis Pitts,	Richard Apleton,
Gilbert Whitfield,	Thomas Evans,
Peter Hereford,	Weston Browne,
Thomas Faulkner,	Robert Mounday,
Efaw de la Ware,	Steven Colloe,
William Cornie,	Raph Adams,
Thomas Curtife,	Thomas Phillips,
Robert Brittain,	Francis Barrett,
Roger Walker,	Mary Tucker,
Henry Kerfly,	Jane Brackley,
Edward Morgaine,	Elizabeth Higgins,
Anthony Ebfworth,	Mary Mounday,
Agnes Ebfworth,	Chouponke, an Indian,
Elinor Harris,	Anthony, } negroes.
Thomas Addifon,	Ifabella, }
William Longe,	Lieut. Lupo,
William Smith,	Phillip Lupo,
William Pinfen,	Bartholmew Wetherfby,
Capt. William Tucker,	Henry Draper,
Capt. Nick Martean,	Joseph Haman,
Leftenant Ed. Barkly,	Elizabeth Lupo,
Daniell Tanner,	Albiano Wetherfby,
John Morris,	John Laydon,
George Thomfon,	Ann Laydon,
Paule Thomfon,	Virginia Laydon,
William Thomfon,	Alice Laydon,

Katherine Laydon,	Elizabeth May,
William Evans,	Henry May, child,
William Julian,	Thomas Willowbey,
William Kemp,	Oliver Jenkinson,
Richard Wither,	John Chander,
John Jornall,	Nicholas Davies,
Walter Mafon,	Jone Jenkins,
Sara Julian,	Mary Jenkins,
Sara Gouldocke,	Henry Gouldwell,
John Salter,	Henry Prichard,
William Soale,	Henry Barber,
Jeremy Dickenfon,	Ann Barber,
Lawrance Peele,	John Hutton,
John Evans,	Elizabeth Hutton,
Marke Evans,	Thomas Baldwin,
George Evans,	John Billiard,
John Downeman,	Reynold Booth,
Elizabeth Downeman,	Mary,
William Baldwin,	Elizabeth Booth, child,
John Sibley,	Capt. Thomas Davies,
William Clarke,	John Davies,
Rice Griffine,	Thomas Huges,
Joseph Mosley,	William Kildrige,
Robert Smith,	Alex <sup>r</sup> Mountney,
John Cheefman,	Edward Bryan,
Thomas Cheefman,	Percivall Ibotfon,
Edward Cheefman,	John Penrice,
Peter Dickfon,	Robert Locke,
John Baynam,	Elizabeth & Ann Ibotfon,
Robert Sweet,	Edward Hill,
John Parrett,	Thomas Best,
William Fouks,	Hanna Hill,
John Clackfon,	Elizabeth Hill,
John Hill,	Robert Salford,
William Morten,	John Salford,
William Clarke,	Phillip Chapman,
Edward Stockdell,	Thomas Parter,
Elizabeth Baynam,	Mary Salford,
George Davies,	Francis Chamberlin,
Elizabeth Daviēs,	William Hill,
Ann Harrifon,	William Harris,
John Curtise,	William Worldige,
John Walton,	John Forth,
Edward Oston,	Thomas Spilman,
Toby Hurt,	Rebecca Chamberlin,
Cornelius May,	Alice Harris,

Pharow Phlinton,  
 Arthur Smith,  
 Hugh Hall,  
 Robert Sabin,  
 John Cooker,  
 Hugh Dicken,  
 William Gayne,  
 Richard Mintren, Jun<sup>r</sup> ,  
 Joane Hinton,  
 Elizabeth Hinton,  
 Rebecca Coupper,  
 Richard Mintren, Sen<sup>r</sup> ,  
 John Frye,  
 William Brooks,  
 Sibile and William Brooks,  
 Thomas Crispe,  
 Richard Packe,  
 Miles Prichett,  
 Thomas Godby,  
 Margery Prichett,  
 Jone Goodby,  
 Jone Grindry,  
 John Iniman,  
 Mary Grindry,  
 John Grindry, child,  
 John Waine,  
 Ann Waine,  
 Mary Ackland,  
 George Ackland,  
 John Harlow,  
 William Cappe,  
 Edward Watters,  
 Paule Harwood,  
 Nick. Browne,  
 Adam Througood,  
 Richard East,  
 Stephen Read,  
 Grace Watters,  
 Will<sup>m</sup> Watters.  
 Will<sup>m</sup> Ganey,  
 Henry Ganey,  
 John Robinson,  
 Robert Browne,  
 Thomas Parrish,  
 Edmund Spalden,  
 Roger Farbracke,

Theodor Jones,  
 William Baldwin,  
 Luke Aden,  
 Anna Ganey,  
 Anna Ganey, *filia*,  
 Elizabeth Pope,  
 Rebecca Hatch,  
 Thomasin Loxmore,  
 Thomas Garnett,  
 Elizabeth Garnett,  
 Susan Garnett,  
 Frances Michell,  
 Jonas Stockton,  
 Timothee Stockton,  
 William Cooke,  
 Richard Boulten,  
 Frances Hill,  
 John Jackson,  
 Richard Davies,  
 Ann Cooke,  
 Dictras Chrismus,  
 Thomas Hill,  
 Arthur Davies,  
 William Newcome,  
 Elizabeth Chrismus,  
 Joan Davies,  
 Thomas Hetherfall,  
 William Douglas,  
 Thomas Douthorn,  
 Elizabeth Douthorn,  
 Samuel Douthorn, a boy,  
 Thomas, an Indian,  
 John Hazard,  
 Jone Hazard,  
 Henry,  
 Frances Mafon,  
 Michael Wilcocks,  
 William Querke,  
 Mary Mafon,  
 Mandlin Wilcocks,  
 Mr. Keth, minister,  
 John Bush,  
 John Cooper,  
 Jonadab Illett,  
 John Barnaby,  
 John Seaward,

Robest Newman,  
William Parker,  
Thomas Snapp,

Clement Evans,  
Thomas Spilman,  
Thomas Parrish.

*At the Eastern Shore.*

Capt. William Epps,  
Mrs. Epps,  
Peter Epps,  
William,  
Edmond Cloake,  
William Bribby,  
Thomas Cornish,  
John Fisher,  
William Dry,  
Henry Wilson,  
Peter Porter,  
Christopher Cartter,  
John Sunnfill (or Sumfill),  
Nicholal Graunger,  
James Vocat Piper,  
Edward,  
John,  
Thomas,  
George,  
Charles Farmer,  
James Knott,  
John Afcomb,  
Robert Fennell,  
Phillip,  
Daniell Cogley,  
William Andrews,  
Thomas Granes,  
John Wilcocks,  
Thomas Crampe,  
William Coomes,  
John Parfons,  
John Coomes,  
James Chambers,  
Robert Ball,  
Goodwife Ball,  
Thomas Hall,  
Ifmale Hills,  
John Tyers,

Walter Scott,  
Goodwife Scott,  
Robert Edmonds,  
Thomas Hichcocke,  
John Evans,  
Henry Wattkins,  
Peregree Wattkins,  
Daniell Watkins,  
John Blower,  
Gody Blower,  
John,  
A boy of Mr. Cans,  
John How,  
John Butterfeild,  
William Davies,  
Peter Longman,  
John Wilkins,  
Goodwife Wilkins,  
Thomas Powell,  
Gody Powell,  
Thomas Parke,  
William Smith,  
Edward Drew,  
Nicholas Hoskins,  
and his child,  
William Williams,  
Mrs. Williams,  
John Throgmorton,  
Bennanine Knight,  
Chad Gunston,  
Abram Analin,  
Thomas Blacklocke,  
John Barnett,  
Thomas Savadge,  
William Beane,  
Salamon Greene,  
John Wafborne,  
William Quills.

*The End of the List of the Living.*



A LIST OF THE NAMES OF THE DEAD IN VIRGINIA  
SINCE APRIL LAST.

FEBY 16<sup>th</sup>, 1623.

*Colledge.*

John Wood,	} killed,	William Lambert,	} killed,
William More,		Thomas Naylor,	
		James Howell.	

*At the Neck of Land.*

Mofes Conyers,	Thomas Fernley, killed,
George Grimes,	Edward.
William Clements,	

*At Jordain's Forney.*

Roger Much,	Richard Shriefe,
Mary Reefer,	Thomas Bull,
Robert Winter,	John Kinton,
Robert Woods,	Daniell,

*At West & Sherlow Hundred.*

Samwell Foreman,	John Edmonds,
Zorobabell,	John Lafey,
2 Indians,	Daniell Francke,
One negar,	Capt. Nath. West,
Thomas Roberts,	Christopher Harding, killed.

*At Flower de Hundred.*

John Mayor,	John Ax. Roberts,
William Waycome,	Richard Jones,
Thomas Prife,	Richard Griffin,
Robert Walkin,	Richard Ranke,
John Fetherfton,	William Edger,

• John Fry,  
Dixi Carpenter,  
William Smith,  
James Cindnare,

Edward Temple,  
Sara Salford,  
John Stanton,  
Christo. Evans.

*At James Cittie.*

Mr. Sothey,  
John Dumpont,  
Thomas Browne,  
Henry Sothey,  
Thomas Sothey,  
Mary Sothey,  
Elizabeth Sothey,  
Thomas Clarke,  
Margarett Shrawley,  
Richard Walker,  
Vallentyne Gentler,  
Peter Brishitt,  
Humphrey Boyse,  
John Watton,  
Arthur Edwards,  
Thomas Fisher,  
William Spence, } loft,  
Mrs. Spence, }  
George Sharks,  
John Bush,  
Mr. Collins,  
    *uxor* Collins,  
Mr. Peyden,  
Peter De Maine,  
Goodman Afcomb,  
Goodman Witts,  
William Kerton,  
Mr. Atkins,  
Thomas Hakes,  
Peter Gould,  
Robert Ruffe,  
Ambrose Frefey,  
Henry Fry,  
John Dinfe,  
Thomas Trundall,  
Richard Knight,  
John Jefferys,  
John Hamun,  
John Meridien,

John Countivane,  
Thomas Guine,  
Thomas Somerfall,  
William Rowley,  
Elizabeth Rowley,  
    a maid of theirs,  
Robert Bennett,  
Thomas Roper,  
Mr. Fitziefferys,  
Mrs. Smith,  
Peter Martin,  
James Jakins,  
Mr. Crapplece,  
John Lullett,  
Ann Dixon,  
William Howlett,  
Mr. Furlow's child,  
Jacob Prophett,  
John Reding (or Reeing)  
Richard Atkins,  
    his child,  
John Bayly,  
William Jones, his son and,  
John, Mr. Pearis' fervant,  
Josias Hartt,  
Judith Sharp,  
Ann Quarle,  
— Reignolds,  
William Dier,  
Mary Dier,  
Thomas Sexton,  
Mary Brawdrye,  
Edward Normanfell,  
Henry Fell,  
— Enims,  
Roger Turnor,  
Thomas Guine,  
John Countway,  
John Meriday,

Benjamine Usher,  
John Haman,  
John Jefferyes,  
Richard Knight,  
John Walker,  
Hofier,

William Jackson,  
William Apleby,  
John Manby,  
Arthur Cooke,  
Stephen.

*At the Plantation over ag<sup>t</sup> James Cittie.*

Humphrey Clough,  
Morris Chaloner,  
Samuell Betton,  
John Gruffin,  
William Edwards,  
Wiliam Salisbury,  
Mathew Griffine,  
Robert Adwards,  
John Jones,  
Thomas Prichard,  
Thomas Morgaine,  
Thomas Biggs,  
Nicholas Bushell,  
Robert Williams,  
Robert Reynolds,  
Edward Huies,  
Thomas Foulke,  
Mathew Jenings,  
Richard Morris,  
Frances Barke,  
John Ewins,  
Samwell Fisher,  
John Ewins,  
James Cartter,  
Edward Fletcher,  
Aderton Greene,  
Morice Baker,  
Robert, Mr. Ewins' man,  
Robert Pidgion,  
Thomas Triggs,  
James Thurfby,  
Nicholas Thimbleby,  
Frances Millett,

John Hooks,  
Thomas Lawfon,  
William Miller,  
Nicholas Fatrice,  
John Champ,  
John Maning,  
Richard Edmonds,  
David Collins,  
Thomas Guine,  
John Vicars,  
John Meredie,  
Beng. Usher,  
John Cantwell,  
Richard Knight,  
Robert Hellue,  
Thomas Barrow,  
John Enines,  
Edward Price,  
Robert Taylor,  
Richard Butterey,  
Mary Lacon,  
Robert Baines,  
Joseph Arther,  
Thomas Mafon,  
John Beman,  
Christo. Pittman,  
Thomas Willer,  
Samwell Fulshaw,  
John Walmsley,  
Abram Colman,  
John Hodges,  
Naamy Boyle,

*At Hogg Island.*

William Brakley,  
Peter Dun,

John Long.

*At Martin's Hundred.*

Henry Bagford,	2 children of the Frenchmen,
Nicholas Gleadston,	John Pattifon,
Nicholas Dornigton,	<i>uxor</i> Pattifon, } killed,
Raph Rogers,	Edward Windor,
Richard Frethram,	Thomas Horner,
John Brogden,	John Walker,
John Beanam,	Thomas Pope,
Francis Atkinson,	Richard Ston,
Robert Atkinson,	John Catefby,
John Kerill,	Richard Stephens,
Edward Davies,	William Harris,
Percivall Mann,	Christo. Woodward,
Mathew Staneling,	Joseph Turner.
Thomas Nicholls,	

*At Warwick Scurake.*

Jofias Collins,	Christo. Ash,
Clement Wilfon,	<i>uxor</i> Ash,
William Robinfon,	infant Ash,
Christo. Rawfon,	Nethaniel Lawe, } killed,
Thomas Winslow,	Jane Fisher,
<i>uxor</i> Winslow,	Phillip Jones,
infant Winslow,	Edward Banks,
Alex <sup>r</sup> Suffames,	John Symons,
Thomas Prickett,	Thomas Smith,
Thomas Maddox,	Thomas Griffin,
John Greene,	George Cane,
Nathaniel Stanbridg,	Robert Whitt,
John Litton,	· Symon, an Italien.

*At Elizabeth Cittie.*

Charle Marshall,	Thomas Parkins,
William Hopkicke,	Mr. Huffy,
Dorothie Parkinon,	James Collis,
William Robertts,	Raph Rockley,
John Farrar,	William Geales,
Martin Cuffe,	George Jones,
Thomas Hall,	Andrew Allinon,
Thomas Smith,	William Downes,
Christo. Robertts,	Richard Gillett,
Thomas Browne,	Goodwife Nonn,
Henry Fearne,	Hugo Smale,

Thomas Winterfall,	Chrifenus, his child,
John Wright,	Elizabeth Mafon,
James Fenton,	Symon Wither,
Cifely, a maid,	Whitney Guy,
John Gavett,	Thomas Brodbanke,
James, } Irifhmen,	William Burnhouse,
John, } Irifhmen,	John Sparkes,
Jocky Armeftromge,	Robert Morgaine,
Wolfton Pelfant,	John Locke,
Sampfon Pelfant,	William Thompfon,
Cathrin Capps,	Thomas Fulham,
William Elbridg,	Cutberd Brooks,
John Sanderfon,	Innocent Poore,
John Bewbricke,	Edward Dupper,
John Baker, killed,	Elizabeth Davies,
William Lupo,	Thomas Buwen,
Timothy Burley,	Ann Barber,
Margery Frifle,	William Lucott,
Henry Weft,	Nicholas —, killed,
Jafper Taylor,	Henry Bridges,
Brigett Searle,	Henry Payton,
Anthony Andrew,	Richard Griffin,
Edmond Cartter,	Raph Harrifon,
Thomas —,	Samwell Harvie,
William Gauntlett,	John Boxer,
Gilbert —, killed,	Benjaimine Boxer,
Christopher Welchman,	Thomas Servant,
John Hilliard,	Frances Chamberline,
Gregory Hilliard,	Bridgett Dameron,
John Hilliard,	Ifarell Knowles,
William Richards,	Edward Bendige,
Elizabeth, a maid,	William Davies,
Capt. Hickcocke,	John Phillips,
Thomas Keinnfton,	Daniell Sandwell,
Capt. Lincolne,	William Jones,
Chad. Gulftons,	Robert Ball's wife,
uxor Gulftons,	Robert Leaner,
infant Gulftons,	Hugh Nickcott,
George Cooke,	John Knight.
Richard Goodchild,	

*Out of the Ship called The Furtherance.*

John Walker,	William Apleby,
— Hofier,	John Manby,
William Jackson,	Arthur Cooke.
	Steven,



EDITOR'S NOTE.

The reader will perceive that the foregoing list of the dead reports only those who had died "since April last" (1622), consequently does not include the victims of the Indian massacre, which occurred on the 22d of March of that year. The number which fell by that diabolical conspiracy, as reported by Smith, amounted to 347, and in his *Generall Historie*, at page 149, he has a list of the numbers murdered at different places. Neil copies from the Records of the Virginia Company (now in the Congressional Library at Washington) a list of their names—see his "*History of the Virginia Company*," pp. 339-346—and considering that it is proper to annex this to the list preceding we here-with give it. The total corresponds with the statement in Smith's *Historie*.

The number of deaths in the census list shows a mortality amounting in one year to upwards of twenty per cent. of the whole population, exceeding the number which fell in the massacre by twenty-four. The fullest details of this and many other matters relating to the Colony while under the Virginia Company, can be found more fully shown in Neil's *History of the Virginia Company* than in any other work we have seen.

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"Here following is fet downe a true list of the names of all those that were maffacted by the treachery of the Sauages in Virginia, the 22<sup>nd</sup> March last.

"To the end that their lawfull heyres may take speedy order for the inheritinge of their lands and estates there. For which the honourable Company of Virginia are ready to do them all right and faour:"

*At Captaine Berckley's Plantation, seated at Falling Creeke, some 66 miles from James Citie, in Virginia.*

John Berkley, Esquire,  
 Thomas Brafington,  
 John Sawyer,  
 Roger Daud,  
 Francis Gowsh,  
 Bartholmew Peram,  
 Giles Peram,  
 John Dowler,  
 Laurence Dowler,  
 Lewis Williams,  
 Richard Bafcough,  
 Thomas Holland,

John Hunt,  
 Robert Horner Mafon,  
 Phillip Barnes,  
 William Swandal,  
 Robert Williams, his Wife and  
 Childe,  
 Giles Bradfhawe, his Wife and  
 Childe,  
 John Howlet and his sonne,  
 Thomas Wood and Collins his man,  
 Joseph Fitch, apothecary to Doctor  
 Pots,

*At Master Thomas Sheffield Plantation, some three miles from the Falling Creeke.*

Master Th: Sheffield <sup>1</sup> and Rachel	Mathew ———,
his wife,	Judeth Howard,
John Reeue,	Thomas Poole,
William Tyler, a boy,	Methusalem ———,
Samuel Reeue,	Thomas Taylor,
John Ellen,	William Tyler.
Robert Tyler, a boy,	

*At Henrico Iland, about two miles from Sheffield's Plantation.*

—— Atkins,	William Perigo,
—— Weston,	Owen Jones, one of Capt. Berk-
Philip Shatford,	ley's people.

*Slaine of the Colledge People, about two miles from Henrico-Citie.*

Samuel Stringer,	Thomas Xerles,	Christopher Henley,
George Soldan,	Thomas Freeman,	William Jordan,
William Baffet,	John Allen,	Robert Daus,
John Perry,	Thomas Cooke,	Thomas Hobson,
Edward Ember,	John Clements,	William Bailey.
Jarrat Moore,	James Faulkoner,	

*At Apo-mattucke River, at Master Abraham Pierce his Plantation, some five miles off the Colledge People.*

William Charte,	John Barker, a boy,
Jo: Waterhowfe,	Robert Yeoman.

*At Charles-Citie and about the precincts of Capt. Smith's Company.*

Roger Royal,	Robert Maruel,	Henry Bushel.
Thomas Jones,	Edward Heydon,	

*At other Plantations next adioyning.*

Richard Plat and his Brother,	Richard, a boy,
Henry Milward, his wife, his Childe	Goodwife Redhead.
and his Sifter,	

*At Mr. William Farrar's House.*

Master John England and his man,	Thomas, his man,
John Bel,	James Woodfhaw,
Henricke Peterfon and Alice, his	Mary and
Wife, and William, her fonne,	Elizabeth, } Maid fervants.

<sup>1</sup> The son of William Sheffield,



*At Berkley-Hundred, some five miles from Charles-Citie.*

Capt. George Sharpe, Esq., one of his Maiesties Pentioners.	Giles Bradway, Richard Fereby,
John Rowles,	Thomas Sharpe,
Richard Rowles, his Wife and Childe,	Robert Jordan,
Giles Wilkins,	Edward Painter,

*At Westouer, about a mile from Berkley-Hundred.*

And First at Cap. Fr. West's Plantation:	
James English,	Richard Dafh.
At Master John West's Plantation:	
Christopher Turner,	Dauid Owen.
At Capt. Nathanael Wests:	
Michael Aleworth,	John Wright.
At Lieutenant Gibs his Dividend:	
John Paly,	William Parker,
Thomas Ratcliffe,	Richard Wainham,
Michael Booker,	Benomy Keyman,
John Higgleet,	Thomas Gay,
Nathanael Earle,	James Vpfall,
John Gibbes,	Daniel, M <sup>r</sup> Dombelowes man.
At Mr. Richard Owen's Houfe:	
Richard Owen,	One old Maid called blinde
Stephen Dubo,	Margaret,
Francis, an Irishman,	William Reeue,
Thomas Paine,	
At Master Owen Macar's Houfe:	
Owen Macar,	Richard Yeaw,
Garret Farrel,	One Boy.
At Master Macock's Dividen:	
Capt. Samuel Macock, Esquire,	Thomas Browne,
Edward Lifter,	John Downes.

*At Flowerdieu-Hundred, Sir George Yeardley's Plantation.*

John Philips,	John Braford,	Samuel Jarret,
Thomas Nufon,	Robert Taylor,	Elizabeth Bennet.

*At the other side of the River, opposite to Flowerdieu-Hundred.*

Master Hobson and his wife,	Thomas Philips,
Richard Storks,	Richard Campion,
John Slaughter,	Anne Greene.

*At Mr. Swinhowe his House.*

Mistris Swinhow and Thomas and	John Larkin,
George Swinhow, her sonnes,	William Blyth,
Richard Mofse,	Thomas Grindal.

*At Mr. William Bikar's House.*

William Bykar,	Edward Pierce,
Math. Hawthorn and his wife,	Nicholas Howfdon.

*At Weynoack of Sir George Yeardley his people.*

Nathaniel Elie,	James Boate,	— Hurt,
John Flores,	John Suerfby,	Jonas Alpart,
Henry Gape,	Thomas Euans,	Thomas Stephens,
— Buckingham,	Thomas ap-Richard,	Samuel Goodwine,
William Puffet,	Henry Haynes,	John Snow and his
William Walker,	John Blewet,	Boy,
John Gray,	Henry Rice,	Margery Blewet.

*At Powle-Brooke.*

Capt. Nath. Powle, Esq., and his	Thomas Woolcher,
wife, Daughter to Mr Tracey,	William Meakins,
Mistris Bray,	Robert ———,
Adam Rayner's wife,	Peter Jordan,
Barbara Burges,	Nathanael Leydon,
William Head,	Peter Goodale.

*At Southampton Hundred.*

Robert Goffe and his wife,	John DAVIS,
William Larkum,	William Mountfort.

*At Martin Brandons.*

Lieutenant Sanders,	2 Boyes,
Ensigne Sherley,	Mathew, a Polander.
John Taylor and his wife,	

*At Captaine Spilman's House.*

John Basingthwayte, Walter Shawe.

*At Ensigne Spence his House.*

William Richmond, William Fierfax,  
John Fowler, The Tinker,  
Alexander Bale,

*Persons slaine at Martins-Hundred, some seaven miles from James-Citie.*

Lieutenant Rich: Kean,	Richard Staples,
Maſter Tho: Boiſe &	his wife,
Miſtris Boiſe, his wife &	and Childe,
a fucking Childe,	2 Maides,
4 of his men,	6 Men and Boyes,
A Maide,	Walter Dauies &
2 Children,	his brother,
Nathanael Jefferies wife,	Chriſtopher Guillam,
Margaret Dauies,	Thomas Combar,
3 ſeruants,	A Man,
Maſter John Boiſe,	Ralphe Digginſon,
his wife,	his Wife,
A Maide,	Richard Cholfer,
4 Men-ſeruants,	George Jones,
Laurence Wats,	Cifby Cooke,
his Wife,	his wife,
2 Men ſeruants,	Dauid Bons,
Timothy Moife,	John Benner,
his Man,	John Maſon,
Henry Bromage,	William Pawmet,
his Wife,	Thomas Bats,
his Daughter,	Peter Lighborrow,
his Man,	James Thorley,
Edward How,	Robert Walden,
his Wife,	Thomas Tolling,
his Childe,	John Butler,
A child of John Jackſon,	Edward Rogers,
4 Men ſeruants,	Maximilian Ruffel,
Jofua Dary,	Henry, a Welchman.
his wife,	

*At Mr. Thomas Pierce his House over against Mulberry Iland.*

Maſter Tho: Pierce,  
his Wife,  
and Childe,

John Hopkins,  
John Samon,  
A French Boy.

*At Mr. Edward Bennets Plantation.*

Maſter Th: Brewood,  
his wife,  
his Childe,  
Robert Gray,  
John Griffin,  
Enſigne Harrifon,  
John Coſtard,  
David Barry,  
Thomas Sheppard,  
Henry Price,  
Robert ———,  
Edward Jolby,  
Richard ———,  
Alice Jones,  
Thomas Cooke,  
Philip Worth,  
Mathew a maid,  
Francis Winder,  
Thomas Conly,  
Richard Woodward,  
Humfrey Copen,  
Thomas Bacon,  
Euan Watkins,  
Richard Lewis,  
Edward Towfe,

2 Seruants,  
Thomas Ferris,  
George Cole,  
Remember Michel,  
—— Bullocke,  
Richard Chandler,  
Henry Moore,  
Nicholas Hunt,  
John Corderoy,  
Richard Cockwell,  
John Howard,  
Miſtris Harrifon,  
Mary Dawks,  
Annie Engliſh,  
Rebecca ———,  
Maſter Prowfe,  
Hugh ———,  
John ———,  
Edward ———,  
Miſtris Chamberlin,  
Parnel a maid,  
Humfrey Sherbrooke,  
John Wilkins,  
John Burton.

John Scotchmore, } Mr John Pountis his men.  
Edward Turner, }  
Edward Brewſter, Lieutenant Pierce his man.  
Thomas Holland, Capt. Whittakers man.

*At Maſter Walters his houſe.*

Maſter Edward Walters,  
his wife,  
a Childe,

a Maid,  
a Boy.





A BRIEFE DECLARATION

OF THE

PLANTATION OF VIRGINIA

DURINGE THE FIRST TWELVE YEARES, WHEN  
SIR THOMAS SMITH WAS GOVERNOR OF  
THE COMPANIE, & DOWNE TO THIS  
PRESENT TYME.

BY THE

ANCIENT PLANTERS NOWE REMAINING ALIVE IN VIRGINIA.

1624.





## PREFACE.

The next paper presented in this collection is a copy of the one from which Mr. Bancroft quotes in his introductory note to the meeting of the first Assembly, referring to it as "MS. in my possession." This is printed from the copy among the McDonald papers, and with its title and endorsements no intimation is given as to the date of its preparation, its author or authors, to whom it was addressed, or the use intended to be made of it. These questions are, however, answered almost entirely by reference to the entries in "Sainsbury's Calendar of State Papers," which, on pp. 65-'6, has the following: "1624. July. Petition of Gov. Sir Francis Wyatt, the Council and Assembly of Virginia to the King. Have understood that his Majesty, notwithstanding the unjust disparagement of the Plantation, has taken it under his especial care; intreat that credit may not be given to the late declarations presented to his Majesty concerning the happy, but indeed miserable, estate of the Colony during the first twelve years (of Sir Thos. Smythe's government), nor to the malicious imputations which have been laid upon the late government. Inclose the true state of both, and earnestly request that the present government may be continued. Pray that the King's tender compassion will not allow them to fall into the hands of Sir Thos. Smythe or his confidants." Signed by Sir Fran. Wyatt, Capt. Fan. West, Sir George Yeardley and eighty-six others. *Inclosure.*—"Brief Declaration of the Plantation," &c., giving the whole title of this paper, verbatim, and a copious abstract of its contents. The earliest account of the horrors it relates is to be found in Smith's History, p. 105, in what is called "the examinations of Doctor Simons." This writer gives full details of the straits to which the Colonists were reduced and the expedients to which they resorted to appease hunger in 1609; adding, after the statements in regard to eating the Indian who had been buried several days and their eating "one another boyled, and stewed with rootes and herbes," the account of the man who "did kill his wife, powdered her, and had eaten part of her before it was known," and adding with a grim humour, "now whether shee was better roasted, boyled or carbonado'd, I know not, but of such a dish as powdered wife, I never heard of." His statements are copied, with more or less variation, by Beverley, Stith, Kieth and Burke, but not one of them go into the disgusting and improbable details named in the "Brief Declaration." Campbell also reports the stories, but adds, in regard to the wife murderer, "upon his trial it appeared that cannibalism was feigned to palliate the murder," p. 93. Neill quotes from the Records of the Virginia Company, "The Tragical Relation of Virginia Assembly," which was transmitted to England about 1621; this was intended as a reply to a petition of Alderman Johnson and others, who had represented to the King that the reports in regard to Sir Thos. Smith's management were false, and desiring an investigation. These petitioners were members of a faction which desired to break up the Virginia Company. In the Relation of the Assembly, Smith is charged with all the cruelties to the Colonists which are mentioned in this "Brief

Declaration"; torturing and starving to death being the punishments for minor offences; and asserting their confidence in the truth of these statements by concluding it with these words: "And rather to be reduced to live under the like government we desire his Ma<sup>ties</sup> commissioners may be sent over w<sup>th</sup> authoritie to hange us." This is signed by thirty members of the General Assembly, including among the names, those of George Sandys, the poet, traveller and Secretary of the Colony, and Raph Hamor, the chronicler.—See Neill, pp. 407-411.

There is another reference to this starving time (as it is called) and its accompanying horror, which should not be allowed to pass without notice. As above stated, the worst state of affairs was reported to have existed in 1609, and in the next year a pamphlet with the following title was issued, "A true declaration of the estate of the Colonie of Virginia, with a refutation of such scandalous reports as haue tended to the disgrace of so worthy an enterprise. Published by aduise and direction of the Councell of Virginia. London, 1610." The writer of which, after referring to the slanders which had been circulated in regard to Sir Thos. Smith's government, and especially of the story of the wife-eater, says, "Sir Thomas Gates thus relateth the tragedie," and then follows a long passage to the effect that "one of the companie mortally hated his wife," and having killed her and secreted her body after cutting it into peices; when it was found out he said she died and he had hid her to satisfie his hunger, and had fed daily upon her, but upon searching his house they found a large quantity of provisions.—See Forcer tracts, Vol. III. The writers of the "Brief Declaration," and the "True Declaration," must have seen this statement published ten or twelve years before they wrote, and it is a little remarkable that they should have persisted in repeating a story which was far from being well authenticated, especially as the true statement did not need this addition to increase the odium incurred by the mismanagement of Sir Thos. Smith, the evidences of which are herein set forth.

Stith reports the stories of the Indian "that had been slain and buried" being taken up and eaten, and "so did several others, one another that died," and also that of the man who "killed his wife and powdered her up, and eat the greater portion before it was discovered;" and adds, for many years after it was "remembered by the name of the *starving time*," p. 116-117. For many particulars nowhere else given, see Neill's History, pp. 407-411.

STATE PAPER OFFICE. }  
 COLONIAL. }  
 Volume 3, No. 21, I. }

A BREIFE DECLARATION of the Plantation of Virginia duringe the first Twelve Yeares, when Sir Thomas Smith was Governor of the Companie, & downe to this present tyme. By the Ancient Planters nowe remaining alive in Virginia.

WHEREAS in the beginninge of Sir Thomas Smith's twelve yeares government, it was published in printe throughout the Kingdome of Englande that a Plantation should be settled in Virginia for the glorie of God in the propogation of the Gospell of Christ, the conversion of the Savages, to the honour of his Majesty, by the enlargeinge of his territories and future enrichinge of his kingdome, for which respects many noble & well minded persons were induced to adventure great sums of money to the advancement of soe pious & noble a worke, who have from the very first been frustrate of their expectation, as wee conceive, by the misgovernment of Sir Thomas Smith, aiminge at nothinge more then a perticular gaine, to be raised out of the labours of such as both voluntarilie adventured themselves and were otherwise sent over at the common charge. This will cleerely appeare in the examination of the first expedition & severall supplies in the tyme of his government.

The first Plantation in Virginia consisted of one hundred persons, so slenderly provided for that before they had remained halfe a yeare in this new Collony they fell into extreame want, not havinge anything left to sustein them save a little ill conditioned Barley, which ground to meal & pottage made thereof, one smale ladle full was allowed each person for a meale, without bread or aught else whatsoever, so that had not God, by his great providence, moved the Indians, then our utter enemies, to bringe us reliefe, we had all utterlie by famine perished. How unable so small a companie of people, soe poorely sent over, were to make way for such as shoulde followe, may easily be judged.

The first supplie beinge two shippes, the John & Francis & Phenix, with one hundred & twenty persons, worfe every way provided for then the former, arrived heere about eight or nine months after & found the Collony consistinge of no more then forty persons (of those) tenn only able men, the rest at point of death, all utterly destitute of howses, not one as yet built, so that they lodged in cabbins & holes within the grounde; victualls they had none, save some small reliefe from the Indians, as some yet living weare feelinge witnesses, neither were

we for our future and better maintenance permitted to manure or till any ground, a thing in a new Plantation principally to be regarded, but weare by the direction of Sir Thomas Smith, and his officers heere, wholly employed in cutting downe of mafts, cedar, blacke wallnutt, clapboarde, &c., and in digginge Gould oare (as some thought) which beinge fent for England proved dirt. These works to make retourne of present profit hindered others of more necessary consequence of Plantation.

After this first supplie there were some few poore howses built, & entrance made in clearing of ground to the quantity of foure acres for the wholl Collony, hunger & sickness not permitting any great matters to be donne that yeare.

The second supplie was a ship called the *Mary Margett*, which arrived here nine months after, about the time of Michaelmas, in her sixty persons, most gentlemen, few or no tradesmen, except some Polanders to make Pitch, tarre, potashes, &c., to be returned for present gaine, for meanly likewise were these furnished forth for victualles, that in lesse then two monthes after their arrivall, want compelled us to employe our time abroad in trading with the Indians for corne; whereby though for a time we partly relieved our necessities, yet in Maye followinge we weare forced (leavinge a small garde of gentlemen & some others about the president at James Towne) to disperse the wholl Collony, some amongst the Salvages but most to the Oyster Banks, where they lived upon oysters for the space of nine weekes, with the allowance only of a pinte of Indian corne to each man for a week, & that allowance of corne continued to them but two weekes of the nine, which kinde of feedinge caused all our skinns to peelee off, from head to foote, as if we had bene flead. By this time arrived Captaine Samuell Argall in a small Barque, with him neither supplie of men nor victuals from the Company; but we understandinge that he had some small provisions of bread and wine, more then would serve his owne companie, required him and the master of the Barque to remaine ashoare whilst we might bring his sailes ashoare the better to assure us of his ship & such provisions as coulde be spared, whereunto he seemed willingly to condescend. Those provisions, at a small allowance of Biskett, cake, and a small measure of wine or beere to each person for a Daye some what relieved us for the space of a month, at the end of which time arrived the thirde supplie, called Sir Thomas Gates, his fleet, which consisted of seaven shippes & neere five hundred persons with whom a small proportion of victuall, for such a number, was landed; howses few or none to entertain them, so that beinge quartered in the open feilde they fell upon that small quantity of corne, not beinge above seaven acres, which we with great penury & sufferance had formerly planted, and in three dayes, at the most, wholly devoured it.

These numbers, thus meanly provided, not beinge able to subsist and live together weare soone after divided into three parties and dispersed

abroad for their better reliefe. The first under commande of Captaine Francis West to seat at the head of the River; a second under commande of Captaine John Smith, then President, at James Towne, & the other, with Capt. John Martin, in the River at Nansamun, which divisions gave occasions to the Indians treacherously to cutt off divers of our men & boates, and forced the rest at the end of fixe weekes, havinge spent those small provisions they had with them, to retire to James Town & that in the depth of winter, when by reason of the colde, it was not possible for us to endure to wade in the water (as formerly) to gather oysters to satisfie our hungry stomachs, but constrained to digge in the grounde for unwholesome rootes whereof we were not able to get so many as would suffice us, in respect of the frost at that season & our poverty & weakness, so that famine compelled us wholly to devoure those Hogges, Dogges & horses that weare then in the Collony, together with rates, mice, snakes, or what vermin or carryon foever we could light on, as alsoe Toad-stooles, Jewes eares, or what els we founde growing upon the grounde that would fill either mouth or belly; and weare driven through unsufferable hunger unnaturallie to eat those thinges which nature most abhorred, the flesh and excrements of man, as well of our owne nation as of an Indian, digged by some out of his grave after he had laien buried three daies & wholly devoured him; others, envyinge the better state of bodie of any whom hunger had not yet so much wasted as there owne, lay waight and threatened to kill and eat them; one amonge the rest slue his wife as she slept in his bosome, cutt her in peeces, powdered her & fedd upon her till he had clean devoured all partes saveinge her heade, & was for soe barbarouse a fact and cruelty justly executed. Some adventuringe to seeke releife in the woods, dyed as they fought it, & weare eaten by others who found them dead. Many putt themselves into the Indians' handes, though our enemies, and were by them flaine. In this extremitye of famine continued the Collony till the twentieth of Maye, when unexpected, yet happely, arrived Sir Thomas Gates & Sir George Somers in two small Barques\* which they had built in the Sommer Islands after the wreake of the Sea adventure wherin they sett forth from Englande, with them one hundred persons barely provided of vittell for themselves. They founde the Collony consistinge then of but sixty persons most famished and at point of death, of whom many soone after died; the lamentable outcries of theirs soe moved the hartes of those worthies, not being in any sorte able long to relieve their wantes they soone resolved to imbarque themselves & this poore remainder of the Collonye, in those two pinnaces & two other small Barques then in the River, to sett saile for Newfoundland where they might relieve their wants & procure one safer passage for Englande. Every man, glad of this resolution, laboured his uttmost to further it,

\* "The Deliverance, of 70 tonn, and the Patience, of 30 tonn." Letter from the Lord Delaware, Governor of Virginia to the patentees in England.—Introduction to Strachey's *Virginia Britannia*, p. xxiii.

so that in three weekes we had fitted those barques and pinnaces (the best we could) & quitted James Towne, leaving the poore buildings in it to the spoile of the Indians, hopeinge never to retorne to re-poffess them. When we had not failed downe the River above twelve miles but we espied a boat which afterwards we understoode came from the right Honourable Lorde La Ware, who was then arived at Point Comfort with three good shippes, wherin he brought two hundred and fifty persons with some store of Provisions for them; but by reason he founde the Collony in so great want was forced to put both his owne people & the rest of the Collony to a very meane allowance, which was seven pounce of English meale for a man a weeke, & five pounds for every woman, without the addition of any victuall whatsoever, except, in the stead of meale, we took valuablie either pease or oatmeale. Upon the arrival of that boat, Sir Thomas Gates understandinge from the Lord La Ware, that his Lordship was arrived with commission from the Company to be Gov<sup>r</sup> & Capt. Gen<sup>l</sup> of Virginia, & had brought men & provisions for the subsistinge & advancing of the Plantation, he the very next daye, to the great grieffe of all his Company (only except Capt. John Martin), as winde and weather gave leave, returned his whole company with charge to take possession againe of those poore ruined habitations at James Towne which he had formerly abandoned; himselfe in a boate proceeded downward to meete his Lordship who, making all speede up, arrived shortly after at James Towne. The time of the yeare being then most unseasonable, by intemperate heat, at the end of June his people suddenly fallinge generally into most pestilent diseases of Callentures and feavors, not lesse then one hundred & fifty of them died within few moneths after, & that chiefly for want of meanes to comfort them in their weak estates. The residue alsoe disabled by reason of sicknes could performe nothing that yeare to the advancement of the Collony, yet with the help of those people which had arrived with Sir Thomas Gates, together with some of the ancient Planters, who by use weare grown practique in a hard way of livinge, two small forts weare erected neare the rivers mouth at Kicoughtun, encompassed with small younge trees, haveinge for housing in the one, two formerlie built by the Indians & covered with bark by them, in the other a tent with some few thatcht cabbins which our people built at our comming thether. We founde divers other Indian Howses built by the natives which by reason we could make no use of we burnt, killinge to the number of twelve or fourteene Indians, & posseffinge such corne as we founde growinge of their plantinge. We remained there untill harvest, when we reaped (besides what we spent) about the quantitie of one hundred and fiftie bushells of corne, which, by order from the Lord La Ware, was transported to James Towne.

His Lordship intendinge to send up certain forces to march towarde the mountaines for the discoverie of gold or silver mines at the end of October, sent his Patents to Captaine Yardley and Captaine

Holcroft, commanders of those two forts at Kicoughtan, wherein his Lordship gave order that they should be forthwith abandoned & the people with all speede to be brought to James Citie, there to prepare for his intended march.

At that time there arrived a small ship called the daintie, with twelve men & one woman, some little provision of victuall, two or three horses & some other slight necessaries for the Collony. Soon after we sett forward for our intended march, havinge for our leaders Captaine Edwarde Brewster & Captaine George Yeardley, being in number one hundred persons, furnished with all such necessary provisions, as the Collony at that time out of its poverty was able to provide. This designe was hindered by reason of the unfortunate losse of all our chieffe men skillfull in findeinge out mines, who weare treacherously slaine by the Salvadges (inviteinge them ashoare to eat victualls which they wanted) even when the meate was in their mouthes, they careinge only to fill their bellies, foresaw not to prevent this danger which befell them.

This injury we revenged for the present (as we coulde) by killinge some Indians and burninge many houses, but by reason of this disaster we proceeded not farther on our journey then the head of the River, where we spent about three moneths doinge little but induringe much; his Lordship was there in person for the most part of that time, but his disease of body groweinge much upon him he resolved to retire to James Towne, givinge order that the fort which we had built there shoulde bee quitted and the troupe drawn downe, which accordingly was done. His Lordship then in regarde of his sickness was adviced to putt to Sea in his ship, the Delaware, to seeke remedie in some other parts for the health of his bodye. At his going he left Captaine George Percie Deputie Governor, the people (remaining under his command) provided for three months at a short allowance of victuals. The calamities of these times would not any way permit workes of great importance to bee performed, sith that we did was as much as we coulde doe to live and defende our selves.

The Plantations helde at his Lordships departure were only James Towne and Pointe Comforte, where was a small Fort fenced with Pallisadoes, in it one slight howse, a store and some few thatcht cabbins, which shortly after by casualltie was burnt with fire; some few great ordinance were slenderlye mounted at James Towne and Pointe Comfort.

A fortnight after his Lordship's departure arrived a small ship called the Hercules, with some thirty people and some provisions for them. The twelwe of May followeinge arrived Sir Thomas Dale with three ships and three hundred persons, his provisions for them of such qualitie (for the most part) as hogges refused to eat, some whereof were sent backe to England to testifie the same, and that the rest was not better was justified upon oath before the Hon<sup>ble</sup> the Lorde Cheife Justice of the Common Pleas, at Guilde hall in London, by Sir Thos. Gates & two other gentlemen.

Sir Thomas Dale, takinge into consideration the precedent times not to have succeeded accordinge to the greedy desire of Sir Thomas Smith, presently employed the general Colony about the lading of those three ships with such freight as the country then yealded, but a little before the ships were readie to depart, Sir Thomas Gates arrived with three ships and three carvills, with him three hundred persons meanly provided with victualls for such a number. In this fleet, to our remembrance, arrived sixtie coves and some swine; it was his care to dispatch those shippes and carvills freighted (as aforefaid) to the neglect of workes of greater importance. Sir Thomas Dale immediatly upon his arrival, to add to that extremitye of miserye under which the Collonye from her infancie groaned, made and published most cruell and tiranous lawes, exceeding the stricteft rules of marishall discipline, which lawes were sent over by Sir Thomas Dale to Sir Thomas Smith by the hande of Mr. William Starchey,\* then Secretarie to the State, and were returned in print, with approbation, for our future government, as in divers bookes yet extant more fully appeareth.

At Michaellmas then next followinge, Sir Thomas Dale removed himself with three hundred persons for the buildinge of Henrico Towne, where being landed he oppressed his whole companye with such extraordinarye labors by daye and watchinge by night, as maye seeme incredible to the eares of any who had not the experimentall triall thereof. Wante of houfes at first landinge in the colde of winter, and pinching hunger continually biting, made those imposed labours most infufferable, and the best fruits and effects therof to be noe better then the slaughter of his Majesty's free subjects by starveinge, hangeinge, burneinge, breakinge upon the wheele and shootinge to deathe, some (more than halfe famished) runninge to the Indians to gett reliefe beinge againe returned were burnt to death. Some for stealinge to fatishe their hunger were hanged, and one chained to a tree till he starved to death; others attemptinge to run awaye in a barge and a shallop (all the Boates that were then in the Collonye) and therin to adventure their lives for their native countrye, beinge discovered and prevented, were shott to death, hanged and broken upon the wheele, besides continuall whippings, extraordinary punishments, workinge as slaves in irons for terme of yeares (and that for petty offences) weare dayly executed. Many famished in holes and other poore cabbins in the grounde, not respected because sicknes had disabled them for labour, nor was their sufficient for them that were more able to worke, our best allowance beinge but nine ounces of corrupt and putrified meale and halfe a pinte

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\* Mr. Strachey, sailed with Lord Delaware on the 1st of April, 1610, and arrived at the Capes on the 15th of May. He remained about two years. He left a well written manuscript account of his observations, with this title: "The Historie of travaile into Virginia Brittainia, \* \* \* gathered and discovered as well by those who went first hither, as collected by William Strachey, Gent., the first secretary of the Colony;" which, edited by R. A. Major, Esq., of the British Museum, was published by the Hakluyt society in 1849.



of oatmeale or pease (of like ill condition) for each person a daye. Those provisions were sent over by one Winne, a Draper, and Caswell, a baker, by the appointment (as we conceive) of Sir Thomas Smith. Under this Tyrannous Government the Collony continued in extreame slavery and miserye for the space of five yeares, in which time many, whose necessities enforced the breach of those lawes by the strictness and severitye therof, suffered death and other punishments. Divers gentlemen both there and at Henrico towne, and throughout the wholl Collonye (beinge great adventurers and no trendes or alliance to Sir Thomas Smith) weare feeling members of those generall calamities, as far forth as the meanest fellow sent over.

The buildings and fortifications of that Towne, or thereabouts, were noe way extraordinary, neither could want, accompanied with bloode and crueltie, effect better.

Fortification against a foreign enemy there was none, only two or three peeces of ordenance mounted, and against a domestic noe other but a pale inclosinge the Towne to the quantitye of foure acres, within which those buildings that weare erected, coulde not in any man's judgement, neither did stande above five yeares and that not without continuall reparations; true it is that there was a Bricke Church intended to be built, but not soe much as the foundation therof ever finished, but we contentinge our selves with a church of wood answerable to those houses. Many other workes of like nature weare by him donne at Henrico and the precincts therof, but so slightly as before his departure hence, he himself saw the ruine and desolation of most of them.

Sir Thomas Gates likewise in his time erected some buildinges in and about James Towne, which by continuall cost in repaireinge of them doe yet for the most part in some sort remaine.

A framed Bridge was alsoe then erected, which utterly decayed before the end of Sir Thomas Smith's government, that beinge the only bridge (any way soe to be called) that was ever in the country. At this time in all these labours, the miserye throughout the wholl Collony, in the scarcitye of foode was equall; which penurious and harde kinde of liveinge, enforced and emboldened some to petition to Sir Thomas Gates (then Governor) to grant them that favor that they might employ themselves in husbandry, that therby they and all others by plantinge of corne, might be better fed then those supplies of victual which were sent from Englande woulde afforde to doe, which request of theirs was denied unlesse they woulde paye the yearlye rent of three barrells of corne and one monthe's worke to the Collonye, although many of them had been employed in the generall workes and services of the Collony from the beginninge of the Plantation, which harde condition of Tenantship was then accepted rather then they woulde continue in those generall services and employments noe waye better then slaverye. Most part of the time that Sir Thomas Gates and Sir Thos. Dale governed we were at warre with the natives, so that by them divers times were many of

our people flaine, whose blood Sir Thomas Dale neglected not to revenge, by divers and fundry executions, in killinge many, cuttinge downe and takinge away their corne, burninge their houfes, spoiling their weares, &c.\*

In this time alsoe the two fortes, fort Henry and fort Charles, at Kicoughton, were againe erected with such buildings as were formerly expressed, not fortified at all against a forreine enemye, and against the Indian that common order of a pale or pallifadoe.

The supplies sent out of Englande while Sir Thos. Gates and Sir Thos. Dale governed were these; a small barque called the John and Francis, which brought few men and less victual; the next a small ship called the Sarah, with the like number of men and victuall; the next ship called the Treforer, wherein came Capt. Samuell Argoll, bringinge with him to the number of fiftie good men, which ship and men were wholly employed in Trade and other services for relievinge of the Colonye; the next ship, called the Elizabeth, with about thirteene persons, for them little provision; the next the same Elizabeth came againe, with some small store of provisions only; in her Sir Thos. Gates went for Englande, leavinge the government with Sir Thomas Dale.

A little before the departure of Sir Thomas Gates many of the ancient planters (by the instigation of Sir Thomas Dale), upon the promise of an absolute freedome after three yeares more to be expired (havinge most of them already served the Collonye six or seaven yeares in that generall slavery) were yet contented to worke in the buildinge of Charles City and Hundred, with very little allowance of clothinge and victuall, and that only for the first yeare, being promised one moneth in the yeare, and one daye in the weeke from Maye daye till harvest, to gett our maintenance out of the earth without any further helpe; which promise of Sir Thos. Dale was not performed, for out of that small time which was allowed for our maintenance we were abridged of nere halfe, soe that out of our daily taskes we were forced to redeeme time wherein to labour for our sustenance, thereby miserably to purchase our freedome. Yet so fell it out that our State (by God's mercy) was afterwarde more happye then others who continued longer in the aforementioned slavery; in which time we built such houfes as before and in them lived with continual repairs, and buildinge new where the old failed, untill the massacre.

For matter of fortification in all this time, were only foure peeces of ordinance mounted for our defence against the natives. Soone after we were seated at Charles Hundred, Sir Thomas Dales resolved of a journey to Pamoukey River, there to make with the Salvadges either a firme league of friendship or a present warre; they perceiving his intent inclined rather for peace (more for feare then love) which was then

\*“ Their weares in which they take their fish, which are certain enclosures made with reedes, and framed in the fashion of a laborinth or maze, sett a fathome deepe in the water, with divers chambers or bedds, out of which the entangled fish cannot returne or gett out, being once in.—Strachey, p. 68.

concluded betwixt them. That donne we returned to our habitations, where great want and scarcitye, oppressed us, that continuinge and increasinge, (our first harvest not yet being ripe) caused in many an intended mutinye, which beinge, by God's mercy, discovered, the prime actors were duly examined and convicted, wherof fixe beinge adjudged and condemned were executed.

After this, arrived for supply a small ship called the John and Francis, with about twenty persons and little or noe provisions for them. The next ship, called the Tresorer, arived heere with the number of twenty persons and as little provisions as the former, in which ship after many other designes were effected by Sir Thos. Dale, as making spoile of the Keschicks\* and Wariscoyacks, impaling some necks of Lande, for defence against the Salvages, and in fishing for our reliefe, &c., he departed from Virginia, and left the Government to Captain George Yardley, under whom the Collony lived in peace and best plentye that ever it had till that time, yet most part of the people for that yeare of his Government continued in the generall services followinge their labors as Sir Thos. Dale left them by order.

At Michaelmas followinge arrived a small ship called the Sufan, her lading (beinge the first Magazin) consistinge of some necessarye provisions of clothinge, as our wants required, which goods were sold by Sir Thos. Smith's factor, as we suppose, for a sufficient proffit, exchanginge with us their commodities for our Tobacco.

At Christmas then followinge, just occasion beinge given by the Indians of Chiquohomini in many and severall kindes of abuses, and in deridinge of our demandes, wherunto they had formerly agreed and conditioned with Sir Thomas Dale to paye us yearlye tribute, viz: a bushell of corne for every Boweman, for which, by agreement, we were to give to each man one peece of copper and one iron tomahawke, and to the eight chiefe men each a fuit of redd cloth, which clothes and truckinge stufte we esteemed of more worth then their corne. These and the like grosse abuses moved our Governor, Captaine\* George Yeardley, to levye a company of men, to the number of eighty-four, to bee revenged upon those contemptuous Indians, which he, accordinge to his desire, fully executed, and returned home with the spoile of them; concludinge, before his departure from them, a more firme league in appearance than formerly was, for that it continued unviolated almost the space of two yeares; our people freely travelinge from Town to Towne (both men, women and children) without any armes, and were by the Salvages lodged in their houses, every way kindly intreated and noe way molested.

In March followinge, our three yeares' time beinge expired, as it was our due, we of Charles Hundred demanded our long desired free-

\* "Kiskiack (now Chesecake—pronounced Cheesecake) on Smith's map is located on the south side of the Pamunck (now York) river about the site of Yorktown.—See Campbell, p. 66.

For Wariscoyack see note pp. 48, 49.

dome from that common and generall fervitude; unto which request Captaine George Yeardley, freely and willingly affented, to our great joy and comfort. Yet remained the most part of the Collony in the former fervitude; part of whom were farmers, the rest employed in such workes as Sir Thomas Dale gave order for before his departure.

We that were freed, with our humble thankes to God, fell cheerfully to our perticular labours, wherby to our great comfort, through his blessinge, we reaped a plentifull harvest.

In May followinge arived Captain Samuell Argoll with commifion to be Governor. He brought with him to the number of a hundred persons, partly at the charge of the Company and partly at the charge of private adventurers; with them was brought a very little provision for that nomber. At his arrival heere he founde the Collony in all parts well stored with corne, and at Charles Hundred a granery well furnished by rentes lately raifed and received from the farmers, which corne he tooke poffeffion of, but how it was employed himfelfe can best give an account. Whilest he governed, the Collony was slenderly provided of munition, wherby a strict proclamation was made for restraint of wastinge or shooting away of powder, under paine of the great punishment; which forbiddinge to shoot at all in our peeces caused the losse of much of oure corne then growinge upon the grounde; the Indians perceivinge our forbearance to shoote (as formerly) concluded thereupon that our peeces were, as they faide, sicke and not to be used; upon this, not longe after they were boulde to presume to assault some of our people, whom they slew, therin breakinge that league, which before was so fairly kept.

Duringe his time of Government most of the people of the Collony remained (as formerly) in the common service, their freedome not beinge to be obtained without extraordinary payement.

The next ship that arrived heere was the George, fett forth, as we suppose, at the charge of private adventurers, but came soe meanly provided with victuall, that had not we, the old Planters, relieved them most of them had been starved. The next ships, called the Neptune and Treasurer, arived in August followinge, fet out at the charge of the Right Hono<sup>ble</sup> the Lord Laware, his noble associates, and some other private adventurers. The people w<sup>ch</sup> arived were soe poorly victualled that had they not been distributed amongst the old Planters they must for want have perished; with them was brought a most pestilent disease (called the Bloody flux) which infected all most all the whole Collonye. That disease, notwithstanding all our former afflictions, was never knowne before amongst us.

The next supply weare two ships called the William & Thomas and the Guift, which arived in Januarie; the Guift beinge fett forth at the charge of the Societie of Martin's Hundred, the other by the Magazin and some private adventurers.

The next, a small ship called the Elinor (fett forth at whose charge

we know not), arived heere in Aprill after, and in her Capt. Samuell argoll, leaving his Government, shipt himselfe for Englande. Whatsoever els befell in the time of his Government we omit to relate, much beinge, upon our oathes, alreadie sufficiently examined and our answers sent for Englande.

By all which hath heertofore beene saide concerninge this Collony, from the infancie therof and untill the expiration of Sir Thomas Smith's government, may easily be perceived and plainly understood what just cause he or any els have to boast of the flourishing estate of those times, wherin so great miseries and callamities were indured, and soe few workes of moment or importance performed, himselfe beinge justly to be charged as a prime author therof, by his neglect of providinge and alloweing better meanes to proceede in so great a worke, and in hindering very many of our frendes from sendinge much releife and meanes who beinge earnestly solicted from hence by our letters—wherin we lamentable complained unto them—have often besought Sir Thomas Smith that they might have leave to supplie us at their owne charge both with provision of victuall and all other necessaries, wherin he utterlie denied them so to doe, protestinge to them that we were in noe want at all, but that we exceeded in abundance and plentie of all things, so that therby our frendes were moved both to desist from sendinge and to doubt the truth of our letters, most part of which weare by him usually intercepted and kept backe; farther giveinge order by his directions to the Governor heere, that all men's letters should be searched at the goinge away of ships, and if in anye of them weare founde that the true estate of the Collony was declared, they were presented to the Governor and the indighters of them severely punished; by which meanes noe man durst make any true relation to his frendes of his owne or the Collonye's true estate; neither was it permitted to anye to have passe to goe home, but by force were kept heere and employed as we have saide (save some few), one of whom received his passe from the Kinge, and that closely made up in a garter, least it should have been seized upon and he kept heere notwithstandinge. Those whom their frendes procured their passe in open courte from the Companye were, by private direction, neverthelesse made staye of, others procuringe private letters having been lett goe.

We must alsoe noat heere, that Sir Thos. Dale, at his arivall finding himself deluded by the aforefaid protestations, pulled Capt. Newport by the beard, and threatninge to hange him, for that he affirmed Sir Thos. Smith's relation to be true, demandinge of him whether it weare meant that the people heere in Virginia shoulde feed upon trees.

Soe may we heere conclude, as some have concluded for him, to what great growth of perfection (with the expence of that seaventie thousand poundes) the Plantation was advanced in the time of his 12 years' government, but whether, as it is saide, he be to be praised

for the managaing of these affaires, with much unanimity, moderation, integritie and judgment, we leave it to censure.

At the end of this twelve yeares arived Sir George Yeardley to be Gov<sup>r</sup> and founde the Collony in this estate and thus furnished, vizt: For fortification against a forreign ennemie there was none at all; two demy culverin only were mounted upon rotten carriages and placed within James Citty, fitter to shoot downe our houfes then to offend an ennemie. At Charles Hundred, which were mounted by Sir Thos. Dale, two demy culverin and one sacre; fortifications against a domestique enimie very mean. For Forts, Towns and Plantations he founde these: James Citty, Henrico, Charles Citty and Hundred, Shirley Hundred, Arrahattock, Martin Brandon and Kicoughton, all w<sup>ch</sup> were but poorely housed and as ill fortified; for in James Cittie were only those houfes that Sir Thom. Gates built in the time of his government, with one wherin the Gov<sup>r</sup> allwayes dwelt, an addition beinge made therto in the time of Captaine Sam<sup>l</sup> Argoll, and a church, built, wholly at the charge of the inhabitants of that cittie, of Timber, beinge fifty foote in length and twenty foot in breadth; at Paspahayes alsoe weare some few flight houfes built; at Henrico, two or three old howses, a poore ruined church with some few poore buildings in the Island; Coxen Dale and the Maine and att Arrahattocke one house, at Charles Cittie fixe howses much decayed, and, that we may not be too tedious, as these, soe were the rest of the places furnisht.

For people then alive about the number of foure hundred, very many of them in want of corne, utterlie destitute of cattle, swine, Poultrye and other Provisions to nourish them.

For Barques, Pinnaces, Shallops, Barges and Boates he founde only one olde Frigott, which belonged to the Sommer Islandes, one olde Shalopp built in Sir Thos. Dale's time, one boat built in Sir Sam<sup>l</sup> Argoll's time, with two small boates belonginge to private men. For munition a very small quantitye, the most part thereof beinge very bad and of little use. For ministers to instruct the people he founde only three authorized, two others who never received their orders.

For staple commodities at his arrivall he founde none afoot save only Tobacco. The natives he founde upon doubtfull termes, neither did we ever perceive that at any time they voluntarilie yealded themselves subjects or servants to our Gracious Sovereigne, neither that ever they tooke any pride in that title, nor paid they at any time any yearly contribution of corne for the sustentation of the Collony, nor could we at any time keepe them in such goode respect or correspondencie that they and we did become mutuallie helpfull or profitable, each to other, but to the contrary, whatsoever at any time was done upon them proceeded from fear without love, for such help as we have had from them have been procured by sward or trade. And heere can we noe way approve of that which hath lately beene saide in the behalfe of Sir Thos. Smith, by some of his new frendes, that a flourish-

inge plantation in Virginia, erected in the time of his 12 yeares government, hath since been destroyed through the ignorance of succeeding Governours heere, for that by what we have already said all the world may judge in what a flourishing estate it was, and to what growth of perfection it was advanced, at the arrivall of Sir Geo. Yeardley to be Gov<sup>r</sup> here, it beinge then in our judgements, that were members of the colony, in a poore estate.

The whole 12 yeares expired.

*Aprill, 1619.*—Arived Sir Geo. Yeardley, bringing certain commissions and instructions from the Company for the better establishinge of a Commonwealth heere, wherein order was taken for the removinge of all those grievances which formerly were suffered and manifested the same by publishinge a Proclamation that all those that were resident heere before the departure of Sir Thos. Dale should be freed and acquitted from such publique services and labours which formerly they suffered, and that those cruell lawes by which we had soe longe been governed were now abrogated, and that we were now to be governed by those free lawes which his Ma<sup>ty</sup>'s subjects live under in Englande. And farther that free libertie was given to all men to make choice of their dividends of lande and, as their abilities and meanes w<sup>d</sup> permitt, to possesse and plant upon them. And that they might have a hande in the governinge of themselves, it was granted that a general assemblie should be helde yearly once, wherat were to be present the Gov<sup>r</sup> and Counsell with two Burgessees from each Plantation freely to be elected by the inhabitants thereof; this assembly to have power to make and ordaine whatsoever lawes and orders should by them be thought good and profittable for our subsistence. The effect of which proceedinge gave such encouragement to every person heere that all of them followed their perticular labours with singular alacrity and industry, soe that, through the blessinge of God upon our willinge labors, within the space of three yeares, our countrey flourished with many new erected Plantations, from the head of the River to Kicoughtan, beautifull and pleasant to the spectators, and comfortable for the releife and succor of all such as by occasion did travaile by land or by water; every man givinge free entertainment, both to frendes or others. The plenty of these times likewise was such that all men generally were sufficiently furnished with corne, and many alsoe had plenty of cattle, swine, poultry and other good provisions to nourish them. Monethly courtes were held in every precinct to doe justice in redressinge of all small and petty matters, others of more consequence beinge referred to the Gov<sup>r</sup>, Counsell and Generall Assemblie. Now alsoe were begunne and sett a foote the erectinge of Iron Workes, plantinge of vines and mulberrie trees for the nourishinge of silke wormes; a trial made for silke grasse tillage for English graine, gardeninge, and the like, which gave great hopes of present and future plenty in their severall perticulars,

wherin no doubt but much more had been effected had not great sickness and mortalitie prevented.

Those yeares fallinge out to be generally contagious through this continent, the people alsoe sent over arrived heere at the most unseasonable time of the yeare, beinge at the heat of Sommer, and divers of the ships brought with them most pestilent infections, wherof many of their people had died at Sea, soe that these times alsoe of plenty and libertie were mixed with the calamities of sickness and mortalitie.

*In October, 1621, Arrived Sir Fras. Wyatt, Knight, with commission to be Gov<sup>r</sup> and Capt. Gen<sup>l</sup> of Virginia.* He ratified and confirmed all the afore mentioned liberties, freedoms and priveledges, to our great happines and content; the country alsoe flourished and increased in her former proceedinges, as iron workes, plantinge of vines and mulberrie for silke, &c. A ship alsoe was sent to the Summer Islandes for such commodities as that place afforded, as Potatoes, Fig Trees, Orange and Lemon Trees, and such like, many of which prosper and growe very likely to increase. But amidst this happines was the Hande of God sett against us, in great part, no doubt, for the punishment of our ingratitude in not beinge thankfull but forgettfull that by his mercye we were delivered from such bondage and calamitie as before time we had suffered. Justly likewise were we punished for our greedy desires of present gaine and proffit, wherin many showed themselves insatiable and covetous; we beinge too secure in trustinge of a treacherous enimie, the Salvages, they, whilest we entertained them frendley in our houses, tooke their opportunities and suddenly fell upon us, killing and murdering very many of our people, burninge and devasting their houses and plantations, this happeninge upon the *two and twentieth of March* followinge (1622), stroocke so at the life of our wellfare by blood and spoile, that it almost generally defaced the beautie of the wholl Collonye, puttinge us out of the way of bringinge to perfection those excellent workes wherin we had made soe faire a beginninge.

This deadly stroake beinge given to the great amazement and ruine of our State, caused our Governor and Counsell, withall speede, for the safetie of the rest (lest the Indians shoulde take courage to pursue what they had begunne), to re-collect the straglinge and woefull Inhabitants, soe dismembered, into stronger bodies and more secure places. This enforced reducement of the Collony into fewer bodies, together with the trouble of warre then in hande, caused the year followinge a slender harvest to be reaped, wherby we weare constrained to relye upon hopes for our reliefe by shippinge out of Englande, and by trading with the more remote Salvages, most part of which supplies from Englande unfortunately miscarried by the waye, the Salvages, likewise, from whome we hoped to have helpe by trade, proved our most treacherous enemies, cunninglye circumventinge and cruellie murderinge such as



were employed abroad to gett reliefe from them, by all which misaccidents we fell that yeare into great want and scarcitie; which since, by the blessing of God, through our supplies we have had from the Company, together with a plentiful harvest, hath bene abundantly restored. Our Gov<sup>r</sup>, Counsell and others have used their uttermost and Christian endeavours in prosecuting revenge against the bloody Salvages, and have endeavoured to restore the Collonye to her former prosperitie, wherein they have used great diligence and industrye, imploying many forces abroad for the rooting them out of severall places that thereby we may come to live in better securitie, doubtinge not but in time we shall clean drive them from these partes, and thereby have the free libertie and range for our cattle, the increase of whom may bringe us to plentie, and maye alsoe more freely goe on againe with setting up those staple commodities which we hoped by this time to have brought to good perfection.

For the supplies of shippinge, men, cattle and provisions that have arived heere since Sir Thomas Smith left his government we can not nowe well reckon up, they beinge manye, but must referre you to the printed bookes and to the Lifts and Invoices returned by Sir Geo. Yeardley.

For the State of the Collony at this present we leave to the report of such commissioners as are nowe sent over by the Right Hon. the Lordes of his Ma<sup>tie's</sup> privie counsell.

This beinge reade in the Gen<sup>l</sup> Affemblye received full approbation.

[Endorsed.]

Virginia—A relation of its Planting.

[This document is undated but is placed in the Callendar among papers of 1625?]







A LIST

OF THE NUMBER OF

MEN, WOMEN AND CHILDREN

INHABITING IN THE SEVERAL COUNTIES

WITHIN THE COLONY OF VIRGINIA,

*ANNO D<sup>N</sup>E, 1634.*



## PREFACE.

The three succeeding papers are printed from the De Jarnette collection. The first is a census in gross without any details of sex, age or social condition. In these respects it lacks the interest which one feels in the list made out in 1623.

In February, 1623, there were living in the Colony 1277 persons, and including 371 who had died during the preceding year, *i. e.* since April, 1622; it is evident that the greatest number of inhabitants during the year ending February 16, 1623—not including those murdered in the the massacre—amounted to 1648; and in 1634, eleven years afterwards, they amounted to 5,119, being an increase of 3,471, or an average of about 315 per annum, by birth and immigration. Accustomed as we are to the rapid growth of new countries this seems but a small increase, but when it is remembered that they made the voyage in sailing vessels only, and that it then not unfrequently lasted three or four months, we have little cause for wonder.

The next paper is a copy of a letter from His Majesty Charles II., to the Governor, Sir Wm. Berkeley, returning his thanks for a present of silk grown in Virginia. The first settlers were very anxious for success in this department of industry, and the House of Burgesses in 1657-'8 passed a law offering a premium of 5,000 pounds of tobacco to any one who made "100 pounds of wound silke in any one year," and in the next session, 1658-'9, the premium was made 10,000 pounds of tobacco for 50 pounds of "wound silke." We have frequently heard repeated a tradition to the effect that Charles II. wore a robe made of Virginia silk at his coronation. The circumstance of which this document is evidence, is probably the nearest approach to any thing of the sort that ever occurred, and hereafter this with the foolish and groundless story of one of the Lees going to see him when an exile at Breda, to offer him a crown and a refuge in Virginia, must be consigned to that oblivion which is likely, soon, we hope, to receive many of the mythical legends which have heretofore passed current for the history of Virginia.

The third is a list of the parishes and their ministers in 1680, the number of the latter showing that the people were poorly provided for in this respect, and that some of the parishes had no ministers. This deficiency was, however, in a measure provided for by the appointment of "readers" under the operation of acts passed February 1632-'3, by which if a minister's curé "is so large that he cannot be present on the Saboth and other holy days. *It is thought fit* That they appoint deacons for the readinge of common prayer in their absence;" and further, in March, 1661-'2, it was enacted "That every parish not haveing a minister to officiate every Sunday doe make choice of a grave and sober person to read divine service at the Parish church."—*Hen.* Vol. I., p. 208; Vol. II., p. 46, 54.





STATE PAPERS,  
 COLONIAL.  
 Vol. 8, No. 55 (1634). }

A LIST of the number of men, women and children  
 Inhabitinge in the severall Counties w<sup>th</sup> in the  
 Collony of Virginia. Anno D<sup>ne</sup>, 1634.

<i>Imprimis</i> , from Arrowhattock to Shirley hundred Iland, on both sides the river, being within the Countie of Henrico,	419
Item, from Shirley hundred Iland to Weyfnoake, on both sides the River, being w <sup>th</sup> in the countie of Charles City,	511
Item, from Upper Cheppeake Creeke to Lawnes Creeke on the Southward side, and from Checohominey River to Creeke on the northward side of the River, being w <sup>th</sup> in the Countie of James City,	886
Item, from Ketches Creeke & Mulbury Iland to Maries Mount, on the northward side of the river, being w <sup>th</sup> in the countie of Warricke river,	811
Item, from Lawnes Creeke to Warrofquyoake Creeke on the fouthward side of the river, beinge within the Countye of Warrofquyoake,	522
Item, from Maires Mount to Fox hill, w <sup>th</sup> the Plantations of the Back river & the old Pocolfon river on the Northward side, and from Elizabeth river to Chesepeake River on the fouthward side of the river, being w <sup>th</sup> in the Countie of Elizabeth City,	859
Item, in the Plantations of Kiskyake, Yorke & the new Pocolfon, being within the Countie of Charles River,	510
Item, in the Plantations on the Esterlie side of Chessepeake Bay, being w <sup>th</sup> in the Countie of Accowmack,	396
	<hr/>
The whole number is,	4,914
	<hr/> <hr/>

145 After this list was brought in there arrived a ship of Holand with from the Bermudas.

And since that 60 more in an English shipp w<sup>ch</sup> likewise came from the Bermudas.

I certify that the foregoing is a true and authentic copy taken from the volume above named.

JOHN McDONAGH,  
 Record Agent,  
 July 14th, 1871.







A LETTER

FROM

His Majesty, Charles the Second,

To SIR WM. BERKELEY, Gov. of VA.

ACKNOWLEDGING THE RECEIPT OF A PRESENT OF  
SILK MADE IN THE COLONY, AND PROMISING  
HIS PROTECTION TO THIS BRANCH  
OF INDUSTRY.

1648.



STATE PAPERS,  
 COLONIAL—VIRGINIA. }  
 Vol. 59, No. 115, (Nov'r —, 1668).

[Partly damaged by damp.]

TRUSTY & WELBELOVED, Wee Greet you well. Wee have received w<sup>th</sup> much content y<sup>e</sup> dutifull respects of that Our Colony in y<sup>e</sup> present lately made us by you & y<sup>e</sup> Councell there of y<sup>e</sup> first product of y<sup>e</sup> new Manufacture of Silke, w<sup>ch</sup>, as a mark of Our Princely acceptation of yo<sup>r</sup> duties & of y<sup>r</sup> particular encouragement, Wee resolve to give to yo<sup>r</sup> industry in y<sup>e</sup> profecution and improvem<sup>t</sup> of that or any other usefull Manufacture, Wee have comanded to be wrought up for y<sup>e</sup> use of Our owne person, and herein Wee have thought good to \* \* \*

\* \* ledge from Our owne Royall \* \* \* \* \* you of Our more especiall care & protection in all occasions that may concern that our ancient Colony and Plantation, whose laudable industry, rayfed in good part & improved by y<sup>e</sup> sobriety of y<sup>e</sup> governm<sup>t</sup>, we esteeme much, & are desirous by this & any other feasonable expreffion of Our favor, as farre as in us lies, to encourage. And foe Wee bid you Farewell. Given at Our Court at Whitehall, the — day of November, in y<sup>e</sup> 20<sup>th</sup> yeare of our Reigne, 1668.

By his Matie's Comand.

His Ma<sup>ty</sup> to Sr W<sup>m</sup>. Berkeley & Colony.

[Endorfed.]

To our Trusty and Welbeloved Sir William Berkeley, Kn<sup>t</sup> Our Governour of our Colony of Virginia, to be communicated to y<sup>e</sup> Councill of that Our Colony.

I certify that the foregoing is a true and authentic copy taken from the volume above named.

JOHN McDONAGH,  
 Record Agent,  
 July 1st, 1871.









A LIST

OF

THE PARISHES IN VIRGINIA

IN 1680.



STATE PAPERS,  
 COLONIAL—VIRGINIA.  
 Vol. 60, No. 410 (June 30th, 1680).

A LIST OF THE PARISHES IN VIRGINIA.

JUNE THE 30TH, 1680.

Henrico County	{ Varina, 1/2 Bristol,*	} John Ball.
Charles Citty Co <sup>ty</sup>	{ 1/2 Bristol, Jordan, Westover, Weyonoak, Martin Brandon,	} Readers onely. Mr Paul Williams.
Surry County	{ Southwork, Lawns Creek,	} Mr John Clough. Mr John Woyre.
James Citty County	{ Martins hundred, 1/2 Brewton, James Citty, Wallingford, Wilmington,	} Mr Row <sup>ld</sup> Jones. Mr Thomas Hampton.
Ile of Wight	{ Ile of Wight Parish, Lower Parish,	} Mr Rob <sup>t</sup> Park. Mr W <sup>m</sup> Houfden.
Nanzemund	{ Upper Parish, Lower Parish, Chicokatuck Parish,	} Mr John Gregory. Mr John Wood. Mr W <sup>m</sup> Houfden, who ferves in Ile of Wight alfoe.
Warwick County	{ Denby, Mulberry Island,	} Mr John Larwence for both.
Eliz. Citty County	Inone Parish.	Mr John Page.
Lower Norfolk	{ Eliz. River Parish, Lynhaven Parish,	} Mr W <sup>m</sup> Nern. Mr James Porter.

\*The 1/2 occurs in such cases as when one portion of the parish is in one county and the other portion in another. Thus Bristol parish was partly in Henrico and partly in Charles City counties.

Yorke County	{ 1/2 Brewton, Hampton Parish, York Parish, New Towfon Parish,	} Mr Rowland Jones. Mr Edwd. Foliott. Mr John Wright.
New Kent	{ South fide. { North fide. { St. Peter's Parish, Bliffland Parish, St. Steven's Parish, Stratton Maj <sup>r</sup> ,	} Mr Wm. Sellick. Mr Tho. Taylor. Mr Wm. Williams. Mr Robt. Carr.
Gloft <sup>r</sup> County	{ Kingfton, Ware Parish, Telfoe Parish, Abingdon,	} Mr Michaell Zyperius. Mr ——— Clark. Mr Thomas Vicars. Mr John Gwynn.
Midd <sup>x</sup> County	Chrift Church Parish,	Mr John Sheppard.
Rapp <sup>a</sup> County	{ Farnam, Sydenburn,	} Mr Charles Davies. Mr ——— Dudley.
Stafford County	{ Stafford Parish, Choatanck,	} John Wough.
Westmerland County	{ Copeland Parish, Washington,	} Mr ——— Scrimmington. Mr William Butler.
Northumberl <sup>d</sup> Cou'ty	{ Fairfield, Wacacommico,	} Mr John Farnefeld. Mr Davies, who ferves alfoe at Farnam.
Accomack County	Accomack Parish,	Mr Henry Parkes.
Northampton County	{ Northampton Parish, Hungers Parish,	} Mr Thomas Teagle.
Lancafter County	{ Chrift's Church, White Chapple,	} Mr Benj. Doggett.

I certify that the foregoing is a true and authentic copy taken from the volume above named.

JOHN McDONAGH,  
Record Agent,  
July 14th, 1871.

## ADDENDA.

The following additions to the text and notes are suggested as explanatory, without being considered superfluous.

Page 16.—“The sixte petition, to change the sauage name of Kicowtan,” was granted. In 1621, Treasurer Sandys in his report to the Company informed them that the name had been changed to Elizabeth Cittie.—Neill’s history, page 178.

Page 25.—The word “howes” inserted in connection with various kinds of dogs, is our modern word hoe; Smith has it hows on page 86, and howes on page 162.

Page 29.—Capt. Henry Spelman, was the third son of the distinguished antiquary, Sir Henry Spelman, of Conghan, Norfolk, England. He was about twenty-one years of age when he came to Virginia, in 1609, for which he accounts as follows: “Beinge in displeasuer of my frendes, and desirous to see other countryes. After three months’ sayle we cum with prosperus winds in sight of Virginia.” Afterwards he says, “I was carried by Capt. Smith, our President, to ye Fales, to ye litell Powhatan, wher, vnknowne to me he sould me to him for a towne called Powhatan.”—Spelman’s Relation, pp. 15, 16. Dr. Simons, in Smith’s General Historie, says: “Captain West and Captain Sickelmore sought abroad to trade; Sickelmore, upon the confidence of Powhatan, with about thirty other as careless as himselfe, were all slaine; onely Jeffrey Shortridge escaped, and Pokahontas, the King’s daughter, saued a boy called Henry Spelman, that liued many yeeres after, by her meanes, among the Patawokes;” this occurred in 1609.—Smith, p. 105. He remained with the Indians but little more than one year, for in 1610 Capt. Argall being sent to the “riuer Patawmoke to trade for corne,” where finding him, used Spelman’s influence to secure the loading of his vessel with corn, and Spelman returned with him to Jamestown.—Smith, p. 108. Spelman adds, “and brought into England,” p. 221. We then lose sight of him until he is arraigned before the Assembly at Jamestown in 1619 (*ante* p. 29) He makes his final appearance in 1623, when we are told, he was sent with a bark and twenty-six men to “trucke in the River Patawmeke,” where at some place, the name of which was to his companions unknown, he landed with twenty-one of his companions, when the savages made hostile demonstrations “and presently after they” (the five left in the bark) “heard a great brute amongst the Saluages ashore, and saw a man’s head thrown downe the banke, whereupon they weighed Anchor and returned home, but how he was surprised or slaine is vncertaine.”—Smith p. 161. Spelman wrote a short account of his observations while among the Indians, and it laid in obscurity until the sale of Dawson Turner’s library, in 1859, when it was bought by Mr. Joseph Lilly and, by accident, again lost; and at the sale of Mr. Lilly’s library, in 1871, it was again discovered and purchased for James F. Hunniwell, Esq., who has had one hundred copies printed for private circulation.

Spelman was not the only Englishman with the savages. In the same year that Spelman was sold for a town, or saved by Pocahontas—whichever version being correct—Admiral Newport gave Powhatan a boy, named Thomas Salvage, in exchange for “Na-

montack, his trustie seruant." Spelman says Savage was murdered by the Indians, but there is a tradition that he lived nearly all his life with them; became possessor of a tract of land on the eastern shore by gift and that it remained in his family until within the last ten years, when it was sold by some of his descendants then living in Philadelphia. The authority for this statement is obtained in correspondence with Hon. Hugh B. Grigsby, LL. D., President of the Virginia Historical Society.

Page 39.—To note to Jordan's Journey it may be added that a reference to this place is doubtless made when Smith says: "After the massacre many of the inhabitants fortified themselves against other attacks, and Master Samuel Iorden gathered but a few about him at Begger's Bush" (the title of one of Fletcher's comedies) "where he fortified."—Smith, p. 150; Campbell, p. 164.

Page 47.—The following may be added to the note on Glass House: "For glass they," the Indians, "knowe not, though the country wants not sal-sodiack enough to make glasse, and of which we have made some store in a goodly house sett up for the same purpose, a little without the island where Jamestown stands."—Strachey's Virginia Brittainia (1612), p. 71. "To take care of Capt. Wm. Norton and certaine Italians sent to sitt a glass house."—Instructions to Sir Francis Wyatt (1621), Hening I., p. 116.

Page 47.—To note on Warwick-Squrake add: "In the autumn of 1607, Capt. Smith, with "six or seaven in company," went to Kicoughtan to get food from the Indians by trade. On his return he discovered the town and county of Warraskoyack."—Smith, page 45.

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